

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 22

Session of  
1989

INTRODUCED BY LLOYD, LEVDANSKY, RUDY, MICHLOVIC, B. SMITH,  
WOGAN, MORRIS, HALUSKA, BUNT, VEON, BUSH, HASAY, SCHULER,  
STABACK, KOSINSKI, DOMBROWSKI, MRKONIC, KUKOVICH, ARGALL,  
DIETTERICK, VROON, BATTISTO, DeLUCA, BELFANTI, COY, TIGUE,  
MERRY, HERMAN, NOYE, CAWLEY, STUBAN, DISTLER, VAN HORNE,  
BOWLEY, FREEMAN, ITKIN, COLAIZZO, HESS, LUCYK, BORTNER,  
CAPPABIANCA, BELARDI AND PETRARCA, JANUARY 18, 1989

AS REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, APRIL 10, 1989

## AN ACT

1 Amending the act of July 2, 1984 (P.L.561, No.112), entitled "An  
2 act establishing the Pennsylvania Conservation Corps; and  
3 making an appropriation," ~~extending the expiration date.~~ <—  
4 FURTHER PROVIDING FOR EDUCATIONAL OPPORTUNITIES, ABILITY <—  
5 ASSESSMENTS, AND TERMS OF EMPLOYMENT FOR CORPSMEMBERS; FOR  
6 THE WAGES OF CORPSMEMBERS AND CREWLEADERS; FOR CORPSMEMBER  
7 EXCHANGES, ANNUAL REPORTS, COORDINATION WITH JOB TRAINING  
8 PARTNERSHIP ACT, AND LOCAL CONSERVATION CORPS INCUBATORS; FOR  
9 PROGRAM FUNDING; AND DELETING THE EXPIRATION OF THE ACT.

10 The General Assembly of the Commonwealth of Pennsylvania  
11 hereby enacts as follows:

12 Section 1. ~~Section 13~~ THE DEFINITIONS OF "LOCAL AGENCY" AND <—  
13 "STATE AGENCIES" IN SECTION 2 of the act of July 2, 1984  
14 (P.L.561, No.112), known as the Pennsylvania Conservation Corps  
15 Act, amended July 9, 1987 (P.L.232, No.40), ~~is~~ ARE amended to <—  
16 read:

17 ~~Section 13. Expiration.~~ <—

18 ~~This act and the Pennsylvania Conservation Corps program~~

1 ~~shall expire June 30, [1989] 1992.~~

2 ~~Section 2. This act shall take effect immediately.~~

3 SECTION 2. DEFINITIONS.

<—

4 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL  
5 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
6 CONTEXT CLEARLY INDICATES OTHERWISE:

7 \* \* \*

8 "LOCAL AGENCY." ANY [POLITICAL SUBDIVISION] MUNICIPALITY  
9 LOCATED WITHIN THIS COMMONWEALTH.

10 \* \* \*

11 "STATE AGENCIES." THE FISH COMMISSION, GAME COMMISSION,  
12 HISTORICAL AND MUSEUM COMMISSION, DEPARTMENT OF ENVIRONMENTAL  
13 RESOURCES, [DEPARTMENT OF MILITARY AFFAIRS] AND, IN THE CASE OF  
14 JOB SEARCH SKILLS [AND], JOB APPLICATION SKILLS AND ABILITY  
15 ASSESSMENTS, THE DEPARTMENT OF LABOR AND INDUSTRY.

16 SECTION 2. SECTION 4(4), (6) AND (7) OF THE ACT ARE AMENDED  
17 AND THE SECTION IS AMENDED BY ADDING A PARAGRAPH TO READ:

18 SECTION 4. DUTIES OF THE SECRETARY.

19 THE SECRETARY SHALL:

20 \* \* \*

21 (4) DEVELOP OR REVIEW PROPOSED WORK EXPERIENCE PROJECTS  
22 SUBMITTED TO THE DEPARTMENT BY STATE AND LOCAL AGENCIES AND  
23 APPROVE PROJECTS THAT MEET THE REQUIREMENTS OF THIS ACT.  
24 STATE AGENCIES ELIGIBLE TO SUBMIT WORK EXPERIENCE PROJECTS  
25 SHALL BE LIMITED TO THE FISH COMMISSION, GAME COMMISSION,  
26 HISTORICAL AND MUSEUM COMMISSION[, ] AND DEPARTMENT OF  
27 ENVIRONMENTAL RESOURCES [AND DEPARTMENT OF MILITARY AFFAIRS].  
28 THE SECRETARY SHALL INSURE THAT WORK EXPERIENCE PROJECTS  
29 INVOLVE LABOR INTENSIVE IMPROVEMENT ACTIVITIES ON PUBLIC  
30 LANDS OR FACILITIES THAT WILL RESULT IN A FUTURE PUBLIC VALUE

