

# HOUSE BILL REPORT

## SSB 5538

---

**As Passed House:**  
April 1, 2011

**Title:** An act relating to members of certain nonprofit conservation corps programs.

**Brief Description:** Concerning members of certain nonprofit conservation corps programs.

**Sponsors:** Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senator White).

**Brief History:**

**Committee Activity:**

Labor & Workforce Development: 3/8/11, 3/16/11 [DP].

**Floor Activity:**

Passed House: 4/1/11, 91-1.

**Brief Summary of Substitute Bill**

- Exempts participants in conservation corps programs offered by nonprofit organizations from provisions related to rates of compensation while performing environmental and trail maintenance work.

---

### HOUSE COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT

**Majority Report:** 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:** Alison Hellberg (786-7152).

**Background:**

The National and Community Service Trust Act (Act) was enacted in 1993 and established the Corporation for National and Community Service. The Act launched AmeriCorps, a network of programs that promote national service in education, public safety, health, and the environment. Language in the Act specifies living allowances and other benefits provided to participants, and the United States Department of Labor has determined that AmeriCorps

---

*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.*

participants are exempt from federal Davis-Bacon Act labor standards, which establishes a prevailing wage for government public projects.

The Legislature created the Washington Conservation Corps (WCC) in 1983 to provide work experience and skills to the youth of the state between the ages of 18 and 25. The WCC projects support conservation, rehabilitation, and enhancement of the state's natural, historic, environmental, and recreational resources. The WCC members are paid the minimum wage.

The Washington Service Corps (WSC) was created by the Washington Legislature in 1983 to give young adults opportunities to serve their communities. When the national AmeriCorps program began in 1994, the WSC became part of the national service movement and now all WSC members are also AmeriCorps members. The WSC works with nonprofit organizations and local governments to address a variety of unmet and pressing community needs. The WSC is administered by the Washington Employment Security Department with federal funding provided by the Corporation for National and Community Service.

**Summary of Bill:**

Participants in a conservation corps program offered by a nonprofit organization are exempt from provisions related to rates of compensation while performing environmental and trail maintenance work. The nonprofit must be affiliated with a national service organization established under the Act, registered with the Secretary of State, and have its management and administrative headquarters located in state.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**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) Under existing law, participants in EarthCorps are treated differently depending on their affiliation with AmeriCorps. For example, an EarthCorps member who is a member of the WCC is exempt, but one who is not is not exempt. The goal of the bill is to simplify the payment process. They are in the same program, receiving the same education and training so they should be treated the same.

(Opposed) None.

**Persons Testifying:** Steve Dubiel, EarthCorps.

**Persons Signed In To Testify But Not Testifying:** None.