

By: Senator(s) Harden

To: Labor; Appropriations

SENATE BILL NO. 2167

1 AN ACT TO AUTHORIZE AND DIRECT THE MISSISSIPPI EMPLOYMENT  
 2 SECURITY COMMISSION TO SUPERVISE AND CONTRACT FOR INSPECTION OF  
 3 MIGRANT FARM LABOR AND NONFARM LABOR TEMPORARY HOUSING LIVING  
 4 CONDITIONS, AND TO COORDINATE FEDERAL AND OTHER PROGRAMS RELATING  
 5 THERETO; TO AUTHORIZE THE COMMISSION TO ACCEPT AND EXPEND FUNDS  
 6 FROM ANY SOURCE RELATING TO SUCH MIGRANT LABOR PROGRAMS; TO  
 7 ESTABLISH A MISSISSIPPI MIGRANT AND SEASONAL FARM/NONFARM WORKERS  
 8 ADVISORY COUNCIL TO PROVIDE ASSISTANCE TO THE COMMISSION IN THE  
 9 SUPERVISION AND COORDINATION OF SUCH MIGRANT LABOR PROGRAMS; AND  
 10 FOR RELATED PURPOSES.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

12 **SECTION 1.** (1) The Mississippi Employment Security  
 13 Commission, established and empowered under Section 71-5-101,  
 14 Mississippi Code of 1972, with the assistance of the Mississippi  
 15 Migrant and Seasonal Farm/Nonfarm Workers Advisory Council  
 16 established in this section, is hereby authorized, empowered and  
 17 directed to do the following relating to the temporary housing  
 18 conditions of migrant farm labor and migrant nonfarm labor in  
 19 Mississippi:

20 (a) To maintain a continuing consultative examination  
 21 and supervision of the migrant farm labor and nonfarm labor  
 22 programs relating to living conditions; health, housing inspection  
 23 and sanitation; labor laws; education; transportation safety;  
 24 public assistance; and coordination of federal, state and local  
 25 programs relating thereto;

26 (b) To cooperate with other state agencies of this  
 27 state in developing improvements in existing programs in order to  
 28 discover and establish better coordination of migrant labor  
 29 programs;

30 (c) To cooperate with commissions, agencies and  
 31 committees of other states having similar responsibilities,

32 whereby migrant labor programs shall have a continuing  
33 administration, application and effectiveness from state to state;

34 (d) To develop a comprehensive plan to permit the  
35 operation in this state and cooperatively in participating states  
36 of improving the living and working conditions for migrant labor;

37 (e) To accept and expend funds from federal and any  
38 other source made available for improvement of living conditions  
39 and housing accommodations for migrant farm and nonfarm workers;

40 (f) To develop an accurate statewide census of migrant  
41 and seasonal farm and nonfarm workers and determine the cost of  
42 supportive programs associated with such workers; and

43 (g) To make an annual report of its findings,  
44 recommendations and any proposed legislation to the Legislature.

45 (2) If adequate federal or state funds are available, the  
46 Mississippi Employment Security Commission shall contract to  
47 provide a preoccupancy housing inspection program and shall report  
48 the results of any inspections to the Mississippi Migrant and  
49 Seasonal Farm/Nonfarm Workers Advisory Council before October  
50 first of each year. The members of the commission and advisory  
51 council are immune from liability for any action that may be  
52 brought in connection with the inspection program.

53 (3) There is hereby created the Mississippi Migrant and  
54 Seasonal Farm/Nonfarm Workers Advisory Council to advise the  
55 Mississippi Employment Security Commission in carrying out its  
56 duties and responsibilities under this section. The membership of  
57 the advisory council shall consist of five (5) appointed and three  
58 (3) ex officio members, as follows: (a) three (3) farmers whose  
59 principle source of income is derived from farming and who  
60 contract for migrant or seasonal farm workers, or both, and one  
61 (1) nonfarmer who contracts for migrant or seasonal farm workers,  
62 or both, such individuals to be appointed by the Governor, with  
63 the advice and consent of the Senate, with one (1) to be appointed  
64 from each of the current four (4) Mississippi Congressional

65 districts; (b) one (1) member to represent the interests of  
66 migrant or seasonal farm or nonfarm workers; and the Executive  
67 Director of the Mississippi Employment Security Commission, or his  
68 designee; the Executive Director of the State Board of Health, or  
69 his designee; and the State Superintendent of Education, or his  
70 designee. Terms of office of appointed members are commensurate  
71 with that of the Governor and until a successor is appointed and  
72 qualifies. The advisory council shall elect a chairman and such  
73 other officers as it deems necessary. The advisory council shall  
74 meet at least once in each quarter and at such other times as may  
75 be necessary upon the call of the chairman. Members who are not  
76 public employees shall receive mileage and expense reimbursement  
77 as paid state employees when on official business, if funds are  
78 made available for such purpose from federal sources or otherwise.  
79 The Mississippi Employment Security Commission is designated as  
80 the administrative agency of the advisory council.

81 (4) Any state agency or private service agency which  
82 receives state or federal funds to provide services to migrant or  
83 seasonal farm or nonfarm workers shall file an annual written  
84 report with the advisory council describing the amount of state  
85 and federal funds received, inspection activities, the services  
86 offered, the number of migrant and seasonal workers and their  
87 family members served, and all other pertinent information  
88 requested by the commission or the advisory council.

89 **SECTION 2.** This act shall take effect and be in force from  
90 and after July 1, 2004.