

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 2085

S.P. 735

In Senate, March 30, 1999

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**An Act to Update the Statutes and Provide for the Basic Needs of the  
Maine Conservation Corps.**

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Reference to the Committee on Agriculture, Conservation and Forestry suggested and  
ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator KILKELLY of Lincoln.  
Cosponsored by Representative McKEE of Wayne and  
Senators: CASSIDY of Washington, CATHCART of Penobscot, MICHAUD of Penobscot,  
NUTTING of Androscoggin, PARADIS of Aroostook, RUHLIN of Penobscot,  
Representatives: COWGER of Hallowell, PIEH of Bremen.

2  
3 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 26 MRSA §§2181 to 2186**, as enacted by PL 1993, c. 410,  
5 Pt. O, §4, are amended to read:

6 **§2181. Maine Conservation Corps Program**

7 There is established in the ~~jobs--training workforce~~ development center administrative office in the Department of  
8 Labor the Maine Conservation Corps, referred to in this chapter  
9 as the "Corps," to provide job training, ~~conservation~~ education  
10 and work opportunities for the economically disadvantaged, to  
11 improve public property for the increased use and enjoyment of  
12 the public, to provide conservation education, to promote and  
13 manage volunteer opportunities related to natural resources and  
14 to assist public and nonprofit organizations with projects that  
15 serve a valid public purpose and have purposes consistent with  
16 this subchapter.  
17

18  
19 **§2182. Participants**

20  
21 ~~Participants---in---the---Corps---must---be---economically~~  
22 ~~disadvantaged.--Individuals-are-eligible-to-participate-if-their~~  
23 The Corps will strive to include a diversity of participants.  
24 Priority must be given to those whose family income is 150% or  
25 less of the nonfarm income official poverty line as defined by  
26 the federal Office of Management and Budget as revised annually  
27 in accordance with the United States Omnibus Budget  
28 Reconciliation Act of 1981, Section 673, Subsection 2, ~~Priority~~  
29 ~~must-be-given~~ and to those who are economically disadvantaged as  
30 defined by the United States Job Training Partnership Act,  
31 Subchapter II, Public Law 97-300. A person is not eligible if  
32 that person has left ~~employment-or~~ a secondary school for the  
33 purpose of participating in this program. Corps members may be  
34 jointly enrolled in any state or local job training program or  
35 human resource development program. ~~Corps-members-enrolled-in~~  
36 ~~the-Job-Training-Partnership-program-must-be-enrolled-in-that~~  
37 ~~program-by-the-service-delivery-area-responsible-for-the-county~~  
38 ~~of-residence-of-the-enrollee-pursuant-to-voluntary-agreements~~  
39 ~~entered-into-between-the-Corps-and-the-service-delivery-areas.~~  
40

41 **§2183. Projects**

42  
43 **1. Types of projects.** Projects undertaken by the Corps  
44 include, but are not limited to, projects such as:

45 A. Forestry, nursery and silvicultural operations;

46  
47 B. Wildlife habitat conservation, rehabilitation and  
48 improvement;  
49  
50

2 C. Recreational area development, management and  
improvement;

4 D. Energy conservation projects;

6 E. Fish culture and habitat maintenance and improvement and  
other fisheries or marine resource assistance;

8 F. Trail and campsite development and improvement;

10 G. Insect, disease, rodents and fire prevention and control;

12 H. Erosion, flood, drought and storm damage assistance and  
14 control; ~~and~~

16 I. Reclamation and improvement of lands disturbed by  
erosion, mining or other adverse natural or human-made  
18 actions; and

20 J. Environmental education programs.

22 2. **Eligible sponsors.** All projects must be undertaken and  
operated under the sponsorship and cooperation of a public  
24 ~~landowning~~ agency or a nonprofit organization. A sponsoring  
public agency or organization shall contribute to a project by,  
26 at a minimum, providing tools, supplies, equipment and technical  
supervision and plans necessary for project completion.

28 3. **Additional criteria.** Projects must be of lasting and  
worthwhile significance to the people of the State or otherwise  
30 serve a valid public purpose, and provide meaningful work or  
32 service experience to the enrollees ~~and-be-labor-intensive~~.

#### 34 **§2184. Limitations**

36 Projects to be carried out by the Corps are limited to  
projects on publicly owned lands or, if not on public lands,  
38 under the sponsorship and supervision of a public agency or  
nonprofit organization.

#### 40 **§2185. Administration**

42 The executive director of the ~~job--training workforce~~  
44 development center administrative office shall employ a director  
of the Corps in the job training administrative office and may  
46 employ other personnel as are required to accomplish the purposes  
of this chapter.

48 The Director of the Maine Conservation Corps shall work with  
50 other agencies and organizations to design the program to provide  
maximum volunteer and work opportunities, job skills training,  
52 education, improvements to publicly owned property and assistance

2 with projects conducted by public agencies and nonprofit  
3 organizations.

