



March 19, 2021

Committee On Criminal Justice and Public Safety Legislative Information Office
100 State House Station
Augusta, ME 04333

RE: LD 207 HP 128 "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"

Senator Beebe-Center, Representative Salisbury and Members of the Committee,

I am Carl Chretien a residential contractor in southern Maine, member of the Home Builders and Remodelers Association here in Maine as well as a State Rep at the National Association of Home Builders in Washington DC. I'm also a certified code official, third party inspector as well as a subject matter expert on building issues.

This is testimony I gave at the public hearing on Tuesday, March 20, 2023 10:00 am, State House, Room 436 in favor of the bill LD 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", I as the HBRAME has always in the past a supporter of the building codes to be a standalone department of the state government. We have had several roadblocks, the first one I remember was having a statewide code which in 2004 the state moved towards with the "Maine Model Building Code" enacted in April of that year. The other was in jurisdictions under 4000 not have the funds or personnel to enforce the code.

The HBR of Me has been a strong supporter of a statewide code with its own director and were behind the formation of the Department of Building Codes and Standards under the direction of Richard Dolby. It has since been moved once to the DEEDS which is formerly the State Planning office. It was then moved to the State Fire Marshall's office becoming part of the there program. It is unfortunate that this move has had some the same inefficiencies as the move before it, it is also unfortunate that person involved also does amusement ride inspections which has nothing to do with building codes.

As there are one if not two bills that are waiting for language that deal with builder licensing which in their best interest would have in their best interest at the Bureau of Professionalism. Be it known the code officials get their certifications renewed thru the B of P which only makes sense that the codes reside there as well no different than plumbers and electricians.

If you look at the other New England states this is how their models are, being that the codes are standalone from the FMO.

nh.gov

[Welcome | State Building Code Review Board | NH Department of Safety](#)



[Codes and Standards | Division of Fire Safety](#)
firesafety.vermont.gov

[Board of Building Regulations and Standards](#)
mass.gov



<https://ribcc.ri.gov/forms-resources/laws-rules-and-regulations>

<https://www.sos.ri.gov/divisions/open-government-center/rules-and-regulations/building-and-fire-codes>



Connecticut State Building Code--
Regulations

portal.ct.gov

<https://dos.ny.gov/laws-and-regulations-division-building-standards-and-codes>

This is the same in Michigan, New Mexico, Florida and Louisiana. It only makes sense that it be standalone from any other department. You will here from other that since this is public safety it should be in the public safety arena which is untrue as plumbing which is as equally a public safety issue was the first building code across the country developed by the federal government in 1928 under the direction of SoS Herbert Hoover being nicknamed the Hoover code. The plumbing code is under the B of P.

I have spent the better part of the past twenty years trying to get this program in a place where it can thrive and be efficient. I see many distractions where it is now. This needs to be moved as the current fire marshal doesn't need this on his plate and would make his performance a lot better and many of the issues that code officials and builders deal with are not relevant to the FMO.

At this time the surcharge from the commercial permits the state collects can easily be moved each quarter into a new ledger for this newly formed department. As the current person overseeing this now could then concentrate on the original tasks, he was hired for instead of filling in gaps that the FMO has. When this was looked in 2019 it was never disclosed the new duties of people hired for this. In my opinion we are not much better than then and the training while happens more is of no great significance than before either. As code official I have seek other resources for training to stay relevant in this field in order to not be bored to death.

I will be forwarding to this committee ahead of tomorrows public hearing in the event this is truly pulled from the schedule as the public hearing notice in the paper today states

Sincerely,

Carl M Chretien

A handwritten signature in blue ink that reads 'Carl M Chretien'.

President
TPI #29