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**CONCURRENT RESOLUTION REQUESTING A  
FEDERAL WAIVER TO ESTABLISH AN  
EMPLOYER-SPONSORED WORK PROGRAM**

2009 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Scott K. Jenkins**

House Sponsor: Brad L. Dee

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**LONG TITLE**

**Committee Note:**

The Immigration Interim Committee recommended this bill.

**General Description:**

This concurrent resolution of the Legislature urges the United States Congress to grant the state of Utah waivers to establish an employer-sponsored work program and other strategies to address illegal immigration in the state.

**Highlighted Provisions:**

This resolution:

► urges the United States Congress to grant the state of Utah waivers to implement an employer-sponsored work program and to withhold federal FICA and Medicare revenue and apply it toward the costs of the program.

**Special Clauses:**

None

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*Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

WHEREAS, illegal immigration is an increasing concern in many states, including the state of Utah;

WHEREAS, recent attempts by Congress to make major reforms in immigration law



28 have stalled;

29 WHEREAS, without definitive direction from the federal government, states are  
30 struggling to adequately address the many issues surrounding illegal immigration within their  
31 respective borders;

32 WHEREAS, there is an increasing need for state and local governments to address  
33 problems associated with illegal immigration, most particularly in the area of job employment;

34 WHEREAS, federal waivers would greatly increase the state of Utah's capacity to  
35 address current illegal immigration challenges;

36 WHEREAS, a federal waiver would be required for Utah to institute an  
37 employer-sponsored work program providing a two-year, renewable guest worker authorization  
38 for foreign workers ~~Ĥ→ [and undocumented immigrants currently residing in the state] ←Ĥ~~ ;

39 WHEREAS, a second waiver is needed to withhold federal FICA and Medicare revenue  
40 and apply it toward the health insurance and other administrative costs of the program;

41 ~~Ĥ→ [WHEREAS, the proposed employer-sponsored work program will allow for Utah to  
42 deal with its current undocumented population in a fair manner by giving each undocumented  
43 immigrant an opportunity to be classified as a guest worker and receive a two-year immigration  
44 benefit that has the possibility of being renewed;] ←Ĥ~~

45 WHEREAS, the employer-sponsored work program would also address Utah's need for  
46 both unskilled and skilled laborers ~~Ĥ→~~ **while ensuring that all available local workers are given  
46a ample opportunity to meet that need ←Ĥ** ;

47 WHEREAS, if granted a waiver, Utah's employer-sponsored work program should  
48 require that potential workers register as a worker with the state, be fingerprinted, have their  
49 names processed through the Interagency Border Inspection Name Check System, pass a  
50 medical exam, be sponsored by their employer, have health and automobile insurance, and  
51 have funds withheld by their employer to cover health insurance and the administrative costs of  
52 the work program;

53 WHEREAS, through the granting of federal waivers allowing the state to provide the  
54 employer-sponsored work program, the state of Utah can address many challenges regarding  
55 illegal immigration issues its citizens currently face; and

56 WHEREAS, the employer-sponsored work program combines opportunity with  
57 enforcement in a responsible manner:

58 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the

59 Governor concurring therein, urge the United States Congress to grant the state of Utah waivers  
60 to implement an employer-sponsored work program, and to withhold federal FICA and  
61 Medicare revenue and apply it toward the health insurance and other administrative costs of the  
62 program.

63 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Majority  
64 Leader of the United States Senate, the Speaker of the United States House of Representatives,  
65 United States Immigration and Customs Enforcement, United States Department of Homeland  
66 Security, the President of the United States, the members of Utah's Congressional Delegation,  
67 the Utah Labor Commission, and the Utah Department of Workforce Services.

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**Legislative Review Note**  
**as of 12-18-08 2:11 PM**

**Office of Legislative Research and General Counsel**

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**Fiscal Note****S.C.R. 1 - Concurrent Resolution Requesting a Federal Waiver to Establish  
an Employee Sponsored Work Program**

2009 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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