

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2018

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Legislative Document

No. 1893

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H.P. 1326

House of Representatives, March 29, 2018

**An Act To Ensure Fair Employment Opportunity for Maine  
Citizens and Legal Residents by Requiring the Use of a Federal  
Immigration Verification System**

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Reference to the Committee on Labor, Commerce, Research and Economic Development  
suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative LOCKMAN of Amherst. (GOVERNOR'S BILL)  
Cosponsored by Representatives: AUSTIN of Gray, ESPLING of New Gloucester, GINZLER  
of Bridgton, KINNEY of Knox, PICKETT of Dixfield, PRESCOTT of Waterboro, STETKIS  
of Canaan, Senator: DAVIS of Piscataquis.

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

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

3 **§871-A. Public employer and public contractor; work eligibility verification**

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

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

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

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

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

23 **SUMMARY**

24 This bill requires every public employer and public contractor to register with and use  
25 a federal immigration verification system, currently known as E-Verify, to determine the  
26 work eligibility status of new employees physically performing services within the State.