

No. 119. An act relating to professional licensing for service members and veterans.

(H.906)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 26 V.S.A. § 906 is amended to read:

§ 906. EXAMINATIONS NOT REQUIRED

(a) ~~Licenses~~ A license for an individual who is licensed by another state or who has received designation by the U.S. Armed Forces as a 12R Electrician or equivalent shall be issued without examination as provided pursuant to this section on payment of the required fee.

(b) A master's or journeyman's license, as the case may be, shall be issued to a person to whom a master electrician's license or a journeyman electrician's license has been previously issued by another state, whose standards are equivalent to those of this ~~state~~ State, if under the laws or regulations of the state issuing the license a similar privilege is granted to electricians licensed under the laws of this ~~state~~ State.

(c) Except as otherwise provided by law, a journeyman's license shall be issued to a service member or veteran who:

(1) submits a complete application and any documentation required by the Board;

(2) has received designation by the U.S. Armed Forces as a 12R Electrician or equivalent; and

(3) has completed a minimum of 8,000 hours and four years of active duty field work as a 12R Electrician or equivalent.

(d) As used in this section:

(1) "Service member" means an individual who is an active member of:

(A) the U.S. Armed Forces;

(B) a reserve component of the U.S. Armed Forces;

(C) the U.S. Coast Guard; or

(D) the National Guard of any state.

(2) "Veteran" means a former service member who received an honorable discharge or a general discharge under honorable conditions from active duty not more than two years prior to submitting an application for licensure.

Sec. 2. 26 V.S.A. § 907 is amended to read:

§ 907. RECOGNITION OF EXPERIENCE ~~IN OR OUT OF~~
STATE

(a) The ~~board~~ Board, in determining the qualifications of an applicant for a license, may in its discretion give recognition;

(1) in the case of an application for a master's license, to the applicant's experience as a licensed journeyman in another state; ~~or;~~

(2) in the case of an application for a journeyman's license, to an apprenticeship served in another state; or

(3) ~~may otherwise give recognition~~ to experience or prior qualifications.

(b) The Board, in determining the qualifications of a service member or veteran, as defined pursuant to section 906 of this subchapter, who is applying for a master's license, shall give recognition to the applicant's:

(1) experience as a 12R electrician or equivalent in the U.S. Armed Forces; and

(2) other experience or prior qualifications.

Sec. 3. 26 V.S.A. § 2194 is amended to read:

§ 2194. EXAMINATIONS NOT REQUIRED; TEMPORARY LICENSES

(a)(1) Appropriate licenses without examination may be issued upon the payment of the required fee to a person to whom a master plumber's license or a journeyman plumber's license or a specialty license or equivalent has been previously issued by another state or municipality, provided upon the payment of the required fee if:

(A) that state or municipality maintained a standard of requirements equivalent to those of this state State; and

(B) who the applicant presents satisfactory proof to the board Board that the applicant he or she is a bona fide licensee.

(2) An applicant under this subsection shall be exempt from examination only if the applicant holds a license from a foreign state or municipality and if under the laws or regulations of the foreign state or municipality issuing the license a like exemption or reciprocal agreement, or both, is granted to licensees under the laws of this state State.

(b) Except as otherwise provided by law, a journeyman's license shall be issued without examination and upon payment of the required fee to an applicant who is a service member or veteran who:

(1) submits a complete application and any documentation required by the Board;

(2) has received designation by the U.S. Armed Forces as a 12K Plumber or equivalent; and

(3) has completed a minimum of 8,000 hours and four years of active duty field work as a 12K Plumber or equivalent.

(c) As used in this section:

(1) "Service member" means an individual who is an active member of:

(A) the U.S. Armed Forces;

(B) a reserve component of the U.S. Armed Forces;

(C) the U.S. Coast Guard; or

(D) the National Guard of any state.

(2) "Veteran" means a former service member who received an honorable discharge or a general discharge under honorable conditions from active duty not more than two years prior to submitting an application for licensure.

