

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

4                   2009 GENERAL SESSION

5                   STATE OF UTAH

6                   **Chief Sponsor: Scott K. Jenkins**

7                   House Sponsor: Brad L. Dee

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9                   **LONG TITLE**

10                  **General Description:**

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

14                  **Highlighted Provisions:**

15                  This resolution:

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

19                  **Special Clauses:**

20                  None

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

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

25                  WHEREAS, recent attempts by Congress to make major reforms in immigration law  
26                  have stalled;

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

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

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

34 WHEREAS, a federal waiver would be required for Utah to institute an  
35 employer-sponsored work program providing a two-year, renewable guest worker  
36 authorization for foreign workers;

37 WHEREAS, a second waiver is needed to withhold FICA and Medicare revenue and  
38 apply it toward the costs of the program;

39 WHEREAS, the proposed employer-sponsored work program will allow for Utah to  
40 deal with its current undocumented population in a fair manner;

41 WHEREAS, the employer-sponsored work program would also address Utah's need for  
42 both unskilled and skilled laborers while ensuring that all available local workers are given  
43 ample opportunity to meet that need;

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

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

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

55 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the  
56 Governor concurring therein, urge the United States Congress to grant the state of Utah  
57 waivers to implement an employer-sponsored work program, and to withhold federal FICA

58 and Medicare revenue and apply it toward the health insurance and other administrative costs  
59 of the program.

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