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Governor

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
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AUGUSTA, MAINE
04333-0035

Anne L. Head
Commissioner

**Testimony of Anne L. Head, Commissioner
Department of Professional and Financial Regulation
Before the Joint Standing Committee on Appropriations and Financial Affairs and
the Joint Standing Committee on Innovation, Development, Economic Advancement and
Business**

LD2214 - "An Act to Make Supplemental Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2024 and June 30, 2025"

Public Hearing: February 22, 2024, 1:30 pm

Good morning, Senator Rotundo, Representative Sachs, and Members of the Joint Standing Committee on Appropriations and Financial Affairs; Senator Curry, Representative Roberts, and members of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business. My name is Anne L. Head, and I am the Commissioner of the Department of Professional and Financial Regulation. I am here today to testify in support of the Supplemental Budget bill, LD2214.

The supplemental budget is a balanced, prudent, and responsible proposal that advances the Governor's long-held belief that we must continue to invest in the people of Maine, our greatest asset. The Governor's proposal strikes the balance between making timely investments to address urgent needs – like public safety, mental health, housing, education, and health care – and saving money to ensure that our state continues to stand on strong fiscal footing in the future. I look forward to working with the Legislature in the coming weeks to arrive at a budget that protects our fiscal health and that makes prudent and timely investments to support the health, safety, and welfare of Maine people.

Today I am pleased to present information to both committees regarding the Governor's supplemental budget request for the Department of Professional and Financial Regulation and the Office of Professional and Occupational Regulation. My remarks include supplemental initiatives for the Office of Professional and Occupational Regulation and the State Board of Licensure for Professional Engineers, which is affiliated with the Department. Next week on February 28th, I will present initiatives for the Board of Licensure in Medicine, Board of Nursing and Board of Osteopathic Licensure.

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Board of Licensure for Professional Engineers – 0369

The Board of Licensure for Professional Engineers protects the public safety and welfare of Maine people through the licensing of qualified applicants for engineer licenses, and regulation of the practice of engineering. The Board is supported solely by Other Special Revenue Funds generated from licensing fees. The Board consists of seven members appointed by the Governor and employs an executive director and one administrative staff member.

The Board elects a Chair from its members. Brent Bridges, P.E. is the current Board Chair.

The Board has a single supplemental initiative, at the top of page A-118. The Board requests to increase in fiscal year 2025 by \$9,703 to provide additional funding for leased space. The Board recently relocated from the Olde Federal Building to space at 77 Sewall St., Augusta, after the building they had been occupying was sold.

ENGINEERS - STATE BOARD OF LICENSURE FOR PROFESSIONAL 0369		
	2023-24	2024-25
Initiative: Provides funding for higher rent costs for leased office space and related STA-CAP cost.		
OTHER SPECIAL REVENUE FUNDS		
All Other		9,703
Total	0	9,703
Summary - OTHER SPECIAL REVENUE FUNDS		
All Other		9,703
Total	0	9,703

Office of Professional and Occupational Regulation - 0352

Moving to the Office of Professional and Occupational Regulation (OPOR) on page A-119, OPOR is an umbrella administrative agency for 38 professional and occupational regulatory programs. The Office protects the public against unqualified, incompetent, and unethical practitioners through licensure, establishment of practice standards, inspection, complaint investigation, and, when warranted, imposition of professional discipline. Full-time staff and board members appointed by the Governor implement license qualifications determined by the Legislature, set standards of practice and ethical behavior, and assist in conducting disciplinary proceedings. The program is funded with Other Special Revenue Funds, primarily from license fees.

The Office has two supplemental initiatives.

The first initiative increases personal services allocation in fiscal year 2025 by \$6,722 to fund the BHR-approved reorganization of one Office Specialist II position to a Comprehensive Health Planner I position. The position was reorganized to address the increased complexity and responsibility associated with oversight of application review and determining licensing eligibility of allied health professionals and entities, in the fields of chiropractic, veterinary

medicine, physical therapists, pharmacists, naturopathic doctors, acupuncturists, professional midwives, and various pharmaceutical entities. This position also supports the determination of eligibility for licensure and compliance of complex pharmaceutical entities in the US by analyzing and evaluating qualifying factors and by making decisions in complex disciplinary cases.

The second initiative provides \$215,074 allocation to establish two Elevator Inspector positions. OPOR currently employs three elevator inspectors to inspect over 6,000 elevators across the state, trained to perform initial “acceptance” testing of newly installed elevators. At this time, the elevator inspection staff can assure housing developers that a state inspector can perform an initial “acceptance” inspection within a two-to-three-week timeframe after a request for initial testing has been received. The Housing Committee, formed by the Legislature in 2023, noted a concern that a two-to-three week wait for an initial test of newly installed elevators could slow the development of urgently needed new housing. I agree that OPOR should pursue the potential to reduce the wait time for an initial inspection. OPOR’s request to increase staff in this area will be the initial step toward the goal of conducting more frequent acceptance tests of newly installed elevators. If the two requested Elevator Inspector positions are authorized, the next step will be to request a reclassification review of the compensation for elevator inspectors through the State HR reclassification process. Additional staff and increased compensation may enable the Office to recruit and retain qualified elevator inspection staff to avoid delays in the growth of affordable housing. OPOR fees for elevator inspections will also be increased through the APA rulemaking process to support the additional costs.

OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION 0352

	2023-24	2024-25
Initiative: Provides funding for the approved reorganization of one Office Specialist II position to a Comprehensive Health Planner I position and provides funding for related All Other costs.		
OTHER SPECIAL REVENUE FUNDS		
Personal Services		6,633
All Other		89
Total	0	6,722
Initiative: Establishes 2 Elevator Inspector positions and provides funding for related All Other costs.		
OTHER SPECIAL REVENUE FUNDS		
Positions - LEGISLATIVE COUNT		2,000
Personal Services		185,310
All Other		29,764
Total	0	215,074
	2023-24	2024-25
Summary - OTHER SPECIAL REVENUE FUNDS		
Positions - LEGISLATIVE COUNT		2,000
Personal Services		191,943
All Other		29,853
Total	0	221,796

This concludes my testimony in support of the Governor’s Supplemental Budget Proposal. I thank you for your time and consideration, and I will be happy to answer any questions.