
ENGROSSED SENATE BILL 6769

State of Washington 57th Legislature

2002 Regular Session

By Senators Honeyford, Prentice, Rasmussen and Hochstatter

Read first time 02/01/2002. Referred to Committee on Labor, Commerce & Financial Institutions.

1 AN ACT Relating to shepherd housing; amending RCW 70.114A.020;
2 and adding a new section to chapter 49.17 RCW.

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

4 **Sec. 1.** RCW 70.114A.020 and 1999 c 374 s 6 are each amended to
5 read as follows:

6 The definitions in this section apply throughout this chapter.

7 (1) "Agricultural employee" means any person who renders personal
8 services to, or under the direction of, an agricultural employer in
9 connection with the employer's agricultural activity.

10 (2) "Agricultural employer" means any person engaged in
11 agricultural activity, including the growing, producing, or harvesting
12 of farm or nursery products, or engaged in the forestation or
13 reforestation of lands, which includes but is not limited to the
14 planting, transplanting, tubing, precommercial thinning, and thinning
15 of trees and seedlings, the clearing, piling, and disposal of brush and
16 slash, the harvest of Christmas trees, and other related activities.
17 For the purposes of mobile housing for range shepherders, the term
18 "agricultural employer" does not include persons engaged in the
19 business of shepherding.

1 (3) "Department" means the department of health.

2 (4) "Dwelling unit" means a shelter, building, or portion of a
3 building, that may include cooking and eating facilities, that is:

4 (a) Provided and designated by the operator as either a sleeping
5 area, living area, or both, for occupants; and

6 (b) Physically separated from other sleeping and common-use areas.

7 (5) "Enforcement" and "enforcement actions" include the authority
8 to levy and collect fines.

9 (6) "Facility" means a sleeping place, drinking water, toilet,
10 sewage disposal, food handling installation, or other installations
11 required for compliance with this chapter.

12 (7) "Occupant" means a temporary worker or a person who resides
13 with a temporary worker at the housing site.

14 (8) "Operator" means a person holding legal title to the land on
15 which temporary worker housing is located. However, if the legal title
16 and the right to possession are in different persons, "operator" means
17 a person having the lawful control or supervision over the temporary
18 worker housing under a lease or other arrangement.

19 (9) "Temporary worker" means an agricultural employee employed
20 intermittently and not residing year-round at the same site.

21 (10) "Temporary worker housing" means a place, area, or piece of
22 land where sleeping places or housing sites are provided by an
23 agricultural employer for his or her agricultural employees or by
24 another person, including a temporary worker housing operator, who is
25 providing such accommodations for employees, for temporary, seasonal
26 occupancy.

27 NEW SECTION. **Sec. 2.** A new section is added to chapter 49.17 RCW
28 to read as follows:

29 For the purposes of mobile housing for range sheepherders, the
30 department shall not enforce standards exceeding the minimum applicable
31 requirements for such housing found in standards adopted by the United
32 States department of labor.

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