



J-04a

Ruth Johnson
Oakland County Clerk/Register of Deeds
www.oakgov.com/clerkrod

Elections Division

August 3, 2009

To Whom It May Concern:

Enclosed please find a certified copy of MISCELLANEOUS RESOLUTION #09116 – BOARD OF COMMISSIONERS – REQUIRING OAKLAND COUNTY CONTRACTORS AND VENDORS TO REGISTER AND PARTICIPATE IN THE FEDERAL E-VERIFY PROGRAM which was adopted by the Oakland County Board of Commissioners on July 30, 2009.

As the County Clerk/Register, I have been instructed to provide you with a certified copy of this adopted resolution. Please forward the resolution to the appropriate person. Thank you for your cooperation.

Sincerely,

Ruth Johnson
Clerk/Register of Deeds
County of Oakland

Enclosure (1)

REPORT (MISC. #09116)

July 30, 2009

BY: GENERAL GOVERNMENT COMMITTEE – Christine Long, Chairperson

RE: **MR #09116 – BOARD OF COMMISSIONERS – REQUIRING OAKLAND COUNTY CONTRACTORS AND VENDORS TO REGISTER AND PARTICIPATE IN THE FEDERAL E-VERIFY PROGRAM**

To the Oakland County Board of Commissioners
Chairperson, Ladies and Gentlemen:

The General Government Committee, having considered the above titled resolution on July 20, 2009, recommends that the resolution be adopted with the following amendments.

MISCELLANEOUS RESOLUTION #09116

BY: Commissioners Jim Runestad, Tim Burns, Bill Bullard, Tim Greimel

IN RE: BOARD OF COMMISSIONERS – REQUIRING OAKLAND COUNTY CONTRACTORS AND VENDORS TO REGISTER AND PARTICIPATE IN THE FEDERAL E-VERIFY PROGRAM

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS according to the Pew Hispanic Center, a non-profit, non-partisan research organization, there are approximately 7.2 million undocumented workers in the United States and Michigan has an estimated 150,000 immigrants living within the state illegally; and

WHEREAS According to the United States Department of Labor, Michigan has the highest unemployment rate in the nation at 12.6% (Bureau of Labor Statistics Report 4/17/2009), including Oakland County at almost 12% and climbing; and

WHEREAS research by the Mackinac Center for Public Policy suggests the true unemployment rate, including those who have been reduced to part-time work, stopped looking for work, or have dropped off the unemployment rolls may be significantly higher than that reported by the U.S. Department of Labor; and

WHEREAS the Detroit News (4/2/2009) has reported that Michigan has lost nearly half a million residents to other states over the last 8 years looking for employment; and

WHEREAS Michigan and Oakland County are suffering from an economic recession with citizens and legal aliens having difficulty gaining employment within the state; and

WHEREAS the Wall Street Journal (7/30/2008) reported more than \$11 billion in wages last year earned by unauthorized foreign workers in the United States was sent back to their home countries and therefore was not spent to stimulate the United States economy; and

WHEREAS businesses that hire illegal workers undercut honest competitors, contribute to increased unemployment for U.S. citizens and legal aliens, and financially burden local communities with additional health and social services costs; and

WHEREAS it is in the best interests for the security and economic well-being of Oakland County residents for the county government to be proactive in upholding federal immigration and employment laws with the companies that it contracts with; and

WHEREAS according to U.S. Citizenship and Immigration Services (USCIS) the federal E-Verify program is 99.6% accurate, instantaneous, free and its use by government vendors is required by all federal agencies and 15 states **effective September 8, 2009**.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby establishes a county policy that every future **services** contract (including both new and renewing contracts) between Oakland County and **service** contractors/**vendors** and ~~vendors~~ shall require the contractors/**vendors** and ~~vendors~~ contracting with Oakland County to register with, participate in, and utilize the E-Verify Program (or any successor program implemented by the federal Department of Homeland Security and Social Security Administration) when hiring their employees.

BE IT FURTHER RESOLVED that Oakland County shall not enter into any future **service** contracts (including both new and renewing contracts) for goods ~~and/or~~ services with any contractors or vendors unless the contractors/**vendors** and ~~vendors~~ **first certify they** have registered with, participate in, and utilize the E-Verify Program (or any successor program implemented by the federal Department of Homeland Security and Social Security Administration) to verify the work authorization status of all newly hired employees employed by the contractors and vendors.

