

SB26-121

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Garcia

1 Amend reengrossed bill, page 2, strike lines 4 and 5 and substitute:
 2 **"8-6-120. Overtime wages for agricultural employees -**
 3 **agricultural employee overtime pay study - definitions - rules."**

4 Page 3, after line 13 insert:

5 **"(3) Overtime pay study.**

6 (a) WITHIN NINETY DAYS AFTER THE EFFECTIVE DATE OF THIS
 7 SECTION, AS AMENDED, THE DEPARTMENT OF LABOR AND EMPLOYMENT
 8 SHALL ENTER INTO A CONTRACT WITH AN INSTITUTION OF HIGHER
 9 EDUCATION WITH DEMONSTRATED EXPERTISE IN LABOR ECONOMICS TO
 10 CONDUCT A COMPREHENSIVE, STATEWIDE STUDY OF AGRICULTURAL
 11 LABOR CONDITIONS. THE STUDY MUST EXAMINE ALL AGRICULTURAL
 12 SECTORS AND INCLUDE, AT A MINIMUM:

13 (I) WAGE AND COMPENSATION DATA;

14 (II) ECONOMIC IMPACTS OF OVERTIME THRESHOLDS ON
 15 EMPLOYEES AND THEIR FAMILIES AND ON FARM AND RANCH OPERATORS;

16 (III) INDUSTRY AND STATEWIDE ECONOMIC IMPACTS; AND

17 (IV) EMPLOYEE PARTICIPATION.

18 (b) (I) NO LATER THAN TWELVE MONTHS AFTER THE EFFECTIVE
 19 DATE OF THIS SECTION, AS AMENDED, THE INSTITUTION OF HIGHER
 20 EDUCATION CONTRACTING WITH THE DEPARTMENT OF LABOR AND
 21 EMPLOYMENT PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION SHALL
 22 DELIVER TO THE DEPARTMENT A WRITTEN REPORT SUMMARIZING THE
 23 FINDINGS OF THE STUDY.

24 (II) NO LATER THAN THIRTY DAYS AFTER RECEIVING THE REPORT,
 25 THE DEPARTMENT SHALL:

26 (A) TRANSMIT THE REPORT TO THE PRESIDENT OF THE SENATE AND
 27 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES;

28 (B) TRANSMIT THE REPORT TO THE GOVERNOR; AND

29 (C) POST THE REPORT PUBLICLY ON THE DEPARTMENT'S WEBSITE,
 30 WHERE IT MUST REMAIN ACCESSIBLE FOR AT LEAST TEN YEARS.

31 (c) THE DEPARTMENT SHALL ADOPT RULES AS NECESSARY TO
 32 IMPLEMENT THIS SUBSECTION (3), INCLUDING PROCEDURES FOR SOLICITING
 33 AND SELECTING AN INSTITUTION OF HIGHER EDUCATION, ESTABLISHING
 34 CONFIDENTIALITY PROTECTIONS FOR STUDY PARTICIPANTS, AND
 35 ADMINISTERING ANY GRANT OR SUBCONTRACT RELATIONSHIPS
 36 ESTABLISHED UNDER THE CONTRACT DESCRIBED IN SUBSECTION (3)(a) OF
 THIS SECTION."

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