

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1533

H.P. 1137

House of Representatives, April 19, 2021

An Act To Amend the Foreign Credentialing and Skills Recognition Revolving Loan Program

Received by the Clerk of the House on April 15, 2021. Referred to the Committee on Innovation, Development, Economic Advancement and Business pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in black ink that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative CLOUTIER of Lewiston.
Cosponsored by Senator LIBBY of Androscoggin and
Representatives: BAILEY of Gorham, BRENNAN of Portland, HARNETT of Gardiner,
RIELLY of Westbrook, ROBERTS of South Berwick, SYLVESTER of Portland, TEPLER of
Topsham, Senator: DAUGHTRY of Cumberland.

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

2 **Sec. 1. 10 MRSA §1100-AA, sub-§1, ¶A**, as enacted by PL 2019, c. 447, §1, is
3 amended by amending subparagraph (7) to read:

4 (7) Fees related to obtaining a Maine driver's license, including but not limited to
5 driver's education course fees, learner's permit application fees and driver's license
6 fees; ~~and~~

7 **Sec. 2. 10 MRSA §1100-AA, sub-§1, ¶A**, as enacted by PL 2019, c. 447, §1, is
8 amended by amending subparagraph (8) to read:

9 (8) Costs to travel to the nearest location of any exam or test needed to establish
10 the applicant's skills or credentials or English language proficiency if there is no
11 location within 60 miles of the Maine town in which the immigrant resides; and

12 **Sec. 3. 10 MRSA §1100-AA, sub-§1, ¶A**, as enacted by PL 2019, c. 447, §1, is
13 amended by enacting a new subparagraph (9) to read:

14 (9) Costs of a filing fee required by the United States Department of Homeland
15 Security, United States Citizenship and Immigration Services, or any successor
16 federal agency, to apply for the immigrant's initial work permit.

17 **Sec. 4. 10 MRSA §1100-AA, sub-§1, ¶C-1** is enacted to read:

18 C-1. "Initial work permit" means the first work permit that the immigrant is authorized
19 to apply for under 8 Code of Federal Regulations, Section 274a.12(c) (2019).

20 **Sec. 5. 10 MRSA §1100-AA, sub-§1, ¶E**, as enacted by PL 2019, c. 447, §1, is
21 amended to read:

22 E. "Work permit" means a document provided by the United States Department of
23 Homeland Security or any other federal immigration authority confirming a federal
24 authorization of a person who is not a United States citizen to work in the United States.

25 **Sec. 6. 10 MRSA §1100-AA, sub-§4, ¶B**, as enacted by PL 2019, c. 447, §1, is
26 amended to read:

27 B. Must have filed an application or petition with federal immigration authorities that
28 entitles the immigrant to request a work permit in any of the categories set forth in 8
29 Code of Federal Regulations, Section ~~274a.12(e)(2019)~~ 274a.12(c) (2019). The
30 immigrant shall provide electronic or paper evidence establishing that the application
31 or petition was filed with federal immigration authorities and shall state which section
32 of 8 Code of Federal Regulations, Section ~~274a.12(e)(2019)~~ 274a.12(c) (2019) allows
33 the immigrant to request a work permit. An immigrant is not eligible if the immigrant
34 has been denied a work permit at the time of making the application. In the case of
35 ~~asylum seekers~~, an immigrant who, pursuant to 8 Code of Federal Regulations, Section
36 274a.12(c)(8) (2019) or other federal statute or regulation, is required to wait a period
37 of time after filing an application for asylum or another immigration benefit or relief
38 before becoming authorized to receive an initial work permit, the immigrant is eligible
39 if the immigrant's request for asylum has been pending for fewer than 150 days since
40 the date of its filing and the immigrant has not yet been able to apply for a work permit
41 pursuant to 8 Code of Federal Regulations, Section 274a.12(c)(8)(2019) or, if more
42 than 150 days have elapsed since the asylum application was filed, the immigrant has

1 ~~a pending application for a work permit~~ underlying application for asylum or another
2 immigration benefit or relief entitling the immigrant to request an initial work permit
3 following the required period has been filed and is pending at the time of making the
4 application to the program; and

5 **SUMMARY**

6 This bill amends the Foreign Credentialing and Skills Recognition Revolving Loan
7 Program to reflect changes in federal regulations, including:

- 8 1. Adding as a loan-eligible expense the costs of the filing fee for an immigrant's initial
9 work permit application;
- 10 2. Defining "initial work permit";
- 11 3. Ensuring that a change in federal regulations will not require a future statutory
12 amendment of the provision of the program governing eligibility under the program; and
- 13 4. In the provision governing eligibility under the program, changing a specific time
14 frame while waiting for asylum to an unspecified time period while waiting on an
15 application for asylum or other immigrant benefit or relief.