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Testimony of:

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Opposition to LD 1691 An Act To Require Licensing for Certain Mechanical Trade
Joint Standing Committee on Innovation, Development, Economic Advancement and
Business

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Senator Curry, Representative Roberts, and Distinguished Members of the Joint Standing Committee on Innovation, Development, Economic Advancement, and Business.

My name is Edward Wallace. I am a resident of Westbrook MAINE and President of AirTemp, Inc. a Maine Corporation. I write in opposition to LD 1691.

AirTemp Inc has been in business in Maine since 1986 and has worked on public and private projects since that time. We train and employ Maine residents doing Maine projects.

We believe that this legislation seeks to create unnecessary regulation to “solve” a problem that quite simply does not exist. Please ask yourself why we need a licensing requirement and review board for these certain trades. The justifications presented for this bill simply are weak and some are simply wrong. We address several of these justifications below.

Ensure that the individual is qualified to do the work,

All our projects require qualified mechanics, it’s in every spec book for every project. All work is inspected and reviewed by design engineers. We are already qualified, creating this license doesn’t change that.

It will hold companies accountable.

There’s nothing in this legislation that does this. All projects hold retainage until everything is signed off. We are already required to warranty our work. Creating this license does not hold us more accountable.

Improves safety.

There’s nothing in this legislation that will improve safety. We are required to follow all Federal, State and Local rules and regulations now. This includes all OSHA requirements such as OSHA 10 and OSHA 40. All projects require safety meetings, trainings and inspections. In addition to our moral duty to be safe, there are financial incentives; if we are unsafe we simply won’t be in business for long, nor will we qualify to work for our clients

We are already safe, this license does not make us safer.

Board will deal with any problems that arise, such as complaints.

Projects already have a process in the specifications that address this. A license board will only add another layer and process for us.

This bill will protect the health and welfare of citizens who use public facilities.

This is a scare tactic. Licenses do not protect people. Proper design, installation, inspection and maintenance do. Public facilities require an engineer's stamp. If, in the unlikely event that a deficiency is found, that could render a project unsafe, the contractor corrects it.

Please ask for EVIDENCE that this problem exists in Maine.

Public can search for licensed individuals and companies.

Once again, a solution to a problem that doesn't exist. A web search will find you qualified contractors. Creating a license system to search for contractors is a unnecessarily complex and costly solution. The taxpayers should not have to fund this cost.

Above we addressed some of the faulty reasons for supporting the bill. Below we lay out some of the consequences if you actually pass this bill.

Unstable employment market getting worse.

Every year more and more requirements get piled on. I understand the new OSHA requirements but it's very costly. Now all the covid stuff that is here forever. This licensing requirement, with no benefit, will just add to the pile, increase cost and decrease the workforce.

Barriers to entry into the trades

We already face numerous challenges maintaining a work force. Our existing workforce is graying, retiring and these new requirements will add new barriers for entry into the trades. We no longer have a vocational school system for many of these trades. Our industry is one of the few left that provides a great wage and living to high school graduates. Do we really want to limit those opportunities and create unnecessary challenges?

Redundant licenses unnecessarily complex rules

Our employees are already licensed and cross trained on several of the trades mentioned in the bill:

Under the new rules as proposed, imagine this scenario where our tech goes out to install a gas Furnace & AC unit in a home or business. In some cases, an employee would need to carry 8 or more licenses to do the work on this one small job. That seems arbitrary, cumbersome and unnecessary. Will the installation really be safer with 8 licenses vs. 4? I certainly do not think so.

1. Gas fitter & Tech (Existing license) - to connect the gas
2. Refrigerant License (EPA - Existing) - to charge the refrigerant system
3. Plumbing License (Existing license) - to connect the drain
4. Electrical License (Existing license) = to connect the power
5. NEW Sheetmetal license - to connect the ductwork.
6. NEW Insulation license - to reinsulate the duct and piping.

7. NEW Pipefitting license – to install
8. NEW Refrigeration license - to install the piping to the system

Another state agency adds costs.

Another licensing board that has no benefit is costly to all of us.

Disadvantaging Maine residents.

Although the bill references reciprocity with other states, in my experience that is a false promise and a one-way street. Whenever we have applied for reciprocal licenses in States with similar licensing (MA, NH, RI) we have been met with challenges and roadblocks every step of the way. Although there are promises of reciprocity, in fact it is nearly impossible for a Maine license to obtain an out of state license.

The licensing requirements are confusing.

Companies will need to add staff just for this process, with no benefit. In addition to the license fees, the cost to administer this process will be passed along to the consumer. Any way you slice it, that consumer will ultimately be the Maine taxpayer.

Please think about the unintended consequences if this bill is passed!

I would love to discuss this further. I can be reached at 207-749-8119 and by email at twallace@csusa.us

Thank you for your time.

Edward D Wallace “Ted”

Commented [WE1]: