

FINAL BILL REPORT

ESSB 5121

PARTIAL VETO

C 371 L 95

Synopsis as Enacted

Brief Description: Providing for agricultural safety standards.

Sponsors: Senate Committee on Agriculture & Agricultural Trade & Development (originally sponsored by Senators Rasmussen, Morton, Snyder, Newhouse, Loveland, A. Anderson, Hochstatter, Haugen and Deccio).

Senate Committee on Agriculture & Agricultural Trade & Development
House Committee on Agriculture & Ecology

Background: The Department of Labor and Industries has broad rule-making authority to adopt rules providing for the safety of workers.

Prior to 1994, there was a separate set of regulations, known as vertical standards, that applied specifically to the agricultural sector. There were also general safety and health standards, known as horizontal standards, that applied to other industries. Over the years, the agricultural sector has not been subject to many of these general safety and health standards.

In February 1994, the Department of Labor and Industries adopted rules that placed agriculture under the general safety and health standards, with an effective date of March 1, 1995.

Disagreements continue as to the need and benefit of bringing the agricultural sector under the general safety and health rules.

Summary: The Department of Labor and Industries is directed to delay the effective date of agricultural safety rules adopted after January 1, 1995, until January 15, 1996. This delay covers both changes to agricultural-specific standards and application of any additional parts of the general industry safety standards to the agricultural industry.

The department is required to develop a separate manual that contains the agricultural safety standards. The separate manual may contain specific references to general industry safety standards. Otherwise, agricultural employers are exempt from the general industry safety manual.

The department must publish in one volume all of the occupational safety rules that apply to agricultural employers and to make this volume available to all agricultural employers before January 15, 1996. This volume is made available in both English and in Spanish.

Existing agency adopted rules requiring tractor rollover protective structures for pre-1976 tractors remain in effect, but may not be enforced until the department prepares a list of

commercially available rollover protective structures. Persons may request a variance from the rules requiring rollover protective structures.

The department provides training, education and consultation services to agricultural employers prior to the effective date of the rules. These training and education programs are provided throughout the state and are coordinated with agricultural associations to meet their members needs.

Other than the rules described above, the Department of Labor and Industries may not adopt rules concerning agricultural safety, other than temporary emergency rules, unless required by federal law or subsequently authorized by the Legislature.

Votes on Final Passage:

Senate	49	0	
House	72	23	(House amended)
Senate			(Senate refused to concur)
House	77	17	(House amended)
Senate	43	0	(Senate concurred)

Effective: July 23, 1995

Partial Veto Summary: The provision that prohibited the Department of Labor and Industries from adopting new rules that exceed those required by federal law was vetoed.