

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1435 Session of
1984

INTRODUCED BY JUBELIRER, ZEMPRELLI, SHUMAKER, ANDREZESKI,
BODACK, CORMAN, FISHER, HANKINS, HELFRICK, HESS, HOPPER,
HOWARD, KRATZER, KUSSE, LINCOLN, LLOYD, LOEPER, LYNCH,
MELLOW, MOORE, MUSTO, O'CONNELL, O'PAKE, REIBMAN, ROCKS,
ROMANELLI, ROSS, SCANLON, SHAFFER, SINGEL, STAPLETON, STOUT,
STREET, WENGER, WILLIAMS, WILT AND HAGER, JUNE 15, 1984

REFERRED TO APPROPRIATIONS, JUNE 15, 1984

AN ACT

1 Establishing the Pennsylvania Conservation Corps.

2 The General Assembly of the Commonwealth of Pennsylvania
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Pennsylvania
6 Conservation Corps Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Corps." The Pennsylvania Conservation Corps.

12 "Corpsmember." A participant in the corps pursuant to
13 criteria set forth in section 6.

14 "Crewleader." A participant in the corps who is employed to
15 supervise corpsmembers pursuant to criteria set forth in section

1 8(c).

2 "Department." The Department of Environmental Resources.

3 "Local agency." Any political subdivision located within
4 this Commonwealth.

5 "Secretary." The Secretary of the Department of
6 Environmental Resources.

7 "State agencies." The Fish Commission, Game Commission,
8 Historical and Museum Commission, Department of Military Affairs
9 and, in the case of job search skills and job application
10 skills, the Department of Labor and Industry.

11 Section 3. Pennsylvania Conservation Corps created.

12 There is hereby created within the Department of
13 Environmental Resources the Pennsylvania Conservation Corps.

14 Section 4. Duties of the secretary.

15 The secretary shall:

16 (1) Employ eligible participants pursuant to section 6
17 in work experience projects.

18 (2) Employ crewleaders pursuant to section 8.

19 (3) Appoint a director who shall act as the
20 administrative officer of the corps. The director shall
21 employ staff necessary to implement the provisions of this
22 act.

23 (4) Develop or review proposed work experience projects
24 submitted to the department by State and local agencies and
25 approve projects that meet the requirements of this act.
26 State agencies eligible to submit work experience projects
27 shall be limited to the Fish Commission, Game Commission,
28 Historical and Museum Commission, Department of Environmental
29 Resources and Department of Military Affairs. The secretary
30 shall insure that work experience projects involve labor

1 intensive improvement activities on public lands or
2 facilities that will result in a future public value and have
3 a potential for future revenue yield. Projects approved by
4 the secretary shall include projects authorized and funded
5 under the under the act of (P.L. , No.), known as
6 the Recreational Improvement and Rehabilitation Act.

7 (5) Authorize utilization of the corps for approved work
8 experience projects in urban, suburban and rural areas as
9 necessary to carry out the provisions of this act.

10 (6) Execute employment contracts with State and local
11 agencies containing any terms and conditions deemed necessary
12 and desirable for the employment of corpsmembers in approved
13 work experience projects; and in the case of job search
14 skills and job application skills, execute contracts or
15 cooperative agreements with Federal, State or local agencies,
16 persons, firms, partnerships, associations or corporations
17 for the provisions of these services.

18 (7) Authorize utilization of the corps for emergency
19 projects which shall include, but not be limited to, natural
20 disasters, fire prevention and suppression and rescue of lost
21 or injured persons. Corpsmember participation in emergency
22 projects shall be voluntary. Corpsmembers shall receive
23 adequate training prior to participating in an emergency
24 project.

25 (8) Apply for and accept grants or contributions of
26 funds from any public or private source, including the
27 acceptance of Federal funds appropriated by the General
28 Assembly.

29 (9) Purchase, rent or otherwise acquire or obtain
30 personal property, supplies, instruments, tools, equipment or

conveniences necessary to complete work experience projects.

(10) Develop program guidelines as it deems necessary to fairly and effectively administer this act.

Section 5. Work experience projects.

(a) Purpose.--The secretary shall ensure that each work experience project established pursuant to the authority granted in section 4 shall provide corpsmembers with job training skills which may include job search skills and job applications skills, and with work experience related to the conservation, improvement or development of natural resources or the enhancement, preservation and maintenance of public lands, water or facilities. Job training may be provided directly by the agency administering the work experience project or by other agencies as provided in subsection (d).

