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MEMORANDUM

TO: The Honorable Christopher W. Rector, Senate Chair, Joint Standing Committee on Labor, Commerce, Research and Economic Development

The Honorable Kerri L. Prescott, House Chair, Joint Standing Committee on Labor, Commerce, Research and Economic Development

Members of the Joint Standing Committee on Labor, Commerce, Research and Economic Development

FROM: Robert J. Winglass, Commissioner, Maine Department of Labor

DATE: January 12, 2012

RE: Requested Report on the Impact of LD 1383, "An Act To Improve the Process by Which Logging Contractors Hire Legal Foreign Workers"

Attached you will find an assessment from the Department of Labor, Bureau of Labor Standards, as requested in the Committee's letter of June 2, 2011. After you review the assessment, the Department stands prepared to meet with you to discuss this matter in more detail.

**Bureau of Labor Standards Assessment on
L.D. 1383, "An Act To Improve the Process by Which
Logging Contractors Hire Legal Foreign Workers"**

Transmitted to:

Joint Standing Committee on Labor, Commerce, Research and Economic Development

By:

Robert J. Winglass, Commissioner

Maine Department of Labor

January, 2012

Legislative Background

In a letter dated June 2, 2011, the Joint Standing Committee on Labor, Commerce, Research and Economic Development (“Committee”) asked the Maine Department of Labor (“Department”) to assess the impact of LD 1383 on Public Law 2009, c. 637, §§3 to 9, especially the impact of the recruitment clearinghouse and the Department’s role in its success and the success of the H-2A program.

In preparing this assessment, the Department has taken the following matters into consideration:

- The issues raised by Linwood Higgins in his memo dated May 12, 2011;
- The issues raised by the Committee in its letter dated June 2, 2011;
- Input from Senator Saviello, the sponsor for LD 1383;
- Recommendations of the Committee; and
- Other studies and considerations made by the Department.

The Department developed recommendations to address these issues and concerns.

Subsequently, the Department learned that Senator Saviello was prepared to remove LD 1383. In its place, the Governor will be submitting a bill which incorporates the recommendations made by the Department. The Department has had significant input to the Governor’s bill and supports its intent.

LD 1383 is on hold until the Governor submits his bill. Therefore, the Department is unable to address its impact at this time. After the Governor submits his bill, the Department stands prepared to develop an assessment.