

Good afternoon Senator Curry, Representative Roberts and honored members of the Innovation, Development, Economic Advancement and Business Committee. My name is Les Fossel, I served in the 123rd and 124th Legislatures. I am speaking in neither for nor against LD 1929.

I have been a building contractor since 1975. Currently we have 15 employees and a 14 month contracted backlog. My employees have a combined 160 years of experience. We guarantee our work permanently against defects of workmanship or material. We use the AG's model contract. This bill as written won't work. As some carpenters think they can solve any problem with a hammer, there are some legislators who think they can solve any problem with a law. This is simply not true in the real world. Some points:

- * There about the same percentage of dishonest customers and contractors. Customers have cheated me out of hundreds of thousands of dollars . If you require contractors to disclose any relevant legal proceedings against them, then the same standard should be required for the homeowners (Page 3 lines 19-24). There must be a time limit on the age of proceeding that should be listed.

- * I strongly support requiring worker's comp. This is easy for me since we have one of the lowest worker comp rates for carpenters in Maine at about \$8 per \$100 of payroll. I compete against so called "independent contractors" who have neither worker's comp or unemployment comp. as new risks, they will pay 3 times my rate, or about \$24 per hundred. If you don't figure out a work around, then you will increase residential building costs by something like 20%.

- * Your bill must grandfather current contractors. I have done this work for something like 100,000 hours. I have taught real estate agents, assessors, appraisers, and inspectors. I have been on the faculty of both USM and KVCC. For over 30 years I've taught a field course for homeowners thru Maine Adult Ed. I shouldn't waste 6 hours in a course to qualify as contractor from someone who doesn't begin to know as much as I do. This is insane. (page 3, lines 33-37).

- * There are many very competent contractors who have not been successful in school. It is wrong to not have a provision to prove competence on the basis of real world experience. (page 3, lines 33-37).

- * There is no reason to have an annual license renewal. (page 4, lines 7-10)

- * If we pass a law, then it needs to reward both the honest homeowner and the honest contractor. This proposed law places yet another burden on the honest contractors.

- * The current Maine Attorney General's model contract must be revised to eliminate the sections that do nothing more that insult the honesty of contractors. and the language must be simplified it can be easily understood

- * I see no reason to increase the threshold for a contract from \$3,000 to \$7,500.

- * Fees contemplated under this legislation should be turned over to the towns to cover their additional administrative burden.

- * Before you pass any legislation, I suggest you ask what was once known as the "Fossel" question from my legislative days: *"Has anyone else passed such a law? If so, has it solved the problem? If not, expect multiple unforeseen problems."*

I would be happy to answer any questions and attend the work session for this bill. Thank you.

Les Fossel

Business Owner

Restoration Resources, Maine's premier historic house restoration company, founded in 1975 with 16 employees (188 years of combined experience) and \$1.7 million annual sales. (www.oldhouserestoration.com). His work has been featured in *DownEast Magazine*, *Money Magazine* and many other publications.

Awards

- 2017 Maine Preservation "Honor Award for Elijah Kellogg Church"
- 2010 Burnt Island Lighthouse, Southport
- 2008 "Long term commitment to providing broad ranging preservation education"
- 2007 Maine Preservation for "Outstanding contribution as Vice President"
- 2001 "Excellence in restoration carpentry and the building preservation trades"

Education

Beginning at the University of Southern Maine, he's taught over 2,000 Realtors. He regularly lectures to local, state and national groups. Les was in the Rho class of Leadership Maine. Currently Les is teaching a Preservation Carpentry course at Kennebec Valley Community College. He created Maine Preservation's summer internship program for master's degree students. He has taught field courses for over 1,000 owners of old houses and barns since 1990.

Current community service

- DaPonte String Quartet*: Board & past Chair (DownEast Magazine: *Maine's best music group*) www.daponte.org
- LincolnHealth*: Board, Performance Improvement, Governance Comms. (Consumer's Report: *America's safest hospital*)
- Wiscasset & Quebec Railroad*: Treasurer (a founder). 2' Narrow Gauge Railroad wwfry.org
- Maine AllCare*: Executive Committee. Promotes universal affordable health care www.maineallcare.org
- Lincoln County Dental*: Board. Serves low income dental patients www.lcdental.org
- Saint Andrews Village*: Treasurer. Boothbay Harbor Retirement Community www.standrewsvillage.com
- Eldercare Network of Lincoln County*: Chairman. Serves low income elderly www.eldercarenetwork.org
- Maine Preservation*: Advisory Board (past vice-chair) www.maine Preservation.org
- Maine Legislative Candidate*: Wiscasset, Whitefield, Jefferson House District

Legislative service

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| Moderate Caucus Chair | Became the largest caucus in the 115 th Maine Legislature |
| Judiciary | Compromise legislation on takings of land by government |
| Government Oversight | Reformed of the Maine Turnpike Authority |
| Insurance & Financial Services | Created the Joint Select Committee on Healthcare Reform |
| Health & Human Services | Authored the Electronic Health Records law |
| Congressional Reapportionment | Authored the law |

Les graduated from Lake Forest College with a degree in Sociology/Anthropology. Les and his wife Merry (they met in high school) live in an 1815 Alna Cape with 3 barns (with 90' of solar panels and heat pumps!), a greenhouse, and 39 acres with a very large garden, orchard, pasture, and a hayfield. Together they have 4 children and 5 grandchildren.