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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# SENATE BILL

No. **198** Session of  
1961

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INTRODUCED BY MESSRS. SEYLER AND WEINER,  
FEBRUARY 13, 1961.

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REFERRED TO COMMITTEE ON LABOR AND INDUSTRY,  
FEBRUARY 13, 1961.

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## AN ACT

To establish a Governor's Advisory Committee on Migrant Labor and  
to define existent duties and responsibilities of the various State  
departments and agencies pertaining to migratory workers and  
their families

The General Assembly of the Commonwealth of Pennsylvania  
hereby enacts as follows

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EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through  
is to be omitted from bill.  
Underscoring indicates new matter added to existing law. [Brackets] indicate matter  
stricken from existing law.

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Article I

Preliminary Provisions

Section 1 Short Title This act shall be known as and may be cited as the "Migrant Labor Act"

Section 2 Declaration of Public Policy A substantial part of the labor necessary to harvest the multimillion dollar fruit and vegetable crops of Pennsylvania is provided by the migrant laborer and his family Since they are so vital to the agricultural economy of this Commonwealth the Commonwealth's government assists farmers and farm associations to import many thousands of these workers to help harvest the crops The conditions under which such persons perform their services are of critical importance not only to the health and welfare of the worker and his family to the farmer and farm families who employ them to the communities in which they are temporary residents and to the consumers who purchase the produce of Pennsylvania's farms but also to the economic competitive and efficient production and marketing of Pennsylvania farm products The Legislature therefore in furtherance of the best interests of the farm economy the migratory workers and the general public declares that in its considered judgment the Commonwealth has a clear responsibility for the establishment and maintenance of

1 decent standards of health welfare and public safety of migrant laborers  
2 and their families during their temporary stay in the community

3 Section 3 Definitions As used in this act

4 (1) "Camp" means a migrant labor camp

5 (2) "Camp Commissary" means a place where goods are offered for  
6 sale or lease and which is operated in or in connection with a migrant  
7 labor camp including meals sold to workers and includes a building shed  
8 or structure or any part thereof used for such purpose

9 (3) "Crew Leader" means an agent or group of agents or associa-  
10 tion of agents who under contract written or oral and for a fee or for  
11 profit recruits migrant laborers and distributes their services to farmers  
12 growers orchardists food processors and canners or who in accordance  
13 with such contract supervises and controls such workers in migrant labor  
14 camps

15 (4) "Department" means the Department of Labor and Industry  
16 of the Commonwealth of Pennsylvania

17 (5) "Migrant Labor Camp" means any living quarters housing  
18 accommodations dwelling boarding house shack railroad car tenement  
19 bunkhouse or barracks maintained directly or indirectly in connection

1 with any work or place where work is being performed by migrant  
2 laborers except houses occupied by year-round employees and their im-  
3 mediate families for dwelling needs and shall include the premises upon  
4 which such accommodations are situated or the area set aside and pro-  
5 vided for camping by such persons or both whether or not rent is paid  
6 or reserved for use or occupancy of such premises For the purposes of  
7 this subsection the term "indirectly" shall mean any responsibility which  
8 the management of any establishment assumes for insuring the payment  
9 of board or lodging expenses incurred by their employees living in camps  
10 not operated by such management

11 (6) "Migrant Laborer" means any person whether or not a resident  
12 of this Commonwealth who is recruited or hired to render personal  
13 services in the growing production or harvesting of farm products and  
14 who lives in a labor camp during the work period

15 (7) "Migrant Labor Contractor" means any person who for a fee  
16 or for profit for or under the direction of a third person recruits solicits  
17 or supplies or hires workers on behalf of an employer engaged in the  
18 growing or producing of farm products and who for a fee or for profit  
19 may provide in connection therewith one or more of the following

1 services furnishes board lodging or transportation for such workers  
2 supervises times checks counts weighs or otherwise directs or measures  
3 their work or disburses wage payments to such persons

