

SENATE BILL REPORT

SHB 1057

As of March 11, 2011

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: Passed House: 3/03/11, 98-0.

Committee Activity: Labor, Commerce & Consumer Protection: 3/10/11.

SENATE COMMITTEE ON LABOR, COMMERCE & CONSUMER PROTECTION

Staff: Edith Rice (786-7444)

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

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.

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.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The account created by this bill can earn more interest than it does currently. This would provide for more efficient administration.

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