

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

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

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

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

Effective April 16, 1986.

CHAPTER 709

H.P. 1251 - L.D. 1761

AN ACT to Expand 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 5151, to function effectively, it is necessary that it be commenced during the summer months when the majority of its work is carried out; 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 begins; 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Sec. 1. 12 MRSA §5151, as repealed and replaced by PL 1985, c. 451, §1, is amended to read:

§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 economically disadvantaged, to improve public property for the increased use and enjoyment of the public and to assist nonprofit organizations with projects that serve a valid public purpose and are consistent with this subchapter.

Sec. 2. 12 MRSA §5152, as repealed and replaced by PL 1985, c. 451, §1, is amended to read:

§5152. Participants

Participants in the Maine Conservation Corps shall be unemployed economically disadvantaged as defined by the United States Job Training Partnership Act, subchapter II, Public Law 97-300. 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.

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

2. Eligible sponsors. All projects must be undertaken and operated under the sponsorship and cooperation of public landowning agencies a public landowning agency or a nonprofit organization. Sponsoring public agencies or organizations 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 or otherwise serve a valid public purpose, provide meaningful work experience to the enrollees and be labor intensive.

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

§5154. Limitations

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

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

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

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

§5157. Prohibition against displacement of other employees or involvement in labor dispute

The assignment of corps members shall not result in the displacement of existing employees of the sponsor, including any employees who have been temporarily laid off by the sponsor. For purposes of this section, the term "displacement" means both total and partial displacement, including a reduction in the number of hours, wages or other benefits of employment.

Sec. 7. 12 MRSA §5162, as enacted by PL 1985, c. 451, §1, is repealed and the following enacted in its place:

§5162. Volunteer insurance

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

Sec. 8. Contracts. The department may enter into contracts with state agencies and nonprofit employment and training organizations for the administration and payment of participant wages and other related activities. Where such a contract is entered into, the department may transfer out, and any receiving state agency may transfer in and expend, necessary funds to carry out the purposes of this Act.

Sec. 9. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1986-87

CONSERVATION, DEPARTMENT OF

Maine Conservation Corps	
Personal Services	\$ 17,500
All Other	45,000
Total	<u>\$62,500</u>

Provides funds to expand the Maine Conservation Corps Program for employing and training economically disadvantaged Maine youth on conservation-related projects.

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

Effective April 16, 1986.

CHAPTER 710

H.P. 1483 - L.D. 2095

AN ACT to Establish the Maine State Parks Development Fund.

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

Sec. 1. 12 MRSA §602, sub-§18 is enacted to read:

18. Maine State Parks Development Fund. To administer the Maine State Parks Development Fund established under section 609.

Sec. 2. 12 MRSA §609 is enacted to read:

§609. Maine State Parks Development Fund

The Maine State Parks Development Fund is established within the bureau for the purpose of developing new state parks on state-owned land.

Income from legislative appropriation, gifts, grants and bequests may be deposited in this fund. The fund shall be nonlapsing.

All funds of the Maine State Parks Development Fund shall be subject to allocation by the Legislature.