

# MAINE STATE LEGISLATURE

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1 (EMERGENCY)  
2 FIRST REGULAR SESSION  
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE  
5

6 Legislative Document

No. 1205

7  
8 H.P. 849

House of Representatives, April 2, 1985

9 Submitted by the Department of Conservation pursuant to Joint Rule 24.  
10 Referred to the Committee on Energy and Natural Resources. Sent up  
for concurrence and ordered printed.

11 EDWIN H. PERT, Clerk

Presented by Representative Beaulieu of Portland.

12 Cosponsored by Representative Hoglund of Portland, Senator Pearson of  
Penobscot and Representative Randall of East Machias.

13 STATE OF MAINE  
14

15 IN THE YEAR OF OUR LORD  
16 NINETEEN HUNDRED AND EIGHTY-FIVE  
17

18 AN ACT to Establish the Maine Conservation  
19 Corps.  
20

21 **Emergency preamble.** Whereas, Acts of the Legis-  
22 lature do not become effective until 90 days after  
23 adjournment unless enacted as emergencies; and

24 Whereas, in order for the Maine Conservation  
25 Corps Program, as established by the Maine Revised  
26 Statutes, Title 12, section 5161, to function effec-  
27 tively it is necessary that it be commenced during  
28 the summer months when the majority of work on public  
29 lands is carried out; and

30 Whereas, the Maine Conservation Corps is a pro-  
31 gram currently operating and has developed approxi-  
32 mately 13 projects to employ 78 corpsmembers begin-  
33 ning June 24, 1985; and

34 Whereas, the majority of corpsmembers are paid  
35 with wages provided by the Federal Summer Youth Em-

1 ployment and Training Program which only operates  
2 during the summer months; and

3       Whereas, unless this legislation is enacted as  
4 emergency legislation it will not take effect before  
5 the summer has ended; and

6       Whereas, in the judgment of the Legislature,  
7 these facts create an emergency within the meaning of  
8 the Constitution of Maine and require the following  
9 legislation as immediately necessary for the preser-  
10 vation of the public peace, health and safety; now,  
11 therefore,

12 Be it enacted by the People of the State of Maine as  
13 follows:

14       12 MRSA c. 430, as enacted by PL 1983, c. 543,  
15 §1, is repealed and the following enacted in its  
16 place:

17                               CHAPTER 430

18                               MAINE CONSERVATION CORPS

19                               SUBCHAPTER I

20                               MAINE CONSERVATION CORPS PROGRAM

21       §5151. Maine Conservation Corps Program

22       There is created in the Department of Conserva-  
23 tion the Maine Conservation Corps to provide job  
24 training, conservation education and work opportuni-  
25 ties for the unemployed and to improve public proper-  
26 ty for the increased use and enjoyment of the public.

27       §5152. Participants

28       Participants in the Maine Conservation Corps  
29 shall be unemployed. No one may be eligible if he  
30 has left employment or school for the purpose of par-  
31 ticipating in this program. Corps members may be  
32 jointly enrolled in any state or local job training  
33 program or human resource development program.

34       §5153. Projects

1           1. Types of projects. Projects undertaken by  
2 the Maine Conservation Corps may include, but not be  
3 limited to, projects such as:

4           A. Forestry, nursery and silvicultural opera-  
5 tions;

6           B. Wildlife habitat conservation, rehabilitation  
7 and improvement;

8           C. Recreational area development and improve-  
9 ment;

10          D. Energy conservation projects;

11          E. Fish culture and habitat maintenance and im-  
12 provement and other fisheries or marine resource  
13 assistance;

14          F. Trail and campsite development and improve-  
15 ment;

16          G. Insect, disease, rodents and fire prevention  
17 and control;

18          H. Erosion, flood, drought and storm damage as-  
19 sistance and control; and

20          I. Reclamation and improvement of lands dis-  
21 turbed by erosion, mining or other adverse natu-  
22 ral or human-made actions.

23           2. Public property. All projects must be under-  
24 taken and operated under the sponsorship and coopera-  
25 tion of public landowning agencies. Sponsoring pub-  
26 lic agencies shall contribute to projects by, at a  
27 minimum, providing tools, supplies, equipment and  
28 technical supervision and plans necessary for project  
29 completion.

30           3. Additional criteria. Projects must be of  
31 lasting and worthwhile significance to the people of  
32 the State, provide meaningful work experience to the  
33 enrollees and be labor intensive.

34          §5154. Limitation to public lands

1 Projects to be carried out by the Maine Conserva-  
2 tion Corps shall be limited to projects on publicly  
3 owned lands.

4 §5155. Administration

5 There shall be a Director of the Maine Conserva-  
6 tion Corps and such other personnel as may be re-  
7 quired to accomplish the purposes of this Act. The  
8 director shall be appointed by the commissioner in  
9 the manner prescribed in section 5013.

