

SENATE BILL REPORT

SSB 5668

As Passed Senate, March 12, 1997

Title: An act relating to temporary worker building codes.

Brief Description: Allowing the department of health to adopt a temporary worker housing code.

Sponsors: Senate Committee on Financial Institutions, Insurance & Housing (originally sponsored by Senators Prentice, Deccio, Sellar, Newhouse, Hale, Anderson and Winsley).

Brief History:

Committee Activity: Financial Institutions, Insurance & Housing: 2/12/97, 2/18/97 [DPS]. Passed Senate, 3/12/97, 43-0.

SENATE COMMITTEE ON FINANCIAL INSTITUTIONS, INSURANCE & HOUSING

Majority Report: That Substitute Senate Bill No. 5668 be substituted therefor, and the substitute bill do pass.

Signed by Senators Winsley, Chair; Benton, Vice Chair; Finkbeiner, Hale, Heavey, Kline and Prentice.

Staff: David Cheal (786-7576)

Background: In 1995 the Legislature set a new policy course in farmworker housing. The broad goals established were to streamline the regulatory process and to solve the public health problems presented by the current state of farmworker housing conditions. Several tasks were assigned to agencies, including the development of a temporary worker building code, which was assigned to the state Building Code Council. Directions to the council included developing a building code that complies with the Washington Industrial Safety and Health Act, that explores exceptions to the Uniform Building Code, that acknowledges the temporary nature of the occupancy, and that most temporary worker housing occupancy occurs during warm weather.

The council was instructed to appoint a technical advisory committee to assist in the development of the code.

The technical advisory group was formed, including representation from growers, workers, building professionals, local officials, and agency staff. The Building Code Council staff provided staff support to the group. The code has been developed on schedule and delivered to the Legislature.

The Department of Health has general licensing authority for farmworker labor camps. The Department of Labor and Industries has the responsibility for enforcing the Washington Industrial Safety and Health Act, which applies to agricultural work places. The two departments cooperate in executing their regulatory responsibilities.

Summary of Bill: The Department of Health is instructed to adopt a Temporary Worker Building Code by administrative rule. Guidelines for adopting the code are the same guidelines that were given to the Building Code Council to develop the code. In addition, the department is instructed that the initial Temporary Worker Building Code is to be substantially equivalent to the product developed by the Building Code Council over the last two years.

The Department of Health is given the enforcement responsibilities of the Temporary Worker Building Code. A provision is added to the Uniform Building Code chapter making it clear that temporary worker housing is to be constructed, altered and repaired according to the Temporary Worker Housing Code authorized by this act, and not under the Uniform Building Code. The Department of Health is given authority to charge fees to cover the costs of plan review and inspections.

Appropriation: None.

Fiscal Note: Requested on February 7, 1997.

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

Testimony For: The code was developed by a panel of experts appointed by the Building Code Council, and included growers, workers, and local building officials. The code will encourage farmers to build more housing and related facilities without compromises of health and safety.

Testimony Against: None.

Testified: James R. Beaver, Mayor of Kennewick (pro); Tim Nogler, SBCC (pro).

House Amendment(s): An advisory oversight committee is created to participate in the rule-making process. References to tents are removed. Application of the state Board of Health labor camp rules to temporary worker housing is clarified.