



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

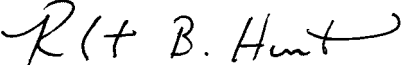
No. 1157

H.P. 729

House of Representatives, March 14, 2023

An Act to Stabilize Licensing Fees

Reference to the Committee on Innovation, Development, Economic Advancement and Business suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Representative RUDNICKI of Fairfield.
Cosponsored by Senator BRAKEY of Androscoggin and
Representatives: ANDREWS of Paris, CAMPBELL of Orrington, FREDERICKS of Sanford,
GREENWOOD of Wales, MASON of Lisbon, MORRIS of Turner, QUINT of Hodgdon,
SCHMERSAL-BURGESS of Mexico.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 32 MRSA c. 1-A, sub-c. 4** is enacted to read:

3 **SUBCHAPTER 4**

4 **LICENSE FEE STABILIZATION**

5 **§60-O. Fee stabilization**

6 **1. Review.** The Director of the Office of Professional and Occupational Regulation
7 within the Department of Professional and Financial Regulation, referred to in this section
8 as "the director," shall by July 1st of each budget biennium review the revenue derived
9 from each license fee collected by a licensing board or entity under this Title.

10 **2. Stabilization.** Notwithstanding any other provision of this Title to the contrary, if
11 the director determines pursuant to subsection 1 that the amount of revenue collected in the
12 previous biennium from the fees of a licensing board or entity exceeds the expenses
13 incurred by that licensing board or entity in the performance of its duties over that
14 biennium, the director shall by rule reduce the fees by multiplying each fee collected by
15 that licensing board or entity by a fraction, the numerator of which is the amount of the
16 excess revenue and the denominator of which is total amount of revenue collected. The
17 resulting license fee must remain in place for the ensuing biennium. If the fees are
18 deposited into a nonlapsing fund and there are funds remaining in the fund at the end of the
19 budget biennium, the amount of those funds is deemed to be excess revenue.

20 Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter
21 375, subchapter 2-A.

22 **SUMMARY**

23 This bill requires the Director of the Office of Professional and Occupational
24 Regulation within the Department of Professional and Financial Regulation by July 1st of
25 each fiscal biennium to review the revenue derived from each license fee collected by a
26 licensing board or entity. If the director determines that the amount of revenue collected
27 in the previous biennium from the fees of a licensing board or entity exceeds the expenses
28 incurred by that licensing board or entity in the performance of its duties, the director shall
29 by rule reduce the fees by a fraction calculated by dividing the amount of excess revenue
30 by the total amount of revenue collected. The resulting license fee must remain in place
31 for the ensuing biennium. If the fees are deposited into a nonlapsing fund and there are
32 funds remaining in the fund at the end of the budget biennium, the amount of those funds
33 is deemed to be excess revenue.