

MAINE STATE LEGISLATURE

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L.D. 386

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DATE: 3/28/95

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STATE AND LOCAL GOVERNMENT

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 282, L.D. 386, Bill, "An Act to Establish the Maine Commission on Community Service"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 5 MRSA c. 373 is enacted to read:

CHAPTER 373

MAINE COMMISSION FOR COMMUNITY SERVICE

§7501. Commission established

There is established the Maine Commission for Community Service, referred to in this chapter as the "commission," to foster the State's ethic of community service; encourage community service and volunteerism as a means of meeting critical human, environmental, educational and public safety needs throughout the State; serve as the State's liaison regarding national and community service and volunteer activities; foster collaboration among service agencies; receive gifts and grants, implement statewide service programs and make subgrants to state and local entities in accordance with the federal National and Community Service Trust Act of 1993, Public Law 108-02.

COMMITTEE AMENDMENT

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§7502. Membership; terms

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1. Membership; qualifications. The commission consists of no fewer than 15 and no more than 25 voting members appointed by the Governor and subject to review by the joint standing committee of the Legislature having jurisdiction over state and local government matters. The commission must include the following:

- A. A representative of a community-based agency or organization;
- B. The Commissioner of Education or the commissioner's designee;
- C. A representative of local government;
- D. A representative of a local labor organization;
- E. A representative of business;
- F. An individual who is at least 16 years of age but no more than 25 years of age and who is a participant in or supervisor of a service program for youth or a campus-based or national service program;
- G. A representative of a national service program;
- H. An individual with expertise in the education, training and development needs of youth, particularly disadvantaged youth;
- I. An individual with experience in promoting the involvement of adults aged 55 and older in national service and volunteerism; and
- J. A representative of the State's volunteer community.

A member may fulfill the representation requirement for more than one category in this subsection.

The appointments may also include educators, including representatives from institutions of higher education and local education agencies; experts in the delivery of human, educational, environmental or public safety services to communities and persons; representatives of Native American tribes and nations; out-of-school or at-risk youth; and representatives of programs that are administered or receive assistance under the federal Domestic Volunteer Service Act of 1973, 42 United States Code, Section 4951, et seq. (1973). The

1
2 commission also must include a nonvoting liaison designated by
3 the federal Corporation for National and Community Service. The
4 appointments must reflect diversity with respect to geography,
5 race, ethnicity, age, gender, disability characteristics and
6 political affiliation. Not more than 50% plus one member may be
7 from the same political party. The number of voting members who
8 are officers or employees of the State may not exceed 25% of the
9 total membership.

10 The chair must be an appointed voting member of the commission,
11 selected by the voting members. Members may not vote on issues
12 affecting organizations they have served in a staff or volunteer
13 capacity at any time during the preceding 12 months.

14
15 2. Terms of office. The appointed members serve 3-year
16 staggered terms. Terms expire on September 1st. The Governor
17 shall appoint members to vacancies on the commission as they
18 occur or upon expiration of terms. Any vacancy must be filled
19 for the unexpired portion of the term in which the vacancy occurs.

20
21 3. Reimbursement. Members are entitled to compensation for
22 expenses incurred in the performance of their duties on the
23 commission in the same manner as state employees.

24 **§7503. Duties**

25 The commission shall:

26
27 1. Vision. Develop a state vision statement for national,
28 state and community service;

29
30 2. Ethic of service. Demonstrate an ethic of service
31 through its activities and procedures utilizing decision-making
32 by consensus and annually evaluate how effectively its procedures
33 and bylaws are fostering the state vision and service ethic;

34
35 3. National and community service plan. Develop a 3-year
36 comprehensive national and community service plan and update the
37 plan annually. The commission shall ensure an open and inclusive
38 process for maximum participation in development of the plan and
39 determination of state priorities;

40
41 4. Preselect programs and prepare applications. Preselect
42 national service programs as defined in the National Service
43 Trust Act, 42 United States Code, Section 12502, et seq. and
44 prepare a grant application to the Corporation for National and
45 Community Service;

46
47 5. Assist state education agencies. Assist the Department
48 of Education and institutions of higher education in the
49 of Education and institutions of higher education in the
50

preparation of applications for national and community service grants;