BE IT FURTHER RESOLVED that the County executive shall formulate rules and procedures that include a clause that all contracts must implement the provisions of this resolution.

GENERAL GOVERNMENT COMMITTEE

Motion carried unanimously on a roll call vote.

BE IT FURTHER RESOLVED that the County Executive may exempt individuals who are contracted to perform legal, medical, consulting, or other professional services on behalf of Oakland County.

BE IT FURTHER RESOLVED that said rules and procedures be presented to the Board of Commissioners by October 1, 2009 for approval **before implementation**.

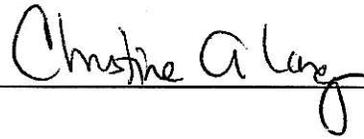
BE IT FURTHER RESOLVED that the administration shall report to the General Government Committee on the anniversary of the implementation of the E-Verify policy for contractors as to its effectiveness, accuracy and burden on contractors and that upon receipt of this report and the review and approval by the General Government Committee that the Oakland County Board of Commissioners' approval be required for continued effect.

BE IT FURTHER RESOLVED that copies of this resolution approving enforcement of the E-Verify program be sent to Michigan's Congressional delegation, its State Legislative delegation and all its local units of government in support for our nation's immigration laws.

Chairperson, we move the foregoing resolution.

Chairperson, on behalf of the General Government Committee, I move the acceptance of the foregoing report.

GENERAL GOVERNMENT COMMITTEE



MISCELLANEOUS RESOLUTION #09116

BY: Commissioners Jim Runestad, District #6; Tim Burns, District #19; Bill Bullard, District #2; Tim Greimel, District #11

IN RE: BOARD OF COMMISSIONERS – REQUIRING OAKLAND COUNTY CONTRACTORS AND VENDORS TO REGISTER AND PARTICIPATE IN THE FEDERAL E-VERIFY PROGRAM

TO THE OAKLAND COUNTY BOARD OF COMMISSIONERS
Chairperson, Ladies and Gentlemen:

WHEREAS according to the Pew Hispanic Center, a non-profit, non-partisan research organization, there are approximately 7.2 million undocumented workers in the United States and Michigan has an estimated 150,000 immigrants living within the state illegally; and

WHEREAS According to the United States Department of Labor, Michigan has the highest unemployment rate in the nation at 12.6% (Bureau of Labor Statistics Report 4/17/2009), including Oakland County at almost 12% and climbing; and

WHEREAS research by the Mackinac Center for Public Policy suggests the true unemployment rate, including those who have been reduced to part-time work, stopped looking for work, or have dropped off the unemployment rolls may be significantly higher than that reported by the U.S. Department of Labor; and

WHEREAS the Detroit News (4/2/2009) has reported that Michigan has lost nearly half a million residents to other states over the last 8 years looking for employment; and

WHEREAS Michigan and Oakland County are suffering from an economic recession with citizens and legal aliens having difficulty gaining employment within the state; and

WHEREAS the Wall Street Journal(7/30/2008) reported more than \$11 billion in wages last year earned by unauthorized foreign workers in the United States was sent back to their home countries and therefore was not spent to stimulate the United States economy; and

WHEREAS businesses that hire illegal workers undercut honest competitors, contribute to increased unemployment for U.S. citizens and legal aliens, and financially burden local communities with additional health and social services costs; and

WHEREAS it is in the best interests for the security and economic well-being of Oakland County residents for the county government to be proactive in upholding federal immigration and employment laws with the companies that it contracts with; and

WHEREAS according to U.S. Citizenship and Immigration Services (USCIS) the federal

E-Verify program is 99.6% accurate, instantaneous, free and its use by government vendors is required by all federal agencies and 15 states.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby establishes a county policy that every future contract (including both new and renewing contracts) between Oakland County and contractors and vendors shall require the contractors and vendors contracting with Oakland County to register with, participate in, and utilize the E-Verify Program (or any successor program implemented by the federal Department of Homeland Security and Social Security Administration) when hiring their employees.

