

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

SECOND SPECIAL SESSION-2004

Legislative Document

No. 1959

H.P. 1459

House of Representatives, April 7, 2004

**Resolve, Authorizing Professional and Occupational Licensing
Authorities in State Government To Defer or Waive Continuing
Education Requirements for Military Personnel**

(EMERGENCY)

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CLARK of Millinocket. (GOVERNOR'S BILL)
Cosponsored by Senator BROMLEY of Cumberland and
Representatives: AUSTIN of Gray, BERUBE of Lisbon, DUPREY of Medway, LANDRY of
Sanford, Senators: DAVIS of Piscataquis, GAGNON of Kennebec, HALL of Lincoln,
SHOREY of Washington.

2 **Emergency preamble. Whereas,** Acts and resolves of the
Legislature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

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6 **Whereas,** many citizens of Maine have been called to active
duty in military service to the United States and will be
returning to civilian life during the next 18 months; and

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10 **Whereas,** it is necessary to ensure continuation of
professional and occupational licensure for individuals in active
military service; and

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14 **Whereas,** current Maine law does not adequately provide for
deferment or waiver of continuing education requirements to
maintain active licensure; and

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18 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
20 necessary for the preservation of the public peace, health and
safety; now, therefore, be it

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24 **Sec. 1. Professional and occupational licensing authorities authorized**
to defer or waive all or any portion of any continuing education
requirement with respect to Maine citizens returning from active military
26 **duty. Resolved:** That state authorities authorized to license and
regulate any profession or occupation may waive or defer all or
28 any portion of any continuing education requirement in current
law as a condition of license renewal for a person who is a
30 member of the National Guard or the Reserves of the United States
Armed Forces under an order to active duty in support of an
operational mission for a period of more than 30 days and who was
32 licensed or registered to engage in a profession or occupation
prior to being called to active duty; and be it further

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36 **Sec. 2. Reporting date established. Resolved:** That the
commissioner of a department or the director of an agency of
38 State Government that waives or defers all or a portion of a
continuing education requirement pursuant to section 1 of this
40 resolve shall report by December 1, 2004 and monthly thereafter
to the joint standing committee of the Legislature having
42 jurisdiction over business, research and economic development
matters with respect to the deferment or waiver of continuing
44 education requirements for affected military service personnel;
and be it further

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48 **Sec. 3. Repeal. Resolved:** That this resolve is repealed
October 1, 2005.

2 **Emergency clause.** In view of the emergency cited in the
preamble, this resolve takes effect when approved.

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SUMMARY

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8 This resolve gives professional and occupational licensing
authorities in State Government limited authority to waive
continuing education requirements for returning service personnel.