1 AND HAVE A POTENTIAL FOR FUTURE REVENUE YIELD. [PROJECTS  
2 APPROVED BY THE SECRETARY SHALL INCLUDE PROJECTS AUTHORIZED  
3 AND FUNDED UNDER THE ACT OF JULY 2, 1984 (P.L.527, NO.106),  
4 KNOWN AS THE RECREATIONAL IMPROVEMENT AND REHABILITATION  
5 ACT.]

6 \* \* \*

7 (6) EXECUTE EMPLOYMENT CONTRACTS WITH STATE AND LOCAL  
8 AGENCIES CONTAINING ANY TERMS AND CONDITIONS DEEMED NECESSARY  
9 AND DESIRABLE FOR THE EMPLOYMENT OF CORPSMEMBERS IN APPROVED  
10 WORK EXPERIENCE PROJECTS; AND IN THE CASE OF JOB SEARCH  
11 SKILLS [AND], JOB APPLICATION SKILLS[, ] AND ABILITY  
12 ASSESSMENTS, EXECUTE CONTRACTS OR COOPERATIVE AGREEMENTS WITH  
13 FEDERAL, STATE OR LOCAL AGENCIES, PERSONS, FIRMS,  
14 PARTNERSHIPS, ASSOCIATIONS OR CORPORATIONS FOR THE PROVISIONS  
15 OF THESE SERVICES.

16 (7) AUTHORIZE UTILIZATION OF THE CORPS FOR EMERGENCY  
17 PROJECTS WITHIN OR OUTSIDE THIS COMMONWEALTH WHICH SHALL  
18 INCLUDE, BUT NOT BE LIMITED TO, NATURAL DISASTERS, FIRE  
19 PREVENTION AND SUPPRESSION AND RESCUE OF LOST OR INJURED  
20 PERSONS. CORPSMEMBER PARTICIPATION IN EMERGENCY PROJECTS  
21 SHALL BE VOLUNTARY. CORPSMEMBERS SHALL RECEIVE ADEQUATE  
22 TRAINING PRIOR TO PARTICIPATING IN AN EMERGENCY PROJECT.

23 \* \* \*

24 (11) AUTHORIZE THE EXCHANGE OF CORPSMEMBERS AND  
25 CREWLEADERS WITH OTHER ESTABLISHED CONSERVATION CORPS/SERVICE  
26 PROGRAMS IN ORDER TO FOSTER A SPIRIT OF UNDERSTANDING AND TO  
27 ADVANCE THE GOALS OF VOLUNTEERISM AND SERVICE. PARTICIPATION  
28 IN EXCHANGE PROJECTS SHALL BE VOLUNTARY.

29 SECTION 3. SECTION 5(A), (B) AND (D) OF THE ACT ARE AMENDED  
30 TO READ:

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 EDUCATIONAL OPPORTUNITIES AND JOB TRAINING SKILLS, WHICH MAY INCLUDE GENERAL EDUCATIONAL DEVELOPMENT, LITERACY TRAINING, ADULT BASIC EDUCATION, JOB SEARCH SKILLS AND JOB APPLICATION 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 EDUCATIONAL OPPORTUNITIES AND 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 SUBDIVISIONS FROM THE COMPLETION OF EACH PROJECT.

\* \* \*

(D) COORDINATED SERVICES.--WHENEVER AVAILABLE AND APPROPRIATE, ADULT EDUCATION, JOB TRAINING AND PLACEMENT SERVICES PROVIDED THROUGH OTHER FEDERAL, STATE AND LOCAL FUNDED PROGRAMS SUCH AS THE JOB TRAINING PARTNERSHIP ACT PROGRAM, THE COMMUNITY SERVICES BLOCK GRANT AND THE OFFICE OF EMPLOYMENT SECURITY SHALL BE COORDINATED WITH PROJECTS DEVELOPED UNDER THIS ACT TO ASSIST ELIGIBLE PARTICIPANTS. COORDINATED SERVICES MAY