Sec. 4. 26 V.S.A. § 1622 is amended to read:

§ 1622. REGISTERED NURSE LICENSURE BY ENDORSEMENT

(a) ~~To~~ Except as otherwise provided pursuant to subsection (b) of this section, to be eligible for licensure as a registered nurse by endorsement, an applicant shall:

* * *

(b) Except as otherwise provided by law, the Board shall issue a license to practice as a registered nurse to an applicant who:

(1) is a service member or veteran;

(2) has received designation by the U.S. Armed Forces as a 66H Nurse or equivalent;

(3) has received at least a bachelor's degree in nursing from a program that is accredited by the Accreditation Commission for Education in Nursing (ACEN) or by the Commission on Collegiate Nursing Education (CCNE) or that is accepted by the U.S. Secretary of Education; and

(4) has completed a qualified course in public health nursing or one year of supervised nursing experience.

(c) As used in this section:

(1) "Service member" means an individual who is an active member of:

(A) the U.S. Armed Forces;

(B) a reserve component of the U.S. Armed Forces;

(C) the U.S. Coast Guard; or

(D) the National Guard of any state.

(2) "Veteran" means a former service member who received an honorable discharge or a general discharge under honorable conditions from active duty not more than two years prior to submitting an application for licensure.

Sec. 5. 26 V.S.A. § 1643 is amended to read:

§ 1643. NURSING ASSISTANT LICENSURE BY ENDORSEMENT

(a) The Board may issue a license to practice as a nursing assistant to an applicant who:

- (1) is licensed or registered in another U.S. jurisdiction; and
- (2) who has met the practice requirements set by the Board by rule.

(b) Except as otherwise provided by law, the Board shall issue a license to practice as a nursing assistant to an applicant who:

- (1) is a service member or a veteran;
- (2) has received designation by the U.S. Armed Forces as a 68W

Combat Medic Specialist or equivalent; and

- (3) is certified as a National Registry Emergency Medical Technician.

(c) As used in this section:

(1) "Service member" means an individual who is an active member of:

- (A) the U.S. Armed Forces;
- (B) a reserve component of the U.S. Armed Forces;
- (C) the U.S. Coast Guard; or

(D) the National Guard of any state.

(2) "Veteran" means a former service member who received an honorable discharge or a general discharge under honorable conditions from active duty not more than two years prior to submitting an application for licensure.

Sec. 6. 23 V.S.A. § 1227 is amended to read:

§ 1227. CERTIFIED INSPECTION MECHANICS

* * *

(b)(1) A person who applies for certification under this section shall:

~~(1)(A)~~ complete an application form prescribed by the Commissioner;

~~(2)(B)~~ be at least 18 years of age; and

~~(3)(C)~~ except as otherwise provided pursuant to subdivision (2) of this subsection (b), pass an examination based on the official inspection manual for each type of vehicle to be inspected and on the inspection requirements for each type of vehicle to be inspected.

(2) A service member or veteran shall not be required to pass an examination pursuant to subdivision (1)(C) of this subsection if he or she has been designated by the U.S. Armed Forces as a 91B Wheeled Vehicle Mechanic or equivalent and has one or more of the following national certifications:

(A) ASE Diesel Mechanic;

(B) ASE Light Truck Engine Repair;

(C) ASE Automobile Service Consultant;

(D) Certified Hazardous Material Manager; or

(E) Associate Safety Professional.

* * *

(e) As used in this section:

(1) "Service member" means an individual who is an active member of:

(A) the U.S. Armed Forces;

(B) a reserve component of the U.S. Armed Forces;

(C) the U.S. Coast Guard; or

(D) the National Guard of any state.

(2) "Veteran" means a former service member who received an

honorable discharge or a general discharge under honorable conditions from active duty not more than two years prior to submitting an application for certification under this section.

