

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985
Chapters 384-End

AND AT THE

FIRST SPECIAL SESSION

November 13, 1985

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine
1985

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND TWELFTH LEGISLATURE

1985

	<u>1985-86</u>	<u>1986-87</u>
Personal Services	\$3,479	\$3,485
All Other	<u>41</u>	<u>58</u>
TOTAL	\$3,520	\$3,543

Effective September 19, 1985.

CHAPTER 450

H.P. 551 - L.D. 823

AN ACT to Extend the Sunset Provision of the
Potato Price Stabilization Law.

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

PL 1983, c. 582, §4, is amended to read:

Sec. 4. Repeal. This Act is repealed June 17, 1986 June 30, 1987.

Effective September 19, 1985.

CHAPTER 451

H.P. 849 - L.D. 1205

AN ACT to Establish the Maine Conservation
Corps.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

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

Whereas, the Maine Conservation Corps is a program currently operating and has developed approximately 13 projects to employ 78 corps members beginning June 24, 1985; and

Whereas, the majority of corps members are paid with wages provided by the Federal Summer Youth Employment and Training Program which only operates during the summer months; and

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

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 12 MRSA c. 430, as enacted by PL 1983, c. 543, §1, is repealed and the following enacted in its place:

CHAPTER 430

MAINE CONSERVATION CORPS

SUBCHAPTER I

MAINE CONSERVATION CORPS PROGRAM

§5151. Maine Conservation Corps Program

There is created in the Department of Conservation the Maine Conservation Corps to provide job training, conservation education and work opportunities for the unemployed and to improve public property for the increased use and enjoyment of the public.

§5152. Participants

Participants in the Maine Conservation Corps shall be unemployed. No one may be eligible if he has left employment or school for the purpose of participating in this program. Corps members may be jointly enrolled in any state or local job training program or human resource development program.

§5153. Projects

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

- A. Forestry, nursery and silvicultural operations;
- B. Wildlife habitat conservation, rehabilitation and improvement;
- C. Recreational area development and improvement;
- D. Energy conservation projects;
- E. Fish culture and habitat maintenance and improvement and other fisheries or marine resource assistance;
- F. Trail and campsite development and improvement;
- G. Insect, disease, rodents and fire prevention and control;
- H. Erosion, flood, drought and storm damage assistance and control; and
- I. Reclamation and improvement of lands disturbed by erosion, mining or other adverse natural or human-made actions.

2. Public property. All projects must be undertaken and operated under the sponsorship and cooperation of public landowning agencies. Sponsoring public agencies shall contribute to projects by, at a minimum, providing tools, supplies, equipment and technical supervision and plans necessary for project completion.

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

§5154. Limitation to public lands

Projects to be carried out by the Maine Conservation Corps shall be limited to projects on publicly owned lands.

§5155. Administration

There shall be a Director of the Maine Conservation Corps and such other personnel as may be required to accomplish the purposes of this Act. The director shall be appointed by the commissioner in the manner prescribed in section 5013.

The director shall work with other agencies to design the program to provide maximum work opportunities, job skills training and improvements to publicly owned property.

Specifically, the director will work with state and local job training agencies and the job service, which shall conduct recruitment and referral of individuals interested in participating in the Maine Conservation Corps.

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

§5156. Corps members

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

SUBCHAPTER II

STATE ENVIRONMENTAL RESOURCE VOLUNTEER EFFORT

§5161. State Environmental Resource Volunteer Effort

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

§5162. Participants

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

§5163. Types of volunteer or intern services

Volunteers and interns may perform work and services that are described in section 5153. Volunteers

and interns shall be placed in federal, state or local public agencies and perform work or services which benefit the public. Those volunteer and intern positions shall be sponsored by natural resource-related agencies. The agencies shall contribute to volunteer and intern positions by providing all necessary supervision, supplies, equipment and plans required for the position.

§5164. Stipends

Sponsoring natural resource agencies may provide stipends to volunteers and interns not to exceed the minimum wage and reimburse volunteers or interns for work-related expenses.

Funds for stipends must be deposited by sponsoring agencies in an account established by the Maine Conservation Corps, as authorized by section 5155. The Maine Conservation Corps will disperse stipends to volunteers and interns eligible for such payments.

§5165. Monetary contributions to the volunteer and intern program

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

Sec. 2. Allocation. The following funds are allocated from the Maine Conservation Corps Fund to carry out the purposes of this Act.

	<u>1985-86</u>	<u>1986-87</u>
<u>CONSERVATION, DEPARTMENT OF</u>		
Maine Conservation Corps		
Personal Services	\$47,000	\$75,000
All Other	10,000	15,000
Capital Expenditures	<u>3,000</u>	<u>5,000</u>
TOTAL	\$60,000	\$95,000

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

Effective June 27, 1985.