

CHAPTER 188

GOVERNMENT - STATE

HOUSE BILL 18-1324

BY REPRESENTATIVE(S) Hamner, Young, Rankin, Becker K., Bridges, Esgar, Exum, Hansen, Herod, Hooton, Jackson, Kraft-Tharp, Melton, Michaelson Jenet, Pabon, Pettersen, Rosenthal, Salazar, Winter, Duran;
also SENATOR(S) Lundberg, Lambert, Moreno, Kefalas, Todd.

AN ACT

**CONCERNING THE CONTINUATION OF THE GOVERNOR'S COMMISSION ON COMMUNITY SERVICE,
AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. (1) The general assembly hereby finds and declares that:

(a) Under the federal "National and Community Service Trust Act of 1993", states must establish a commission for national and community service to receive federal grants, allotments, and national service positions;

(b) In 1993, the governor first created the governor's commission on national and community service through executive order;

(c) The commission, now called the governor's commission on community service and popularly known as "Serve Colorado", administers funds received from the corporation for national and community service, state funds allocated to the commission, and any other funds received or donated for the purpose of fostering community service, volunteerism, mentoring, and literacy in the state;

(d) Among its programs, the commission administers AmeriCorps for the state of Colorado. At a national level, over one million people have served as AmeriCorps members since 1994, providing over one billion hours of service. The AmeriCorps program leverages more than one billion dollars in resources from private, philanthropic, and other sources each year and mobilizes or manages over two million community volunteers each year. In Colorado, over thirty-one thousand residents have served more than twenty-eight million hours and qualified for

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

education awards totaling more than seventy million dollars.

(e) The continuation of the commission on community service will further the growth of a culture of civic engagement and foster opportunities for public service in Colorado.

(2) Now, therefore, it is the intent of the general assembly to create the governor's commission on community service in state law.

SECTION 2. In Colorado Revised Statutes, **add** part 5 to article 20 of title 24 as follows:

PART 5
GOVERNOR'S COMMISSION ON
COMMUNITY SERVICE

24-20-501. Governor's commission on community service - creation - definition. THE GOVERNOR'S COMMISSION ON COMMUNITY SERVICE, REFERRED TO IN THIS PART 5 AS THE "COMMISSION", IS CREATED IN THE OFFICE OF THE LIEUTENANT GOVERNOR.

24-20-502. Membership and organization - definition. (1) THE COMMISSION CONSISTS OF AT LEAST FIFTEEN, BUT NOT MORE THAN TWENTY, VOTING MEMBERS AS FOLLOWS:

(a) THE COMMISSIONER OF EDUCATION OR THE COMMISSIONER'S DESIGNEE; AND

(b) AT LEAST FOURTEEN, BUT NOT MORE THAN NINETEEN, MEMBERS APPOINTED BY THE GOVERNOR AS FOLLOWS:

(I) A REPRESENTATIVE OF A COMMUNITY-BASED AGENCY OR ORGANIZATION IN THE STATE;

(II) A REPRESENTATIVE OF LOCAL GOVERNMENT;

(III) A REPRESENTATIVE OF LOCAL LABOR ORGANIZATIONS;

(IV) AN INDIVIDUAL BETWEEN THE AGES OF SIXTEEN AND TWENTY-FIVE, INCLUSIVE, WHO IS A PARTICIPANT OR SUPERVISOR OF A SERVICE PROGRAM FOR SCHOOL-AGE YOUTH OR OF A CAMPUS-BASED OR NATIONAL SERVICE PROGRAM;

(V) A REPRESENTATIVE OF A NATIONAL SERVICE PROGRAM;

(VI) A REPRESENTATIVE OF BUSINESS;

(VII) AN INDIVIDUAL WITH EXPERTISE IN THE EDUCATIONAL, TRAINING, AND DEVELOPMENT NEEDS OF YOUTH, PARTICULARLY DISADVANTAGED YOUTH;

(VIII) AN INDIVIDUAL WITH EXPERIENCE IN PROMOTING THE INVOLVEMENT OF ADULTS AGE FIFTY-FIVE AND OLDER IN SERVICE AND VOLUNTEERISM; AND

(IX) AT LEAST SIX, BUT NOT MORE THAN TEN, INDIVIDUALS WHO HAVE KNOWLEDGE IN THE FIELDS OF COMMUNITY SERVICE, VOLUNTEERISM, LITERACY, MENTORING, OR OTHER SUBJECT AREAS AS NECESSARY FOR THE NEEDS OF THE COMMISSION'S PROGRAMS.

