

Annual List of Rulemaking Activity
Rules Adopted January 1, 2019 to December 31, 2019
Prepared by the Secretary of State pursuant to 5 MRS §8053-A sub-§5

Agency name: Department of Professional and Financial Regulation,
State Board of Licensure for Professional Engineers
Umbrella-Unit: **02-322**
Statutory authority: 32 MRS §§ 1306(2), 1353
Chapter number/title: **Ch. 5**, Application and Licensure Fees
Filing number: **2019-160**
Effective date: 9/8/2019
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

Budgetary requirements necessitate that application, licensure, renewal, and late fees be increased to meet current and future funding needs. Revisions in the professional engineering statute, 32 MRS §§ 1251-1362, eliminate temporary licensure, permitting an elimination of the attendant fee; and the adoption of technology allows the elimination of fees for replacement certificates.

Basis statement:

Budget analysis conducted by the Department of Administrative and Financial Services showed that at current levels of expense and revenue the State Board of Licensure for Professional Engineers was operating at a deficit that would result in the depletion of all cash reserves and a negative cash balance by FY 2023. After adjusting budget items within the board's control and using existing technologies to reduce expenses, a deficit still existed. Therefore, the board determined it was essential to increase fees for the board to continue to exist and to perform its public safety function. The board revised the professional engineering statute to eliminate temporary licensure and the related fee. In addition, the board now prints licenses and certificates, eliminating the fee for replacement certificates. Licensure, renewal, and late fees have been increased to the level necessary to cover the board biennial budget and to restore the cash reserves to an appropriate level. It is projected that cash reserves will return to the level of one year of operating expenses by FY2024.

Fiscal impact of rule:

Each licensed professional engineer will pay an additional \$20 per year in licensure fees. Individuals in retired status will pay an additional \$5 per year. Applicants for Engineer-Intern certification will pay a one-time fee of \$25 versus the former fee of \$10; and applicants for Professional Engineer Licensure will pay a \$50 application fee, versus the former fee of \$25, plus the increased licensure fee.