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**SENATE BILL 5121**

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**State of Washington**

**54th Legislature**

**1995 Regular Session**

**By** Senators Rasmussen, Morton, Snyder, Newhouse, Loveland, A. Anderson, Hochstatter, Haugen and Deccio

Read first time 01/11/95. Referred to Committee on Agriculture & Agricultural Trade & Development.

1 AN ACT Relating to agricultural safety standards review; adding a  
2 new section to chapter 49.17 RCW; creating new sections; and declaring  
3 an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that:

6 (1) The state's highly productive and efficient agricultural sector  
7 is composed predominately of family-owned and managed farms and an  
8 industrious and efficient work force;

9 (2) The smaller but highly efficient farming operations have  
10 limited management capacity as compared to larger industrial firms;

11 (3) A reasonable level of safety regulations are needed to protect  
12 workers;

13 (4) There is a dispute regarding the appropriate level of  
14 regulation and whether additional regulations will be implementable so  
15 as to provide additional protection of workers; and

16 (5) Agricultural worker safety rules need to be reviewed and  
17 simplified to the extent possible so that those that are expected to  
18 comply and those that are intended to be protected are benefitted.

1        NEW SECTION.    **Sec. 2.**    (1) There is created an agricultural safety  
2 standards review task force. The task force shall be comprised of the  
3 following members:

4        (a) The chair and the ranking minority member from the following  
5 legislative committees:

6        (i) Senate committee on agriculture and agricultural trade and  
7 development;

8        (ii) Senate committee on labor, commerce and trade;

9        (iii) House of representatives committee on agriculture and  
10 ecology; and

11       (iv) House of representatives committee on commerce and labor;

12       (b) The director of the department of labor and industries or the  
13 director's designee;

14       (c) The director of the department of agriculture or the director's  
15 designee;

16       (d) Two representatives of farmworker organizations appointed  
17 jointly by the speaker of the house of representatives and the  
18 president of the senate; and

19       (e) Two representatives of agricultural producers' organizations  
20 appointed jointly by the speaker of the house of representatives and  
21 the president of the senate.

22       (2) The task force shall conduct a comprehensive review of  
23 agricultural safety regulations including but not limited to:

24       (a) An examination of current federal agricultural safety  
25 regulations as compared to state regulations and the need for, costs,  
26 and benefits of exceeding the federal regulations;

27       (b) A review of the division between and duplication of regulatory  
28 roles of state agencies;

29       (c) A review of the need and the benefit of additional agricultural  
30 worker safety rules adopted and proposed for adoption after February  
31 15, 1994;

32       (d) Proposing a means to prioritize among regulations based upon  
33 identifiable experience-based risk factors;

34       (e) Proposing a means to decrease the complexity of regulations to  
35 agricultural employers and employees and to ease the understandability  
36 of the regulations; and

37       (f) An assessment of the feasibility of placing the agricultural  
38 workers' safety regulations in a single manual and making the manual  
39 available both in English and in Spanish.

1 (3) The task force shall convene as soon as possible upon the  
2 appointment of its members. The task force shall elect a chair and  
3 adopt rules for conducting the business of the task force. The task  
4 force shall develop a written report containing conclusions and  
5 recommendations to the legislature by December 1, 1995. The task force  
6 shall expire on January 1, 1996.

7 NEW SECTION. **Sec. 3.** A new section is added to chapter 49.17 RCW  
8 to read as follows:

9 (1) The following rules are null and void:

10 (a) Agricultural safety regulations adopted under this chapter  
11 after February 1, 1993, affecting chapter 296-306 WAC; and

12 (b) The revocation of the agricultural exemption in WAC 296-24-  
13 12001 under WSR 94-06-068.

14 (2) The department may adopt the rules under subsection (1) (a) and  
15 (b) of this section again if the rules are approved by the agricultural  
16 safety standards review task force under section 2, chapter ..., Laws  
17 of 1995 (section 2 of this act).

18 NEW SECTION. **Sec. 4.** This act is remedial in nature and applies  
19 to rules adopted after February 1, 1993.

20 NEW SECTION. **Sec. 5.** This act is necessary for the immediate  
21 preservation of the public peace, health, or safety, or support of the  
22 state government and its existing public institutions, and shall take  
23 effect immediately.

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