



MAINE OFFICE OF
**Community
Affairs**

**Testimony of the Maine Office of Community Affairs
Greg Gilbert, State Building Official
March 5, 2026**

**Before the Joint Standing Committee on Housing and Economic Development
In Support of LD 2225, An Act to Support Municipal Enforcement of Residential Construction Laws,
Codes and Regulations**

Senator Curry, Representative Gere, and distinguished Members of the joint standing committee on Housing and Economic Development, my name is Greg Gilbert, State building Official in the Maine Office of Community Affairs. I am testifying in support of LD 2225, An Act to Support Municipal Enforcement of Residential Construction Laws, Codes and Regulations.

The Maine Office of Community Affairs (MOCA) was established in 2024 to strengthen communication and partnership between the State and Maine communities. Our role is to work directly with municipalities, tribal governments, and regional councils to deliver coordinated and efficient planning, financial support, and technical assistance. Our goal is to help communities anticipate and alleviate challenges, pursue practical solutions, and build stronger, more resilient futures.

MOCA supports the goal of making construction regulation clear and uniform. We appreciate the significant work undertaken by the stakeholders and working groups who have collaborated to identify meaningful ways to streamline the construction process while maintaining appropriate safety and quality standards.

We support the inclusion of the ICC / MBI Standards for Off-Site Construction. However, as drafted, the bill references these standards without accounting for future updates. As with other codes and standards, specifying a particular edition year would lock the State into employing that particular version indefinitely, leading to the standards becoming outdated as newer edition are released. We recommend removing the year from the language, allowing for timely updates in line with the requirements of the Technical Codes and Standards Board to ensure Maine remains aligned with current best practices.

The bill also establishes specific timeframes for the adoption of those codes and standards to take effect. We understand the importance of predictability, and the convenience of anticipating when new rules will go into effect. MOCA believes this should be applied to the adoption of new code editions which the Maine Uniform Building and Energy Code statute mandates be “either the most recent edition or the edition previous to the most recent edition of that code or standard”. However, these date restrictions should not apply to more limited changes that happen between code adoptions cycles so that “fixes” may be applied in a timely manner.

MOCA supports expanding required training for code enforcement officers to include industrialized building. As construction methods continue to evolve, it is important that code officials are equipped with the knowledge and training necessary to effectively understand these building types.

And finally, we would like to note that section 9, which we believe is meant to be the same as the report-back to AFA on the supplemental budget, will need a few updates since the position actions were updated prior to the budget work session.

For these reasons, MOCA supports LD 2225 with our amendments detailed in the attachment. Thank you for your time, and I am happy to answer any questions you may have.

An Act to Support Municipal Enforcement of Residential Construction Laws, Codes and Regulations

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 10 MRSA §9722, sub-§6, ¶B, as amended by PL 2019, c. 391, §4, is further amended by amending subparagraph (8) to read:

(8) ASHRAE Standard 90.1 Energy Standard for Buildings Except Low-Rise Residential Buildings;
and

Sec. 2. 10 MRSA §9722, sub-§6, ¶B, as amended by PL 2019, c. 391, §4, is further amended by amending subparagraph (9) to read:

(9) Standard Practice for Radon Control Options for the Design and Construction of New Low-Rise Residential Buildings published by the American Society for Testing and Materials; and

Sec. 3. 10 MRSA §9722, sub-§6, ¶B, as amended by PL 2019, c. 391, §4, is further amended by enacting a new subparagraph (10) to read:

(10) International Code Council and Modular Building Institute 1200-2024 Standard for Off-site Construction: Planning, Design, Fabrication and Assembly.

Sec. 4. 10 MRSA §9726 is enacted to read:

Code changes and enforcement

Notwithstanding any provision of this chapter to the contrary, beginning January 1, 2027, the effective date of any the adoption of new versions of the codes, in accordance with §9722 sub-§6, ¶B, made by the board to the Maine Uniform Building and Energy Code or to the codes and standards listed in section 9725 between January 1st and June 30th is December 1st of that same calendar year. The effective date of changes made between July 1st and December 31st is June 1st of the next calendar year. These date restrictions do not apply to rulemaking that occurs between code adoption cycles, intended to make corrections as issues arise.

