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An Act To Amend Procedures for the Licensing of Architects and Foresters

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, current law does not allow applicants for licensure as architects in Maine to apply for a license before completing 3 years of practical experience; and

Whereas, most other states have less stringent licensure requirements for architects; and

Whereas, current law discourages potential applicants for licensure as architects from becoming licensed in Maine; and

Whereas, Maine is currently losing well-qualified candidates for licensure to states with less stringent licensure requirements and this issue should be addressed as soon as possible; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 32 MRSA §220, sub-§1, ¶B, as amended by PL 2007, c. 402, Pt. F, §11, is further amended to read:

B. ~~Qualifications~~An architect must meet the qualifications established in this paragraph.

(1) ~~To~~Except as otherwise provided in this chapter, to be qualified for admission to the examination~~a license to practice architecture in this State an applicant must submit evidence to the board that~~ the applicant has passed an examination administered by a national council of architectural registration boards or an equivalent examination specified by board rule and:

(a) The applicant has completed a course of study in a school or college of architecture approved by the board, with graduation evidenced by a diploma setting forth a satisfactory degree, and ~~3 years of~~ practical experience under the supervision of an experienced architect or architects engaged in the practice of architecture as prescribed by the board by rule; or

(b) The applicant has training or practical experience, or a combination of both, that in the opinion of the board is fully equivalent to that required in division (a).

(2) An applicant for licensure as an architect in this State who has a current and valid license from another jurisdiction and a certificate from ~~the National Council of Architectural Registration Boards or its successors~~ a national council of architectural registration boards or other organization approved by the board may offer to render architectural services in this State prior to licensure by the board if the applicant first notifies the board in writing that the applicant will be present in this State to offer to render architectural services. The applicant may not render architectural services until duly licensed by the board.

Sec. 2. 32 MRSA §5515, sub-§6, as amended by PL 2013, c. 527, §5 and affected by §9, is further amended to read:

6. Examination. Each applicant for a forester license shall ~~submit an application and examination fee as set under section 5507 and~~ successfully pass an examination approved by the board designed to test an individual's knowledge to engage in the practice of forestry. An applicant with an associate degree or higher from a program that has a curriculum in forestry from a school or college approved by the board is required to pass only the examination section that tests the applicant's knowledge of the State's forestry laws, rules and practices. Applicants must meet all other qualifications for licensure prior to taking the examination except that an applicant with a degree in forestry from a school or college approved by the board pursuant to rules adopted by the board may take the examination prior to meeting all of the qualifications for licensure.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill is reported out by the Joint Standing Committee on Labor, Commerce, Research and Economic Development pursuant to the Maine Revised Statutes, Title 3, section 955. The bill authorizes the Maine State Board for Licensure of Architects, Landscape Architects and Interior Designers to specify, by rule, the required amount of practical experience under the supervision of an experienced architect or architects that an applicant for licensure as an architect must complete before obtaining a license. The bill also removes the requirement that candidates for a forester license submit applications and examination fees to the Board of Licensure of Foresters; in current practice, candidates submit their applications and examination fees to a board-approved testing company rather than directly to the board.

The Joint Standing Committee on Labor, Commerce, Research and Economic Development has not taken a position on the substance of this bill and by reporting this bill out the committee is not suggesting and does not intend to suggest that it agrees or disagrees with any aspect of this bill. The committee is reporting the bill out for the sole purpose of turning the Department of Professional and Financial Regulation's proposal into a printed bill that can be referred to the committee for an appropriate public hearing and subsequent processing in the normal course. The committee is taking this action to ensure clarity and transparency in the legislative review of the department's proposal.