

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Commerce and Consumer Services Committee

BILL: SB 472

SPONSOR: Senator Alexander

SUBJECT: Migrant Labor

DATE: February 3, 2005

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Gordon	Cooper	CM	Favorable
2.	_____	_____	RC	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill names Part II of ch. 450, F.S., as the “Alfredo Bahena Act” and repeals s. 450.211, F.S., thereby eliminating an advisory committee of the Legislative Commission on Migrant Labor.

This bill amends Part II of ch. 450, Florida Statutes.

The bill repeals section 450.211, Florida Statutes.

II. Present Situation:

In 2004, the Legislature enacted ch. 2004-64, L.O.F., which changed the relationship between farm workers and their employers, farm labor contractors. The new law created new protections for farm workers and revised the framework for the regulation of farm labor contractors in several respects by:

- Requiring contractors to provide farm workers information regarding pesticides and imposing sanctions for failing to do so;
- Raising the fee for registering as a farm labor contractor;
- Requiring that, upon violation of a farm labor statute, registrants be required to retake the required competency exam;
- Creating a best practices incentive program to promote compliance and help the public identify contractors who are responsible and use safe labor practices;
- Prohibiting contractors from requiring that workers purchase goods or services solely from that contractor or his or her agent;
- Creating the Florida Agricultural Worker Safety Act to protect workers from pesticides and provide them with necessary information regarding those chemicals; and
- Revising penalties imposed for violations of the farm worker laws.

Aside from the aforementioned revisions, proponents state that passage of this act was intended to honor a staunch advocate of workers' rights, Alfredo Bahena.

Section 450.211, F.S., authorized the Legislative Commission on Migrant and Seasonal Labor to establish an advisory committee comprised of one member each of the following entities: the Department of Community Affairs, the Department of Health, the Department of Agriculture and Consumer Services, the Department of Education, the Florida Farm Bureau Federation, the Florida State Federated Labor Council, the Florida Fruit and Vegetable Association, the Citrus Industrial Council, and the Florida Sugar Cane League. The role of the advisory committee is not specified in the statute.

III. Effect of Proposed Changes:

Section 1 of the bill names Part II of ch. 450, F.S., as the "Alfredo Bahena Act," after a migrant laborer and farm worker advocate who was killed in a train accident in April 2004. Mr. Bahena worked as the environmental safety and health coordinator for the Farm Worker Association of Florida and spearheaded efforts to improve the working conditions of migrant laborers.

Section 2 of the bill repeals s. 450.211, F.S., thereby removing the requirement that an advisory committee of the Legislative Commission on Migrant and Seasonal Labor be established by the commission. Indications are that this committee has met infrequently over the years.

Section 3 of the bill provides that the act shall take effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

VIII. Summary of Amendments:

None.

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