1 INCLUDE, BUT ARE NOT LIMITED TO, JOB PLACEMENT ASSISTANCE, ADULT  
2 LITERACY TRAINING, JOB SEARCH SKILLS [AND]\_ JOB APPLICATION  
3 SKILLS AND ABILITY ASSESSMENTS. WHENEVER POSSIBLE, ELIGIBLE  
4 PARTICIPANTS WITHOUT A HIGH SCHOOL DIPLOMA SHALL RECEIVE  
5 COORDINATED SERVICES THAT PROVIDE AN OPPORTUNITY TO OBTAIN AN  
6 EQUIVALENT HIGH SCHOOL DIPLOMA. WITHIN TWO WEEKS OF ENROLLMENT  
7 IN THE CORPS, EACH CORPSMEMBER SHALL BE REFERRED TO THE OFFICE  
8 OF EMPLOYMENT SECURITY FOR ABILITY ASSESSMENTS, THE RESULTS OF  
9 WHICH SHALL BE PROVIDED TO THE DEPARTMENT.

10 \* \* \*

11 SECTION 4. SECTION 6(A) OF THE ACT, AMENDED JULY 2, 1986  
12 (P.L.341, NO.78), IS AMENDED AND THE SECTION IS AMENDED BY  
13 ADDING A SUBSECTION TO READ:

14 SECTION 6. ELIGIBILITY FOR PROGRAM.

15 (A) CRITERIA.--PERSONS PARTICIPATING IN THE CORPS PROGRAM  
16 SHALL BE YOUNG MEN AND WOMEN WHO ARE:

17 (1) BETWEEN THE AGES OF 18 AND 25.

18 [(2) ECONOMICALLY DISADVANTAGED.

19 (3)] (2) DOMICILED IN THE COMMONWEALTH FOR AT LEAST SIX  
20 MONTHS PRIOR TO PARTICIPATING IN THE PROGRAM.

21 [(4)] (3) REGISTERED WITH THE OFFICE OF EMPLOYMENT  
22 SECURITY FOR EMPLOYMENT.

23 [(5)] (4) PHYSICALLY AND MENTALLY CAPABLE OF PERFORMING  
24 LABOR INTENSIVE WORK.

25 [(6)] (5) NOT ATTENDING HIGH SCHOOL OR POSTSECONDARY  
26 INSTITUTION FULL TIME AND WHO PROVIDE ASSURANCE THAT THEY DID  
27 NOT LEAVE SCHOOL FOR THE PURPOSE OF PARTICIPATING IN THE  
28 PROGRAM. FULL-TIME HIGH SCHOOL AND POSTSECONDARY STUDENTS MAY  
29 PARTICIPATE IN THIS PROGRAM DURING AUTHORIZED SCHOOL  
30 VACATIONS.

\* \* \*

(C) PREFERENCE.--PREFERENCE IN HIRING SHALL BE GIVEN TO THE  
ECONOMICALLY DISADVANTAGED.

SECTION 5. SECTIONS 7 AND 8(E) OF THE ACT, AMENDED JULY 2,  
1986 (P.L.341, NO.78), ARE AMENDED TO READ:

SECTION 7. COMPENSATION.

(A) [SIX-MONTH TERM] TERM OF EMPLOYMENT.--CORPSMEMBERS SHALL  
BE EMPLOYED FOR A PERIOD [NOT TO EXCEED] OF SIX MONTHS. [EXCEPT  
IN AREAS WHERE THE OFFICE OF EMPLOYMENT SECURITY HAS DETERMINED  
THAT NO OTHER APPLICANTS ARE AVAILABLE FOR REFERRAL TO FILL  
CORPSMEMBER POSITIONS. IF NO APPLICANTS ARE AVAILABLE,] AT THE  
OPTION OF THE DEPARTMENT, CORPSMEMBERS WHO HAVE SUCCESSFULLY  
COMPLETED THEIR SIX-MONTH ENROLLMENT MAY BE [ELIGIBLE] EMPLOYED  
FOR A SECOND SIX-MONTH TERM. THE DEPARTMENT SHALL REFER THE  
NAMES OF CORPSMEMBERS WHO SUCCESSFULLY COMPLETE THEIR EMPLOYMENT  
IN THE CORPS TO THE OFFICE OF EMPLOYMENT SECURITY FOR ASSISTANCE  
IN SECURING PRIVATE SECTOR EMPLOYMENT OR FOR ENROLLMENT IN  
ADDITIONAL JOB TRAINING PROGRAMS. THE DEPARTMENT MAY ALSO  
PROVIDE THE NAMES OF PARTICIPANTS WHO SUCCESSFULLY COMPLETE  
THEIR EMPLOYMENT IN THE CORPS TO PRIVATE SECTOR EMPLOYERS  
REQUESTING REFERRALS, WITH THE APPROVAL OF THE PARTICIPANT.

