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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2577 Session of  
2008

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INTRODUCED BY COHEN, BELFANTI, GEORGE, McCALL, BRENNAN,  
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THOMAS, WALKO, WHEATLEY, J. WHITE AND YOUNGBLOOD,  
JUNE 2, 2008

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REFERRED TO COMMITTEE ON LABOR RELATIONS, JUNE 2, 2008

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AN ACT

1 Establishing the Clean and Green Energy Corps; imposing  
2 additional powers and duties on the Department of Labor and  
3 Industry; and making an appropriation.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Clean and  
8 Green Energy Corps Act.

9 Section 2. Definitions.

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

13 "Corps." The Clean and Green Energy Corps.

14 "Corpsmember." A participant in the Clean and Green Energy  
15 Corps who meets the established criteria set forth under section  
16 6.

1 "Crewleader." A participant in the Clean and Green Energy  
2 Corps who meets the established criteria set forth under section  
3 8.

4 "Department." The Department of Labor and Industry of the  
5 Commonwealth.

6 "Project." Any weatherization or energy efficiency project  
7 carried out by the Clean and Green Energy Corps.

8 "Secretary." The Secretary of Labor and Industry of the  
9 Commonwealth.

#### 10 Section 3. Establishment.

11 There is hereby established in the department, the Clean and  
12 Green Energy Corps. The corps shall function in cooperation with  
13 the Pennsylvania Conservation Corps.

#### 14 Section 4. Duties of secretary.

15 The secretary shall:

16 (1) Appoint a director who shall act as the  
17 administrative officer of the corps. The director shall  
18 employ the necessary staff and aid in developing projects  
19 that meet the requirements of this act.

20 (2) Enroll eligible participants who meet the criteria  
21 established under section 6.

22 (3) Employ crewleaders who meet the criteria established  
23 under section 8.

24 (4) Review proposed projects.

25 (5) Ensure that each corpsmember and crewleader receives  
26 the proper training.

27 (6) Apply for and accept grants or contributions of  
28 funds from any public or private source.

29 (7) Execute contracts with State and local agencies  
30 containing any terms and conditions deemed necessary and

1 desirable for the enrollment of corpsmembers in approved  
2 projects. In the case of corpsmember development and  
3 training, execute contracts or cooperative agreements with  
4 Federal agencies, State agencies, local agencies, persons,  
5 firms, partnerships, associations or corporations for the  
6 provision of these services.

7 (8) Purchase, rent or otherwise acquire the appropriate  
8 tools, supplies, instruments, equipment or conveniences  
9 needed to complete corpsmember training and projects in  
10 conformity with 62 Pa.C.S. (relating to procurement).

11 (9) Authorize the exchange of corpsmembers and  
12 crewleaders with other similar service programs in order to  
13 advance the goals of volunteerism and service. Participation  
14 in exchange programs by corpsmembers and crewleaders shall be  
15 voluntary.

16 (10) Develop additional program guidelines or  
17 regulations as the secretary deems necessary to carry out the  
18 provisions of this act.

19 Section 5. Work experience projects.

20 (a) Purpose.--

21 (1) To promote energy independence through efforts that  
22 decrease energy consumption.

23 (2) To employ participants in weatherization and energy  
24 efficiency projects for low-income households.

25 (3) To accomplish meaningful and productive improvements  
26 relating to energy efficiency.

27 (4) To provide development, training and practical work  
28 experience for young individuals in important career fields  
29 relating to energy efficiency.

30 (5) To act as preparation for permanent employment for

1 young adults.

2 (b) Duration of program.--The program shall operate year-  
3 round.

4 (c) Training.--Crewmembers and crewleaders shall engage in  
5 job training deemed appropriate by the director of the corps in  
6 consultation with the department.

7 (d) Project types.--The projects shall engage in shell  
8 improvement measures and other projects that may involve, but  
9 are not limited to, attic and wall insulation, air infiltration  
10 reduction, window replacement and other projects as approved by  
11 the department.

12 (e) Project selection.--Members of low-income households may  
13 apply to the corps to be considered for an energy efficiency  
14 project. The director, in consultation with the department,  
15 shall create additional standards for project selection. If the  
16 corps does not receive a sufficient number of applications, the  
17 director shall seek out additional low-income households that  
18 can be submitted for project application. Such project proposals  
19 must still conform to the standards set by the corps and  
20 department for project application and selection.

21 (f) Standards.--Work sites of projects shall conform to  
22 appropriate health and safety standards.

23 (g) Project restrictions.--Projects shall not include the  
24 removal or cleanup of any toxic waste or other hazardous  
25 substance.

## 26 Section 6. Eligibility for program.

27 (a) Criteria.--Persons participating in the corps program  
28 shall be individuals who are:

29 (1) At the time of admission into the program, at least  
30 18 years of age and under 26 years of age, with the following

1 exceptions:

2 (i) An individual 16 years of age may participate if  
3 enrolled in an approved work-study program with the  
4 individual's high school.

5 (ii) An individual 17 years of age may participate  
6 if the individual:

7 (A) is enrolled in an approved work-study  
8 program with the individual's high school;

9 (B) has graduated from high school; or

10 (C) has attained academic potential, as  
11 certified by the chief administrator of the high  
12 school attended by the individual.

13 (2) Domiciled in this Commonwealth for at least six  
14 months prior to admission to the program.

15 (3) Registered with the local Job Center for employment.

16 (4) Physically and mentally capable of performing labor-  
17 intensive work.

18 (5) Able to provide assurance that the applicant did not  
19 withdraw from school for the purpose of participating in the  
20 program.

