



February 27, 2025

Testimony in Opposition to LD 445

Chair Curry, Chair Gere, and members of the Housing and Economic Development Committee;

On behalf of the Maine Chapter of the American Institute of Architects (AIA Maine), please accept the following testimony in opposition to LD 445, An Act to Stimulate Housing Production by Increasing the Threshold Before Participation in the Maine Uniform Building and Energy Code Is Mandatory. AIA Maine opposes the proposed change because we believe it will not significantly reducing housing costs and because it will weaken the state's health, safety and welfare standards with respect to housing.

One important but little known fact is that architects must build to the MUBEC standards even in places where the MUBEC is not enforced. This is because MUBEC is the only code which may be enforced in the state. Currently, if a municipality has less than 4,000 residents, it does not need to enforce the code. However, if they do enforce a code, it must be the MUBEC. There are provisions in both state law and the international codes that govern an architect's responsibility to build to the specifications in the code as the enforced state law. See proposed rule Ch. 1 which states that "the MUBEC applies to all buildings constructed or renovated regardless of municipal population."

In addition to the obligations that exist for architects specifically, AIA Maine also believes that LD 445 would unintentionally risk the health, safety and welfare of Maine residents. The international codes are created, designed, ground tested, and then reviewed by a comprehensive panel of international experts in architecture, environmental and engineering, construction, and land use. This depth of expertise enables the code committees to produce the highest quality standards for home and commercial construction.

AIA Maine also understands that there is a bill being submitted this legislature to look at aspects of the code which could be modified or improved to better address Maine's needs. We think that forum is appropriate for debating the impacts of specific code provisions, best practices foresee flexibility in applying the code, and opportunities to provide more education

for both builders and enforcers. For example, it is well known that the codes provide various pathways to compliance, but that these pathways are not always known to Code Enforcement Officers. This can lead to a more strict interpretation of the code than is strictly necessary. We believe there are opportunities in this process to take a closer look at how MUBEC benefits Maine and how it might be adjusted to work even better.

AIA Maine appreciates the opportunity to weigh in on this legislation and to continue to work with this committee to find the right sized solutions to balancing Maine's housing crisis while protecting resident health, safety and welfare.

Thank you for your consideration of this testimony and we look forward to continuing to work with the community.

Elizabeth M. Frazier

On behalf of AIA Maine