

MAINE STATE LEGISLATURE

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L.D. 1271

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DATE: June 16, 1995

(Filing No. S- 281)

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STATE OF MAINE
SENATE
117TH LEGISLATURE
FIRST REGULAR SESSION

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SENATE 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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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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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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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

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

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 30 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.

	1995-96	1996-97
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**PROFESSIONAL AND FINANCIAL
REGULATION, DEPARTMENT OF**

**State Board of Registration for
Professional Engineers**

All Other \$750 \$1,000

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

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

FISCAL NOTE

	1995-96	1996-97
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APPROPRIATIONS/ALLOCATIONS

Other Funds \$750 \$1,000

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

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

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

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

4 Increasing the cap on license fees to \$200 may increase
6 dedicated revenues collected by State Board of Registration for
8 Professional Engineers. The amounts can not be determined at
10 this time.

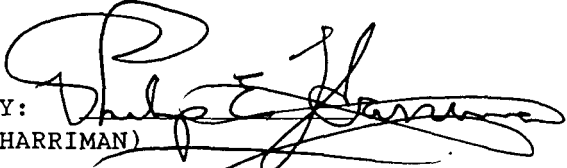
12 Changes in the licensure qualification requirements for
14 professional engineers may result in insignificant increases of
16 dedicated revenue collected by the State Board of Registration
18 for Professional Engineers.'

STATEMENT OF FACT

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

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

32 The amendment also adds an allocation section and a fiscal
34 note to the bill.

SPONSORED BY: 
(Senator HARRIMAN)

COUNTY: Cumberland

SENATE AMENDMENT