Sec. 7. 18 V.S.A. § 4303 is amended to read:

§ 4303. RULEMAKING

(a) The Commissioner shall adopt rules pursuant to 3 V.S.A. chapter 25 to establish minimum standards for the safe and sanitary operation of food or lodging establishments or children's camps or any combination thereof and for their administration and enforcement. The rules shall require that an establishment ~~shall~~ be constructed, maintained, and operated with strict regard

for the health of the employees and the public pursuant to the following
general requirements:

* * *

(b)(1) The rules adopted by the Commissioner shall provide that a service member or veteran who is designated by the U.S. Armed Forces as a 92G Culinary Specialist or equivalent and is certified as a culinarian by the American Culinary Federation shall be deemed to:

(A) have knowledge of the prevention of food-borne disease;

(B) be able to apply the Hazard Analysis Critical Control Point principles; and

(C) have met the criteria for “demonstration of knowledge” requirements set forth by the Department of Health in rule for the purposes of obtaining a food establishment license.

(2) As used in this subsection:

(A) “Service member” means an individual who is an active member of:

(i) the U.S. Armed Forces;

(ii) a reserve component of the U.S. Armed Forces;

(iii) the U.S. Coast Guard; or

(iv) the National Guard of any state.

(B) “Veteran” means a former service member who received an honorable discharge or a general discharge under honorable conditions from

active duty not more than two years prior to submitting an application for a food establishment license under this chapter.

Sec. 8. REPORTING; UTILIZATION BY SERVICE MEMBERS AND
VETERANS

(a) The Executive Director of the Division of Fire Safety shall, on or before February 1 of each year, report to the House Committees on Commerce and Economic Development, on General, Housing, and Military Affairs, and on Government Operations and the Senate Committees on Economic Development, Housing and General Affairs and on Government Operations regarding:

(1) the number of journeyman electrician licenses issued to service members and veterans pursuant to 26 V.S.A. § 906(c) during the previous calendar year;

(2) the number of journeyman plumber licenses issued to service members and veterans pursuant to 26 V.S.A. § 2194(b) during the previous calendar year; and

(3) the number of instances during the previous calendar year in which the Electrician's Licensing Board, in determining the qualifications of a service member or veteran for a master electrician license, gave recognition to an applicant's experience as a 12R Electrician or equivalent in the U.S. Armed Forces as required by 26 V.S.A. § 907(b).

(b) The Director of the Office of Professional Regulation shall, on or before February 1 of each year, report to the House Committees on Commerce and Economic Development, on General, Housing, and Military Affairs, and on Government Operations and the Senate Committees on Economic Development, Housing and General Affairs and on Government Operations regarding:

(1) the number of licenses to practice as a registered nurse issued to service members and veterans pursuant to 26 V.S.A. § 1622(b) during the previous calendar year; and

(2) the number of licenses to practice as a nursing assistant issued to service members and veterans pursuant to 26 V.S.A. § 1643(b) during the previous calendar year.

(c) The Commissioner of Motor Vehicles shall, on or before February 1 of each year, report to the House Committees on Commerce and Economic Development, on General, Housing, and Military Affairs, and on Government Operations and the Senate Committees on Economic Development, Housing and General Affairs and on Government Operations regarding the number of service members and veterans who, during the previous calendar year, were certified to perform inspections without being required to pass an examination as provided pursuant to 23 V.S.A. § 1227(b)(2).

(d) The Commissioner of Health shall, on or before February 1 of each year, report to the House Committees on Commerce and Economic

Development, on General, Housing, and Military Affairs, and on Government Operations and the Senate Committees on Economic Development, Housing and General Affairs and on Government Operations regarding the number of service members and veterans who, during the previous calendar year, were deemed to have knowledge of the prevention of food-borne disease, be able to apply the Hazard Analysis Critical Control Point principles, and have met the criteria for “demonstration of knowledge” requirements set forth by the Department of Health in rule for the purposes of obtaining a food establishment license as provided pursuant to 18 V.S.A. § 4303(b) and the total number of food establishment licenses issued to those service members and veterans.

Sec. 9. EFFECTIVE DATE

This act shall take effect on July 1, 2018.

Date Governor signed bill: May 2, 2018