

Executive Department

Phil Nadeau

Deputy City Administrator



January 11, 2008

Sue Inches
Deputy Director
Maine State Planning Office
38 State House Station
Augusta, ME 04333

RE: Maine Service Center Coalition Position on Resolve 46

Ms. Inches:

As the new Chair for the Maine Service Center Coalition, let me express, on behalf of the Coalition, our appreciation for the Steering Committee's effort in crafting Resolve 46.

As many of our members shared with you during our December meeting, in principal, we are generally supportive of some of the key goals of Resolve 46, particularly those which attempt to; reduce the cost associated with new construction and rehab of existing and historic buildings; improve public safety, accessibility, quality of construction and energy efficiency while reducing uncertainty and risk for lenders, consumers and insurers; and identify a process of building related codes administration that provides the appropriate scale and scope of building regulation for Maine.

It should be noted, however, that our support is conditional given that there remain both issues of concern for the Coalition that require further explanation and/or analyses. One of those concerns revolve around the resolve's proposal to expand the current oversight functions of the State Fire Marshall's Office at a time when several of the larger municipal MSCC members are interested in streamlining their development review processes. Some of our members believe that this initiative should serve as an opportunity to pursue dialogue regarding the interest for more life safety review and inspection autonomy for those communities with the staff and certification resources to assume the responsibility.

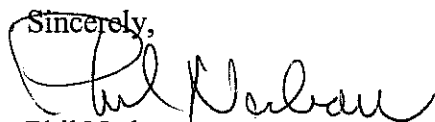
Another concern regards the proposal to create a Technical Building Codes Board with the power to hear appeals on building, electrical and plumbing code disputes. This part of the board's function appears to be yet another variable that has the potential of slowing down the development review process. As you already know, no such system currently exists and there appears to be no evidence that communities, particularly those with fully staffed code enforcement offices, have fueled the need for this kind of state oversight.

It also remains unclear to me and to other members that the adoption of a statewide building code will address the apparent tensions that exist between building codes and NFPA, ADA and the Maine Human Rights Act relative to new construction and rehab standards.

These concerns clearly should not be an exhaustive listing as the MSCC has not had the benefit of time to receive other feedback about this resolve (which I will pass along as they are received). However, I want to assure you that our organization is committed to work with our members, you and the members of the Business, Research and Economic Development (BRED) Committee on this very important initiative. You are welcome to contact me (email: pnadeau@ci.lewiston.me.us; direct phone: 207-513-3012; cell phone: 207-576-1684) or Richard Trahey from Maine Government Relations at your convenience.

I look forward to working with you in the near future.

Sincerely,



Phil Nadeau

Chair, Maine Service Center Coalition