BE IT FURTHER RESOLVED that Oakland County shall not enter into any future contracts (including both new and renewing contracts) for goods and/or services with any contractors or vendors unless the contractors and vendors have registered with, participate in, and utilize the E-Verify Program (or any successor program implemented by the federal Department of Homeland Security and Social Security Administration) to verify the work authorization status of all newly hired employees employed by the contractors and vendors.

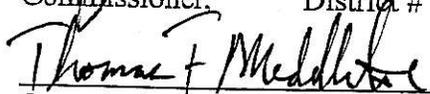
BE IT FURTHER RESOLVED that the County executive shall formulate rules and procedures that include a clause that all contracts must implement the provisions of this resolution.

BE IT FURTHER RESOLVED that the County Executive may exempt individuals who are contracted to perform legal, medical, consulting, or other professional services on behalf of Oakland County.

BE IT FURTHER RESOLVED that said rules and procedures be presented to the Board of Commissioners by October 1, 2009 for approval.

Chairperson, we move the foregoing resolution.



Commissioner, District #

Commissioner, District # 7



Jim Runestad, District #6


Bill Bullard, District #2

Moved by Runestad supported by Greimel to suspend the rules and vote on MISCELLANEOUS RESOLUTION #09116 – BOARD OF COMMISSIONERS – REQUIRING OAKLAND COUNTY CONTRACTORS AND VENDORS TO REGISTER AND PARTICIPATE IN THE FEDERAL E-VERIFY PROGRAM.

Vote on motion to suspend the rules:

AYES: Greimel, Runestad, Schwartz, Burns, Gershenson. (5)

NAYS: Gingell, Gosselin, Hatchett, Jackson, Jacobsen, Long, McGillivray, Middleton, Nash, Potter, Scott, Woodward, Zack, Bullard, Capello, Coleman, Coulter, Douglas. (18)

A sufficient majority having not voted in favor, the motion to suspend the rules and vote on MISCELLANEOUS RESOLUTION #09116 – BOARD OF COMMISSIONERS – REQUIRING OAKLAND COUNTY CONTRACTORS AND VENDORS TO REGISTER AND PARTICIPATE IN THE FEDERAL E-VERIFY PROGRAM did not carry.

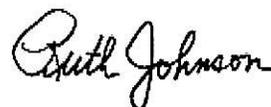
The Chairperson referred the resolution to the General Government Committee. There were no objections.

Discussion followed.

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

I, Ruth Johnson, Clerk of the County of Oakland, do hereby certify that the foregoing resolution is a true and accurate copy of a resolution adopted by the Oakland County Board of Commissioners on May 7, 2009, with the original record thereof now remaining in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the County of Oakland at Pontiac, Michigan this 7th day of May, 2009.



Ruth Johnson, County Clerk

Resolution #09116

July 30, 2009

Moved by Runestad supported by Burns the resolution be adopted.

Moved by Runestad supported by Burns the General Government Committee Report be accepted.

A sufficient majority having voted in favor, the report was accepted.

Moved by Runestad supported by Burns the resolution be amended to coincide with the recommendation in the General Government Committee Report.

A sufficient majority having voted in favor, the amendment carried.

Discussion followed.

Vote on resolution, as amended:

AYES: Gershenson, Gingell, Gosselin, Greimel, Hatchett, Jackson, Jacobsen, Long, McGillivray, Middleton, Nash, Potter, Potts, Runestad, Schwartz, Scott, Taub, Woodward, Zack, Bullard, Burns, Coulter, Douglas. (23)

NAYS: None. (0)

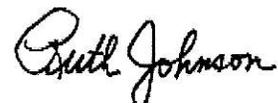
A sufficient majority having voted in favor, the resolution, as amended, was adopted.

COUNTY EXECUTIVE WILL NEITHER APPROVE NOR VETO

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

I, Ruth Johnson, Clerk of the County of Oakland, do hereby certify that the foregoing resolution is a true and accurate copy of a resolution adopted by the Oakland County Board of Commissioners on July 30, 2009, with the original record thereof now remaining in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the County of Oakland at Pontiac, Michigan this 30th day of July, 2009.



Ruth Johnson, County Clerk