

SENATE BILL No. 195

February 10, 2005, Introduced by Senators GARCIA and BASHAM and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 12411 and 12431 (MCL 333.12411 and 333.12431).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 12411. (1) A person shall not operate an agricultural
2 labor camp or cause to be operated or allow an agricultural labor
3 camp to be occupied and used as an agricultural labor camp, without
4 a license. The agricultural labor camp shall be operated only while
5 the license remains in effect. The camp operator shall post the
6 license or the license placard issued by the department in a
7 conspicuous place in the agricultural labor camp to which it
8 applies. The license or placard shall continue to remain posted
9 during the entire time the agricultural labor camp is operated.

1 (2) A person shall not construct or alter for occupancy or
2 use, an agricultural labor camp or any portion or facility thereof,
3 or convert a property for use or occupancy as an agricultural labor
4 camp, without giving written notice of the intent to do so to the
5 department at least 30 days before the date of beginning the
6 construction, enlargement, or conversion. The notice shall give the
7 name of the city, village, or township in which the property is
8 located, the location of the property within that area, a brief
9 description of the proposed construction, enlargement, or
10 conversion, the name and mailing address of the person giving the
11 notice, and the person's telephone number, if any.

12 (3) A PERSON IS NOT IN VIOLATION OF SUBSECTION (1) IF THE SOLE
13 REASON THE PERSON IS OPERATING THE AGRICULTURAL LABOR CAMP WITHOUT
14 A LICENSE IS THE FAILURE OF THE DEPARTMENT TO ISSUE THE LICENSE
15 WITHIN A TIMELY MANNER.

16 (4) IN ADDITION TO ANY OTHER PENALTY PROVIDED UNDER THIS PART,
17 A PERSON WHO VIOLATES SUBSECTION (1) BY OPERATING AN AGRICULTURAL
18 LABOR CAMP WITHOUT A LICENSE IS SUBJECT TO AN ADMINISTRATIVE CIVIL
19 FINE OF NOT MORE THAN \$1,000.00. EACH DAY A PERSON OPERATES WITHOUT
20 A LICENSE IS A SEPARATE VIOLATION. HOWEVER, THE TOTAL
21 ADMINISTRATIVE CIVIL FINE FOR CONTINUED NONCOMPLIANCE SHALL NOT
22 EXCEED \$10,000.00. ALL FINES COLLECTED UNDER THIS SUBSECTION SHALL
23 BE CREDITED TO THE MIGRATORY LABOR HOUSING FUND CREATED UNDER
24 SECTION 12431.

25 Sec. 12431. (1) A migratory labor housing fund is created and
26 shall receive funds appropriated by the legislature **AND AS PROVIDED**
27 **UNDER SECTION 12411(3)**.

1 (2) An employer of migratory farm laborers may receive a grant
2 from the fund of not more than 50% of the costs of an extensive
3 remodeling which costs shall not exceed \$10,000.00.

4 (3) A grant pursuant to subsection (2) may be made on the
5 basis of a matching payment, grant, or other aid from a person or
6 the federal government.

7 (4) A grant shall not be made if the remodeling does not meet
8 the requirements of a law or rule.