

MAINE STATE LEGISLATURE

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Date: 6/2/17 minority

L.D. 1307
(Filing No. H-400)

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

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

COMMITTEE AMENDMENT "A" to H.P. 904, L.D. 1307, Bill, "An Act To Ensure Fair Employment Opportunity for Maine Citizens and Legal Residents"

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

'Sec. 1. 26 MRSA §871-A is enacted to read:

§871-A. Public employer and public contractor; work eligibility verification

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Federal immigration verification system" means the electronic verification of the work authorization program of the federal Illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 United States Code, Section 1324a, known as the E-Verify program, or an equivalent federal program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work eligibility status of a newly hired employee pursuant to the federal Immigration Reform and Control Act of 1986.

B. "Public contractor" means a contractor that is awarded a contract by a public employer for the physical performance of services in the State and any subcontractor of the contractor.

C. "Public employer" means an agency or political subdivision of the State.

2. Verification required. A public employer and a public contractor shall register with and use a federal immigration verification system to determine the work eligibility status of new employees physically performing services in the State. A contract between a public employer and public contractor must contain a provision requiring the public contractor to use a federal immigration verification system to determine the work eligibility status of new employees physically performing services in the State.'

COMMITTEE AMENDMENT

ROFS

COMMITTEE AMENDMENT "A" to H.P. 904, L.D. 1307

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SUMMARY

This amendment, which is the minority report of the committee, replaces the bill and requires every public employer and public contractor to register with and use a federal immigration verification system, currently known as E-Verify, to determine the work eligibility status of new employees physically performing services within the State.

FISCAL NOTE REQUIRED
(See attached)



128th MAINE LEGISLATURE

LD 1307

LR 508(02)

An Act To Ensure Fair Employment Opportunity for Maine Citizens and Legal Residents

Fiscal Note for Bill as Amended by Committee Amendment 'A' (CH-400)
 Committee: Labor, Commerce, Research and Economic Development
 Fiscal Note Required: Yes

Fiscal Note

Potential State Mandate - Unfunded

State Mandates

Required Activity	Unit Affected	Local Cost
Requires all public employers in the State to register with and use a federal immigration verification system to determine the work eligibility of new employees physically performing services within the State.	School	Moderate
	Municipality	statewide
	County	
	Public Utility	

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.