

HOUSE BILL REPORT

SB 5530

As Reported By House Committee On:

Agriculture & Ecology

Title: An act relating to defining agriculture.

Brief Description: Defining agriculture.

Sponsors: Senators Morton and Rasmussen.

Brief History:

Committee Activity:

Agriculture & Ecology: 3/24/97, 3/27/97 [DPA].

HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

Majority Report: Do pass as amended. Signed by 11 members: Representatives Chandler, Chairman; Parlette, Vice Chairman; Schoesler, Vice Chairman; Linville, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Cooper; Delvin; Koster; Mastin; Regala and Sump.

Staff: Kenneth Hirst (786-7105).

Background: The Washington Industrial Safety and Health Act (WISHA) is administered by the Department of Labor and Industries (L&I). Under WISHA, L&I has adopted safety standards for agriculture. The standards apply to all agricultural operations with one or more employees covered by WISHA. These operations are defined by rule as being all operations necessary to farming and ranching, including equipment and machinery maintenance, planting, cultivating, growing or raising, keeping for sale, harvesting, or transporting on the farm or to the first place of processing any tree, plant, fruit, vegetable, animal, fowl, fish, insects or products. These operations include, and the agricultural safety standards apply to, in-field processing operations directly related to agriculture.

Where the agricultural safety standards conflict with other safety standards adopted by L&I, the agricultural standards prevail. However, if an agricultural employer assigns employees to perform tasks other than those directly related to agricultural operations, other safety standards apply.

Summary of Amended Bill: A definition of "agriculture" is added to WISHA and is to be interpreted broadly. "Agriculture" means farming including: the cultivation and tillage of the soil; dairying; the production, cultivation, growing, and harvesting of any agricultural or horticultural commodity; the raising of livestock, bees, fur-bearing animals, or poultry; and any practices performed by a farmer or on a farm incident to or in conjunction with such farming operations, including but not limited to preparation for market, and delivery to storage, to market, or to carriers for transportation to market. It does not mean a farmer's processing for sale or handling for sale a commodity or product grown or produced by a person other than the farmer or the farmer's employees.

Amended Bill Compared to Original Bill: The amendment exempts from the definition of "agriculture" a farmer's processing or handling for sale of a product produced by another.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The farmers have been trying for two years to delineate when an activity should be regulated under the agricultural safety standards and when it should be regulated under other standards.

Testimony Against: None.

Testified: Chris Cheney, Washington Growers League (in favor).