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**LD 2225 – An Act to Support Municipal Enforcement of Residential Construction Laws, Codes and Regulations**

Senator Curry, Representative Gere, and honorable members of the Housing and Economic Development Committee, my name is Shawn Esler, and it is a privilege to serve as Maine's State Fire Marshal. We **support** the overall goals of LD 2225.

While code enforcement responsibilities are now primarily administered through the Maine Office of Community Affairs, the building code function historically resided within the Office of the State Fire Marshal. Historically, that program operated with limited resources and funding. In recent years, the Legislature and the Administration have taken steps to strengthen the State's support for municipal code enforcement, and the Fire Marshal's Office remains committed to assisting in that effort.

This bill makes important investments in the Maine Office of Community Affairs to strengthen municipal code enforcement capacity across the state. Specifically, the legislation expands training and certification for code enforcement officers, provides additional technical assistance for municipalities, and establishes a pilot program to support regional approaches to code enforcement. These initiatives are intended to help municipalities better implement and administer the Maine Uniform Building and Energy Code.

Recent data collected through Maine's Building Resilient Infrastructure and Communities (BRIC) initiative, conducted in partnership with the University of Maine, provides important context for why these investments are needed. Preliminary survey results from 116 code enforcement officers representing 119 municipalities indicate that many communities face significant challenges in enforcing building codes due to staffing limitations, resource constraints, and training needs.

The research found that 44 percent of surveyed jurisdictions do not enforce the Maine Uniform Building and Energy Code, and that approximately 30 percent of Maine's population lives in a municipality where MUBEC is not enforced.

The data also highlights a significant workforce challenge. Forty-six percent of code enforcement officers have fewer than five years of experience, while 35 percent anticipate leaving the profession within the next five years. In addition, 73 percent of code enforcement officers serve in multiple municipal roles, often filling positions such as local plumbing inspector, health officer, or addressing officer in addition to their code enforcement duties.

Taken together, these findings indicate that Maine is facing both capacity constraints today and potential workforce attrition in the near future. If we do nothing, the uneven enforcement we see today will likely widen as experienced code officials retire and smaller communities struggle to replace them.

This issue is directly connected to Maine's broader housing initiatives. As the State works to expand housing supply and modernize our housing stock, communities must have the capacity to consistently apply building and safety standards. Investments in municipal code enforcement (supported through the Maine Office of Community Affairs and the Office of State Fire Marshal) help ensure that Maine's housing growth is safe, resilient, and built to home generations of Maine families.

If the Maine Office of Community Affairs has not already done so, the Office of State Fire Marshal would be happy to provide the Committee with the preliminary findings from our BRIC research for its consideration as it evaluates policy solutions in this area.

LD 2225 represents an important step toward strengthening municipal code enforcement and supporting the long-term resilience of Maine's housing and community infrastructure.

Thank you for the opportunity to testify, and I would be happy to answer any questions.



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Shawn Esler, State Fire Marshal