

SENATE BILL REPORT

SB 5530

As Passed Senate, March 12, 1997

Title: An act relating to defining agriculture.

Brief Description: Defining agriculture.

Sponsors: Senators Morton and Rasmussen.

Brief History:

Committee Activity: Agriculture & Environment: 2/25/97 [DP].
Passed Senate, 3/12/97, 45-0.

SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

Majority Report: Do pass.

Signed by Senators Morton, Chair; Swecker, Vice Chair; Fraser, McAuliffe, Oke and Rasmussen.

Staff: Vic Moon (786-7469)

Background: The Washington Industrial Safety and Health Act (WISHA) is administered by the Department of Labor and Industries. Under WISHA, the department has adopted a safety standard for agriculture.

The standard applies to all agricultural operations, which are defined as being operations necessary to farming and ranching, including maintenance of equipment and machinery, and 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, or insects or products thereof. When employees are assigned to perform tasks other than those directly related to agricultural operations, the proper standard, which may be other than the agricultural standard, is to apply. The standard notes that such assignments may involve, but are not limited to activities, such as fruit and vegetable packing, logging, mining, sawmills, etc., when the products of such activities are removed from the farm site for commercial distribution.

Summary of Bill: To provide guidance in determining when operations related to agricultural products are to be regulated under WISHA as agricultural operations under agricultural safety standards, and when they are to be regulated as other activities, a definition of "agriculture" is provided by statute. For this purpose, "agriculture" means farming in all its branches and includes the cultivation and tillage of the soil and dairying; the production, cultivation, growing, and harvesting of any agricultural or horticultural commodity; the raising of livestock, bees, fur-bearing animals, or poultry; and practices performed by a farmer or on a farm in conjunction with such farming operations, including preparation for market and delivery to storage, market, or carriers. "Agriculture" does not include forestry or lumbering operations.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The Department of Labor and Industries needs statutory direction for its inspections.

Testimony Against: None.

Testified: PRO: Chris Cheney, Washington Grower's League; Mike Schwisow, Washington State Potato Commission; Michael Wood, Department of Labor and Industries.

House Amendment(s): The term agriculture— as used in WISHA does not mean a farmer's processing for sale or handling for sale a commodity or product grown or produced by others.