

N.C. GENERAL ASSEMBLY LEGISLATIVE FISCAL NOTE

Fiscal Research
733-4910

Prepared By:L. Carol Shaw	Date Prepared	Bill No.	Edition: 1rst (as amended)
Approved By:Tom L. Covington	4-17-89	SB631	
TOMC	4/17/89		Sponsor:Sen. Speed
Short Title: Migrant Housing Law Changes			

TYPE OF FISCAL IMPACT		FUNDS AFFECTED:		() Other:		
		(X) General	() Highway	() Local		
	County/					
	State Gov't	Local Gov't	State Fiscal Impact	FY 89-90	FY 90-91	FY
No Fiscal Impact	()	()	State Total Req'ments	\$278,638	\$493,154	
			Receipts/Revenues	-0-	-0-	
Increase Expenditure	(X)	()	Net State Expend./Rev.	\$278,638	\$493,154	
			No. of Positions	(14)	(14)	
Decrease Expenditure	()	()				
			Local Fiscal Impact	FY	FY	FY
Increase Revenue	()	()	Local Total Req'ments			
			Receipts/Revenues	-- NONE --		
Decrease Revenue	()	()	Net Local Expend./Rev.			
No Estimate Avail.	()	()	No. of Positions			

Description of Legislation

1. Summary of Legislation

Repeals GS Ch. 130A, Art. 8, Part 5, governing migrant housing, and adds GS. Ch. 95, Art. 19, entitled " Migrant Housing Act of NC," to regulate standards of migrant housing.

Standards: Adopts all federal standards unless otherwise provided. Directs the Health Services Commission to adopt, and the Department of Human Resources to enforce rules for water quality and water sanitation standards for migrant housing. Applies requirements for collection, treatment, and disposal of sewage under GS Ch. 130A, Art. 11 to migrant housing. Requires provision of operable heating equipment. Requires migrant housing to comply with the Health Services Commission's fire safety standards. Sets food preparation and service standards for migrant housing.

Inspection: Requires every migrant housing operator to apply to the Department of Labor for preoccupancy inspection; directs Department of Labor to notify local health departments to inspect housing for compliance with water quality, water sanitation, and sewage standards. Prohibits migrant housing operator from allowing housing to be occupied unless housing is certified to be in compliance with all standards of act. Permits provisional occupancy under certain circumstances.

Enforcement: Applies enforcement standards of GS 95-129, 95-130, and 95-136 through 95-142 (except not GS 95-129(4), 95-130(2), and 95-130(6)) of the NC Occupational Safety and Health Act to migrant labor.

Waiver of rights: Provides that any agreements by migrants to waive or modify their rights under this act are void, but permits Department of Labor to waive or modify rights.

Publication of Standards: Establishes schedule for publication of fire safety standards for migrant housing by Health Services Commission and for kitchen and dining room facilities by Commissioner of Labor.

2. Effective Date

Effective January 1, 1990, provided funds are appropriated for 1989-90 to implement the act. The act shall not become effective if funds are not appropriated for 1989-90, except the Department of Human Resources is directed to apply the act's water supply "quantity" standards for the 1989 growing season and for subsequent growing seasons, if funds are not appropriated to implement the act.

3. Fund or Tax Affected

The General Fund.

4. Principal Department/Program Affected

The Department of Labor.

The Division of Health Services of the Department of Human Resources.

Cost or Revenue Impact on State

FY	FY	FY
89-90	90-91	

1. Non-Recurring Costs/Revenues

2. Recurring Costs/Revenues

COSTS \$278,638 \$493,154

3. Fiscal/Revenue Assumptions

This estimate is based on a review of the Department of Labor's estimated costs for the Migrant Housing Inspection program, and the Fiscal Research Division's estimate is lower by \$20,950 in 1989-90 and \$65,296 in 1990-91. These differences are the result of using a lower salary scale for the Migrant Inspectors and the elimination of the Rent for Office Space line item (\$15,000). This estimate assumes the Department of Labor will establish a new division to implement this act as is provided in the legislation and also assumes the Division of Health Services of the Department of Human Resources will have no additional costs. See attachment #1 for line item detail and assumptions. The 1990-91 estimate is the annual cost of the Migrant Housing Inspection program.

Cost/Revenue Impact on County or Local Government

	FY	FY	FY
	89-90	90-91	
1. Non-Recurring Costs/Revenues			
2. Recurring Costs/Revenues	-- None --		
3. Fiscal/Revenue Assumptions			

Sources of Data for Fiscal Note

The Department of Labor.
The Division of Health Services of the Department of Human Resources.

Technical Considerations/Comments

While SB631 does not include an appropriation to cover the cost of implementing the new legislation, a separate bill (SB703) has been introduced to provide the required funding for implementation of the Migrant Housing Changes. The fiscal impact estimated in this fiscal note is lower than the appropriation requested in SB703. See the Fiscal/Revenue Assumptions.

ATTACHMENT 1

NORTH CAROLINA DEPARTMENT OF LABOR

Migrant Inspection Program

Line Item Detail

Fund-Object	Classification	1989-90	1990-91
=====			
Migrant Inspections			
1346-1211	Salaries & Wages	\$156,550	\$304,248
	(1) Director @ \$29,508 (12 mos.)		
	(1) Secretary IV @ \$15,624 (12 mos.)		
	(1) Clerk-Typist III @ \$14,436 (6 mos.)		
	(1) Field Supervisor @ \$27,000 (6 mos.)		
	(10) Migrant Inspectors @ \$21,768 (5 mos.)		
1346-1811	Social Security Contribution	11,976	23,275
1346-1821	Retirement Contribution	17,534	34,076
1346-1831	Hospitalization Insurance	8,078	15,764
1346-1930	Medical Fees	1,000	1,000
1346-2600	Office Supplies & Materials	14,750	16,750
1346-3111	In-State Transportation - Staff	20,000	40,000
1346-3112	In-State Subsistence - Staff	8,750	17,500
1346-3210	Telephone Service	600	1,000
1346-3250	Postage	400	800
1346-3400	Printing & Binding	4,000	6,000
1346-4400	Service & Maintenance Contracts	-0-	3,241
1346-4910	Dues & Subscriptions	500	500
1346-5100	Office Furniture & Equipment	30,000	25,000
1346-5300	Technical Equipment	3,500	3,500
1346-5600	Books	1,000	500
APPROPRIATION TOTAL		\$278,638	\$493,154

Assumptions: Director and Secretary hired July 1, 1989
 Supervisor and Secretary hired January 1, 1990
 Inspectors hired February 1, 1990

600 camps inspected March 1, 1990 - July 1, 1990
(10 inspectors x 15 weeks x 8 visits/week)
Travel - Inspectors 400 miles/week, 1 day's subsistence/week

PREPARED BY: Fiscal Research Division
North Carolina General Assembly



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