

MAINE STATE LEGISLATURE

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Date: 5/12/21

(Filing No. S- 82)

INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS

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STATE OF MAINE
SENATE
130TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT " A " to S.P. 160, L.D. 374, "An Act To Allow Veterans, Active Duty Service Members and Their Spouses To Apply for Temporary Occupational Licenses and Certifications"

Amend the bill by striking out the title and substituting the following:

'An Act To Allow Veterans, Active Duty Service Members and Their Spouses To Apply for Temporary Occupational Licenses'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 10 MRSA §8011, as enacted by PL 2013, c. 424, Pt. D, §2 and affected by §3, is amended to read:

§8011. Veterans and military spouses

By January 1, 2014, each board, commission, office and agency within the department listed in section 8001 or affiliated with the department under section 8001-A shall adopt a process to facilitate qualified ~~returning military veterans and qualified spouses of returning military veterans or of active duty service members to qualify for persons to obtain~~ professional licenses granted by those boards, commissions, offices and agencies in an expeditious manner. For the purposes of this section, "returning military veteran" means a ~~veteran of the Armed Forces of the United States who has been honorably discharged from active duty.~~ Notwithstanding any other provision of law to the contrary, the Director of the Office of Professional and Occupational Regulation and each licensing board within or affiliated with the department shall, upon presentation of satisfactory evidence by an ~~applicant~~ a qualified person who applies for professional or occupational licensure, accept education, training or service completed by the ~~applicant~~ qualified person as a member of the Armed Forces of the United States or Reserves of the United States Armed Forces, the national guard of any state, the military reserves of any state or the naval militia of any state toward the qualifications to receive the license.

COMMITTEE AMENDMENT

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1. Endorsement. The board, commission, office or agency may permit a ~~returning military veteran or a spouse of a returning military veteran or of an active duty service member~~ qualified person who holds a comparable license in good standing in another state to acquire a license by endorsement in this State for the remainder of the term of the license from the other state or until a license is obtained in this State.

2. Temporary license. ~~The~~ A board, commission, office or agency, other than those described in section 8001, subsection 38, may permit a ~~returning military veteran or a spouse of a returning military veteran or of an active duty service member~~ qualified person who holds a comparable license in good standing in another state to obtain a temporary license in this State for a period of time necessary to obtain a license in this State.

Upon receipt of a completed application, a board, commission, office or agency described in section 8001, subsection 38 shall issue a temporary license to a qualified person if the person holds a current, valid occupational or professional license in good standing issued by a state or territory of the United States. The license issued by the state or territory may not be temporary, conditional, probationary or otherwise restricted and must be reasonably equivalent to the license sought, as determined by the board, commission, office or agency. The qualified person may obtain a temporary license for a period of not less than 180 days while completing any requirements for licensure in this State as long as no cause for denial of a license exists under this section or under section 8003, subsection 5-A, paragraph A or under any other law.

2-A. Application for temporary license. An applicant for a temporary license under this section shall submit a notarized affidavit affirming, under penalty of law, that the applicant is the person described and identified in the application, that all statements made on the application are true and correct and complete, that the applicant has read and understands the requirements for licensure and certifies that the applicant meets those requirements and that the applicant is in good standing in all jurisdictions in which the applicant holds or has held a license.

2-B. Extension. An applicant for a temporary license under this section may request a one-time 180-day extension of the temporary license if necessary to complete the licensing requirements of this State. The applicant must make this request at least 15 days prior to the temporary license's expiration date.

3. Acceptance of military credentials. The board, commission, office or agency shall permit a ~~returning military~~ recently separated veteran whose military training qualifies the veteran for a license in a profession or occupation that requires a license in this State to acquire a temporary license until a license is issued.

4. Continuing education requirements. The board, commission, office or agency may allow a full or partial exemption from continuing education requirements for a ~~returning military veteran or the spouse of a returning military veteran or of an active duty service member~~ qualified person. Evidence of completion of continuing education requirements may be required for a subsequent license or renewal. A board, commission, office or agency shall provide that continuing education requirements may be met by comparable military training.

5. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

COMMITTEE AMENDMENT

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A. "Good standing" as applied to an applicant under this section means that the applicant does not have a license complaint, allegation or investigation pending, does not have a license that is suspended or subject to practice restrictions and has never surrendered a license or had a license revoked.

B. "Qualified person" means:

(1) A recently separated veteran, a spouse of a recently separated veteran or a domestic partner of a recently separated veteran; or

(2) An active duty service member, a spouse of an active duty service member or a domestic partner of an active duty service member.

C. "Recently separated veteran" means a veteran of the Armed Forces of the United States during the 3-year period beginning on the date of the veteran's honorable discharge or release from active duty.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment replaces the bill. It amends the Maine Revised Statutes, Title 10, section 8011 to clarify the eligibility for temporary professional licenses for qualified veterans, spouses of qualified veterans, domestic partners of qualified veterans, active duty service members, spouses of active duty service members and domestic partners of active duty service members. It requires that a license held in another jurisdiction be in good standing in order to qualify the individual for temporary licensure in this State. It makes a distinction between the process for temporary licensure when the profession is regulated directly by the Department of Professional and Financial Regulation and the process when the profession is regulated by a board that is affiliated with the department. It describes the application process for temporary licensure. It allows for the granting of a limited extension to temporary licensure. It adds definitions of "good standing," "recently separated veteran" and "qualified person."

FISCAL NOTE REQUIRED

(See attached)



130th MAINE LEGISLATURE

LD 374

LR 1196(02)

An Act To Allow Veterans, Active Duty Service Members and Their Spouses To Apply for Temporary Occupational Licenses and Certifications

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-82)
Committee: Innovation, Development, Economic Advancement and Business
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds
Minor revenue increase - Other Special Revenue Funds

Fiscal Detail and Notes

Additional costs to the Department of Professional and Financial Regulation associated with issuing the temporary license can be absorbed within existing budgeted resources. Additional revenue from licensing fees is expected to be minor.