4 (8) "Owner" means the operator of a migrant labor camp

5 (9) "Person" includes any individual firm partnership association or  
6 corporation

7 (10) "Secretary" means the Secretary of the Department of Labor  
8 and Industry of the Commonwealth of Pennsylvania

9 Section 4 Constitutional Construction The provisions of this act are  
10 severable and if any provisions hereof are held unconstitutional such  
11 decisions shall not be construed to impair any other provisions of this act  
12 It is hereby declared as the legislative intent that this act would have  
13 been adopted had such unconstitutional provisions not been included  
14 herein

15 Section 5 Saving Clause The General Assembly reserves the right  
16 to amend or repeal all or any part of this act at any time and there  
17 shall be no vested right of any kind against such amendment or repeal  
18 All the rights privileges or immunities conferred by this act or by acts  
19 done pursuant thereto shall exist subject to the power of the General  
20 Assembly to amend or repeal this act at any time

1 Article II

2 Administration

3 Section 201 Governor's Advisory Committee on Migrant Labor (a)

4 There is hereby created a Governor's Advisory Committee on Migrant

5 Labor The members of such committee shall be

6 (1) the heads of the following departments Agriculture Commerce

7 Health Internal Affairs Justice Labor and Industry Property and Sup-

8 plies Public Instruction Public Welfare and Revenue or such designee

9 as any one of them may designate

10 (2) the heads of the following agencies Pennsylvania Liquor Con-

11 trol Board Joint State Government Commission Public Utility Com-

12 mission State Police and Bureau of Employment Security or such

13 designee as any one of them may designate

14 (3) the heads of the following divisions of the Pennsylvania State

15 University Agricultural and Home Economics Extension Service Agri-

16 cultural Experiment Station College of Agriculture Resident Staff Col-

17 lege of Home Economics and College of Education or such designee as

18 any one of them may designate

19 (4) one person from each of the major political parties in the House

20 of Representatives and in the Senate to be appointed by the Governor

1 (5) fifteen public members to be appointed by the Governor

2 (b) The Secretary of Labor and Industry shall serve as chairman  
3 of the committee

4 (c) Members of the committee shall serve without compensation but  
5 public members appointed by the Governor may be reimbursed for  
6 necessary expenses incurred in the performance of their duties

7 (d) The chairman shall appoint an executive secretary and such  
8 other personnel as he shall deem necessary to aid the committee in the  
9 performance of its functions who shall receive such compensation as the  
10 secretary with the approval of the Governor shall determine

11 (e) The functions and duties of the committee shall be

12 (1) to advise on general administrative policies rules regulations  
13 and procedures pertaining to migrant laborers and their families

14 (2) to survey and study the problems relating to migrant laborers  
15 and the actions taken or proposed to be taken by governmental and  
16 other agencies to resolve them

17 (3) to hold such public hearings on matters pertaining thereto as  
18 it may deem advisable

1 (4) to report annually to the Governor and the Legislature and at  
2 such other times as it may deem appropriate with respect to such mat-  
3 ters and

4 (5) to undertake such duties as the Governor may direct

5 (f) the Committee shall meet at least once every three months or  
6 at the call of the chairman

7 Section 202 Department of Agriculture It shall be the duty of  
8 the Department of Agriculture

9 (1) To provide technical assistance to other departments of the  
10 Commonwealth on the subject of migrant farm labor including the de-  
11 mand supply cost transportation and economic effect of all regulations  
12 regarding such labor and

13 (2) To develop an effective liaison with all farm organizations and  
14 agencies in furtherance of the policies of this act

15 Section 203 Department of Health It shall be the duty of the  
16 Department of Health

17 (1) To provide inspection services in cooperation with the Depart-  
18 ment of Labor and Industry with respect to migrant labor camps

19 (2) To arrange for the extension of adequate public health services  
20 and health education programs to migrant laborers and their families

1       (3) To cooperate with the Federal government through the accept-  
2       ance and use of Federal grants towards the costs of public health and  
3       health education services

