

2SSB 5438 - S AMD 199

By Senator King

NOT ADOPTED 03/06/2019

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The commissioner shall convene an
4 advisory committee to review issues and topics of interest described
5 in subsections (4) and (5) (a) and (b) of this section.

6 (2) The advisory committee shall be funded by an appropriation of
7 five hundred thousand dollars per fiscal year from the funds
8 established in RCW 50.24.014 for the first two years. Prior to the
9 end of the first two years of the committee, the committee shall make
10 recommendations for the continued funding for the committee in the
11 report required under subsection (5) of this section.

12 (3) (a) The committee is composed of eight voting members:

13 (i) Four voting members representing agricultural workers'
14 interests: One of whom shall be a farmworker; and all of whom shall
15 be appointed from a list of at least four names submitted by a
16 recognized statewide organization of workers;

17 (ii) Four voting members representing agricultural employers: One
18 of whom shall be an agricultural employer; and all of whom shall be
19 appointed from a list of at least four names submitted by a
20 recognized statewide organization of agricultural employers; and

21 (iii) One ex officio member, without a vote, shall represent the
22 department and serve as the chair.

23 (b) The department of labor and industries, department of health,
24 and department of agriculture shall each have one nonvoting ex
25 officio member serve on the advisory committee.

26 (4) The committee shall meet at least three times per year and
27 provide comment on department rule making, policies, and initiatives,
28 and study issues the committee determines require consideration.

29 (5) The committee shall submit a report to the governor and the
30 legislature by October 31st each year beginning in 2021, that
31 analyzes:

32 (a) The activities of, costs of, and funding for the employment
33 security department's farmworker programs, including but not limited

1 to the funds used to administer the H-2A application and adjudication
2 process, wagner-peyser labor exchange programs, United States
3 department of labor office of foreign labor certification programs,
4 labor market information programs, and the funds to administer other
5 statewide programs for farmworkers, and the amount of funds allocated
6 by the federal government to administer the H-2A program and all
7 other agricultural programs; and

8 (b) The working conditions, safety, and housing of farmworkers;
9 the number of domestic farmworkers and available domestic
10 farmworkers; and ways to attract more domestic farmworkers.

11 (6) The committee members shall serve without compensation, but
12 are entitled to reimbursement for travel expenses as provided in RCW
13 43.03.050 and 43.03.060. The committee may utilize department
14 personnel and facilities as needed, without charge."

2SSB 5438 - S AMD 199
By Senator King

NOT ADOPTED 03/06/2019

15 On page 1, line 1 of the title, after "establishing" strike the
16 remainder of the title and insert "an advisory committee within the
17 employment security department; and creating a new section."

EFFECT: Removes legislative findings. Modifies the advisory
committee reporting requirements to remove identification and
recommendations on increasing ESD effectiveness for the H-2A
recruitment process. Removes provisions related to:

- (1) The office of agricultural and seasonal workforce services and its funding;
- (2) The submittal and processing of H-2A applications;
- (3) ESD analysis of costs and funding for administering the H-2A program; and ESD's establishment of related fees;
- (4) An H-2A enforcement account;
- (5) Conflicts with federal funding requirements; and
- (6) Severability.

--- END ---