

MAINE STATE LEGISLATURE

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L.D. 2224

Date: 4/1/20

(Filing No. S(10))

MAJORITY

HOUSING AND ECONOMIC DEVELOPMENT

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

132ND LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 907, L.D. 2224, "An Act to Reduce Certain Costs Associated with Residential Construction"

Amend the bill by striking out all of sections 1, 2 and 3 and inserting the following:

'Sec. 1. 10 MRSA §9722, sub-§2, as amended by PL 2025, c. 597, Pt. A, §9, is further amended to read:

2. Membership. The board consists of ~~12~~ 13 members, including the Director of the Efficiency Maine Trust, who serves ex officio and may not vote, and the following ~~11~~ 12 individuals, who are voting members appointed by the Governor:

A. The State Fire Marshal or a designee or a fire chief, recommended by the Maine Fire Chiefs' Association or its successor organization;

B. A municipal code enforcement officer employed by a municipality that is not a service center community under Title 30-A, chapter 187, recommended by the Maine Municipal Association or its successor organization;

C. A municipal code enforcement officer employed by a service center community under Title 30-A, chapter 187, recommended by the Maine Service Centers Coalition or its successor organization;

D. A residential builder recommended by a statewide or regional association of home builders and remodelers;

E. A commercial builder recommended by a statewide association of general contractors;

F. An architect licensed in the State who is accredited by a nationally recognized organization that administers credentialing programs related to environmentally sound building practices and standards, recommended by a statewide chapter of a national institute of architects;

G. A structural engineer licensed in the State, recommended by a statewide association of structural engineers;

COMMITTEE AMENDMENT

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1 H. A historic preservation representative, recommended by the Maine Historic
2 Preservation Commission, with experience implementing the standards for the
3 treatment of historic properties set forth in 36 Code of Federal Regulations, Part 68
4 (2007), who is:

- 5 (1) An architect licensed in the State;
- 6 (2) A structural engineer licensed in the State; or
- 7 (3) A builder;

8 I. An energy efficiency representative, recommended by the Commissioner of Energy
9 Resources, who has experience or expertise in the design or implementation of energy
10 codes or in the application of energy efficiency measures in residential or commercial
11 construction;

12 J. A mechanical engineer licensed in the State, recommended by a statewide
13 association of mechanical engineers; and

14 K. A lumber material dealer or supplier, recommended by a statewide association of
15 lumber dealers in the State; and

16 L. An affordable housing expert, recommended by a statewide association
17 representing affordable housing interests.

18 A member appointed under this subsection must have at least 5 years' experience in the
19 field that member is nominated to represent and must be employed in that field.

20 **Sec. 2. Technical Building Codes and Standards Board; hoistway fire**
21 **safety rulemaking; report.** By September 1, 2026, the Technical Building Codes and
22 Standards Board, established in the Maine Revised Statutes, Title 5, section 12004-G,
23 subsection 5-A, shall initiate rulemaking to remove any requirements in the Maine Uniform
24 Building and Energy Code for smoke and draft protection assemblies for elevator hoistway
25 doors and remove requirements for 2-way emergency video communication systems in
26 elevators. The board shall report to the joint standing committee of the Legislature having
27 jurisdiction over housing matters on the outcome of rulemaking required by this section by
28 January 15, 2027. The joint standing committee is authorized to submit legislation based
29 on the board's report to the 133rd Legislature in 2027.'

30 Amend the bill by striking out all of section 5 and inserting the following:

31 **'Sec. 5. Office of State Fire Marshal to convene working group to study**
32 **costs and life safety impacts of fire sprinklers and limited use limited**
33 **application elevators; report.** The Department of Public Safety, Office of the State
34 Fire Marshal shall convene a working group, referred to in this section as "the working
35 group," to study the housing and life safety impacts of residential fire sprinklers and the
36 accessibility and life safety impacts of permitting limited use limited application elevators
37 in 2-story and 3-story buildings. In conducting its work, the working group shall explore
38 ways to lower the costs associated with the requirement that construction of residential
39 housing include fire sprinkler systems.

40 1. The State Fire Marshal or the State Fire Marshal's designee shall invite the
41 participation in the working group of the following persons: a representative from the fire
42 sprinkler industry; a municipal fire safety officer; a representative from the housing

1 development industry; and any additional persons considered necessary by the State Fire
2 Marshal to ensure comprehensive stakeholder representation.

3 2. The working group shall:

4 A. Conduct a comprehensive review of the existing sprinkler system requirements for
5 residential buildings with 3 or more units and the affiliated costs of the sprinkler
6 systems;

7 B. Collect and analyze data on the housing and life safety impacts of residential fire
8 sprinkler systems, including, but not limited to, the frequency of the presence of
9 sprinkler systems in reported house fires and the estimated impact on financial loss and
10 life safety impact;

11 C. Explore innovative incentives to reduce the associated costs of installing sprinkler
12 systems in residential construction;

13 D. Develop recommendations for legislative and regulatory changes to reduce the
14 costs of installing required residential sprinkler systems;

15 E. Conduct a comprehensive review of the existing elevator requirements and the
16 affiliated costs for residential buildings with 4 or more units;

17 F. Collect and analyze data on the accessibility and life safety impacts of limited use
18 limited application elevators in buildings with fewer than 4 stories; and

19 G. If determined appropriate by working group members, develop recommendations
20 for legislative and regulatory changes to the codes and standards permitting limited use
21 limited application elevators.

22 3. The Office of the State Fire Marshal shall provide staff assistance to the working
23 group.

24 4. By January 15, 2027, the Office of the State Fire Marshal shall submit a report on
25 the working group's findings and recommendations, including proposed legislation, to the
26 joint standing committee of the Legislature having jurisdiction over housing matters. The
27 joint standing committee is authorized to submit legislation based on the report to the 133rd
28 Legislature in 2027.'

29 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
30 number to read consecutively.

31 SUMMARY

32 This amendment removes the provisions of the bill that exclude from the Maine
33 Uniform Building and Energy Code the requirements that elevators have a 2-way
34 communication system and smoke partitions. The amendment directs the Technical
35 Building Codes and Standards Board to initiate rulemaking to remove any requirement in
36 the Maine Uniform Building and Energy Code for smoke and draft protection assemblies
37 for elevator hoistway doors and remove requirements for 2-way emergency video
38 communication systems in elevators. The amendment increases the membership of the
39 board. The amendment also changes the duties of the working group required in the bill to

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COMMITTEE AMENDMENT "A" to S.P. 907, L.D. 2224 (S-610)

provide that the working group must study the costs and life safety impacts of residential fire sprinklers and limited use limited application elevators.

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



132nd MAINE LEGISLATURE

LD 2224

LR 3035(02)

An Act to Reduce Certain Costs Associated with Residential Construction

Fiscal Note for Bill as Amended by Committee Amendment "A" (5/6/10)
Committee: Housing and Economic Development
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Any additional costs to the Department of Public Safety or the Maine Office of Community Affairs to adopt the changes in this bill are expected to be minor and can be absorbed within existing budgeted resources.

Any additional administrative costs to the Department of Professional and Financial Regulation associated with reporting on the status of rulemaking for the elevator and tramway safety program can be absorbed within existing budgeted resources.