

Testimony introducing
LD 195, Resolve, Directing the Department of Professional and Financial Regulation To
Study a Voluntary Licensing System for General Contractors for Home Improvement and
Construction

Senator Cathy Breen
February 25, 2021

Senator Curry, Representative Roberts, and distinguished members of the Joint Standing Committee On Innovation, Development, Economic Advancement and Business, my name is Cathy Breen. I represent Maine Senate District 25, which includes the communities of Chebeague Island, Cumberland, Falmouth, Gray, Long Island, Yarmouth, and about half of the City of Westbrook. I am here today to introduce **LD 195, Resolve, Directing the Department of Professional and Financial Regulation To Study a Voluntary Licensing System for General Contractors for Home Improvement and Construction.**

Like far too many Maine families, I learned the hard way that Maine has no licensing criteria or requirement for general contractors. And I learned that lesson over 20 years ago when the general contractor building my house did shoddy work and ran way over his budget and his timeline. Neighbors who had used the same contractor later took him to court, and he filed for bankruptcy to avoid the legal and financial fallout of his poor performance, leaving my neighbors and my family to pay for his mistakes.

We all heard that there was a bill in the legislature to remedy this outrageous situation, and we thought, "It's about time." Attorney General Steve Rowe was on a mission, and consumers like us would no longer be vulnerable to unscrupulous general contractors like ours. Alas, we were wrong. To this day, while Maine licenses a multitude of construction fields - plumbing, electrical, engineering, code enforcement, and more - general contractors have no licensing obligations. And you and I have no objective criteria on which to judge some of our most expensive decisions.

While the vast majority of general contractors are undoubtedly good, competent people who work hard and complete an excellent product, we have all heard stories about the exceptions. In fact, I heard one from one of my constituents last fall, and I felt compelled to address this issue somehow.

I understand that there have been many attempts to make some headway on this issue over the years, none of them successful. And my understanding is that this bill - in its current version - was under consideration by the 129th Legislature, so I'm trying to pick up where the committee left off, if you will.

LD 195 would direct the Department of Professional and Financial Regulation to study a voluntary licensing system for general contractors. The Department would be required to send its

completed report to this committee in December 2021, and this committee would be authorized to submit a bill on this subject in next year's session.

Bills that propose mandating licensure for contractors have come and gone. In fact, bills that propose to study a voluntary system have come and gone as well. My hope is that we can view this issue with a fresh set of eyes this year. A voluntary licensure system will reward the contracting firms that choose to go through the licensing process with an impressive and marketable credential. This bill would provide clarity to consumers looking for a reputable contractor, and the risk of losing a license would help to ensure quality work from whomever they hire. You will hear from department shortly on their objections to the bill and their suggestion of another path. I urge the committee to exercise your judgement and explore either path, but to do *something* tangible to move this issue forward in a methodical, fair, and transparent way.

A general contractor may employ architects, engineers, lawyers, landscape architects, electricians, plumbers, interior designers, well pump repair people and more to work on your home, and all of them require a license. The contractor, however, does not. Mainers—our constituents—would benefit from a system that provides peace of mind concerning the construction of the largest investment most of us will ever make: our homes. Thank you, and I am happy to take any questions.