(b) Project criteria.--Work experience projects shall be undertaken in urban, suburban and rural areas and shall be selected on the basis of the environmental and natural resource benefits each offers, the opportunities for public use each offers, the on-the-job training value of each, the future public value of the completed project, and the estimated additional revenue to be generated for the Commonwealth or its subdivision from the completion of each project.

(c) Use of lands; exceptions.--All work experience projects developed or approved and funded by the department shall be limited to public lands and facilities except where a property involving other lands will provide documented public value or benefit. Reimbursement must be provided to the department for that portion of the total costs which does not provide a public benefit. The reimbursement will be retained by the department for use in the corps program. In the case of emergencies and

1 natural disaster, projects may take place on land or at
2 facilities not owned by the department, other State agencies or
3 local agencies without regard to public benefit and private
4 reimbursement.

5 (d) Coordinated services.--Whenever available and
6 appropriate, job training and placement services provided
7 through other Federal, State and local funded programs such as
8 the Job Training Partnership Act Program, the Community Services
9 Block Grant and the Office of Employment Security shall be
10 coordinated with projects developed under this act to assist
11 eligible participants. Coordinated services may include, but are
12 not limited to, job placement assistance, adult literacy
13 training, job search skills, and job application skills. Whenever
14 possible, eligible participants without a high school diploma
15 shall receive coordinated services that provide an opportunity
16 to obtain an equivalent high school diploma.

17 (e) Standards.--Work sites of work experience projects shall
18 conform to appropriate health and safety standards.

19 (f) Projects not permitted.--Work experience shall not
20 include work on any project for removal or cleaning up of any
21 toxic waste or other hazardous substance.

22 Section 6. Eligibility for program.

23 (a) Criteria.--Persons participating in the corps program
24 shall be young men and women who are:

25 (1) Between the ages of 18 and 21.

26 (2) Economically disadvantaged.

27 (3) Domiciled in the Commonwealth for at least six
28 months prior to participating in the program.

29 (4) Registered with the Office of Employment Security
30 for employment.

1 (5) Physically and mentally capable of performing labor
2 intensive work.

3 (6) Not attending high school or postsecondary
4 institution full time and who provide assurance that they did
5 not leave school for the purpose of participating in the
6 program. Full-time high school and postsecondary students may
7 participate in this program during authorized school
8 vacations.

9 (b) Referrals.--Eligibility for corpsmembers shall be
10 determined by the Office of Employment Security which shall
11 refer eligible participants to the department. If the number of
12 corps jobs is insufficient to employ all eligible individuals
13 who apply for participation in the program, the Office of
14 Employment Security may provide the names of these eligible
15 individuals to private sector employers or to job training
16 programs requesting referrals, so long as the individuals
17 referred agree to the referral being provided.

18 Section 7. Compensation.

19 (a) Six month term.--Corpsmembers shall be employed for a
20 period not to exceed six months. The department shall refer the
21 names of corpsmembers who successfully complete their employment
22 in the corps to the Office of Employment Security for assistance
23 in securing private sector employment or for enrollment in
24 additional job training programs. The department may also
25 provide the names of participants who successfully complete
26 their employment in the corps to private sector employers
27 requesting referrals, with the approval of the participant.

28 (b) Minimum wage.--Corpsmembers shall receive an hourly wage
29 no less than the State minimum wage as provided for by the act
30 of January 17, 1968 (P.L.11, No.5), known as The Minimum Wage

1 Act of 1968.

2 (c) Benefits.--Corpsmembers shall not be entitled to any
3 employee benefits provided to existing employees of the
4 department or other agencies except for workmen's compensation
5 coverage which shall be provided through the funds appropriated
6 to carry out this act.

7 (d) Work hours.--Corpsmembers shall be scheduled to work the
8 standard work hours of the department or of the State or local
9 agency sponsoring the work experience project. In no instance
10 shall corpsmembers be scheduled to work more than 40 hours per
11 week. Corpsmembers may request and shall be excused for a
12 maximum of ten hours per week from scheduled work hours to
13 participate in job training and placement services which the
14 department determines are in accordance with the provisions of
15 this act. Corpsmembers shall be compensated as set forth in
16 subsection (b) for participating in job training and placement
17 services which the department determines are in accordance with
18 the provisions of this act.

