

**TESTIMONY OF RICHARD MCCARTHY**  
**DEPARTMENT OF PUBLIC SAFETY**  
**OFFICE OF STATE FIRE MARSHAL**

**(Oppose) L.D. 207**

**“An Act to Transfer Responsibility for Administering the Maine Uniform Building and Energy Code from the Department of Public Safety, Office of the State Fire Marshal to the Department of Professional and Financial Regulation”**

**Presented by: Representative Morris**

**BEFORE THE JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE  
AND PUBLIC SAFETY**

**Hearing Date: Monday, March 20th, 2023, at 10:00 AM in Room 436, State House**

Good morning, Senator Beebe-Center, Representative Salisbury, and members of the Joint Standing Committee on Criminal Justice and Public Safety.

My name is Richard McCarthy, and I am the State Fire Marshal, I am here today representing the Department of Public Safety and the Office of State Fire Marshal to testify in opposition to LD 207.

We understand the reason behind the bill as proposed but have some concerns about moving this program out of the Office of State Fire Marshal. This program started its life as a Bureau located in DPS after a bumpy start with staff leaving and no true direction, our office was asked to help keep moving the

program along. After a short time, it was determined that the MUBEC should reside within DECD. At that time the program was moved within DECD. The program remained there until 2019 when the Legislature decided to move the MUBEC back to DPS, into the Office of State Fire Marshal permanently. At the time of the move the program came over with no staff and a limited income stream. Our office went through the process to create 2 positions within the Inspection Division to oversee a program that did not exist. Our first mission was to create a database to track certified Code Officials and third party inspectors. When we got the program the tracking system was not manageable and had to be replaced.

After the tracking system was created, we were able to hire the 2 positions to run this portion of the office. The first priority was to create a workable training program for Code Officials who are employed by municipalities. The funding stream provided for this program has not been sufficient to allow us to have a true training budget. We have relied on grants and creative methods to fund training. At this point I believe we have a training program that is serving the code officials well. Could we make it better most definitely with some funding we could expand the program to include more advanced training opportunities and possibly expand the program to allow builders to attend.

This program has moved many times and at this point it needs to have a consistent home. I believe our agency can

provide that for the MUBEC program. Thank you for your time today and I would be happy to answer any questions you may have at this time or during the work session.