21 (b) Determination.--Eligibility for corpsmembers shall be  
22 determined by the local Job Centers which shall refer eligible  
23 participants to the department. For referral purposes, the Job  
24 Centers shall develop standards for classifying applicants into  
25 various levels of eligibility based on the degree to which an  
26 applicant is economically disadvantaged in accordance with  
27 applicant local labor supply. Local Job Centers shall seek  
28 referrals from schools, local agencies, community-based agencies  
29 and other youth and human service organizations for purposes of  
30 enrolling applicants in corps programs. The local Job Centers

1 shall refer applicants by order of classification, giving first  
2 priority to applicants between 18 and 21 years of age whose  
3 eligibility is based on financial status as required by joint or  
4 separate employment programs of the Federal and State  
5 Government.

6 (c) Hiring preference.--Preference in hiring shall be given  
7 to economically disadvantaged young people, especially those  
8 eligible applicants who receive general assistance, Aid to  
9 Families with Dependent Children (AFDC) or other public  
10 assistance benefits.

11 (d) Minors.--Persons 16 and 17 years of age must present an  
12 employment certificate issued under section 1391 of the act of  
13 March 10, 1949 (P.L.30, No.14), known as the Public School Code  
14 of 1949, on the same basis as would be required if they were  
15 employed by a firm, association or corporation.  
16 Section 7. Compensation.

17 (a) Compensation.--Corpsmembers shall receive an hourly wage  
18 no less than the State minimum wage. Corpsmembers who have  
19 successfully completed the program and are enrolled for  
20 additional terms shall be eligible for a higher hourly wage.

21 (b) Term of enrollment.--Corpsmembers shall be enrolled for  
22 a one-year period. Upon successful completion of the program,  
23 the corps may have the option of enrolling the participant for  
24 up to an additional two six-month terms. The department shall  
25 refer the names of corpsmembers who have successfully completed  
26 their service to the corps to local Job Centers for assistance  
27 in securing private sector employment. The department may also  
28 provide the names of corpsmembers who have successfully  
29 completed their service to agencies or private sector employers  
30 requesting referrals after obtaining the permission of the

1 participant.

2 (c) Benefits.--Corpsmembers shall not be entitled to any  
3 employee benefits provided to existing employees of the  
4 department except for paid Commonwealth holidays and workers'  
5 compensation coverage, which shall be provided through the funds  
6 appropriated to carry out this act. Wages and weeks spent as a  
7 corpsmember shall not count toward eligibility. Service as and  
8 weeks and wages earned as a corpsmember shall not be used to  
9 qualify an individual for benefits under the act of December 5,  
10 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the  
11 Unemployment Compensation Law.

12 (d) Work hours.--Corpsmembers shall not be scheduled to work  
13 for more than 40 hours per week.

#### 14 Section 8. Supervisors.

15 (a) Employment.--The corps shall employ and provide  
16 compensation for project supervisors, referred to as  
17 crewleaders.

18 (b) Assignment.--Crewleaders shall be assigned to oversee  
19 various projects and act as the site coordinators.

20 (c) Criteria for crewleaders.--Persons eligible to be hired  
21 as crewleaders by the department shall be individuals who are:

22 (1) Eighteen years of age or older.

23 (2) Domiciled in this Commonwealth for at least six  
24 months prior to employment with the corps.

25 (3) Physically and mentally capable to perform labor-  
26 intensive work and supervisory duties.

27 (4) Not attending a postsecondary institution under  
28 full-time status at the time of the employment and can  
29 provide assurance that the applicant did not leave school for  
30 the purpose of employment with the corps.

(d) Hourly wage.--Crewleaders shall receive an hourly wage that exceeds the hourly wage of corpsmembers by a minimum of \$5.

(e) Training.--Crewleaders shall participate in rigorous training programs to ensure the necessary level of skill and knowledge needed to supervise and lead the projects. Such training standards shall be developed by the director of the corps in consultation with the department.

#### Section 9. Volunteers.

The secretary is authorized to recruit, train and accept the services of individuals to assist, without compensation, in carrying out the functions of the corps.

#### Section 10. Prohibited activities.

The secretary, in administering this act, shall ensure that:

(1) In employment practices, no individual will be discriminated against due to the individual's race, color, gender, religion, national origin or non-job-related handicap or disability.

(2) No person shall receive any payment in exchange for providing a recommendation for a potential corpsmember.

#### Section 11. Annual report.

Annually, on April 15, the secretary shall report to the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives on the preceding fiscal year's impact of the program. The report shall include, but not be limited to:

(1) The number of corpsmembers enrolled.

(2) The average length of enrollment.

(3) The extent of job training provided to the participants.

(4) Information regarding the completion rate for the program.



1           (5) The progress made by participants after completion  
2 of the program, which may include gained employment or  
3 participation in additional educational opportunities.

4           (6) Productivity measures by the type of project funded.

5           (7) The amount of money spent on and the estimated total  
6 value of completed projects.

7           (8) The estimated amount of money that will be saved  
8 annually due to each completed project.

9           (9) The amount of appropriated funds spent on program  
10 administration.

11           (10) The number of projects in progress.

12 Section 12. Appropriation.

13       The sum of \$2,000,000, or as much thereof as may be  
14 necessary, is hereby appropriated to the Department of Labor and  
15 Industry for the fiscal year July 1, 2008, to June 30, 2009, to  
16 carry out the provisions of this act.

17 Section 13. Expiration.

18       This act and the Clean and Green Energy Corps shall expire  
19 June 30, 2013.

20 Section 14. Effective date.

21       This act shall take effect July 1, 2008.