(c) A REPRESENTATIVE OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE, REFERRED TO IN THIS PART 5 AS THE "CORPORATION", SHALL BE AN EX OFFICIO NONVOTING MEMBER OF THE COMMISSION. THE GOVERNOR MAY APPOINT ADDITIONAL EX OFFICIO NONVOTING MEMBERS IN ACCORDANCE WITH 42 U.S.C. SEC. 12582.

(3) NOT MORE THAN FIFTY PERCENT OF THE VOTING MEMBERS OF THE COMMISSION, PLUS ONE ADDITIONAL MEMBER, MAY BE AFFILIATED WITH THE SAME POLITICAL PARTY.

(4) (a) IN MAKING APPOINTMENTS, THE GOVERNOR SHALL ENSURE, TO THE MAXIMUM EXTENT POSSIBLE, THAT THE MEMBERSHIP OF THE COMMISSION IS DIVERSE.

(b) THE GOVERNOR SHALL MAKE INITIAL APPOINTMENTS TO THE COMMISSION NO LATER THAN SEPTEMBER 1, 2018. APPOINTED MEMBERS SERVE TERMS OF THREE YEARS; EXCEPT THAT:

(I) THE INITIAL TERMS OF THE MEMBERS APPOINTED PURSUANT TO SUBSECTIONS (1)(b)(III) TO (1)(b)(V) OF THIS SECTION AND OF TWO OF THE MEMBERS APPOINTED PURSUANT TO SUBSECTION (1)(b)(IX) OF THIS SECTION SHALL EXPIRE ON AUGUST 31, 2019; AND

(II) THE INITIAL TERMS OF THE MEMBERS APPOINTED PURSUANT TO SUBSECTIONS (1)(b)(I) AND (1)(b)(II) OF THIS SECTION AND TWO OF THE MEMBERS APPOINTED PURSUANT TO SUBSECTION (1)(b)(IX) OF THIS SECTION SHALL EXPIRE ON AUGUST 31, 2020.

(c) THE GOVERNOR MAY REAPPOINT A MEMBER FOR ONE ADDITIONAL CONSECUTIVE TERM. IN THE EVENT OF A VACANCY IN AN APPOINTED POSITION, THE GOVERNOR SHALL APPOINT A MEMBER TO FILL THE POSITION FOR THE REMAINDER OF THE TERM.

(5) THE VOTING MEMBERS OF THE COMMISSION SHALL ANNUALLY ELECT ONE OF THE VOTING MEMBERS TO SERVE AS CHAIR FOR A TERM OF ONE YEAR.

(6) MEMBERS SERVE WITHOUT COMPENSATION; EXCEPT THAT MEMBERS ARE ENTITLED TO REIMBURSEMENT FOR ACTUAL AND NECESSARY TRAVEL EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

(7) ON OR BEFORE JANUARY 1, 2020, AND ON OR BEFORE JANUARY 1 OF EACH YEAR THEREAFTER, THE COMMISSION SHALL SUBMIT A REPORT TO THE GOVERNOR SUMMARIZING THE ACTIVITIES OF THE COMMISSION DURING THE PRECEDING YEAR.

24-20-503. Powers and duties. (1) THE COMMISSION SHALL MEET AT LEAST SIX TIMES PER YEAR AND MAY MEET MORE FREQUENTLY AT THE DISCRETION OF THE

COMMISSION.

(2) COMMISSION MEMBERS SHALL ABIDE BY ALL FEDERAL AND STATE REGULATIONS RELATING TO THE ESTABLISHMENT OF THE COMMISSION. THE COMMISSION MAY ADOPT BYLAWS AND POLICIES AS NECESSARY TO FULFILL THE PURPOSES OF THIS PART 5.

(3) IN ACCORDANCE WITH 42 U.S.C. SEC. 12638, THE PRIMARY DUTIES, RESPONSIBILITIES, AND FUNCTIONS OF THE COMMISSION INCLUDE:

(a) RECOMMENDING TO THE GOVERNOR A THREE-YEAR COMPREHENSIVE NATIONAL AND COMMUNITY SERVICE PLAN FOR THE STATE THAT IS DEVELOPED THROUGH AN OPEN AND PUBLIC PROCESS, IS UPDATED ANNUALLY, AND ENSURES OUTREACH TO DIVERSE COMMUNITY-BASED AGENCIES THAT SERVE UNDERREPRESENTED POPULATIONS;