(B) MINIMUM WAGE.--CORPSMEMBERS SHALL RECEIVE AN HOURLY WAGE  
NO LESS THAN THE STATE MINIMUM WAGE AS PROVIDED FOR BY THE ACT  
OF JANUARY 17, 1968 (P.L.11, NO.5), KNOWN AS THE MINIMUM WAGE  
ACT OF 1968. CORPSMEN SERVING A SECOND SIX-MONTH TERM SHALL  
RECEIVE ADDITIONAL HOURLY COMPENSATION OF AT LEAST 5%.

(C) BENEFITS.--CORPSMEMBERS SHALL NOT BE ENTITLED TO ANY  
EMPLOYEE BENEFITS PROVIDED TO EXISTING EMPLOYEES OF THE  
DEPARTMENT OR OTHER AGENCIES EXCEPT FOR WORKMEN'S COMPENSATION  
COVERAGE WHICH SHALL BE PROVIDED THROUGH THE FUNDS APPROPRIATED

1 TO CARRY OUT THIS ACT, NOR SHALL SERVICE AS A CORPSMEMBER  
2 QUALIFY AN INDIVIDUAL FOR BENEFITS UNDER THE ACT OF DECEMBER 5,  
3 1936 (2ND SP.SESS., 1937 P.L.2897, NO.1), KNOWN AS THE  
4 UNEMPLOYMENT COMPENSATION LAW.

5 (D) WORK HOURS.--CORPSMEMBERS SHALL BE SCHEDULED TO WORK THE  
6 STANDARD WORK HOURS OF THE DEPARTMENT OR OF THE STATE OR LOCAL  
7 AGENCY SPONSORING THE WORK EXPERIENCE PROJECT. IN NO INSTANCE  
8 SHALL CORPSMEMBERS BE SCHEDULED TO WORK MORE THAN 40 HOURS PER  
9 WEEK. CORPSMEMBERS MAY REQUEST AND SHALL BE EXCUSED AS NECESSARY  
10 FOR A MAXIMUM OF [TEN HOURS PER WEEK] 260 HOURS PER SIX-MONTH  
11 TERM OF ENROLLMENT FROM SCHEDULED WORK HOURS TO PARTICIPATE IN  
12 ADULT EDUCATION, JOB TRAINING AND PLACEMENT SERVICES WHICH THE  
13 DEPARTMENT DETERMINES TO BE APPROPRIATE AND ARE IN ACCORDANCE  
14 WITH THE PROVISIONS OF THIS ACT. CORPSMEMBERS SHALL BE  
15 COMPENSATED AS SET FORTH IN SUBSECTION (B) FOR PARTICIPATING IN  
16 JOB TRAINING AND PLACEMENT SERVICES WHICH THE DEPARTMENT  
17 DETERMINES ARE IN ACCORDANCE WITH THE PROVISIONS OF THIS ACT.

18 SECTION 8. SUPERVISORS.

19 \* \* \*

20 (E) HOURLY WAGE.--CREWLEADERS SHALL RECEIVE AN HOURLY WAGE  
21 THAT [DOES NOT EXCEED] EXCEEDS THE HOURLY WAGE OF CORPSMEMBERS  
22 BY [MORE THAN \$4.00] A MINIMUM OF \$2.00.

23 \* \* \*

24 SECTION 6. SECTION 10 OF THE ACT IS AMENDED TO READ:

25 SECTION 10. ANNUAL REPORT.

26 ON [MARCH 1, 1985] OCTOBER 1, 1990, AND EACH YEAR THEREAFTER  
27 DURING THE PROGRAM'S EXISTENCE, THE SECRETARY SHALL REPORT TO  
28 THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES AND THE  
29 SECRETARY OF THE SENATE ON THE [CUMULATIVE] PRECEDING FISCAL  
30 YEAR'S IMPACT OF THE PROGRAM. ALL RECIPIENTS OF FUNDS FOR

1 APPROVED PROJECTS SHALL PROVIDE THE INFORMATION REQUESTED BY THE  
2 DEPARTMENT FOR THE PURPOSES OF THIS REPORT. THE REPORT SHALL  
3 INCLUDE, BUT NOT BE LIMITED TO:

4 (1) PRODUCTIVITY MEASURES BY THE TYPE OF PROJECT FUNDED.

