

VETO MESSAGE ON SB 5121-S

May 16, 1995

To the Honorable President and Members,  
The Senate of the State of Washington  
Ladies and Gentlemen:

I am returning herewith, without my approval as to section 3, Engrossed Substitute Senate Bill No. 5121 entitled:

"AN ACT Relating to agricultural safety standards;"

Engrossed Substitute Senate Bill No. 5121 is very good legislation which makes a number of changes related to agricultural safety standards. It provides equal treatment for farm workers in the area of workplace safety standards and provides technical assistance for agricultural employers.

However, section 3 of this bill prohibits the adoption of additional safety rules by the Department of Labor and Industries (L&I) unless those rules are mandated by federal law, or are specifically authorized by the legislature. I believe this section represents an unwise change in policy and creates a situation where agricultural workers do not receive protections equal to those of other workers. The federal Occupational Safety and Health Act of 1970 (OSHA) establishes minimum safety standards that states must meet or exceed for all workers. Section 3 would establish OSHA rules not as a minimum standard, as is the case for other workers, but as a maximum standard for farm worker safety.

Farm workers are an integral part of the state's labor force. They are entitled to the same respect and safe working conditions enjoyed by all other workers. By restricting rule making activities, section 3 undermines the worker protective policy embodied in the Washington Industrial Safety and Health Act. In addition, it would unnecessarily inhibit L&I from taking action to simplify rules, improve current practices, lessen regulatory burdens, respond to changes in agricultural technology or techniques, and respond to issues brought forth by industry.

For these reasons, I am vetoing section 3 of Engrossed Substitute Senate Bill No. 5121.

With the exception of section 3, Engrossed Substitute Senate Bill No. 5121 is approved.

Respectfully submitted,  
Mike Lowry  
Governor