

SENATE BILL REPORT

SB 5069

As Reported by Senate Committee On:
Labor, Commerce & Consumer Protection, January 24, 2011

Title: An act relating to the creation of the farm labor account.

Brief Description: Creating the farm labor account.

Sponsors: Senators Prentice, Kohl-Welles, Conway, Kline and Chase; by request of Department of Labor & Industries.

Brief History:

Committee Activity: Labor, Commerce & Consumer Protection: 1/20/11, 1/24/11 [DPS].

SENATE COMMITTEE ON LABOR, COMMERCE & CONSUMER PROTECTION

Majority Report: That Substitute Senate Bill No. 5069 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kohl-Welles, Chair; Conway, Vice Chair; Holmquist Newbry, Ranking Minority Member; King, Assistant Ranking Minority Member; Hewitt, Keiser and Kline.

Staff: Edith Rice (786-7444)

Background: The Legislature enacted statutes governing farm labor contractors in 1955.

A farm labor contractor (FLC) is an individual or organization that for a fee recruits, employs, or hires agricultural workers. Agricultural workers are employed in producing or harvesting farm or nursery products, or in forestation or reforestation of lands. Farm labor contractors must be licensed by the Department of Labor and Industries (L&I), pay a fee, show proof of insurance, and post a bond. Civil or criminal penalties are provided for violation of this act. The Director L&I is responsible for enforcing various requirements and prohibitions relating to farm labor contractors. The Director can also bring suit upon a surety bond on behalf of a worker whose rights have been violated or seek to prohibit someone from acting as an FLC in violation of the law.

Currently, when L&I receives payment from FLCs, the money is deposited in a local bank.

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.

Summary of Bill (Recommended Substitute): A dedicated Farm Labor Account is created in the state treasury. All receipts from farm labor licenses, penalties, or donations are to be deposited in this account and are subject to appropriation. Expenditures may only be used for the purpose of administering the Farm Labor Contractor Licensing program.

EFFECT OF CHANGES MADE BY LABOR, COMMERCE & CONSUMER PROTECTION COMMITTEE (Recommended Substitute): The title of the bill and the name of the account are changed to the Farm Labor Contractor Account. The reference to surety bonds is removed.

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 on Original Bill: PRO: By creating a fund with the State Treasurer there will be fewer costs to maintaining the fund. Some minor technical changes will be suggested.

Persons Testifying: PRO: Tamara Jones, Labor and Industries.