

HOUSE BILL REPORT

SHB 1057

As Passed Legislature

Title: An act relating to the creation of the farm labor account.

Brief Description: Creating the farm labor contractor account.

Sponsors: House Committee on Labor & Workforce Development (originally sponsored by Representatives Hudgins, Green and Reykdal; by request of Department of Labor & Industries).

Brief History:

Committee Activity:

Labor & Workforce Development: 1/12/11, 1/19/11 [DPS].

Floor Activity:

Passed House: 3/3/11, 98-0.

Passed House: 1/30/12, 96-0.

Senate Amended.

Passed Senate: 3/1/12, 47-0.

Passed House: 3/5/12, 94-0.

Passed Legislature.

Brief Summary of Substitute Bill

- Creates the Farm Labor Contractor Account for the farm labor contractor licensing program.

HOUSE COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Sells, Chair; Reykdal, Vice Chair; Condotta, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Fagan, Green, Kenney, Miloscia, Moeller, Ormsby, Roberts, Taylor and Warnick.

Staff: Jill Reinmuth (786-7134).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The state Farm Labor Contractor Act (Act) provides for licensing and regulation of farm labor contractors. A "farm labor contractor" is a person who, for a fee, performs any farm labor contracting activity. "Farm labor contracting activity" means recruiting, soliciting, employing, supplying, transporting, or hiring agricultural workers.

The Director of the Department of Labor and Industries (Director) issues licenses to farm labor contractors. The fees are \$35 per year for farm labor contractors not engaged in forestation or reforestation, and \$100 per year for those who are engaged in forestation or reforestation. There are also surety bond and insurance requirements.

The Director also enforces various requirements and prohibitions applicable to farm labor contractors. The Director may bring suit upon a surety bond on behalf of a worker whose rights have been violated, or seek to enjoin a person acting as a farm labor contractor in violation of the Act. There are civil penalties of up to \$1,000, as well as criminal penalties, for certain violations of the Act.

Summary of Substitute Bill:

A dedicated account, the Farm Labor Contractor Account (Account), is created. The Account is subject to appropriation.

Receipts from farm labor contractor licenses, security deposits, penalties, and donations must be deposited into the Account. Interest earnings are credited to the State General Fund, and are not retained in the Account.

Expenditures may be used only for administering the farm labor contractor licensing program, and are subject to authorization from the Director.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The bill is one of several cleanup measures. It is a good housecleaning bill. It makes no substantive changes to the program. Money is currently kept in a local bank account. It would be moved from the local account to the state treasury. It would draw more interest in the state treasury. It may be better to reference security deposits instead of surety bonds.

(Opposed) None.

Persons Testifying: Tamara Jones, Department of Labor and Industries; and Scott Dilley, Washington Farm Bureau.

Persons Signed In To Testify But Not Testifying: None.