



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1152

H.P. 815

House of Representatives, March 23, 2017

An Act To Encourage the Hiring of Skilled Immigrants through Flexible Certification

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative CASÁS of Rockport.
Cosponsored by Senator CHENETTE of York and
Representatives: BEEBE-CENTER of Rockland, GATTINE of Westbrook, GOLDEN of
Lewiston, TALBOT ROSS of Portland, Senator: DOW of Lincoln.

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

2 **Sec. 1. 10 MRSA §8012** is enacted to read:

3 **§8012. Flexible certification**

4 By January 1, 2018, each board, commission, office and agency within the
5 department listed in section 8001 or affiliated with the department under section 8001-A
6 shall adopt a process in accordance with this section to facilitate qualified work-
7 authorized immigrants obtaining in an expeditious manner professional licenses granted
8 by those boards, commissions, offices and agencies. For the purposes of this section,
9 "work-authorized immigrant" means an alien who has been lawfully admitted to the
10 United States for permanent residence as well as an alien whose employment is
11 authorized by the United States Department of Homeland Security, United States
12 Citizenship and Immigration Services.

13 **1. Endorsement.** The board, commission, office or agency may permit a work-
14 authorized immigrant who holds a comparable license in another state or country to
15 acquire a license by endorsement in this State for the remainder of the term of the license
16 from the other state or country or until a license is obtained in this State, whichever
17 occurs first.

18 **2. Temporary license.** The board, commission, office or agency may permit a
19 work-authorized immigrant who holds a comparable license in another state or country to
20 obtain a temporary license in this State for a period of time necessary to obtain a license
21 in this State.

22 **3. Education.** The board, commission, office or agency may not issue a license by
23 endorsement under subsection 1 or a temporary license under subsection 2 to a work-
24 authorized immigrant unless the work-authorized immigrant is enrolled in and
25 participating in an education program approved by the board, commission, office or
26 agency. The board, commission, office or agency may not approve an education program
27 under this subsection unless successful completion of the education program allows the
28 work-authorized immigrant to qualify either for licensure in this State or to take the
29 examination required for licensure in this State.

30 **4. Rules.** Each board, commission, office or agency affected by this section shall
31 adopt rules establishing the criteria for work-authorized immigrants to obtain a license by
32 endorsement or a temporary license under this section, including rules for determining
33 whether a license issued in another country is comparable to a license issued by the
34 board, commission, office or agency. Rules adopted pursuant to this subsection are
35 routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

36 **SUMMARY**

37 This bill requires each board, commission, office and agency under the oversight of
38 or affiliated with the Department of Professional and Financial Regulation to adopt a
39 process allowing a work-authorized immigrant who possesses a professional license in

1 another state or country to obtain a time-limited license by endorsement or a temporary
2 license while participating in an education program designed to meet the qualifications
3 for professional licensure in this State.