

STATEMENT OF PURPOSE

RS32445 / H0297

This legislation creates a state-based, year-round agricultural guest worker program. The federal government's failure to find a resolution to this issue requires that states seek state-based solutions. The Department of Labor is assigned responsibility for implementing and administering a guest-worker program to provide year-round agricultural labor. Defined agricultural work includes farming, ranching, dairy operations, and processing of agricultural products. Eligible individuals must reside in Idaho, have never been refused admission to the country or deported previously, complete a background check and submit fingerprints, and verify no prior felony convictions. Employers must also register with the department to employ guest workers. Permitted workers must maintain employment or demonstrate the intention of an employer to hire by a certain date. They are not allowed to drive a motor vehicle on any public roadways. In addition, workers must also pay state and federal income taxes. If a worker is convicted of or pleads guilty to a felony, they will lose their right to work under this program. This bill does not change federal immigration status, entitle citizenship, provide immunity from federal law, provide driving or voting privileges, or secure access to unemployment compensation.

FISCAL NOTE

This program will operate as a dedicated fund program with a fee paid by participating employers to offset the costs of administering the program. Initial implementation costs will be covered by one-time funds of \$350,000 from the General Fund to cover startup costs, including 3 FTP and programming costs. Ongoing administrative costs will be covered by program fees paid by participants. The program will likely draw a court challenge even though this legislation only addresses employment law, which rests primarily under the direct jurisdiction of the state. To support Idaho's sovereignty in establishing and administering employment policy, anticipated legal costs can be covered by Constitutional Defense Fund.

Contact:

Representative Jaron Crane
Representative Britt Raybould
(208) 332-1000

DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).