10 The director shall work with other agencies to  
11 design the program to provide maximum work opportuni-  
12 ties, job skills training and improvements to public-  
13 ly owned property.

14 Specifically, the director will work with state  
15 and local job training agencies and the job service,  
16 which shall conduct recruitment and referral of indi-  
17 viduals interested in participating in the Maine Con-  
18 servation Corps.

19 There is established a dedicated account to the  
20 Maine Conservation Corps. This account shall be used  
21 to receive funds contributed by private and public  
22 agencies, organizations or individuals and to expend  
23 those funds to promote the purposes of the program.  
24 Notwithstanding any other provisions of state law,  
25 state agencies may disperse appropriated General Fund  
26 money into this account for purposes of contributing  
27 to projects, services or volunteer stipends which  
28 benefit the contributing agency.

29 §5156. Corps members

30 Corps members who are paid wages through the  
31 Maine Conservation Corps General Fund account or  
32 through its dedicated account shall be compensated at  
33 least at minimum wage and receive personal liability  
34 insurance and workers' compensation insurance. Not-  
35 withstanding other state law, corps members will not  
36 be deemed employees of the State for the purposes of  
37 Title 5, chapter 101.

38 SUBCHAPTER II

1           STATE ENVIRONMENTAL RESOURCE VOLUNTEER EFFORT

2           §5161. State Environmental Resource Volunteer Effort

3           There is created within the Maine Conservation  
4 Corps a program to create, promote and manage volun-  
5 teer and intern opportunities with public agencies  
6 which are responsible for protecting, developing,  
7 managing or preserving the State's natural resources.

8           §5162. Participants

9           Participants shall be provided work place injury  
10 and liability insurance by the program.

11          §5163. Types of volunteer or intern services

12          Volunteers and interns may perform work and ser-  
13 vices that are described in section 5153. Volunteers  
14 and interns shall be placed in federal, state or lo-  
15 cal public agencies and perform work or services  
16 which benefit the public. Those volunteer and intern  
17 positions shall be sponsored by natural  
18 resource-related agencies. The agencies shall con-  
19 tribute to volunteer and intern positions by provid-  
20 ing all necessary supervision, supplies, equipment  
21 and plans required for the position.

22          §5164. Stipends

23          Sponsoring natural resource agencies may provide  
24 stipends to volunteers and interns not to exceed the  
25 mininum wage and reimburse volunteers or interns for  
26 work-related expenses.

27          Funds for stipends must be deposited by sponsor-  
28 ing agencies in an account established by the Maine  
29 Conservation Corps, as authorized by section 5155.  
30 The Maine Conservation Corps will disperse stipends  
31 to volunteers and interns eligible for such payments.

32          §5165. Monetary contributions to the volunteer and  
33 intern program

34          Private organizations and individuals may donate  
35 money to the State Environmental Resource Volunteer  
36 Effort for general or specific purposes. The funds

1 must be expended to further the purposes of the pro-  
2 gram.

3       **Emergency clause.** In view of the emergency  
4 cited in the preamble, this Act shall take effect  
5 when approved.

1

STATEMENT OF FACT

2           This bill authorizes the continuation of the  
3 Maine Conservation Corps and the establishment of a  
4 companion State Environmental Resource Volunteer Ef-  
5 fort. The Maine Conservation Corps was established  
6 for a limited period to put unemployed people to work  
7 on publicly-owned land. The goals were to improve  
8 public lands and to provide training and employment  
9 for people who would otherwise be unemployed. The  
10 program began in the spring of 1984. Twenty projects  
11 have been undertaken on state and local publicly-  
12 owned lands. One hundred and forty-one corpsmembers  
13 have been employed in these projects, lasting a min-  
14 imum of 8 weeks, which have resulted in timber stand  
15 improvement, wildlife habitat enhancement, erosion  
16 control, road and bridge improvement, hiking and na-  
17 ture trails, campsites and building improvements have  
18 been constructed. All of the projects accomplished  
19 work which would not otherwise have been done. Corps  
20 members learned the use of building and forestry  
21 equipment, basic woodworking, carpentry and construc-  
22 tion skills, basic employment skills and some super-  
23 visory skills.

24           The State Environmental Resource Volunteer Effort  
25 will provide placements of individuals in natural re-  
26 sources related projects as volunteers who would re-  
27 ceive no monetary compensation or compensation not to  
28 exceed minimum wage. The projects will offer partic-  
29 ipants new experiences and an opportunity to do work  
30 that will help protect or manage the State's natural  
31 resources.

32           Funding for the Maine Conservation Corps is in-  
33 cluded in the Governor's budget with \$55,000 in the  
34 budget for both fiscal years 1986 and 1987.

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