Sec. 5. 25 MRSA §2450-A, as amended by PL 2025, c. 388, Pt. D, §31, is further amended to read:

§2450-A. Surcharge on plan review fee for Uniform Building Codes and Standards Fund

In addition to the fees established in section 2450, a surcharge of 4¢ ~~6¢~~ per square foot of occupied space must be levied on the existing fee schedule for new construction, reconstruction, repairs, renovations or new use for the sole purpose of funding the activities of the Technical Building Codes and Standards Board with respect to the Maine Uniform Building and Energy Code, established pursuant to Title 10, chapter 1103, the activities of the Division of Building Codes and Standards under chapter 314 and the activities of the Maine Office of Community Affairs under Title 30-A, section 4451, subsection 3-A, except that the fee for review of a plan for the renovation of a public school, including the fee established under section 2450, may not exceed \$450. Revenue collected from this surcharge must be deposited into the Uniform Building Codes and Standards Fund established by section 2374.

Sec. 6. 30-A MRSA §4451, sub-§3, as amended by PL 2025, c. 388, Pt. D, §38, is further amended to read:

3. Training and certification of code enforcement officers. In cooperation with code enforcement officer professional associations, the Maine Community College System, the Department of Environmental Protection and the Department of Health and Human Services, except as otherwise provided in paragraph

H, the Maine Office of Community Affairs shall establish a continuing education program for individuals engaged in code enforcement. This program must provide training in the technical and legal aspects of code enforcement necessary for certification. The training program must include training to provide familiarity with the laws and ordinances related to the structure and practice of the municipal code enforcement office, municipal planning board and appeals board procedures, application review and permitting procedures, inspection procedures and code enforcement techniques, including enforcement of codes regulating industrialized housing. For the purposes of this subsection, "industrialized housing" means a structure designed to be used for residential housing that consists of or is constructed using one or more modular buildings, modular components or panelized systems that is wholly or in substantial part fabricated or assembled in a manufacturing plant for installation, or assembly and installation, on a separate building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly of, damage to or destruction of the structure.

H. If funding is not available to support the training and certification program authorized under this subsection, the Maine Office of Community Affairs shall discontinue training and certification activities related to laws and ordinances referenced in subsection 2-A, paragraphs A and B and shall adopt by routine technical rules under Title 5, chapter 375, subchapter 2-A a program to register code enforcement officers that meet training and education qualifications. The Maine Office of Community Affairs shall publish the list of persons registered for code enforcement who have submitted evidence of required qualifications. Persons registered under this paragraph must meet the requirements for training and certification under this subchapter. The Maine Office of Community Affairs shall consult with the Department of Health and Human Services for the purposes of carrying out training and certification activities related to laws and ordinances referenced in subsection 2-A, paragraphs C and D. Within one month of discontinuation of training and certification under this paragraph, the Maine Office of Community Affairs shall report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over state and local government matters a recommendation for funding the training and certification program or for further changes in program requirements.

Sec. 7. Regionalized code enforcement pilot project. The Maine Office of Community Affairs, through the Housing Opportunity Program established in the Maine Revised Statutes, Title 5, section 3241, shall conduct a 3-year pilot project to promote, incentivize and support the adoption of regionalized approaches to code enforcement by municipalities. The Maine Office of Community Affairs shall administer the pilot project and establish guidelines for the administration of the pilot project as follows.

1. The pilot project must start no later than January 1, 2027 and continue for no more than 3 years.

2. The Maine Office of Community Affairs shall conduct an ongoing evaluation of the pilot project to determine the efficacy and effect of adopting a regionalized approach to code enforcement for participating municipalities.

3. No later than January 15th of each year for the duration of the pilot project, and no later than 60 days following the end of the pilot project, the Maine Office of Community Affairs shall submit a report on the status of the pilot project to the joint standing committee of the Legislature having jurisdiction over building code matters. The final report must include, but is not limited to, the total number of participating municipalities; the reported effects of adopting a regionalized approach to code enforcement; any barriers to the success of the pilot project; and recommendations, including any suggested legislation, for adopting a regionalized approach to code enforcement.

