

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2293 Session of  
1984

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PHILLIPS, MACKOWSKI, MOWERY, SEMMEL, CIVERA, MICOZZIE,  
HOEFFEL, LLOYD, ITKIN, COWELL, DOMBROWSKI, D. R. WRIGHT AND  
KENNEDY, JUNE 13, 1984

REFERRED TO COMMITTEE ON APPROPRIATIONS, JUNE 13, 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.

1 "Corpsmember." A participant in the corps pursuant to  
2 criteria set forth in section 6.

3 "Crewleader." A participant in the corps who is employed to  
4 supervise corpsmembers pursuant to criteria set forth in section  
5 8(c).

6 "Department." The Department of Environmental Resources.

7 "Local agency." Any political subdivision located within  
8 this Commonwealth.

9 "Secretary." The Secretary of the Department of  
10 Environmental Resources.

11 "State agencies." The Fish Commission, Game Commission,  
12 Historical and Museum Commission, Department of Military Affairs  
13 and, in the case of job search skills and job application  
14 skills, the Department of Labor and Industry.

15 Section 3. Pennsylvania Conservation Corps created.

16 There is hereby created within the Department of  
17 Environmental Resources the Pennsylvania Conservation Corps.

18 Section 4. Duties of the secretary.

19 The secretary shall:

20 (1) Employ eligible participants pursuant to section 6  
21 in work experience projects.

22 (2) Employ crewleaders pursuant to section 8.

23 (3) Appoint a director who shall act as the  
24 administrative officer of the corps. The director shall  
25 employ staff necessary to implement the provisions of this  
26 act.

27 (4) Develop or review proposed work experience projects  
28 submitted to the department by State and local agencies and  
29 approve projects that meet the requirements of this act.

30 State agencies eligible to submit work experience projects

1 shall be limited to the Fish Commission, Game Commission,  
2 Historical and Museum Commission, Department of Environmental  
3 Resources and Department of Military Affairs. The secretary  
4 shall insure that work experience projects involve labor  
5 intensive improvement activities on public lands or  
6 facilities that will result in a future public value and have  
7 a potential for future revenue yield. Projects approved by  
8 the secretary shall include projects authorized and funded  
9 under the under the act of (P.L. , No. ), known as  
10 the Recreational Improvement and Rehabilitation Act.

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

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

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

29 (8) Apply for and accept grants or contributions of  
30 funds from any public or private source, including the

1 acceptance of Federal funds appropriated by the General  
2 Assembly.

3 (9) Purchase, rent or otherwise acquire or obtain  
4 personal property, supplies, instruments, tools, equipment or  
5 conveniences necessary to complete work experience projects.

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

8 Section 5. Work experience projects.

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

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

27 (c) Use of lands; exceptions.--All work experience projects  
28 developed or approved and funded by the department shall be  
29 limited to public lands and facilities except where a property  
30 involving other lands will provide documented public value or

1 benefit. Reimbursement must be provided to the department for  
2 that portion of the total costs which does not provide a public  
3 benefit. The reimbursement will be retained by the department  
4 for use in the corps program. In the case of emergencies and  
5 natural disaster, projects may take place on land or at  
6 facilities not owned by the department, other State agencies or  
7 local agencies without regard to public benefit and private  
8 reimbursement.

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

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

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

## 26 Section 6. Eligibility for program.

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

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

30 (2) Economically disadvantaged.

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

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

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

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

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

22 Section 7. Compensation.

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

1 requesting referrals, with the approval of the participant.

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

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

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

23 Section 8. Supervisors.

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

29 (b) Funding.--If it is determined by the secretary that  
30 supervision of corpsmembers is necessary to carry out corps

1 projects in the department or other State or local agencies,  
2 funds available for this program may be expended to pay the  
3 wages of crewleaders who shall supervise corpsmembers as  
4 prescribed by the department.

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

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

9 (2) Registered with the Office of Employment Security  
10 for employment.

11 (3) Physically and mentally capable of performing labor  
12 intensive work and supervisory duties.

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

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

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

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

27 Section 9. Prohibited activities.

28 The secretary in developing and approving projects, shall  
29 assure that:

30 (1) In employment practices, no individual will be



1 discriminated against because of the individual's race,  
2 color, religious creed, ancestry, sex, national origin or  
3 nonjob related handicap or disability.

4 (2) No person shall make any payment to any other person  
5 as compensation for referring an individual as a potential  
6 corpsmember.

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

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

21 Section 10. Annual report.

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

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

28 (2) The number of corpsmembers employed.

29 (3) The average length of employment.

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

1           (5) The number of participants who find employment after  
2 completion of the project.

3           (6) Estimated total dollar value of completed work  
4 projects by type of project.

5           (7) Estimated potential revenue from projects completed  
6 by corpsmembers.

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

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

11 All recipients of funds for approved projects shall provide the  
12 information requested by the department for the purposes of this  
13 report.

14 Section 11. Appropriation.

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

23 Section 12. Expiration.

24       This act and the Pennsylvania Conservation Corps program  
25 shall expire June 30, 1986.

26 Section 13. Effective date.

27       This act shall take effect July 1, 1984.