

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL****No. 2293** Session of  
1984

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INTRODUCED BY MANDERINO, RYAN, COY, MILLER, IRVIS, PIEVSKY, GALLAGHER, ANGSTADT, WESTON, PETRARCA, PETERSON, MERRY, FREEMAN, AFFLERBACH, GANNON, DeLUCA, GRUITZA, KASUNIC, DALEY, WILLIAMS, CESSAR, GEIST, COHEN, TRELLO, WAMBACH, HALUSKA, WASS, JOHNSON, FATTAH, STEIGHNER, WOGAN, DeVERTER, TELEK, SAURMAN, R. C. WRIGHT, JACKSON, SCHEETZ, HERSHEY, GRUPPO, BOOK, SWIFT, ROBBINS, REINARD, COLE, WACHOB, GEORGE, COSLETT, SERAFINI, GREENWOOD, McHALE, NOYE, STAIRS, DAVIES, MICHLOVIC, RYBAK, PISTELLA, KUKOVICH, BALDWIN, SHOWERS, CAPPABIANCA, McCALL, PRATT, STEWART, WOZNIAK, CORDISCO, PRESTON, BATTISTO, KOSINSKI, DEAL, RAPPAPORT, OLIVER, SEVENTY, CLARK, DUFFY, MRKONIC, SWEET, GAMBLE, RICHARDSON, MAYERNIK, PHILLIPS, MACKOWSKI, MOWERY, SEMMEL, CIVERA, MICOZZIE, HOFFEL, LLOYD, ITKIN, COWELL, DOMBROWSKI, D. R. WRIGHT AND KENNEDY, JUNE 13, 1984

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AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
JUNE 18, 1984

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## 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:

1 "Corps." The Pennsylvania Conservation Corps.

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

4 "Crewleader." A participant in the corps who is employed to  
5 supervise corpsmembers pursuant to criteria set forth in section  
6 8(c).

7 "Department." The Department of Environmental Resources.

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

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

12 "State agencies." The Fish Commission, Game Commission,  
13 Historical and Museum Commission, DEPARTMENT OF ENVIRONMENTAL ←  
14 RESOURCES, Department of Military Affairs and, in the case of  
15 job search skills and job application skills, the Department of  
16 Labor and Industry.

17 Section 3. Pennsylvania Conservation Corps created.

18 There is hereby created within the Department of  
19 Environmental Resources the Pennsylvania Conservation Corps.

20 Section 4. Duties of the secretary.

21 The secretary shall:

22 (1) Employ eligible participants pursuant to section 6  
23 in work experience projects.

24 (2) Employ crewleaders pursuant to section 8.

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

29 (4) Develop or review proposed work experience projects  
30 submitted to the department by State and local agencies and

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

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

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

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

1 (8) Apply for and accept grants or contributions of  
2 funds from any public or private source, including the  
3 acceptance of Federal funds appropriated by the General  
4 Assembly.

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

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

10 Section 5. Work experience projects.

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

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

29 (c) Use of lands; exceptions.--All work experience projects  
30 developed or approved and funded by the department shall be

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

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

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

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

28 Section 6. Eligibility for program.

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

- 1 (1) Between the ages of 18 and 21.
- 2 (2) Economically disadvantaged.
- 3 (3) Domiciled in the Commonwealth for at least six  
4 months prior to participating in the program.
- 5 (4) Registered with the Office of Employment Security  
6 for employment.
- 7 (5) Physically and mentally capable of performing labor  
8 intensive work.
- 9 (6) Not attending high school or postsecondary  
10 institution full time and who provide assurance that they did  
11 not leave school for the purpose of participating in the  
12 program. Full-time high school and postsecondary students may  
13 participate in this program during authorized school  
14 vacations.

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

24 Section 7. Compensation.

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

1 provide the names of participants who successfully complete  
2 their employment in the corps to private sector employers  
3 requesting referrals, with the approval of the participant.

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

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

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

25 Section 8. Supervisors.

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

1 (b) Funding.--If it is determined by the secretary that  
2 supervision of corpsmembers is necessary to carry out corps  
3 projects in the department or other State or local agencies,  
4 funds available for this program may be expended to pay the  
5 wages of crewleaders who shall supervise corpsmembers as  
6 prescribed by the department.

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

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

11 (2) Registered with the Office of Employment Security  
12 for employment.

13 (3) Physically and mentally capable of performing labor  
14 intensive work and supervisory duties.

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

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

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

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

29 (G) VETERANS' PREFERENCE.--IN THE HIRING OF CREWLEADERS,  
30 PREFERENCE SHALL BE GIVEN TO HONORABLY DISCHARGED VETERANS OF

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1 THE ARMED FORCES OF THE UNITED STATES.

2 Section 9. Prohibited activities.

3 The secretary in developing and approving projects, shall  
4 assure that:

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

9 (2) No person shall make any payment to any other person  
10 as compensation for referring an individual as a potential  
11 corpsmember.

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

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

26 Section 10. Annual report.

27 On March 1, 1985, and each year thereafter during the  
28 program's existence, the secretary shall report to the Chief  
29 Clerk of the House of Representatives and the Secretary of the  
30 Senate on the cumulative impact of the program. The report shall

1 include, but not be limited to:

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

3 (2) The number of corpsmembers employed.

4 (3) The average length of employment.

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

6 (5) The number of participants who find employment after  
7 completion of the project.

8 (6) Estimated total dollar value of completed work  
9 projects by type of project.

10 (7) Estimated potential revenue from projects completed  
11 by corpsmembers.

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

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

16 All recipients of funds for approved projects shall provide the  
17 information requested by the department for the purposes of this  
18 report.

19 Section 11. Appropriation.

20 For State fiscal year 1984-1985, the sum of \$7,500,000 is  
21 hereby appropriated to the Department of Environmental Resources  
22 from the Pennsylvania Economic Revitalization Fund. No more than  
23 25% of the funds available annually for this program may be  
24 expended on work experience projects which are submitted by  
25 local agencies and approved by the secretary. No more than 3% of  
26 the funds available for this program may be expended on program  
27 administration.

28 Section 12. Expiration.

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

1 Section 13. Effective date.

2 This act shall take effect July 1, 1984.