An Act to Support Municipal Enforcement of Residential Construction Laws, Codes and Regulations
L.D.

Upon receipt of any report required by this section, the joint standing committee of the Legislature having jurisdiction over building code matters may report out legislation based on the report to the legislative session in which the report is received.

Sec. 8. Transfer from Maine Budget Stabilization Fund; Housing Opportunity Program, Other Special Revenue Funds account. Notwithstanding any provision of law to the contrary, on or before June 30, 2027, the State Controller shall transfer \$1,000,000 from the Maine Budget Stabilization Fund within the Department of Administrative and Financial Services to the Housing Opportunity Program, Other Special Revenue Funds account for a pilot project to provide regionalized building code enforcement.

Sec. 9. Appropriations and allocations. The following appropriations and allocations are made.

MOCA note: Figures and language in this section are meant to match the HED report-back on the supplemental budget – updates are needed to accomplish that outcome.

MAINE OFFICE OF COMMUNITY AFFAIRS

Division of Building Codes and Standards Z419

Initiative: Provides funding for the proposed reorganization of one Public Safety Inspector III position to a Public Service Manager II position.

OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
Personal Services	\$0	\$28,003
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$28,003

Division of Building Codes and Standards Z419

Initiative: Establishes one Senior Planner position for regional technical assistance for local code enforcement.

GENERAL FUND	2025-26	2026-27
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$95,147
All Other	\$0	\$8,000
GENERAL FUND TOTAL	\$0	\$103,147

Division of Building Codes and Standards Z419

Initiative: Establishes one Resource Management Coordinator position and provides funding for training and support for local code enforcement officers.

OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$122,761
All Other	\$0	\$13,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$135,761

Division of Building Codes and Standards Z419

Initiative: Provides funding for the approved reclassification of one Public Safety Inspector III position to a Public Safety Inspector Supervisor position retroactive to August 21, 2024 and transfers All Other to Personal

132nd Maine Legislature

An Act to Support Municipal Enforcement of Residential Construction Laws, Codes and Regulations

L.D.

Services one time to fund the retroactive portion of the reclassification. This initiative also provides funding for authorized overtime.

OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
Personal Services	\$0	\$94,594
All Other	\$0	(\$9,282)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$85,312

Housing Opportunity Program Z418

Initiative: Provides one-time funding for a 3-year pilot project to provide regionalized building code enforcement.

OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
All Other	\$0	\$1,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$1,000,000

**MAINE OFFICE OF COMMUNITY AFFAIRS
DEPARTMENT TOTALS**

	2025-26	2026-27
GENERAL FUND	\$0	\$103,147
OTHER SPECIAL REVENUE FUNDS	\$0	\$1,249,076
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$1,352,223

SUMMARY

This bill is reported out by the Joint Standing Committee on Housing and Economic Development pursuant to Resolve 2025, chapter 64. The bill implements the recommendations of the working group to address regulatory barriers to housing construction by:

1. Adding the International Code Council and Modular Building Institute 1200-2021 Standard for Off-site Construction: Planning, Design, Fabrication and Assembly to the list of codes that make up the Maine Uniform Building and Energy Code;
2. Establishing consistency for when updates to the Maine Uniform Building and Energy Code and other similar codes go into effect;
3. Amending the training requirements for code enforcement officers to include training on industrialized housing;
4. Directing the Maine Office of Community Affairs, through the Housing Opportunity Program, to conduct a 3-year pilot project to promote, incentivize and support the adoption of regionalized approaches to code enforcement by municipalities; and
5. Increasing from 4¢ to 6¢ per square foot the surcharge on the plan review fee. The surcharge is deposited into the Uniform Building Codes and Standards Fund.

The joint standing committee has not taken a position on the substance of this bill. By reporting this bill out, the committee is not suggesting and does not intend to suggest that it agrees or disagrees with any aspect of this bill. The committee is reporting the bill out for the sole purpose of having a bill printed that can

132nd Maine Legislature

An Act to Support Municipal Enforcement of Residential Construction Laws, Codes and Regulations

L.D.

be referred to the committee for an appropriate public hearing and subsequent processing in the normal course. The committee is taking this action to ensure clarity and transparency in the legislative review of the proposals contained in the bill.