



**Testimony of the Efficiency Maine Trust
Michael D. Stoddard, Executive Director**

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**

Presented to the Committee on Housing and Economic Development

February 27, 2025

Senator Curry, Representative Gere, and Members of the Committee on Housing and Economic Development, the Efficiency Maine Trust (the Trust) testifies today in opposition to LD 445.

When the Maine Legislature first adopted the Maine Uniform Building and Energy Code (MUBEC) in 2007, its primary motivation was to promote uniformity of the building codes across the entire state. The theory presented at the time was that such uniformity would make it easier for contractors to plan and build new construction projects because they would know that there is only one code they needed to learn and comply with (instead of dealing with the proverbial “patchwork quilt” of more than 480 individual municipalities). By avoiding a proliferation of competing codes, it is far more efficient to train electricians, plumbers, builders, other trades, engineers, architects and code enforcement officers (CEOs) on how to comply with a single, uniform building code. This in turn enables everyone involved in new construction (and code enforcement) to do their jobs faster, and ultimately at lower cost, than if they have to learn and apply different standards in different towns.

For consumers, the results of a uniform code are a good deal. Uniform application of the code translates into more consistent consumer protection from the code’s safety and energy efficiency provisions across all communities in the state. This consumer protection extends beyond the initial home buyer (or commercial building owner) to the subsequent generations of purchasers of each home/building built to meet the standards of the uniform code.

Respectfully, LD 445 missed the mark with its focus on enforcement. Our view is that it would do more good, and provide greater economic benefit to Maine’s builders and residential and commercial building owners, to focus on training instead. Increased training for Maine’s CEOs

is one of the core duties proposed for the newly established Maine Office of Community Assistance (MOCA) under the pending biennial budget. Efficiency Maine strongly endorses enhancing training capacity at MOCA. Redoubling our efforts through MOCA to expanding access to training will make it faster and easier to deliver safe, efficient buildings, both for CEOs and for everyone involved in designing, engineering and constructing new buildings. This will reduce costs of new construction on the front end and ensure much lower energy costs and maintenance costs over the lifetime of the building. That is good for everyone involved.

LD 445 proposes to amend Title 10, §9724 to limit enforcement of the uniform codes only in towns having greater than 10,000 residents (instead of 4,000 as the law currently stands). This is not only the wrong thing to focus on, it is also going in the wrong direction. It would undermine consumer protections provided by the code for the buyers of new home and commercial buildings in more than 450 Maine towns. It also risks creating an unlevel playing field for all those quality builders and engineers who understand that the code is mandatory in every municipality in the state. (10 MRS §9722(6)(B) “Codes and standards adopted under this paragraph are mandatory...”) Regardless of whether the code will be enforced in any particular town, all new construction must comply with the uniform codes adopted by the MUBEC Board. Quality tradespeople, engineers and architects (and those wishing to maintain their licenses) will know that they must design and construct a building that will comply with the code, regardless of what Maine town it is located in. But they understandably would be concerned that they may be underbid if there is someone who is willing to cut corners in towns that are not subject to an independent party (a CEO or Third Party Inspector) checking on compliance. Since the uniform code is already mandatory in every jurisdiction in Maine, the better path eventually would be for enforcement to be extended to every town in the state. By increasing training and education, we can ensure that compliance is achieved quickly, consistently, and at the lowest cost.

For these reasons, we ask that you vote Ought Not to Pass.

Respectfully submitted,

/s/MDS

Michael D. Stoddard

Executive Director