



# Maine PE News

STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS

Vol I.

October 2, 2023

## GOVERNOR APPOINTS 3 NEW BOARD MEMBERS



Maine Governor Janet Mills appointed 3 Professional Engineers to fill vacant seats on the board. From left to right, Robert Dorko, PE of Sappi, N.A., Kim Powers, PE, of Jensen Hughes, and Robert Chaput, PE of S.W. Cole, were appointed by the Governor in June. Read their bios on **Page 5**.

## NEW LAWS IMPACTING PROFESSIONAL ENGINEERS

Two pieces of legislation were recently passed that impact professional engineers.

LD146 "An Act to Clarify Assessment of Fines for Tattoo Artists, Body Piercers, Electrologists and Micropigmentation Practitioners and to Change Requirements for the Approval of Public Pool and Spa Plans"

LD354 "An Act to Amend the Laws Regarding the Use of Engineers on Public Works Projects over \$100,000"

The Legislature adjourned *sine die* on July 26, 2023, and pursuant to the Constitution of Maine, Article IV, Part Third, Section 16, the general effective date for nonemergency laws passed in the First Special Session of the 131st Legislature is **Wednesday, October 25, 2023**. Read about the new statutes on **Page 3**.

## STAKEHOLDERS MEETING OCTOBER 19

The Maine PE Board has been holding meetings each Fall for the past several years with a stakeholder group, including representatives of professional engineering societies, engineering firms, and individual professional engineers.

This stakeholders group discusses issues of concern, including attacks on occupational licensure, legislative and rulemaking initiatives, public safety issues, the performance of professional engineering by unlicensed engineers or other unqualified persons, practice overlap, and other areas of concern. The Board has received valuable input and support resulting in positive legislative outcomes.

This year the meeting will be held October 19 from 1:00pm-3:30pm at MaineDOT in Augusta. If you want to attend, or your company or your organization would like to send a representative, please contact the board office.

# Wall Certificates Back for Maine Initial Licensees

The Maine PE Board recently voted to begin issuing paper wall certificates again, but only to those who receive their initial PE licensure in Maine.

At the board meeting held on June 15, 2023, the board considered a request from an initial licensee who asked for an old-style wall certificate with a gold seal. Based on that request and prior similar requests, the board voted to provide all newly-licensed professional engineers who obtain their very first licensure in Maine with wall certificates with a gold seal.

The board office initially stopped mailing out wall certificates over two years ago when the licensing system went online and licensees could print their own certificate of licensure and pocket card which include an expiration date, unlike the wall certificates.

However, some individuals raised concerns that the printed certificate was not comparable to the look of certificates that other engineers in their office had received, and requested that the board print wall certificates again.

Since the policy first changed, 143 licenses have been issued to professional engineers who were granted initial licensure in Maine. Wall certificates for those licensees have now been printed, signed by the Chair, and have been mailed out to licensees.

Going forward, all individuals who receive original licensure as a professional engineer in Maine will receive a wall certificate with an embossed gold seal. Those who received their first licensure elsewhere and later received reciprocal or comity licensure in Maine will not receive a wall certificate created by the office, but can still print their own certificate.

All licensees retain the ability to print a current certificate or a pocket card from the database at any time. For the certificate, we recommend that people use a higher-quality bond paper in Ivory, such as a 32-lb. Strathmore, Southworth, Mohawk, Crane, or comparable product. For the pocket card we recommend using white or ivory card stock and even laminating it for durability.

Remember, any physical representation of your professional license is only a physical representation. Your actual license exists in the database, and in the event of a discrepancy between a physical representation and the database, the database controls.

If you are hiring a professional engineer or contracting with a professional engineer, you are encouraged to check the official status of their license in the online database.

If you believe that you should have received a wall certificate or that you may have been overlooked in this process, please feel free to contact the board office.

# 2023 Legislation for PEs

These bills passed in the session ended on July 26, 2023 and take effect on **Wednesday, October 25, 2023**.

**LD 146 (passed June 1): "An Act to Clarify Assessment of Penalties for Tattoo Artists, Body Piercers, Electrotologists and Micropigmentation Practitioners and to Change Requirements for the Approval of Public Pool and Spa Plans"**

**Sec. 1. 22 MRSA §2662, sub-§4**, as amended by PL 2007, c. 631, §4, is further amended to read:

**4. Residential spa.** "Residential spa" means any constructed spa, permanently installed or portable, that is used in connection with a single or multifamily residence, used by tenants of apartment buildings, owners of condominiums or members of property owners associations and available only to these residents and their private guests or used by guests of a lodging place as defined in section 2491, subsection 7-F that has 10 or fewer rooms or cottages.

