

MAINE STATE LEGISLATURE

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M
R.G.S.

L.D. 685

DATE: 5.4.05

(Filing No. S-121)

LEGAL AND VETERANS AFFAIRS

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STATE OF MAINE
SENATE
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 221, L.D. 685, Bill, "An Act To Waive Continuing Education Requirements and To Provide an Automatic Extension of a License, Certificate or Registration for Mobilized Military Members"

Amend the bill by inserting after section 1 the following:

'Sec. 2. 12 MRSA §6311 is enacted to read:

§6311. Active duty military members

1. Definition. As used in this section, unless the context otherwise indicates, "active duty for a period of more than 30 days" has the same meaning as in 10 United States Code, Section 101(d)(2).

2. Partial waiver of lobster apprentice requirements. Notwithstanding Title 37-B, section 390-A or any other provision of this Part, the commissioner shall waive a portion of the number of days and hours of practical lobster fishing experience required under the apprentice program established pursuant to section 6422, subsection 1 for a person who is a member of the National Guard or the Reserves of the United States Armed Forces if:

A. The person was under an order to active duty for a period of more than 30 days;

B. The period of active duty conflicts with the requirements of the apprentice program; and

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2 C. The person was licensed pursuant to section 6421,
3 subsection 1, paragraphs D and E.

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5 This waiver does not apply to the 2-year minimum required under
6 section 6422, subsection 2.

7
8 3. Waiver of licensing requirements. Notwithstanding Title
9 37-B, section 390-A or any other provision of this Part, the
10 commissioner shall waive the licensing requirements under section
11 6421, subsection 5, paragraph A; section 6505-A, subsection 2,
12 paragraph C; and section 6749-O, subsection 2-A for a person who
13 is a member of the National Guard or the Reserves of the United
14 States Armed Forces and was under an order to active duty for a
15 period of more than 30 days. This subsection does not apply to a
16 person who did not possess a license pursuant to section 6421,
17 6505-A, 6748, 6748-D or 6749 or in the calendar year prior to
18 that person's being called to active duty.

19 4. Limited application. This section applies only if the
20 member's service is in support of:

21
22 A. An operational mission for which members of the Reserves
23 of the United States Armed Forces have been ordered to
24 active duty without volunteering for that mission; or

25 B. Forces activated during a period of war declared by the
26 United States Congress or a period of national emergency
27 declared by the President of the United States or the United
28 States Congress.'

29
30 Further amend the bill in section 2 in that part designated
31 "§390-A." in subsection 2 in the 2nd line (page 2, line 19 in
32 L.D.) by inserting after the following: "provision of law," the
33 following: 'except as provided in Title 12, section 6311'

34
35 Further amend the bill in section 2 in that part designated
36 "§390-A." in subsection 3 in the 2nd line (page 2, line 31 in
37 L.D.) by inserting after the following: "provision of law," the
38 following: 'except as provided in Title 12, section 6311'

39
40 Further amend the bill by relettering or renumbering any
41 nonconsecutive Part letter or section number to read
42 consecutively.

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SUMMARY

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This amendment provides for a waiver of certain lobster apprentice and commercial fishing license requirements for members of the National Guard or the Reserves of the United States Armed Forces who are on active duty.

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FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



Approved: 04/25/05 *MAC*

122nd MAINE LEGISLATURE

LD 685

LR 0621(02)

An Act To Waive Continuing Education Requirements and To Provide an Automatic Extension of a License, Certificate or Registration for Mobilized Military Members

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Legal and Veterans Affairs

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds