
**Agriculture & Natural Resources
Committee**

HB 1924

Brief Description: Concerning small forest landowners.

Sponsors: Representatives Dent and Fitzgibbon.

Brief Summary of Bill

- Exempts from the Farm Labor Contractor Act persons performing farm labor contracting activity solely for a small forest landowner who receives services of no more than two agricultural employees at any given time.
- Modifies the bases on which the Department of Natural Resources is authorized to issue burning permits to small forest landowners, including for multiple years and on a reduced fee schedule.

Hearing Date: 2/14/17

Staff: Robert Hatfield (786-7117).

Background:

Farm Labor Contractors.

The state Farm Labor Contractor Act (FLCA) 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.

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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 FLCA.

Department of Natural Resources-Introduction.

The Department of Natural Resources (DNR) manages a number of different categories of land, each for a specific purpose and under different management requirements. These include approximately 3 million acres of federally-granted lands and state forest lands, which DNR manages to support common schools, counties, and other public institutions.

The DNR has the direct charge and responsibility over all matters pertaining to forest fire services in the state. The forest fire-related duties of the DNR include enforcing all forest fire-related laws, investigating the cause of forest fires, and accepting the empowerment to direct all fire suppression efforts.

Department of Natural Resources-Burning Permits.

A person must have a valid written burning permit obtained from the DNR to burn any flammable material on any lands under the protection of the DNR, or to burn refuse or waste forest material on forestlands protected by the DNR. The DNR must establish by rule a fee schedule in connection with permits for silvicultural burning.

Department of Natural Resources-Small Forest Landowners.

To qualify as a small forest landowner, a person must be an owner of forestland who has harvested no more than an average timber volume of 2 million board feet per year in the three years preceding application to the DNR, and does not expect to harvest more than that amount in the 10 years following application to the DNR.

Summary of Bill:

The definition of "farm labor contractor" is modified to exclude a person performing farm labor contracting activity solely for a small forest landowner who receives services of no more than two agricultural employees at any given time.

Burning permits issued by the Department of Natural Resources (DNR) to small forest landowners may be multiple year permits, if requested by the small forest landowner.

The DNR is authorized to adopt a reduced fee schedule for burning permits for small forest landowners.

Appropriation: None.

Fiscal Note: Requested on February 10, 2017.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.