

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1 (EMERGENCY)
2 SECOND REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 1761

7
8 H.P. 1251

House of Representatives, January 2, 1986

9 Approved for introduction by a majority of the Legislative Council
10 pursuant to Joint Rule 26.

11 Received by the Clerk of the House on January 2, 1986. Referred to the
Committee on Appropriation and Financial Affairs and 1,600 ordered printed
pursuant to Joint Rule 14.

EDWIN H. PERT, Clerk

Presented by Representative Chonko of Topsham.

12 Cosponsored by Representative Michaud of Medway, Senator Pearson of
Penobscot and Representative Foster of Ellsworth.

13 STATE OF MAINE
14

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

18 AN ACT to Expand 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 5151, to function effec-
27 tively, it is necessary that it be commenced during
28 the summer months when the majority of its work is
29 carried out; and

30 Whereas, the majority of corps members are paid
31 with wages provided by the Federal Summer Youth Em-
32 ployment and Training Program which only operates
33 during the summer months; and

1 Whereas, unless this legislation is enacted as
2 emergency legislation, it will not take effect before
3 the summer begins; and

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

10 Be it enacted by the People of the State of Maine as
11 follows:

12 Sec. 1. 12 MRSA §5151, as repealed and replaced
13 by PL 1985 c. 451, §1, is amended to read:

14 §5151. Maine Conservation Corps Program

15 There is created in the Department of Conserva-
16 tion the Maine Conservation Corps to provide job
17 training, conservation education and work opportuni-
18 ties for the ~~unemployed and to improve public proper-~~
19 ~~ty for the increased use and enjoyment of the public~~
20 ~~economically disadvantaged, to improve public proper-~~
21 ~~ty for the increased use and enjoyment of the public~~
22 ~~and to assist nonprofit organizations with projects~~
23 ~~that serve a valid public purpose and are consistent~~
24 ~~with this subchapter.~~

25 Sec. 2. 12 MRSA §5152, as repealed and replaced
26 by PL 1985, c. 451, §1, is amended to read:

27 §5152. Participants

28 Participants in the Maine Conservation Corps
29 shall be ~~unemployed~~ economically disadvantaged as de-
30 finied by the United States Job Training Partnership
31 Act, subchapter II, Public Law 97-300. No one may
32 be eligible if he has left employment or school for
33 the purpose of participating in this program. Corps
34 members may be jointly enrolled in any state or local
35 job training program or human resource development
36 program.

37 Sec. 3. 12 MRSA §5153 sub-§§2 and 3, as enacted
38 by PL 1985, c. 451, §1, are amended to read:

1 2. Eligible sponsors. All projects must be un-
2 dertaken and operated under the sponsorship and coop-
3 eration of ~~public landowning agencies~~ a public
4 landowning agency or a nonprofit organization. Spon-
5 soring public agencies or organizations shall con-
6 tribute to projects by, at a minimum, providing
7 tools, supplies, equipment and technical supervision
8 and plans necessary for project completion.

9 3. Additional criteria. Projects must be of
10 lasting and worthwhile significance to the people of
11 the State or otherwise serve a valid public purpose,
12 provide meaningful work experience to the enrollees
13 and be labor intensive.

14 Sec. 4. 12 MRSA §5154, as enacted by PL 1985, c.
15 451, §1, is amended to read:

16 §5154. Limitations

17 Projects to be carried out by the Maine Conserva-
18 tion Corps shall be limited to projects on publicly
19 owned lands or, if not on public lands, under the
20 sponsorship and supervision of a nonprofit
21 organization.

22 Sec. 5. 12 MRSA §5155, 2nd ¶, as enacted by PL
23 1985, c. 451, §1, is amended to read:

24 The director shall work with other agencies and
25 organizations to design the program to provide maxi-
26 mum work opportunities, job skills training and, im-
27 provements to publicly owned property and assistance
28 with projects conducted by nonprofit organizations.

29 Sec. 6. 12 MRSA §5157 is enacted to read:

30 §5157. Prohibition against displacement of other em-
31 ployees or involvement in labor dispute

32 The assignment of corps members shall not result
33 in the displacement of existing employees of the
34 sponsor, including any employees who have been tempo-
35 rarily laid off by the sponsor. For purposes of this
36 section, the term "displacement" means both total and
37 partial displacement, including a reduction in the
38 number of hours, wages or other benefits of employ-
39 ment.

1 The value and success of these projects, accom-
2 plished with modest state dollars combined with fed-
3 eral JTPA funds, have been demonstrated in over 30
4 areas of the State. The demand for corps projects by
5 municipalities, agencies and organizations far ex-
6 ceeds the Maine Conservation Corps' capacity to re-
7 spond. These additional funds will enable the Maine
8 Conservation Corps to better respond to that demand,
9 as well as create meaningful employment opportunities
10 for disadvantaged young people.

11

5061121885