

March 25, 2009

**S 881. AGRELIEF ACT/COST SHARE PROGRAM.** Filed 3/25/09. *TO ESTABLISH THE TEMPORARY AGRICULTURAL LABOR COST SHARE PROGRAM TO PROVIDE REIMBURSEMENT OF EXPENSES FOR THE LEGAL INTERIM EMPLOYMENT OF FARMWORKERS.*

Establishes the Temporary Agricultural Labor Cost Share Program and similarly named Fund, to be administered by the Temporary Agricultural Labor Cost Share Advisory Committee (Advisory Committee). The Fund is to reimburse specified North Carolina farmers for the costs they incur (within certain limits) in acquiring foreign temporary or seasonal workers under the federal H2-A visa program, including transportation costs, processing and administrative fees, US State Department Visa fees and Boarder Patrol Crossing fees, and US consulate fees. Sets income limits for determining eligibility for participation in the program. Specifies conditions farmers must meet, including federal certification, worker housing standards, worker's compensation coverage, pesticide protection standards, and vehicle insurance, plus proof of having incurred the costs for which reimbursement is sought. Requires the Advisory Committee to submit a report to the House of Representatives and Senate Appropriations Subcommittees on Natural and Economic Resources by March 31 of each year on implementation of the program in the previous year. The Fund is to be composed of moneys "designated" for the fund as available from various sources. Effective July 1, 2009.

**Intro. by Atwater.**

GS 106

May 4, 2009

**S 881. AGRELIEF ACT/ COST SHARE PROGRAM.** Filed 3/25/09. Senate committee substitute makes the following changes to 1st edition. Provides that the proposed Temporary Agricultural Labor Cost Share Program (Program) is to provide cost share funds to assist North Carolina farmers who use the federal H-2A visa program under the federal Immigration and Nationality Act (INA), § 8 USC 1324(a)(1)(A)(iv)(b)(iii) [was, under INA § 101(a)(15)(H)(ii)(a)] to legally fulfill their need for temporary agricultural labor. Clarifies that the Program will assist NC farmers with costs associated with using the federal H-2A visa program charged by an agricultural trade association that is exempt from taxation under § 501(c) of the Internal Revenue Code.

Establishes the seven member Temporary Agricultural Labor Cost Share Advisory Committee (Committee), administratively located in the Department of Agriculture and Consumer Services (Department) but with the authority to exercise its statutory powers and duties independent of the Department. Specifies the composition of the Committee. Directs that the Commissioner of Agriculture or the Commissioner's designee is to serve as the Chair of the Committee. Authorizes the Committee to develop and administer the Program. Provides that reimbursements to qualified NC farmers are limited to 50% of the costs as provided in proposed GS 106-841. Clarifies that for a NC applicant farmer to be eligible for cost share funds, the housing provided by the applicant H2-A workers must be registered, inspected, and certified by the Agricultural Safety and Health Bureau of the NC Department of Labor.

Establishes the Temporary Agricultural Labor Cost Share Program Fund (Fund) to be administered by the Commissioner of Agriculture (was, established Fund as a nonreverting special fund in the Office of the State Treasurer).

Makes clarifying and technical changes.

May 13, 2009

**S 881. AG RELIEF ACT/COST SHARE PROGRAM.** Filed 3/25/09. Senate committee substitute makes the following changes to 2nd edition. Adds a fee of \$10 for each application filed by farmers to participate in the Temporary Agriculture Labor Cost Share Program. Specifies that appropriations may not be made to the cost share fund established by the bill. Makes technical changes.