
SUBSTITUTE SENATE BILL 5069

State of Washington

62nd Legislature

2011 Regular Session

By Senate Labor, Commerce & Consumer Protection (originally sponsored by Senators Prentice, Kohl-Welles, Conway, Kline, and Chase; by request of Department of Labor & Industries)

READ FIRST TIME 01/25/11.

1 AN ACT Relating to the creation of the farm labor contractor
2 account; and amending RCW 19.30.030.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 19.30.030 and 1985 c 280 s 3 are each amended to read
5 as follows:

6 (1) The director shall not issue to any person a license to act as
7 a farm labor contractor until:

8 (~~(1)~~) (a) Such person has executed a written application on a
9 form prescribed by the director, subscribed and sworn to by the
10 applicant, and containing (~~(a)~~) (i) a statement by the applicant of
11 all facts required by the director concerning the applicant's
12 character, competency, responsibility, and the manner and method by
13 which he or she proposes to conduct operations as a farm labor
14 contractor if such license is issued, and (~~(b)~~) (ii) the names and
15 addresses of all persons financially interested, either as partners,
16 stockholders, associates, profit sharers, or providers of board or
17 lodging to agricultural employees in the proposed operation as a labor
18 contractor, together with the amount of their respective interests;

1 ~~((+2))~~ (b) The director, after investigation, is satisfied as to
2 the character, competency, and responsibility of the applicant;

3 ~~((+3))~~ (c) The applicant has paid to the director a license fee
4 of: ~~((+1))~~ (i) Thirty-five dollars in the case of a farm labor
5 contractor not engaged in forestation or reforestation, or ~~((+2))~~ (ii)
6 one hundred dollars in the case of a farm labor contractor engaged in
7 forestation or reforestation or such other sum as the director finds
8 necessary, and adopts by rule, for the administrative costs of
9 evaluating applications;

10 ~~((+4))~~ (d) The applicant has filed proof satisfactory to the
11 director of the existence of a policy of insurance with any insurance
12 carrier authorized to do business in the state of Washington in an
13 amount satisfactory to the director, which insures the contractor
14 against liability for damage to persons or property arising out of the
15 contractor's operation of, or ownership of, any vehicle or vehicles for
16 the transportation of individuals in connection with the contractor's
17 business, activities, or operations as a farm labor contractor;

18 ~~((+5))~~ (e) The applicant has filed a surety bond or other security
19 which meets the requirements set forth in RCW 19.30.040;

20 ~~((+6))~~ (f) The applicant executes a written statement which shall
21 be subscribed and sworn to and shall contain the following declaration:

22 "With regards to any action filed against me concerning my
23 activities as a farm labor contractor, I appoint the director of the
24 Washington department of labor and industries as my lawful agent to
25 accept service of summons when I am not present in the jurisdiction in
26 which the action is commenced or have in any other way become
27 unavailable to accept service"; and

28 ~~((+7))~~ (g) The applicant has stated on his or her application
29 whether or not his or her contractor's license or the license of any of
30 his or her agents, partners, associates, stockholders, or profit
31 sharers has ever been suspended, revoked, or denied by any state or
32 federal agency, and whether or not there are any outstanding judgments
33 against him or her or any of his or her agents, partners, associates,
34 stockholders, or profit sharers in any state or federal court arising
35 out of activities as a farm labor contractor.

36 (2) The farm labor contractor account is created in the state
37 treasury. All receipts from farm labor contractor licenses, security
38 deposits, penalties, and donations must be deposited into the account.

1 Moneys in the account may be spent only after appropriation.
2 Expenditures from the account may be used only for administering the
3 farm labor contractor licensing program, subject to authorization from
4 the director or the director's designee.

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