

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Morrissey, Michael (SEN)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to establishing the massachusetts conservation corps.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Morrissey, Michael (SEN)	Norfolk and Plymouth

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S00525 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO ESTABLISHING THE MASSACHUSETTS CONSERVATION CORPS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 21A of the General Laws is hereby amended by inserting after
2 section 4 the following new sections: -

3 Section 4A. The secretary shall establish a program of year-round conservation, rehabilitation,
4 and improvement, which shall be known as the Massachusetts Conservation Corps, hereinafter
5 known as the corps. The secretary shall have the following powers and duties pursuant to this
6 section: -

7 (a) Recruit and employ members of the corps, subjects to the provisions herein.

8 (b) Execute contracts containing such terms and conditions as are deemed necessary and
9 desirable for the employment of corps members, subject to the provisions herein.

10 (c) Apply for and accept grants or contributions of funds from any public or private source.

- 11 (d) Purchase, rent, or otherwise acquire necessary supplies, equipment, and property.
- 12 (e) Execute contracts for furnishing the services of the corps to any federal, state, or local
13 agency, or to any private agency, organization, or individual under the provisions of subsection
14 (o) of section 4B.
- 15 (f) Procure insurance.
- 16 (g) Receive reimbursements from any public or private agency, organization, or individual for
17 actual expenses incurred by the corps on behalf of such agency, organization, or individual.
- 18 Section 4B. The corps shall engage in labor-intensive projects for conserving, improving, or
19 developing publicly owned natural resources, and enhancing, preserving, and maintaining public
20 lands and waters. Projects engaged in may include, but shall not be limited to, the following
21 activities: -
- 22 (a) Forestry and nursery operations.
- 23 (b) Endangered species and other wildlife habitat conservation, rehabilitation, and improvement.
- 24 (c) Urban cleanup and beautification.
- 25 (d) Historical and cultural site preservation and maintenance.
- 26 (e) Recreation area development, maintenance, improvement, and beautification.
- 27 (f) Road and trail maintenance and development.
- 28 (g) Soil conservation work, including erosion control.

- 29 (h) Flood, drought, and storm damage assistance and relief.
- 30 (i) Stream, lake, waterfront harbor, and port improvement and pollution control.
- 31 (j) Fish culture and habitat maintenance and improvement.
- 32 (k) Insect, disease, rodent, and other pestilence control.
- 33 (l) Public landscape work and tree planting programs.
- 34 (m) Emergency assistance in times of natural and other disasters.
- 35 (n) Enhancement of renewable resources, including but not limited to energy, agricultural, and
- 36 food resources.

37 Section 4C. The secretary shall ensure that projects selected under section 4B shall be consistent
38 with all other provisions of applicable state and federal laws relating to the management and
39 oversight of affected public lands. The secretary shall promulgate rules and regulations
40 necessary to implement the provisions of sections 4A, 4B, 4C and 4D, subject to the
41 requirements of chapter 30A of the General Laws. Such rules and regulations shall include but
42 not be limited to the following: -

- 43 (a) A procedure for receiving, evaluating, and accepting or rejecting applications for the
- 44 services of the corps.
- 45 (b) A method of inspecting and auditing the completed work of the corps.

46 No project shall be undertaken if such a project will displace regular workers in related activities
47 not associated with the corps.

48 The administrative officers of the departments, bureaus, boards, commissions, and
49 divisions of the office shall assist the secretary in the design and implementation of projects
50 which are consistent with the purposes of this act and which may be operated through their
51 agencies.

52 Section 4D. Enrollment in the corps shall be limited to individuals who, at the time of their
53 enrollment, meet the following: -

54 (a) Are lawful permanent residents of the commonwealth.

55 (b) Are unemployed.

56 (c) Are not less than sixteen but not more than twenty-five years of age, except that any summer
57 programs operated by the corps during the months of June, July, and August shall be limited to
58 individuals who, at the time of their enrollment, are not less than fifteen but not more than
59 twenty-one years of age.

60 (d) Are able to verify that they did not withdraw from school or leave full-time employment for
61 the express purpose of enrolling in the corps.

62 All enrollees shall receive compensation equal to the federal minimum wage. No enrollee shall
63 serve in the corps for a period exceeding twenty-four cumulative months. Preference for
64 enrollment shall be given to applicants residing in areas in which substantial unemployment

65 exists. The secretary shall ensure that efforts are made to enroll persons who are socially,
66 economically, physically, or educationally disadvantaged.

67 No enrollee shall be subject to the provisions of chapter 31 or section 9A of chapter 30 of the
68 General Laws. No enrollee shall be deemed to be an employee of the commonwealth entitled to
69 benefits from the workmen's compensation act, nor shall he be deemed to be an employee of the
70 commonwealth for any purpose except as provided in sections 4A through 4D, inclusive.