



STATE OF MAINE
GOVERNOR'S OFFICE OF POLICY INNOVATION AND THE FUTURE
181 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0181

Testimony In Support of

L.D. 2225, An Act to Support Municipal Enforcement of Residential Construction Laws, Codes and Regulations

March 5, 2026

Senator Curry, Representative Gere, and distinguished members of the Joint Standing Committee on Housing and Economic Development, my name is Molly Siegel and I serve as a Buildings and Lead By Example Policy Advisor in the Governor's Office of Policy Innovation and the Future (GOPIF). I am here today to offer testimony in support of **L.D. 2225, An Act to Support Municipal Enforcement of Residential Construction Laws, Codes and Regulations**.

Last year, in response to the HR&A Advisors' *Roadmap for the Future of Housing Production in Maine*, the Committee approved LD 1375, which directed GOPIF to convene a working group to examine barriers to the construction of housing in the state. That working group included more than 70 people with a wide range of backgrounds and expertise. GOPIF convened the working group over the course of this past fall and submitted a report and recommendations to the Committee on December 31st.

A key recommendation of the report was to **improve the consistency of code adoption, training, and enforcement across Maine communities**. The report proposed increasing the budget for the Division of Building Codes and Standards (DBCS) within the Maine Office of Community Affairs (MOCA). The report also recommended establishing a pilot program to encourage regional approaches to code enforcement.

LD 2225 advances these important recommendations by increasing the plan review fee that funds the Division from 4¢ to 6¢ per square foot. We estimate that this will allow MOCA to hire an additional staff person to serve as a "circuit rider" expert to answer questions and provide technical support for CEOs and builders on Maine's building and energy codes. It also provides funding for a three-year pilot program to demonstrate regional approaches to code enforcement, which are particularly important for small municipalities that don't have a full-time code enforcement officer.

Finally, while we support this bill, we would like to encourage the Committee to address the issues that MOCA has raised in their testimony around the timing of building code changes, the reference to off-site construction standards, and ensuring that the appropriations align with the Governor's supplemental budget request.

Thank you for your consideration of our testimony, and thank you for your service on this committee. I would be happy to answer any questions.

Code Enforcement: Tools to assist Maine communities with creating safe, quality, and affordable housing.

Maine's Code Enforcement Officers (CEO) are municipal officials tasked with enforcing building, plumbing, zoning, and land-use regulations, issuing and inspecting permits, investigating complaints, maintaining records, and ensuring compliance with state and local standards. The Division of Building Codes and Standards (DBCS) at the Maine Office of Community Affairs (MOCA) trains and certifies these professionals to ensure competence in their duties, as required by statute.

Two new initiatives have been proposed that will **significantly enhance code enforcement support** at the state level and help communities to enforce building codes and other state laws and regulations:

- 1. Hire a “circuit rider” expert to answer questions and provide technical support for CEOs and builders on Maine’s building and energy codes.**

Maine communities need support to understand and enforce building codes and other state laws and regulations. A “circuit rider” will serve as a technical expert that can help answer questions about how to interpret the state’s building codes. This position will provide much-needed capacity in the department, where two staff currently handle a large volume of inquiries.

- 2. Allocate \$1,000,000 through the Housing Opportunity Program to incentivize regional approaches to code enforcement through a 3-year pilot.**

Shared code enforcement capacity has been a need for Maine’s smaller communities for many years, but state-level support has not been available to demonstrate the viability of this model. Several of Maine’s councils of governments received a Federal Emergency Management Agency grant to hire regional CEOs that would serve multiple towns with populations of less than 5,000 in each region. While that grant was put on hold, Kennebec Valley Council of Governments moved forward with a pilot program to support 6 communities in Somerset County with shared CEO capacity. The program is going well, and other communities have expressed interest in replicating this model in other regions.

About Maine's Building Codes

Building codes provide consistent standards for building construction and maintenance to ensure that buildings are safe, energy efficient, and built to withstand Maine's weather conditions. The Maine Uniform Building and Energy Code (MUBEC) is the statewide building and energy code.

The MUBEC consists of the following codes and standards:

The International Code Council (ICC) Codes:

- 2021 International Residential Code (IRC)
- 2021 International Building Code (IBC)
- 2021 International Existing Building Code (IEBC)
- 2021 International Energy Conservation Code (IECC)
- 2021 International Mechanical Code (IMC)

The American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standards:

- 2019 ASHRAE 62.1 (Ventilation for Acceptable Indoor Air Quality)
- 2019 ASHRAE 62.2 (Ventilation and Acceptable Indoor Air Quality in Low-Rise Residential Buildings)
- Or the CSA-F326-M91 Canadian Standards Association Standard for Residential Mechanical Ventilation Systems
- 2019 ASHRAE 90.1 (Energy Standard for Buildings except Low-Rise Residential Buildings) editions without addenda

American Society of Testing Materials (ASTM):

- E-1465-2008, Standard Practice for Radon Control Options for the Design and Construction of New Low-Rise Residential Buildings

The MUBEC applies to all buildings constructed or renovated in Maine regardless of municipal population. The MUBEC is enforced at the local level by municipal CEOs. Municipalities with populations of 4,000 or more are required to enforce the MUBEC. Municipalities with populations under 4,000 may choose to adopt and enforce the MUBEC.