

MAINE STATE LEGISLATURE

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Date: 6/5/17 minority L.D. 847
(Filing No. H-413)

JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 596, L.D. 847, Bill, "An Act To Hold Refugee Resettlement Agencies Accountable to Maine People"

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

'Sec. 1. 5 MRSA Pt. 31 is enacted to read:

PART 31

IMMIGRATION AND REFUGEE PROGRAMS

CHAPTER 631

REFUGEE RESETTLEMENT PROGRAMS

§25001. Short title

This chapter may be known and cited as "the Responsible Refugee Resettlement Act."

§25002. Definitions

For the purposes of this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Absorptive capacity. "Absorptive capacity" means:

A. The ability of a locality's social service and health care agencies to meet the needs of the locality's residents or anticipated residents;

B. The availability of affordable housing, low-cost housing or both and the existence of waiting lists for such housing in the locality;

C. The ability of the local school district to meet the needs of the student population or anticipated student population, including the refugee population or anticipated refugee population;

COMMITTEE AMENDMENT

1 D. The ability of the locality's economy to absorb new workers without causing
2 competition with local residents for job opportunities, displacing local workers or
3 adversely affecting the wages or working conditions of the local workforce; and

4 E. The ability of the locality's law enforcement to maintain law and order and ensure
5 general public safety for its residents and anticipated residents.

6 2. Act of terrorism. "Act of terrorism" means any act of domestic or international
7 terrorism as defined in 18 United States Code, Section 2331.

8 3. Locality. "Locality" means any county, municipality or other political
9 subdivision of the State.

10 4. Refugee. "Refugee" has the same meaning as in 8 United States Code, Section
11 1101(a)(42).

12 **§25003. Withdrawal from refugee resettlement program**

13 State and local government agencies are not authorized to participate in the federal
14 refugee resettlement program as created by the United States Congress pursuant to the
15 Refugee Act of 1980, Public Law 96-212.

16 **§25004. Refugee resettlement liability**

17 A nongovernmental entity that provides refugee resettlement services in this State
18 after January 1, 2018 may be held liable for damages in a civil action in a court of
19 competent jurisdiction if the entity resettles a refugee who subsequently commits an act
20 of terrorism in this State and the entity knew or should have known that such an act of
21 terrorism was likely or imminent.

22 **§25005. Eligibility for tax exemption**

23 To maintain eligibility for state or local tax exemptions, a nongovernmental entity
24 that provides resettlement services in this State must annually certify:

25 1. Quarterly meetings. That the entity has made an attempt to convene no less than
26 quarterly meetings with appropriate state and local government officials of any locality
27 that is a host or being considered as a host for refugee resettlement;

28 2. Consideration of recommendations. That the entity has taken the
29 recommendations of the state and local government officials into consideration in the
30 planning of refugee resettlement within the State; and

31 3. No action if no absorptive capacity indicated. That the entity has not taken any
32 action to resettle refugees into a locality that has indicated that it does not have the
33 absorptive capacity to accept refugees into its jurisdiction.

34 **§25006. Transparency**

35 A nongovernmental entity that provides refugee resettlement services in this State
36 shall submit an annual report to the Governor and the Legislature that includes the
37 following information:

38 1. Services. A description of services provided;



128th MAINE LEGISLATURE

LD 847

LR 1440(02)

An Act To Hold Refugee Resettlement Agencies Accountable to Maine People

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-413)

Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

Potential current biennium revenue increase - General Fund

Potential current biennium revenue increase - Municipalities

Minor cost increase - General Fund

Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Increases the number of civil suits.

The collection of additional filing fees may also increase General Fund revenue by minor amounts.

Fiscal Detail and Notes

If a nongovernmental entity that provides resettlement services does not provide certain certifications annually regarding their activities, the entity may have their eligibility for state or local tax exemptions denied, therefore increasing General Fund revenues and municipal revenues.