5 (2) THE NUMBER OF CORPSMEMBERS EMPLOYED.

6 (3) THE AVERAGE LENGTH OF EMPLOYMENT.

7 (4) THE EXTENT OF JOB TRAINING PROVIDED TO PARTICIPANTS.

8 (5) THE NUMBER OF PARTICIPANTS WHO FIND EMPLOYMENT AFTER  
9 COMPLETION OF THE PROJECT.

10 (6) ESTIMATED TOTAL DOLLAR VALUE OF COMPLETED WORK  
11 PROJECTS BY TYPE OF PROJECT.

12 (7) ESTIMATED POTENTIAL REVENUE FROM PROJECTS COMPLETED  
13 BY CORPSMEMBERS.

14 [(8) PERCENTAGE INCREASE IN ESTIMATED VALUE OF SITES  
15 CONSTRUCTED OR REHABILITATED BY CORPSMEMBERS.

16 (9)] (8) ESTIMATED AMOUNT OF DOLLAR BENEFITS IN EXCESS  
17 OF DOLLAR COSTS RESULTING FROM THE PROGRAM.

18 (9) THE AMOUNT OF APPROPRIATED FUNDS EXPENDED ON PROGRAM  
19 ADMINISTRATION.

20 [ALL RECIPIENTS OF FUNDS FOR APPROVED PROJECTS SHALL PROVIDE THE  
21 INFORMATION REQUESTED BY THE DEPARTMENT FOR THE PURPOSES OF THIS  
22 REPORT.]

23 SECTION 7. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:  
24 SECTION 10.1. COORDINATION WITH JOB TRAINING PARTNERSHIP ACT.

25 IN ORDER TO PERMIT JOINT PROJECTS WITH THE SUMMER YOUTH  
26 EMPLOYMENT AND TRAINING PROGRAM ESTABLISHED PURSUANT TO TITLE II  
27 B OF THE JOB TRAINING PARTNERSHIP ACT (PUBLIC LAW 97-300, 96  
28 STAT. 1322), THE PROVISIONS OF THIS ACT NOT CONSISTENT WITH THE  
29 JOB TRAINING PARTNERSHIP ACT ARE HEREBY WAIVED FOR SUCH JOINT  
30 PROJECTS.



1 SECTION 10.2. LOCAL CONSERVATION CORPS INCUBATOR.

2 IN ORDER TO PROVIDE OPPORTUNITIES FOR LOCAL AGENCIES TO  
3 CREATE A LOCALLY OPERATED AND FUNDED CONSERVATION CORPS, FUNDS  
4 MAY BE AUTHORIZED TO SUPPORT THE DEVELOPMENT OF NEW LOCAL CORPS  
5 PROGRAMS CONSISTENT WITH THE PROVISIONS OF THIS ACT. PENDING THE  
6 AVAILABILITY OF FUNDS THE DEPARTMENT MAY ENTER INTO CONTINGENT  
7 COMMITMENTS WITH MUNICIPAL GOVERNMENTS TO PROVIDE FUNDING ON A  
8 REDUCING BASIS OVER A THREE-YEAR PERIOD.

9 SECTION 12.1. FUNDING.

10 (A) SOURCE.--FUNDS FOR THIS PROGRAM SHALL BE PROVIDED FROM  
11 APPROPRIATIONS FROM THE PENNSYLVANIA ECONOMIC REVITALIZATION  
12 FUND.

13 (B) USE OF FUNDS.--FOR THE 1989-1990 FISCAL YEAR AND  
14 THEREAFTER, FUNDS PROVIDED FOR THIS PROGRAM MAY BE USED FOR THE  
15 FOLLOWING:

16 (1) CORPSMEMBER AND CREWLEADER WAGES AND AUTHORIZED  
17 BENEFITS.

18 (2) SITE DEVELOPMENT AND MATERIALS.

19 (3) FUNDS AVAILABLE TO LOCAL AGENCIES SHALL BE USED TO  
20 PAY UP TO 50% OF THE COST OF SITE DEVELOPMENT AND MATERIALS  
21 AND UP TO 100% OF THE COST FOR CORPSMEMBER AND CREWLEADER  
22 WAGES FOR PROJECTS WHICH MEET THE REQUIREMENTS OF THIS ACT.

23 (4) PROGRAM ADMINISTRATION.

24 SECTION 8. SECTION 13 OF THE ACT IS REPEALED.

25 SECTION 9. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.