

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 730

H.P. 525

House of Representatives, February 10, 2005

An Act To Require Proof of Equipment Ownership for Employers Using Foreign Laborers

Reference to the Committee on Labor suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative JACKSON of Fort Kent.
Cosponsored by Senator STRIMLING of Cumberland and
Representatives: HUTTON of Bowdoinham, PATRICK of Rumford, PINEAU of Jay, SMITH
of Van Buren, Senator: MARTIN of Aroostook.

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

4 **Sec. 1. 26 MRSA §872** is enacted to read:

6 **§872. Proof of equipment ownership for employers using**
 foreign laborers

8 **1. Proof of ownership required.** An employer in this State
10 who employs a person who has been described under 8 United States
12 Code, Section 1101(a)(15)(H)(ii)(b) and granted permission to
14 work temporarily in the United States shall provide proof of
 ownership of any equipment used by that person in the course of
 employment. The employer shall provide proof as required by this
 subsection on a form provided by the Commissioner of Labor.

16 **2. Rules.** The Commissioner of labor may adopt rules to
18 implement this section. Rules adopted pursuant to this section
20 are routine technical rules as defined in Title 5, chapter 375,
 subchapter 2-A.

22 **3. Violation.** An employer who violates this section commits
24 a civil violation for which a fine of not less than \$1,000 and
 not more than \$5,000 per violation may be adjudged.

26 **SUMMARY**

28 This bill requires an employer who hires a foreign worker
30 working in the United States under what is commonly known as an
32 "H-2B visa" to provide proof of ownership of any equipment used
 by that worker, on a form to be provided by the Commissioner of
 Labor. The bill sets fines for violations at no less than \$1,000
 and no more than \$5,000 per violation.