

MAINE STATE LEGISLATURE

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(EMERGENCY)
SECOND REGULAR SESSION

ONE HUNDRED AND TWELFTH LEGISLATURE

Legislative Document

No. 1762

H.P. 1252

House of Representatives, January 2, 1986

Submitted by the Department of Business, Occupational and Professional Regulation pursuant to Joint Rule 24.

Received by the Clerk of the House on January 2, 1986. Referred to the Committee on Business and Commerce and 1,600 ordered printed pursuant to Joint Rule 14.

EDWIN H. PERT, Clerk

Presented by Representative Vose of Eastport.

Cosponsored by Representative Rydell of Brunswick and Senator Kerry of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SIX

AN ACT to Permit the Electricians' Examining
Board to Renew Certain Master,
Journeyman and Limited Electricians'
Licenses.

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

Whereas, of the 7,000 licensed electricians in Maine, each year several dozen fail to renew their licenses during the statutory grace period; and

Whereas, in recent years, the educational and experience requirements for licensure have greatly increased; and

Whereas, since the board lacks discretion in waiving any requirements other than reexamination, several dozen licensees are obliged to abandon their livelihood; and

1 Whereas, in the judgment of the Legislature,
2 these facts create an emergency within the meaning of
3 the Constitution of Maine and require the following
4 legislation as immediately necessary for the preservation of the public peace, health and safety; now,
5 therefore,
6

7 Be it enacted by the People of the State of Maine as
8 follows:

9 32 MRSA §1204, 2nd ¶, as repealed and replaced by
10 PL 1983, c. 413, §39, is amended to read:

11 A license may be renewed up to 90 days after the
12 date of its expiration upon payment of a late fee of
13 \$10 in addition to the renewal fee. Any person who
14 submits an application for renewal more than 90 days
15 after the license expiration date shall be subject to
16 all requirements governing new applicants under this
17 chapter, except that the board may in its discretion,
18 giving due consideration to the protection of the
19 public, waive examination or other requirements if
20 the renewal application is made within 2 years from
21 the date of the expiration. Notwithstanding any other
22 provision of this chapter, the board shall waive
23 examination if a renewal application is made within
24 90 days after separation from the United States Armed
25 Forces, under conditions other than dishonorable, by
26 a person who has failed to renew his license because
27 he was on active duty in the Armed Forces; provided
28 that the waiver of examination shall not be granted
29 if the person served more than 4 years in the Armed
30 Forces, except if he is required by some mandatory
31 provision to serve a longer period and he shall submit
32 satisfactory evidence of this mandatory provision
33 to serve a longer period and he shall submit satisfactory
34 evidence of this mandatory provision to the
35 board.

36 Emergency clause. In view of the emergency cited
37 in the preamble, this Act shall take effect when approved.
38

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STATEMENT OF FACT

2 This change allows the board the discretion of
3 waiving educational and experiential requirements as
4 well as examination requirements for renewal applica-
5 tions filed more than 90 days, but less than 2 years,
6 after the expiration of an existing license. Educa-
7 tional and experience requirements for electricians'
8 licensing have been greatly increased in recent
9 years. The lack of discretion allowed the board in
10 the present law results in licensees with years of
11 experience and years of licensed practice being faced
12 with a requirement of 2 years of schooling and with
13 interim unemployment.

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