19 Section 8. Supervisors.

20 (a) Personnel.--Whenever possible, the department and other
21 State and local agencies shall use existing employees to
22 supervise the participants working on projects. No funds
23 available for this program shall be expended for the salaries,
24 wages or benefits paid to these existing employees.

25 (b) Funding.--If it is determined by the secretary that
26 supervision of corpsmembers is necessary to carry out corps
27 projects in the department or other State or local agencies,
28 funds available for this program may be expended to pay the
29 wages of crewleaders who shall supervise corpsmembers as
30 prescribed by the department.

1 (c) Crewleader criteria.--Persons eligible to be hired as
2 crewleaders by the department shall be men and women who are:

3 (1) Domiciled in the Commonwealth for at least six
4 months prior to employment in the programs.

5 (2) Registered with the Office of Employment Security
6 for employment.

7 (3) Physically and mentally capable of performing labor
8 intensive work and supervisory duties.

9 (4) Not attending a postsecondary institution full time
10 and who provides assurance that they did not leave school for
11 the purpose of employment as a supervisor in the program.

12 (d) Six-month term.--Crewleaders may be employed by the
13 department for a period that may exceed the six-month limit
14 established for corpsmembers.

15 (e) Hourly wage.--Crewleaders shall receive an hourly wage
16 that does not exceed the hourly wage of corpsmembers by more
17 than \$2.00.

18 (f) Benefits.--Crewleaders shall not be entitled to any
19 employee benefits provided to existing employees of the
20 department or of other State or local agencies except for
21 workmen's compensation coverage which shall be provided through
22 the funds appropriated to carry out this act.

23 Section 9. Prohibited activities.

24 The secretary in developing and approving projects, shall
25 assure that:

26 (1) In employment practices, no individual will be
27 discriminated against because of the individual's race,
28 color, religious creed, ancestry, sex, national origin or
29 nonjob related handicap or disability.

30 (2) No person shall make any payment to any other person

1 as compensation for referring an individual as a potential
2 corpsmember.

3 (3) Work available to participants will not be available
4 due to a labor dispute, strike or lockout and shall not be
5 assigned so as to cause a layoff or downgrading or to prevent
6 the return to work of an available competent employee.

7 (4) It shall be unlawful for anyone to demand from any
8 public officer, a corpsmember or crewleader any assessment or
9 percentage of any money or profit, or its equivalent in
10 support, service or any other thing of value, with the
11 understanding, express or implied, that the same may be used
12 or shall be used for political purposes. Nothing contained in
13 this act shall be construed to prohibit voluntary
14 contributions to any political committee or organization for
15 legitimate political and campaign purposes to the extent such
16 contributions are not prohibited by law.

17 Section 10. Annual report.

18 On March 1, 1985, and each year thereafter during the
19 program's existence, the secretary shall report to the Chief
20 Clerk of the House of Representatives and the Secretary of the
21 Senate on the cumulative impact of the program. The report shall
22 include, but not be limited to:

23 (1) Productivity measures by the type of project funded.

24 (2) The number of corpsmembers employed.

25 (3) The average length of employment.

26 (4) The extent of job training provided to participants.

27 (5) The number of participants who find employment after
28 completion of the project.

29 (6) Estimated total dollar value of completed work
30 projects by type of project.

1 (7) Estimated potential revenue from projects completed
2 by corpsmembers.

3 (8) Percentage increase in estimated value of sites
4 constructed or rehabilitated by corpsmembers.

5 (9) Estimated amount of dollar benefits in excess of
6 dollar costs resulting from the program.

7 All recipients of funds for approved projects shall provide the
8 information requested by the department for the purposes of this
9 report.

10 Section 11. Appropriation.

11 For State fiscal year 1984-1985, the sum of \$7,500,000 is
12 hereby appropriated to the Department of Environmental Resources
13 from the Pennsylvania Economic Revitalization Fund. No more than
14 25% of the funds available annually for this program may be
15 expended on work experience projects which are submitted by
16 local agencies and approved by the secretary. No more than 3% of
17 the funds available for this program may be expended on program
18 administration.

19 Section 12. Expiration.

20 This act and the Pennsylvania Conservation Corps program
21 shall expire June 30, 1986.

22 Section 13. Effective date.

23 This act shall take effect July 1, 1984.