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BILL ANALYSIS

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Senate Bill 195 (Substitute S-1 as reported)
Sponsor: Senator Valde Garcia
Committee: Agriculture, Forestry and Tourism

CONTENT

The bill would amend the Public Health Code to establish an administrative fine of up to \$1,000 for operating an agricultural labor camp without a license. Each day a person operated without a license would be a separate violation, but the total fine for continued noncompliance could not exceed \$10,000. All fines would have to be credited to the Migratory Labor Housing Fund.

The Code prohibits a person from operating an agricultural labor camp, or causing or allowing an agricultural labor camp to be occupied and used as one, without a license. The bill specifies that a person would not be in violation of this provision if the sole reason the person was operating the camp without a license was the failure of the Michigan Department of Agriculture to respond within a timely manner to an application submitted in accordance with the Code.

The bill also states that money in the Migratory Labor Housing Fund at the close of a fiscal year would remain in the Fund and not lapse to the General Fund.

(An "agricultural labor camp" is a tract of land and all tents, vehicles, buildings, or other structures pertaining to it, part of which is established, occupied, or used as living quarters for five or more migratory laborers engaged in agricultural activities, including related food processing.)

MCL 333.12411 & 333.12431

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill could increase State revenue associated with the creation of the administrative civil fine for operating an agricultural labor camp without a license. It is unknown how many fines would be assessed annually.

Although the bill would not have an impact on the Migrant Labor Housing Construction Grant Program, it is worth noting that this program would be eliminated under the Governor's fiscal year 2005-06 budget. The program provides cost-sharing grants, up to \$5,000 per unit and \$20,000 per applicant per year, for the construction and rehabilitation of migrant labor housing in Michigan. The program is funded in the current budget by a \$255,000 General Fund appropriation to the Michigan Department of Agriculture. This funding provided resources for 122 rehabilitation projects and 41 construction projects in fiscal year 2002-03.

The proposed budget would not reduce funding for the migrant labor housing inspection program.

Date Completed: 4-21-05

Fiscal Analyst: Craig Thiel

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Bill Analysis @ www.senate.michigan.gov

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