



# **AGC MAINE**

THE CONSTRUCTION ASSOCIATION

**Testimony of Matt Marks in Support of LD 2225  
An Act to Support Municipal Enforcement of Residential Construction Laws,  
Codes and Regulations**

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.

AGC Maine appreciates the Committee's focus on the growing challenge that municipalities face in enforcing building codes and construction standards. As Maine continues to deal with a housing shortage, it is vital that communities have the necessary tools and resources to ensure residential construction is safe, compliant, and completed promptly.

AGC Maine supports several provisions in LD 2225 that we believe will strengthen Maine's building code enforcement system and help municipalities address ongoing capacity challenges.

First, AGC Maine endorses the initiative instructing the Maine Office of Community Affairs, through the Housing Opportunity Program, to carry out a three-year pilot project aimed at promoting, incentivizing, and supporting the adoption of regionalized code enforcement approaches by municipalities.

Many smaller municipalities find it hard to recruit and keep qualified code enforcement officers. In some communities, the role is part-time or filled by people who handle multiple municipal tasks. This can cause delays in inspections, inconsistent code enforcement, and uncertainty for contractors and homeowners.

A regional approach could help solve these issues by enabling municipalities to pool resources and share trained professionals across communities. This model could enhance consistency in code interpretation, provide better access to specialized expertise, and help ensure inspections are conducted promptly so housing projects are not delayed unnecessarily. Running a pilot program is a suitable way to test whether this approach can work effectively within Maine's unique municipal landscape.

Second, AGC Maine supports increasing the surcharge on plan review fees from 4 cents to 6 cents per square foot, with the revenue deposited into the Uniform Building Codes and Standards Fund.

As the state building code has developed and expanded, the demand for technical assistance, training, and education for both municipal officials and the construction industry has increased. The Uniform Building Codes and Standards Fund plays a vital role in supporting these efforts. Providing sufficient resources for code training, guidance, and implementation will help improve compliance and minimize confusion or inconsistent application of the codes.

It is also important to understand that this surcharge only applies to projects eligible for state plan review and therefore does not include all construction activity across Maine. Since the funding is limited to a subset of projects, the long-term sufficiency of the surcharge may need to be reassessed in the future based on resource requirements and the scope of responsibilities assigned to the code administration system.

From the construction industry's point of view, well-trained code officials and clear guidance ultimately help lower project delays, disputes, and uncertainty during the permitting and inspection process. Investments in training and code management benefit both municipalities and the builders responsible for delivering new housing.

AGC Maine would also like to briefly address the proposal in the bill to change the effective date for adopting future building code updates. We understand the intention behind this proposal. Giving more time between rule adoption and the effective date can help both municipal staff and the private sector prepare for new code requirements. However, AGC Maine believes that if the rulemaking process is managed effectively and timelines are predictable, extended delays in adoption might not always be necessary.

Builders, designers, and code officials benefit most from clear schedules and consistent rulemaking timelines rather than long-lasting uncertainty about when new codes will finally take effect.

Furthermore, the process should allow flexibility to handle specific issues that come up during adoption. For instance, the Legislature is currently reviewing LD 2224, which addresses a particular concern about elevator requirements in the building code. In cases like this, where targeted amendments or clarifications are needed, the process should permit those changes without unnecessarily delaying the overall code adoption schedule.

AGC Maine believes a balanced approach is suitable, one that allows enough time for training and preparation while also letting the Technical Building Codes and Standards Board and the Legislature make needed adjustments without causing unnecessary delays in adopting updated codes.

AGC Maine appreciates the Committee's efforts to enhance code enforcement capacity throughout Maine while supporting housing development and construction statewide. Thank you for the opportunity to offer comments; I am happy to answer any questions from the Committee.