



AGC MAINE

THE CONSTRUCTION ASSOCIATION

**Testimony of Matt Marks in Support of LD 2224
An Act to Reduce Certain Costs Associated with Residential
Construction**

Members of the Joint Standing Committee on Housing and Economic Development
March 5, 2026

Senator Curry, Representative Gere, and distinguished members of the Joint Standing Committee on Housing and Economic Development, my name is Matthew Marks; I am a Principal at Cornerstone Government Affairs, testifying on behalf of my client, The Associated General Contractors of Maine (AGC Maine). AGC Maine is a statewide commercial construction trade association and a Chapter of AGC America, founded in 1918 with roughly 30,000 contractors, suppliers, and service providers nationwide.

Before I address the contents of this bill, I want to express our thanks to the members of this Committee, state leaders, and private-sector volunteers who spent many hours on virtual calls working on the LD 1375 report.

AGC Maine appreciates the Legislature's focus on reducing costs that make it more difficult to build cost-effective housing in Maine. Construction costs have increased dramatically over the past several years due to supply chain pressures, labor shortages, and regulatory requirements. As a result, even modest code changes can significantly affect whether housing projects move forward, are delayed, or are cancelled. It's simple for our industry to quantify materials costs, but challenging to quantify the regulatory costs that contribute to the final cost per unit of housing.

LD 2224 seeks to address some of these challenges by examining certain building code provisions that have added substantial costs to residential construction. Recent code changes require additional fire safety protections for buildings with elevators on communication and smoke protection. One method for addressing the regulation is the use of smoke curtains, which are designed to prevent smoke from traveling through elevator shafts during a fire. While we recognize the safety intent of these provisions, the cost of installing smoke curtains is estimated at approximately \$ 10,000 per floor, creating significant additional expenses in multifamily buildings.

In many smaller residential projects, particularly workforce housing developments, these types of costs can influence fundamental design decisions. Developers may reduce the number of units or determine that the project is no longer financially viable. In a state already facing a

severe housing shortage, it is important that code requirements are carefully evaluated to ensure that their safety benefits justify their costs.

AGC Maine generally supports the direction of LD 2224 to review these requirements. However, we respectfully recommend one important amendment to improve the bill. Rather than attempting to resolve these highly technical elevator-related code questions directly in statute, we recommend that the bill direct the Technical Building Codes and Standards Board to evaluate and resolve the elevator-related provisions through the formal code process. That board is specifically tasked with evaluating building code changes, weighing safety benefits against construction costs, and consulting with technical experts, including fire officials, design professionals, accessibility advocates, and the construction industry.

Directing the Board to address the elevator issue would ensure the matter is resolved with appropriate technical expertise and allow for a thoughtful balance between safety, accessibility, and housing affordability. All of which should be considered, and we've inserted some suggested language:

“Technical review of elevator smoke curtain requirements.

The Technical Building Codes and Standards Board shall review the Maine Uniform Building and Energy Code requirements for smoke control measures at elevator openings in residential buildings, including smoke curtains. The board shall evaluate the life-safety benefits, construction costs, and potential alternatives that maintain safety while reducing unnecessary housing costs. The board may initiate rulemaking as necessary and shall report its findings to the Joint Standing Committee on Housing and Economic Development by January 15, 2027.”

Regarding the bill's proposal for a study on residential sprinkler system costs, AGC Maine does not take a direct position on the study itself. However, we support efforts that give policymakers better data on the cost impacts of code requirements, so future decisions are based on clear evidence. An analysis of design requirements that differ across municipalities for residential, commercial, and mixed-use developments would be especially valuable. Although the bill specifically focuses on residential, it should encompass all sprinkler policies as development density increases.

Maine urgently needs more housing of all types of workforce housing, senior housing, and market-rate apartments. Achieving that goal will require careful examination of the cumulative impact of building codes and regulatory requirements. Even well-intentioned provisions can inadvertently increase costs, making housing more difficult to build.

Therefore, AGC Maine supports the intent of LD 2224 and respectfully recommends an amendment directing the Technical Building Codes and Standards Board to address the elevator code issue through its established rulemaking and technical review process. Thank you for the opportunity to testify, and I am happy to answer any questions the Committee may have.