

**SENATE . . . . . No. 417**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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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,  
4 rehabilitation, and improvement, which shall be known as the Massachusetts Conservation  
5 Corps, hereinafter known as the corps. The secretary shall have the following powers and duties  
6 pursuant to this 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  
11 source.

12 (d) Purchase, rent, or otherwise acquire necessary supplies, equipment, and property.

13 (e) Execute contracts for furnishing the services of the corps to any federal, state, or  
14 local agency, or to any private agency, organization, or individual under the provisions of  
15 subsection (o) of section 4B.

16 (f) Procure insurance.

17 (g) Receive reimbursements from any public or private agency, organization, or  
18 individual for actual expenses incurred by the corps on behalf of such agency, organization, or  
19 individual.

20 Section 4B. The corps shall engage in labor-intensive projects for conserving,  
21 improving, or developing publicly owned natural resources, and enhancing, preserving, and  
22 maintaining public lands and waters. Projects engaged in may include, but shall not be limited  
23 to, the following activities: -

24 (a) Forestry and nursery operations.

25 (b) Endangered species and other wildlife habitat conservation, rehabilitation, and  
26 improvement.

27 (c) Urban cleanup and beautification.

28 (d) Historical and cultural site preservation and maintenance.

29 (e) Recreation area development, maintenance, improvement, and beautification.

30 (f) Road and trail maintenance and development.

31 (g) Soil conservation work, including erosion control.

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

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

46 (a) A procedure for receiving, evaluating, and accepting or rejecting applications for the  
47 services of the corps.

48 (b) A method of inspecting and auditing the completed work of the corps.

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

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

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

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

58                   (b) Are unemployed.

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

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

65                   All enrollees shall receive compensation equal to the federal minimum wage. No  
66 enrollee shall serve in the corps for a period exceeding twenty-four cumulative months.  
67 Preference for enrollment shall be given to applicants residing in areas in which substantial  
68 unemployment exists. The secretary shall ensure that efforts are made to enroll persons who are  
69 socially, economically, physically, or educationally disadvantaged.

70                   No enrollee shall be subject to the provisions of chapter 31 or section 9A of chapter 30 of  
71 the General Laws. No enrollee shall be deemed to be an employee of the commonwealth entitled

72 to benefits from the workmen's compensation act, nor shall he be deemed to be an employee of  
73 the commonwealth for any purpose except as provided in sections 4A through 4D, inclusive.