6. Administer grant programs. Evaluate, monitor and administer grant programs;

7. Provide technical assistance. Serve as a clearinghouse for information on national and community service and provide technical assistance to local nonprofit organizations and other entities in planning, applying for funds and implementing national service programs;

8. Provide program development assistance and training. Provide program development assistance and training to national service programs in the State;

9. Recruitment and placement. Serve as a clearinghouse for people interested in national and community service placements and agencies recruiting volunteers;

10. State priorities. Make recommendations to the Corporation for National and Community Service with respect to priorities within the State for programs receiving assistance under the federal Domestic Volunteer Service Act of 1973, 42 United States Code, Section 4951, et seq. (1973);

11. Coordination. Foster collaboration among state agencies, colleges, universities, municipalities, federal agencies and volunteer service programs;

12. Advisory committees. Establish advisory committees as needed, with membership not limited to commission members;

13. Fund raising. Carry out fund-raising efforts to supplement federal funding and to meet all federal matching requirements; and

14. Annual report. Submit an annual report to the Governor, the Legislature and the joint standing committee of the Legislature having jurisdiction over state and local government matters by January 31st of each year.

§7504. Staff and administrative services

The State Planning Office shall provide staff and administrative services as follows.

1. Executive director. The Director of the State Planning Office with the advice and consent of the commission shall hire an executive director as a member of the State Planning Office

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2 staff. The executive director oversees day-to-day operations of
3 the commission, hires staff members with the approval of the
4 commission and the Director of the State Planning Office, and
5 carries out other responsibilities as directed by the commission.

6 2. Administrative services. The State Planning Office
7 shall provide the executive director and the commission with
8 continuing administrative support as appropriate. The State
9 Planning Office may establish a dedicated account on behalf of
10 the commission to receive funds contributed by private and public
11 agencies for use solely for commission purposes.

12
13 **Sec. 2. Transition.** Any member appointed on September 6, 1994
14 pursuant to Executive Order 6, Fiscal Year 1993-94 must be
15 included in the initial appointment of members. Members
16 appointed under Executive Order 6, Fiscal Year 1993-94 serve out
17 the staggered terms to which they were originally appointed.

18
19 **Sec. 3. Allocation.** The following funds are allocated from
20 Other Special Revenue to carry out the purposes of this Act.

21
22 **1995-96** **1996-97**

23 **EXECUTIVE DEPARTMENT**

24 **Maine Commission for Community Service**

25 All Other \$1,000 \$1,000

26 Provides authorization for
27 the expenditure of
28 contributions from private
29 and public agencies to be
30 used solely for the Maine
31 Commission for Community
32 Service within the State
33 Planning Office.'

34
35 Further amend the bill by inserting at the end before the
36 statement of fact the following:

37 **FISCAL NOTE**

38
39 **1995-96** **1996-97**

40 **APPROPRIATIONS/ALLOCATIONS**

41 Other Funds \$1,000 \$1,000

42 **REVENUES**

2 Other Funds \$1,000 \$1,000

4 The additional costs to establish the Maine Commission on
6 Community Service can be absorbed by the State Planning Office
utilizing existing budgeted resources.

8 This bill includes an allocation of \$1,000 annually in
10 fiscal years 1995-96 and 1996-97 to authorize the expenditure of
additional dedicated revenue generated by the fund-raising
12 efforts of the commission.

14 The Department of Education will incur some minor additional
costs to participate as a member of the commission. These costs
16 can be absorbed within the department's existing budgeted
resources.'

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STATEMENT OF FACT

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24 The amendment replaces the original bill. The amendment
does the following:

- 26 1. Clarifies the mission for community service;
- 28 2. Requires that the membership of the Maine Commission for
30 Community Service be reviewed by the Legislature;
- 32 3. Clarifies the status of current members of the
commission;
- 34 4. Prohibits members from voting on issues affecting
36 organizations in which they have previously been involved;
- 38 5. Expands assistance to education agencies to include
higher education;
- 40 6. Expands the provision of technical service to include a
clearinghouse function;
- 42 7. Requires an annual report to the Governor and the
44 Legislature;
- 46 8. Clarifies how staff and administrative services are
provided by the State Planning Office; and
- 48 9. Adds an allocation section and a fiscal note to the bill.