**Sec. 2. 22 MRSA §2665, 2nd ¶**, as amended by PL 2007, c. 631, §7, is further amended to read:

~~The design criteria to be followed by the department in the review and approval is~~ Submitted plans and specifications must be sealed by a licensed professional engineer under Title 32, chapter 19 and must include a statement by the engineer indicating that the plans and specifications meet the minimum standard for all pools and the minimum standard for all spas published by the American National Standards Institute and the Association of Pool and Spa Professionals or successor organizations as identified by the department by rule.

**NOTE:** Where previously people submitted plans to DHHS for Commercial Pools and Spas, and a DHHS PE reviewed them, those plans must now be sealed by a Maine PE **BEFORE** being submitted to DHHS.

**LD 354 (passed June 15): "An Act to Amend the Laws Regarding the Use of Engineers on Public Works Projects over \$100,000"**

## **§1254. Public works**

**1. Requirement for licensed professional engineer; exception.** When any department of this State or any of this State's political subdivisions or any county, city, town, township or plantation engages in construction of a public works project that involves professional engineering, the services of a licensed professional engineer must be used in the public works project unless:

A. An authorized representative of the department of this State or any of this State's political subdivisions or any county, city, town, township or plantation engaged in the construction of a public works project issues a written determination that the life, health and property of the public will be adequately protected without the services of a licensed professional engineer; and

B. The contemplated expenditure for the completed project does not exceed \$250,000.

For purposes of this subsection, the Director of the Bureau of General Services within the Department of Administrative and Financial Services is the authorized representative of a department of this State engaged in public works projects that constitute public improvements under Title 5, chapter 153.

**2. Continuing authority to require licensed professional engineer.** Subsection 1 may not be construed to limit the authority of a department of this State or any of this State's political subdivisions or any county, city, town, township or plantation to require the services of a licensed professional engineer for any public works project.'

**NOTE:** The analysis of when public works that are professional engineering can be performed without a PE must first assess and account for public safety, and an authorized representative of the municipality or agency must be accountable for that decision. Any professional engineering project that exceeds \$250,000 in total cost must be designed and overseen by a Maine PE. The public works exemption can be over-ruled by any Department, Agency, municipality, or other entity with authority. They can require that a PE design and oversee any professional engineering project.

The Maine Legislature waded through roughly 2000 bills in each of the last 2 sessions. Board staff continues to review all proposed legislation to determine if it relates to professional engineering, and to work with others to advocate for and protect the health, safety, and property of Maine citizens. We appreciate the continued support and cooperation we receive from licensees and other stakeholders.

# Upcoming Renewal/PDH/Audits

## RENEWAL

Beginning on November 1, 2023, the online system will open for licensure renewals. Licensees will log into the database by entering their license number (PE#####), their Access Code or Password, and then renew their license by completing the online renewal application and paying the renewal fee of US\$120.

The responsibility for renewal is entirely with the licensee. If you fail to renew, you cannot practice or offer to practice professional engineering in Maine.

Active-duty military personnel are exempt from the renewal fee, but must complete the online renewal application and must supply a copy of their current orders at time of renewal.

## PDH

During renewal, licensees attest to fulfilling the PDH requirement. This has legal significance.

PDH requirements are waived for:

- Active-duty military personnel.
- Licensees renewing for the first time.

Requirements include completing 30 hours of PDH during the 2 years prior to renewal and maintaining records “supporting evidence of attendance” such as certificates of completion, or proof of payment or registration. If you are claiming any carry-over from a prior renewal period, when audited you **must** provide complete documentation from the prior renewal period so we can see the evidence of the carry-over. Maine law requires that each licensee maintain their records for 3 years; the board does not maintain any records of your prior PDH. Maine law puts the responsibility on licensees.

## PDH RECORDS

We highly recommend using the absolutely, completely **FREE** NCEES CPC registry: <https://ncees.org/cpc/> to track your PDH documentation. You can upload all documentation and not fear losing it in a divorce, job change, fire, or environmental disaster. We can access it any time in the NCEES database. As a bonus, the NCEES CPC Registry can also track your licensure renewals and let you know when they are due. Alternatively, if audited, you can submit a completed [PDH Activity Log](#) and supporting documentation directly to the Board at [professional.engineers@maine.gov](mailto:professional.engineers@maine.gov). We will always contact you if there are any issues with your submission and you will have an opportunity to correct it.

## PDH AUDITS

The board audits 1.5% of licensees who renew by the Dec 31, 2023 deadline, and 5% of licensees who renew from Jan 1 to Mar 31, 2024. All licensees renewing after Mar 31 are audited before their renewal is processed. Active-duty military and first-time renewals are not audited.

