**1924.E AMS CLS S2289.1 - NOT FOR FLOOR USE**

**EHB 1924** - S COMM AMD

By Committee on Commerce, Labor & Sports

**ADOPTED 04/10/2017**

Strike everything after the enacting clause and insert the following:

"**Sec.**  RCW 19.30.010 and 1985 c 280 s 1 are each amended to read as follows:

((~~As used in this chapter:~~)) The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Person" includes any individual, firm, partnership, association, corporation, or unit or agency of state or local government.

(2) "Farm labor contractor" means any person, or his or her agent or subcontractor, who, for a fee, performs any farm labor contracting activity. "Farm labor contractor" does not include a person performing farm labor contracting activity solely for a small forest landowner as defined in RCW 76.09.450 who receives services of no more than two agricultural employees at any given time.

(3) "Farm labor contracting activity" means recruiting, soliciting, employing, supplying, transporting, or hiring agricultural employees.

(4) "Agricultural employer" means any person engaged in agricultural activity, including the growing, producing, or harvesting of farm or nursery products, or engaged in the forestation or reforestation of lands, which includes but is not limited to the planting, transplanting, tubing, precommercial thinning, and thinning of trees and seedlings, the clearing, piling, and disposal of brush and slash, the harvest of Christmas trees, and other related activities.

(5) "Agricultural employee" means any person who renders personal services to, or under the direction of, an agricultural employer in connection with the employer's agricultural activity.

(6) This chapter shall not apply to employees of the employment security department acting in their official capacity or their agents, nor to any common carrier or full time regular employees thereof while transporting agricultural employees, nor to any person who performs any of the services enumerated in subsection (3) of this section only within the scope of his or her regular employment for one agricultural employer on whose behalf he or she is so acting, unless he or she is receiving a commission or fee, which commission or fee is determined by the number of workers recruited, or to a nonprofit corporation or organization which performs the same functions for its members. Such nonprofit corporation or organization shall be one in which:

(a) None of its directors, officers, or employees are deriving any profit beyond a reasonable salary for services performed in its behalf.

(b) Membership dues and fees are used solely for the maintenance of the association or corporation.

(7) "Fee" means:

(a) Any money or other valuable consideration paid or promised to be paid for services rendered or to be rendered by a farm labor contractor.

(b) Any valuable consideration received or to be received by a farm labor contractor for or in connection with any of the services described in subsection (3) of this section, and shall include the difference between any amount received or to be received by him, and the amount paid out by him for or in connection with the rendering of such services.

(8) "Director" as used in this chapter means the director of the department of labor and industries of the state of Washington.

NEW SECTION. **Sec.**  (1) The department of natural resources shall consult with the appropriate stakeholders and develop an analysis, with recommendations, as to whether the issuance of burning permits can be streamlined for small forest landowners, as that term is defined in RCW 76.09.450. The analysis must consider variable term burning permits, alternative fee structures, and other methods to incentivize small forest landowners to conduct forest health treatments.

(2) Consistent with RCW 43.01.036, the department of natural resources shall report the outcome of the analysis required by this section to the legislature by October 31, 2017. In the report, the department of natural resources must identify elements, consistent with the recommendations of the analysis, within its current authority to implement, a timeline for implementation of those elements, and any elements in its recommendations that would require a rule change, statutory amendment, or additional funding to implement.

(3) This section expires August 1, 2018."

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On page 1, line 1 of the title, after "landowners;" strike the remainder of the title and insert "amending RCW 19.30.010; creating a new section; and providing an expiration date."

EFFECT: Removes provisions authorizing the department of natural resources (DNR) to issue multiple year burning permits to small forest landowners.

Adds a provision requiring DNR to develop an analysis with recommendations on streamlining the issuance of burning permits for small forest landowners.