

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND FIFTEEN

—
H.P. 711 - L.D. 1028

An Act To Amend the Laws Concerning the Registration of Professional Engineers

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

Whereas, the State Board of Licensure for Professional Engineers currently lacks the statutory ability to provide an equitable solution for licensure renewal that does not unfairly burden a licensee whose license has lapsed prior to renewal and who was licensed under a prior experience-based pathway to licensure; and

Whereas, this legislation will restore fairness to the statutes governing the State Board of Licensure for Professional Engineers by providing the board with the discretion to waive overly burdensome renewal requirements and should be enacted immediately in order to protect engineers who are in danger of losing their licenses; 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 §1357, as amended by PL 2013, c. 296, §6, is further amended to read:

§1357. Expiration and renewals

Licenses expire on the last day of December of each odd-numbered ~~years following their issuance or renewal and become invalid on that date unless renewed year and a licensee may not practice professional engineering with an expired license.~~ The board shall notify every person licensed under this chapter of the date of the expiration of that person's license and the amount of the fee that is required for its renewal ~~for a 2-year period, except when the applicant has become licensed during the first year of the 2-year~~

~~period, then the renewal fee is for the remaining one year of that 2-year period. The notice must be provided at least one month in advance of the date of the expiration of the license. Renewal may be effected at any time~~ A license may be renewed after completion of continuing education professional development requirements and after receipt of notice by the payment of a fee established by rule by the board, which may not exceed \$50 \$200 annually. Licenses may be renewed up to 90 days after the date of expiration upon payment of a late fee of \$10 established by rule by the board in addition to the renewal fee. Any person who submits an application for renewal more than 90 days after the license renewal date is subject to all requirements governing new applicants under this chapter, except that if the renewal application is made within 3 years from the date of the expiration the board may in its discretion, giving due consideration to the protection of the public, waive examination if the renewal application is made within 3 years from the date of the expiration any additional qualifications if the licensee has held a license for at least 10 years, has completed all professional development requirements and has never been subject to discipline in this or any other jurisdiction.

Sec. 2. Retroactivity. This Act applies retroactively to January 1, 2011.

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