

No. 1986-78

AN ACT

HB 2098

Amending the act of July 2, 1984 (P.L.561, No.112), entitled "An act establishing the Pennsylvania Conservation Corps; and making an appropriation," further providing for eligibility, compensation and referrals, for the wages of crewleaders and for guidelines and regulations; making an appropriation; and making a repeal.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Sections 6, 7(a), 8(e) and (f), 11 and 12 of the act of July 2, 1984 (P.L.561, No.112), known as the Pennsylvania Conservation Corps Act, are amended to read:

Section 6. Eligibility for program.

(a) Criteria.—Persons participating in the corps program shall be young men and women who are:

(1) Between the ages of 18 and [21] 25.

(2) Economically disadvantaged.

(3) Domiciled in the Commonwealth for at least six months prior to participating in the program.

(4) Registered with the Office of Employment Security for employment.

(5) Physically and mentally capable of performing labor intensive work.

(6) Not attending high school or postsecondary institution full time and who provide assurance that they did not leave school for the purpose of participating in the program. Full-time high school and postsecondary students may participate in this program during authorized school vacations.

(b) Referrals.—Eligibility for corpsmembers shall be determined by the Office of Employment Security which shall refer eligible participants to the department. *For referral purposes, the Office of Employment Security shall develop standards for classifying applicants into various levels of eligibility, based on the degree to which an applicant is economically disadvantaged, in accordance with applicant local labor supply. The Office of Employment Security shall refer applicants by order of classification, giving first priority to applicants between the ages of 18 and 21 whose eligibility is based on financial status as required by joint or separate employment programs of the Federal and State governments.* If the number of corps jobs is insufficient to employ all eligible individuals who apply for participation in the program, the Office of Employment Security may provide the names of these eligible individuals to private sector employers or to job training programs requesting referrals, so long as the individuals referred agree to the referral being provided.

Section 7. Compensation.

(a) Six-month term.—Corpsmembers shall be employed for a period not to exceed six months *except in areas where the Office of Employment Security has determined that no other applicants are available for referral to fill corpsmember positions. If no applicants are available, corpsmembers who have successfully completed their six-month enrollment may be eligible for a second six-month term.* The department shall refer the names of corpsmembers who successfully complete their employment in the corps to the Office of Employment Security for assistance in securing private sector employment or for enrollment in additional job training programs. The department may also provide the names of participants who successfully complete their employment in the corps to private sector employers requesting referrals, with the approval of the participant.

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Section 8. Supervisors.

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(e) Hourly wage.—Crewleaders shall receive an hourly wage that does not exceed the hourly wage of corpsmembers by more than ~~[\$2.00]~~ **\$4.00**.

(f) Benefits.—Crewleaders shall not be entitled to any employee benefits provided to existing employees of the department or of other State or local agencies except for workmen's compensation coverage which shall be provided through the funds appropriated to carry out this act, **nor shall service as a crewleader qualify an individual for benefits under the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law**.

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Section 11. Guidelines and regulations.

[(a) One-year exemption from review.—]In order to facilitate the speedy implementation of this program, the department shall have the power and authority to promulgate, adopt and use guidelines which shall be published in the Pennsylvania Bulletin. The guidelines shall not be subject to review pursuant to section 205 of the act of July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth Documents Law, sections 204(b) and 301(10) of the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act, or the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, **and, except as provided in subsection (c), shall be effective for a period not to exceed one year from the effective date of this act**.

[(b) Expiration of exemption.—]Except as provided in subsection (c), after the expiration of the one-year period, all guidelines shall expire and shall be replaced by regulations which shall have been promulgated, adopted and published as provided by law.

(c) Exception.—The General Assembly may provide for an extension of the guidelines adopted pursuant to subsection (a), if the Leadership Committee established pursuant to sections 3 and 4 of the act of December 22, 1981 (P.L.508, No.142), known as the Sunset Act, extends the guidelines adopted pursuant to subsection (a).]

Section 12. Appropriation.

[For State fiscal year 1984-1985, the sum of \$7,500,000 is hereby appropriated to the Department of Environmental Resources from the Pennsylvania Economic Revitalization Fund.] *(a) Appropriation.—The sum of \$20,720,000 is hereby appropriated to the Department of Environmental Resources from the Pennsylvania Economic Revitalization Fund for the fiscal period July 1, 1986, to June 30, 1988. All funds from this appropriation shall be expended by the Department of Environmental Resources by June 30, 1988. No more than 25% of the funds available annually for this program may be expended on work experience projects which are submitted by local agencies and approved by the secretary. No more than 3% of the funds available for this program may be expended on program administration.*

(b) Accounting procedures.—All funds expended or encumbered under the appropriation in section 202 of the act of July 1, 1985 (P.L.722, No.10A), known as the Pennsylvania Economic Revitalization Fund Appropriation Act of 1985, shall be credited against the appropriation made herein.

Section 2. Section 13 of the act is amended to read:

Section 13. Expiration.

This act and the Pennsylvania Conservation Corps program shall expire June 30, [1986] 1988.

Section 3. (a) Section 1 of this act, insofar as it relates to sections 8(e) and 12 of the act, shall take effect July 1, 1986.

(b) The remainder of this act shall take effect immediately.

APPROVED—The 2nd day of July, A. D. 1986.

DICK THORNBURGH