
SUBSTITUTE SENATE BILL 6087

State of Washington

53rd Legislature

1994 Regular Session

By Senate Committee on Health & Human Services (originally sponsored by Senators Prentice, Winsley, Moyer, Talmadge and Pelz)

Read first time 02/04/94.

1 AN ACT Relating to farmworker housing; amending RCW 43.70.330;
2 adding new sections to chapter 70.54 RCW; and creating new sections.

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

4 NEW SECTION. **Sec. 1.** Unless the context clearly requires
5 otherwise, the definitions in this section apply throughout sections 1
6 and 2 of this act and RCW 43.70.330, 43.70.340, and 70.54.110.

7 (1) "Agricultural worker" means an individual employed seasonally
8 or intermittently in the occupations listed in RCW 50.04.150 and
9 19.30.010(4).

10 (2) "Deemed status" means a designation assigned by the department
11 for licensees annually reviewed and approved by the United States
12 department of housing and urban development or other public agencies
13 that fund and monitor low-income housing or labor camps.

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

15 (4) "Facilities" means bathing, food handling, handwashing, toilet
16 facilities, dwelling units, and dormitories provided for agricultural
17 workers.

18 (5) "Labor camp" means all facilities for housing agricultural
19 workers, provided directly or indirectly through rental or other

1 arrangements, by the operator on a year-round, seasonal, or
2 intermittently housed basis, including individual spaces for worker-
3 supplied housing. For the purposes of this chapter five or more
4 dwelling units, spaces, or dormitories housing six or more agricultural
5 workers shall constitute a labor camp. "Labor camp" does not include
6 housing regularly provided on a commercial basis to the general public,
7 that is provided to agricultural workers on the same terms and
8 conditions as it is provided to the general public.

9 (6) "Labor camp site" means facilities that are located at the same
10 geographic location.

11 (7) "Level I violations" means violations that deprive workers of
12 either water or potable water, heat during times of year where
13 artificial heating is required, electricity, proper sewage disposal,
14 bathing facilities, or serious or irreparable conditions imminently
15 hazardous to health.

16 (8) "License" means a permit issued by the department on an annual
17 basis to the operator of a labor camp.

18 (9) "Operator" means the owner, grower, employer, manager, public
19 or private nonprofit agency, or any other person who owns or controls
20 a labor camp.

21 (10) "Space" means a permanent site designated by an operator for
22 an individual worker-supplied housing unit.

23 NEW SECTION. **Sec. 2.** (1) No operator of a labor camp shall house
24 agricultural workers without first obtaining a license from the
25 department. Each operator of a labor camp shall apply for a license
26 each year at least forty-five days prior to expiration of an existing
27 license. An applicant of a new labor camp shall apply for a license
28 forty-five days prior to occupancy.

29 (2) Each operator shall include with the application form proof of
30 satisfactory results of a bacteriological water quality test, meeting
31 the requirements of chapter 246-290 WAC.

32 (3) Whenever it is appropriate to make an inspection to enforce the
33 provisions of this chapter or rules adopted under this chapter, the
34 department's authorized representative has the authority to inspect a
35 labor camp at all reasonable times. If an agricultural worker's
36 dwelling unit or dormitory room is occupied, the representative shall
37 make a reasonable effort to locate the tenant to request entry.

1 **Sec. 3.** RCW 43.70.330 and 1990 c 253 s 2 are each amended to read
2 as follows:

3 (1) The department of health shall be the primary inspector of
4 labor camps (~~((and farmworker housing))~~) for the state of Washington(~~(+
5 PROVIDED, That))~~). However, the department of labor and industries
6 shall be the inspector for all (~~((farmworker housing))~~) labor camps not
7 covered by the authority of (~~((the state board of health))~~) sections 1
8 and 2 of this act.

9 (2) The department of health, the department of labor and
10 industries, the department of community, trade, and economic
11 development, the state board of health, and the employment security
12 department shall develop an interagency agreement defining the rules
13 and responsibilities for the inspection of (~~((farmworker housing))~~) labor
14 camps. This agreement shall recognize the department of health as the
15 primary inspector of labor camps for the state, and shall further be
16 designed to provide a central information center for public health
17 information and education regarding (~~((farmworker housing))~~) agricultural
18 workers. (~~((The agencies shall provide the legislature with a report on
19 the results of this agreement by January 1, 1991.))~~)

20 NEW SECTION. **Sec. 4.** (1) A joint legislative task force on
21 farmworker housing is created.

22 (2) It shall be composed of not more than three senate members to
23 be selected by the chair of the senate health and human services
24 committee, and three members of the house of representatives, to be
25 selected by the chair of the house of representatives agriculture
26 committee. The committee shall select its chair.

27 (3) Staff assistance for the committee shall be provided by senate
28 committee services and the house of representatives office of program
29 research. Additional staff support or consultation shall be provided
30 by the department of health, the department of community, trade, and
31 economic development, the department of labor and industries, and other
32 executive agencies as requested by the task force.

33 (4) The members of the task force shall be reimbursed for travel
34 expenses through the house of representatives and senate.

35 (5) The task force shall develop draft legislation to improve the
36 quality, supply, and affordability of farmworker housing by making
37 changes in statutes controlling zoning, building codes, taxes,
38 inspection requirements, financial incentives to construct or renovate

1 farmworker housing, or by other means the task force deems appropriate
2 and effective.

3 (6) The task force shall submit its draft legislation to the
4 Washington state legislature by January 30, 1995.

5 NEW SECTION. **Sec. 5.** Sections 1 and 2 of this act are each added
6 to chapter 70.54 RCW.

--- END ---