

MAINE STATE LEGISLATURE

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R 9/3

L.D. 1271

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4
DATE: June 12, 1995

(Filing No. S-243)

6
BUSINESS AND ECONOMIC DEVELOPMENT

8
Reported by: The Majority of the Committee.

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**STATE OF MAINE
SENATE
117TH LEGISLATURE
FIRST REGULAR SESSION**

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COMMITTEE AMENDMENT "A" to S.P. 475, L.D. 1271, Bill, "An Act to Revise and Add to the Laws Regulating the Practice of Professional Engineering"

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28
Amend the bill in section 12 in that part designated "**§1353.**" in the 2nd paragraph in the 2nd and 3rd lines (page 8, lines 12 and 13 in L.D.) by striking out the following: "~~by the board in an amount not to exceed \$40 in the rules adopted by the board~~" and inserting in its place the following: 'by the board in an amount not to exceed \$40 \$200'

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32
Further amend the bill by inserting after section 17 the following:

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'Sec. 18. 32 MRSA §1362 is enacted to read:

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§1362. Good Samaritan law

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46
A professional engineer who voluntarily, without compensation except for reasonable expenses, provides professional services in the event of a declared national, state or local emergency caused by an earthquake, hurricane, tornado, fire, explosion, building collapse, flood or other similar disaster or catastrophic event, at the request of a national, state or local public official, law enforcement official, public safety official or building inspection official acting in an official capacity, is not liable for any death, injury, property damage or other loss caused by the professional engineer's

COMMITTEE AMENDMENT

A.S.

2 negligent acts, errors or omissions in the performance of any
3 professional services, as defined in section 1251, subsection 3,
4 for any structure, building or piping or other engineering
5 system, either publicly or privately owned.

6 The immunity in this section applies only to voluntary
7 professional service that occurs within 90 days of the emergency
8 or catastrophic event unless that period is extended by an
9 executive or administrative order issued by the national, state
10 or local public official who declared the initial emergency.

11 Nothing in this section provides immunity for intentional or
12 reckless misconduct.

13 **Sec. 19. Allocation.** The following funds are allocated from
14 Other Special Revenue funds to carry out the purposes of this Act.

15 **1995-96** **1996-97**

16 **PROFESSIONAL AND FINANCIAL**
17 **REGULATION, DEPARTMENT OF**

18 **State Board of Registration for**
19 **Professional Engineers**

20 All Other \$750 \$1,000

21 Provides allocations for the
22 additional costs of adding
23 one member to the board.'

24 Further amend the bill by inserting at the end before the
25 statement of fact the following:

26 **FISCAL NOTE**

27 **1995-96** **1996-97**

28 **APPROPRIATIONS/ALLOCATIONS**

29 Other Funds \$750 \$1,000

30 The State Board of Registration for Professional Engineers
31 will require additional Other Special Revenue allocations of \$750
32 and \$1,000 in fiscal years 1995-96 and 1996-97, respectively, for
33 the additional costs of adding one member to the board. The
34 board has sufficient dedicated revenue to cover this additional
35 cost.

36 The State Board of Registration for Professional Engineers
37 will incur some minor additional costs to adopt certain rules.

A of S.

COMMITTEE AMENDMENT "A" to S.P. 475, L.D. 1271

2 These costs can be absorbed within the board's existing budgeted
resources.

4 Changes in the licensure qualification requirements and the
6 licensure fees charged by the State Board of Registration for
Professional Engineers may result in insignificant increases of
8 dedicated revenue.'

10 **STATEMENT OF FACT**

12 This is the minority report of the Joint Standing Committee
on Business and Economic Development.

14 The original bill removes the cap of \$40 on the registration
16 fee for engineers. This amendment places a cap of \$200 on this
fee.

18 The amendment adds a provision that removes the liability
20 for negligence of engineers who volunteer their services in times
of public emergency.

22 The amendment also adds an allocation section and a fiscal
24 note to the bill.

COMMITTEE AMENDMENT