## PDH WAIVERS

Prior to renewal, you can submit a written request to the board for a waiver of all or part of the PDH requirements for “extenuating situation, hardship, or disability.” Please submit requests prior to or at renewal.

Please note that a request for a waiver **after** being audited is unlikely to be approved. Failing to respond to an audit request, failing to complete PDH, failing to maintain records, and failing to update your contact information, can each be a violation of Maine law that may result in a fine or denial of the renewal application

# NEW BOARD MEMBERS

In June, Governor Janet Mills appointed 3 new professional engineers to seats on the board. They will serve the balance of the terms for the individuals they replaced or the vacant positions, at which time they will be eligible for reappointment.

## **Bob Dorko, P.E.**

Bob Dorko is a licensed PE employed at the SAPPI Somerset Mill pulp and paper mill, where he manages the utilities and chemical recovery areas in addition to serving as a member of the mill leadership team. Bob also currently serves as the President of the Industrial Energy Consumer Group (IECG), an organization that works on utility and energy policy to reduce energy costs for manufacturing and other businesses in Maine. Bob resides in Skowhegan.

## **Kimberly Powers, PE**

Kim Powers is a licensed PE working as a Senior Fire Protection Engineer/Manager with Jensen Hughes, a firm specializing in fire protection engineering and code consulting. Kim's work includes evaluation of building life safety, structural fire protection, building & fire code compliance, and design of fire protection systems such as fire alarm and suppression systems. Kim has also practiced civil engineering and has experience with site planning and structural design. Kim works remotely from North Yarmouth where she lives with her husband and two children. Most of Kim's free time is spent running after kids and enjoying outdoor sports and activities.

## **Bob Chaput, PE**

Bob Chaput is a licensed PE and a Principal Geotechnical Engineer, President, and CEO of S.W. Cole Engineering, Inc., as well as Chair of the S.W. Cole Board of Directors. His responsibilities include driving strategy for the firm, project management of geotechnical engineering projects, coordination of subsurface investigations, technical analysis, and design of shallow and deep foundations and earth slopes. Bob is a graduate of the University of Maine and holds an A.S. degree in Civil Engineering, a B.S. in Construction Management Technology, and an MS in Geotechnical Engineering. He has served on the Board of Directors of the Associated General Contractors of Maine (AGC) as Treasurer, served as Past President of the Maine Section of the American Society of Civil Engineers (ASCE) and on the Board of Directors for the Construction Specifications Institute. Bob resides in Sidney, Maine.

# Honor Cords and Francis Crowe— Brent M. Bridges, PE, Chair



I again attended the Francis Crowe Society ceremony at the University of Maine this past May, which inducts graduating students into the Francis Crowe Society and celebrates their achievements. I was present to congratulate the new grads, and to recognize those who passed the NCEES Fundamentals of Engineering exam, by providing an honor cord, which is a new program supported by NCEES.

In Maine and across the US, after the FE conversion to year-round computer-based testing, the number of students taking the FE exam dropped. This is partly because students aren't studying in groups together (that comradery helped with wanting to take the test), and partly because for a number of years the job market has been so good no one felt they needed to take the FE to secure a job. If you already have a job in the fall before you graduate, why put yourself through that extra work? As we all know, life takes us down paths we never expect, and opportunities rise up that we all want to be prepared for. It's one of the reasons we encourage all graduating engineers to take the FE. While the numbers are increasing, we need to provide more outreach to explain the benefits of licensure but the also important value in taking the FE exam at the end of your college studies. We all know it is a much harder exam the farther away you get from your college years, and everyone should encourage new graduates to take the exam when they are most likely to pass.

One never knows what path we end up taking in our careers and to have one leg up by having taken the exam early helps. All those I congratulated were very happy to have taken it and to get it behind them and I reinforced what a great choice they made. I also took the time to talk to some of their parents and extend my appreciation to the hard work that all their families put into creating another engineer.

## Communications with board members

Please send any communications to board members about issues of concern that either are before the board or may come before the board through the board office.

This will help prevent situations that may impact the ability of board members to hear issues impartially or that may cause their business or private communications to be made public.

We appreciate your cooperation.

## Current PE Board

Seat	Name	Position
1	Robert Dorko, PE	Member
2	Jude Pearse, PE	Member
3	Joyce Taylor, PE	Vice Chair
4	Brent Bridges, PE	Chair
5	Kim Powers, PE	Member
6	VACANT	Public member
7	Bob Chaput Jr., PE	Member



State Board of Licensure For Professional Engineers  
92 State House Station Augusta, Maine 04333-0092

T: 207-287-3236

E: [professional.engineers@maine.gov](mailto:professional.engineers@maine.gov)

[www.maine.gov/pe](http://www.maine.gov/pe)