



# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 929

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H.P. 653

House of Representatives, March 7, 2013

### An Act To Amend the Requirements for the Reporting of New Hires

(EMERGENCY)

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Reference to the Committee on Health and Human Services suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative MALABY of Hancock.  
Cosponsored by Senator HAMPER of Oxford and  
Representatives: DUNPHY of Embden, LIBBY of Waterboro, SANDERSON of Chelsea,  
SIROCKI of Scarborough.

1           **Emergency preamble. Whereas,** acts and resolves of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3           **Whereas,** federal law mandates the Department of Health and Human Services to  
4 operate a state directory of new hires to which employers doing business in this State  
5 must report the hiring of a new employee; and

6           **Whereas,** federal law has recently been amended to require employers to also report  
7 the date a new employee begins work; and

8           **Whereas,** it is necessary for state law to be amended as soon as possible to comply  
9 with the change to federal law; and

10           **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
11 the meaning of the Constitution of Maine and require the following legislation as  
12 immediately necessary for the preservation of the public peace, health and safety; now,  
13 therefore,

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

15           **Sec. 1. 19-A MRSA §2154, sub-§1,** as amended by PL 1997, c. 669, §2, is  
16 further amended to read:

17           **1. Employment information.** ~~Upon notice by the department, an~~ An employer  
18 doing business in this State shall report to the department the:

19           A. Hiring of a person who resides or works in this State to whom the employer  
20 anticipates paying earnings; and

21           B. Rehiring or return to work of an employee who was laid off, furloughed,  
22 separated, granted a leave without pay or terminated from employment.

23           **Sec. 2. 19-A MRSA §2154, sub-§4,** as enacted by PL 1995, c. 694, Pt. B, §2 and  
24 affected by Pt. E, §2, is amended to read:

25           **4. Report.** An employer shall submit a report within 7 days of the ~~hiring, rehiring or~~  
26 ~~return to work of the~~ date services for remuneration are first performed by a new, rehired  
27 or returning employee. The report must contain:

28           A. The employee's name, address, social security number and date of birth and the  
29 date services for remuneration were first performed by the employee; and

30           B. The employer's name, address and employment security reference number or  
31 unified business identifier number.

32           **Emergency clause.** In view of the emergency cited in the preamble, this  
33 legislation takes effect when approved.

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## SUMMARY

Current law requires an employer, upon notice by the Department of Health and Human Services, to report the hiring, rehiring or return to work of an employee. The department transmits the information to the National Directory of New Hires maintained by the federal Department of Health and Human Services.

This bill requires an employer to forward the information, including the date the person starts work, within 7 days of the employee's beginning or returning to service, without being notified by the Department of Health and Human Services.