4       (4) To cooperate with the Federal government and appropriate  
5       agencies of other states in the development and use of uniform pro-  
6       cedures relating to health services for migrant laborers and their families

7       (5) To cooperate with public and private agencies in promoting  
8       employer and worker acceptance of voluntary medical and hospital in-  
9       surance plans

10       Section 204 Department of Labor and Industry It shall be the  
11       duty of the Department of Labor and Industry

12       (1) To provide a free recruitment service to assist farmers and  
13       farm associations in obtaining the thousands of workers needed to help  
14       cultivate and harvest their crops

15       (2) To provide migrant labor camp inspection services in cooper-  
16       ation with the Department of Health

17       (3) To develop suitable programs to encourage and promote the  
18       construction operation and maintenance of adequate migrant labor camps

1 in accordance with the policy of this act

2 (4) To regulate the operation of migrant labor camps and to issue  
3 licenses in connection therewith

4 (5) To regulate migrant labor contractors and crew leaders and to  
5 issue licenses in connection therewith

6 (6) To regulate the transportation of migrant laborers and their  
7 families

8 (7) To apply for and accept grants from the Federal government  
9 to be used in the establishment and operation of necessary highway  
10 rest-stop facilities

11 Section 205 Pennsylvania Liquor Control Board It shall be the  
12 duty of the Pennsylvania Liquor Control Board in cooperation with the  
13 Pennsylvania State Police to enforce all liquor laws of this Common-  
14 wealth as they may be applicable to migrant labor camps

15 Section 206 Pennsylvania State University It shall be the duty  
16 of the Agricultural and Home Economics Extension Service the Agri-  
17 cultural Experiment Station the College of Agriculture Resident Staff  
18 the College of Home Economics and the College of Education of Penn-  
19 sylvania State University

1           (1) To conduct educational programs for the employers of migrant  
2 laborers pertaining to the standards methods and objectives of the mi-  
3 grant labor program

4           (2) To make available to migrant laborers and their families job  
5 training home economics child care educational and other programs as  
6 are ordinarily provided by the University's general extension program  
7 or its agricultural extension service

8           Section 207 Department of Public Instruction It shall be the duty  
9 of the Department of Public Instruction

10          (1) To develop arrangements for the operation of summer schools  
11 for the children of migrant laborers

12          (2) To develop appropriate plans for the reimbursement of local  
13 school districts for the costs incurred in the education of children of  
14 migrant laborers

15          (3) To cooperate with the Federal government and appropriate  
16 agencies of other states in the development and use of uniform educa-  
17 tional record procedures

18          (4) To cooperate with local school districts in enforcing the pro-  
19 visions of the compulsory school attendance laws of this Commonwealth  
20 as the same may be applicable to children of migrant laborers

1 Section 208 Department of Public Welfare It shall be the duty  
2 of the Department of Public Welfare

3 (1) To provide child-care centers foster-home care and social serv-  
4 ices for the children of migrant laborers from State and Federal funds  
5 to the extent provided

6 (2) In cooperation with other agencies to devise ways and means  
7 for resolving welfare problems of migrant laborers and their families

8 Section 209 Pennsylvania State Police It shall be the duty of the  
9 Pennsylvania State Police and they are hereby authorized

10 (1) To enforce all criminal and penal laws as the same may relate  
11 to the operation and maintenance of migrant labor camps

12 (2) To assist in the enforcement of the rules and regulations of  
13 other agencies of the Commonwealth promulgated with respect to the  
14 construction operation and maintenance of migrant labor camps

15 (3) To enforce all laws rules and regulations relating to the trans-  
16 portation of migrant laborers and their families

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Article III

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Repeals Effective Date

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Section 301 Repeals all acts and parts of acts are repealed insofar

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as they are inconsistent herewith

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Section 302 Effective Date This act shall take effect immediately

We certify that this bill has passed the Senate and the House of Representatives.

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

Approved The ..... day of ..... A. D. 1961.

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Governor