4 The director shall work with state and local job training  
5 agencies, including other service delivery areas and the job  
6 service, which shall may conduct recruitment and referral of  
7 individuals interested in participating in the Corps. Agency  
8 collaboration with the Corps is on a voluntary basis.

10 There is established a dedicated account for the use of the  
11 Corps. This account must be used to receive funds contributed by  
12 private and public agencies, organizations or individuals and to  
13 expend those funds to promote the purposes of this chapter.  
14 Notwithstanding any other provisions of law, state agencies may  
15 transfer money appropriated from the General Fund into this  
16 account for purposes of contributing to projects, services or  
17 volunteer stipends that benefit the contributing agency. The  
18 Corps may enter into an agreement with a private nonprofit  
19 organization, designated by the executive director of the  
20 workforce development center, for the purpose of assisting with  
21 the management and operation of the Maine Conservation Corps  
22 program. The designated organization may accept federal and  
23 state funds and private contributions, directly or through the  
24 Corps, for the purpose of developing and operating programs of  
25 the Corps.

26 **§2186. Corps members**

28 Members of the Corps who are paid wages or a living  
29 allowance through the General Fund account of the Corps or  
30 through its dedicated account must receive personal liability  
31 insurance and workers' compensation insurance, and those who meet  
32 the income guidelines in section 2182 must be compensated at  
33 least the minimum wage and--must--receive--personal--liability  
34 insurance--and--workers'--compensation--insurance or an annualized  
35 living allowance of at least 75% of the minimum wage times  
36 2,080. Notwithstanding other state laws, Corps members are not  
37 deemed employees of the State for the purposes of Title 5,  
38 chapter 101.

40 **Sec. 2. 26 MRSA §§2191 to 2193, as enacted by PL 1993, c. 410,**  
41 **Pt. O, §4 are amended to read:**

42 **§2191. Environmental Resource Volunteer Effort**  
43 **Program created**

44 There is established within the Corps the State  
45 Environmental Resource Volunteer Effort Program, also to be known  
46 as "SERVE/Maine," to create, promote and manage volunteer and  
47 intern opportunities with public agencies that are responsible  
48 for protecting, developing, managing or preserving the State's  
49 natural resources.  
50  
51  
52

2       **§2192. Volunteer insurance**

4           The State Environmental Resource Volunteer Effort Program  
6       must ensure that volunteers are covered by workplace injury and  
      liability insurance.

8       **§2193. Types of volunteer or intern services**

10          Volunteers and interns may perform work and services that  
12       are described in section 2183. Volunteers and interns must be  
14       placed in federal, state or local public agencies or in nonprofit  
16       organizations and perform work or services that benefit the  
18       public. The volunteer and intern positions must be sponsored by  
20       natural resource-related agencies or organizations. Volunteers  
22       or interns may not attempt to influence legislation, engage in  
24       protests, petitions, boycotts, strikes, union organizing,  
      political campaigning or support of religious activities or  
      religious proselytizing or engage in fund raising for private  
      nonprofit organizations as SERVE/Maine volunteers or interns. A  
      sponsoring agency must contribute to a volunteer or intern  
      position by providing all necessary supervision, supplies,  
      equipment and plans required for the position.

26          **Sec. 3. 26 MRSA §2195**, as enacted by PL 1993, c. 410, Pt. O,  
      §4, is amended to read:

28       **§2195. Monetary contributions to the volunteer and**  
30       **intern program**

32          Private organizations and individuals may donate money to  
34       the State Environmental Resource Volunteer Effort Program for  
      general or specific purposes. The funds must be expended to  
      further the purposes of the program.

36          **Sec. 4. Appropriation.** The following funds are appropriated  
38       from the General Fund to carry out the purposes of this Act.

	<b>1999-00</b>	<b>2000-01</b>
<b>LABOR, DEPARTMENT OF</b>		
<b>Maine Conservation Corps Program</b>		
Positions - Legislative Count	(2)	(2)
Personal Services	\$72,640	\$75,954
All Other	12,190	9,488

2 Provides funds for one  
4 Resource Administrator and  
6 one Administrative Secretary  
for networking existing  
computers.

8 **LABOR, DEPARTMENT OF**  
9 **TOTAL** \$84,830 \$85,442

10

12 **SUMMARY**

14 The Maine Conservation Corps Program was created in 1983 and  
15 modified and extended by the Legislature in 1985. Its purpose  
16 was to provide job training, conservation education and work  
17 opportunities for the unemployed and to improve public property  
18 through public purpose projects. Other than transfer from the  
19 Department of Conservation to the Department of Labor in 1993, no  
20 major changes have been made in the Corps since 1985.

22 This bill updates the laws governing the Maine Conservation  
23 Corps Program to encourage greater diversity among participants,  
24 to allow partnerships between the Corps and private nonprofit  
25 organizations and to clarify the types of activities that program  
26 participants may participate in. The bill also appropriates  
27 money for 2 new positions and for computer networking.  
28 Additional positions are necessary to meet the program  
29 management, resource development and organizational  
30 infrastructure needs of the Corps.