(b) ADMINISTERING A COMPETITIVE PROCESS IN COMPLIANCE WITH FEDERAL REGULATIONS TO SELECT SERVICE PROGRAMS TO BE INCLUDED IN THE APPLICATIONS TO THE CORPORATION;

(c) ASSISTING IN THE DEVELOPMENT OF SERVICE GRANT PROGRAMS;

(d) PREPARING FOR THE GOVERNOR AN APPLICATION TO THE CORPORATION TO RECEIVE FUNDING AND EDUCATIONAL AWARDS FOR PROGRAMS SELECTED PURSUANT TO 42 U.S.C. SEC. 12582;

(e) ADMINISTERING, OVERSEEING, AND MONITORING THE PERFORMANCE AND PROGRESS OF FUNDED PROGRAMS, INCLUDING WORKING WITH THE GOVERNOR AND THE CORPORATION TO IMPLEMENT COMPREHENSIVE, NONDUPLICATIVE EVALUATION AND MONITORING SYSTEMS;

(f) PROVIDING TECHNICAL ASSISTANCE TO LOCAL NONPROFIT ORGANIZATIONS AND OTHER ENTITIES IN PLANNING PROGRAMS, APPLYING FOR FUNDS, AND IMPLEMENTING HIGH-QUALITY PROGRAMS;

(g) DEVELOPING MECHANISMS FOR RECRUITMENT AND PLACEMENT OF PEOPLE INTERESTED IN PARTICIPATING IN SERVICE PROGRAMS;

(h) ASSISTING THE DEPARTMENT OF EDUCATION IN PREPARING THE APPLICATION TO THE CORPORATION FOR PROGRAMS DESCRIBED IN 42 U.S.C. SEC. 12525;

(i) ASSISTING IN THE PROVISION OF HEALTH CARE AND CHILDCARE BENEFITS UNDER 42 U.S.C. SEC. 12594 TO PARTICIPANTS IN SERVICE PROGRAMS THAT RECEIVE ASSISTANCE UNDER 42 U.S.C. SEC. 12571;

(j) COORDINATING COMMISSION ACTIVITIES WITH OTHER STATE AGENCIES THAT ADMINISTER FEDERAL FINANCIAL ASSISTANCE PROGRAMS UNDER THE FEDERAL "COMMUNITY SERVICE BLOCK GRANT ACT", 42 U.S.C. SEC. 9901, ET. SEQ.;

(k) COORDINATING THE COMMISSION'S EFFORTS WITH THE PRIORITIES AND INITIATIVES OF THE GOVERNOR'S OFFICE THROUGH CONTINUED DISCUSSION AND

CONSIDERATION OF THE GOVERNOR'S RECOMMENDATIONS;

(l) PREPARING THE APPLICATION OF THE STATE UNDER 42 U.S.C. SEC. 12582 FOR THE APPROVAL OF SERVICE POSITIONS THAT INCLUDE THE NATIONAL SERVICE EDUCATION AWARD;

(m) MAKING RECOMMENDATIONS TO THE CORPORATION WITH RESPECT TO PRIORITIES FOR PROGRAMS RECEIVING ASSISTANCE UNDER THE FEDERAL "DOMESTIC VOLUNTEER SERVICE ACT OF 1973", 42 U.S.C. SEC. 4950, ET. SEQ.;

(n) DEVELOPING PROJECTS, TRAINING METHODS, CURRICULUM MATERIALS, AND OTHER MATERIALS AND ACTIVITIES RELATED TO NATIONAL SERVICE PROGRAMS THAT RECEIVE ASSISTANCE DIRECTLY FROM THE CORPORATION OR FROM THE STATE USING ASSISTANCE PROVIDED UNDER 42 U.S.C. SEC. 12571 FOR USE BY PROGRAMS THAT REQUEST SUCH PROJECTS, METHODS, MATERIALS, AND ACTIVITIES; AND

(o) CONDUCTING SUCH OTHER STATE PROGRAMS AS ARE CONSISTENT WITH OR AUTHORIZED BY THE CORPORATION.

(4) TO ACCOMPLISH THE PURPOSES OF THIS PART 5, THE COMMISSION MAY:

(a) DELEGATE NONPOLICY-MAKING DUTIES TO A STATE AGENCY OR PUBLIC OR PRIVATE NONPROFIT ORGANIZATIONS, SUBJECT TO SUCH REQUIREMENTS AS THE CORPORATION MAY PRESCRIBE, OR AS NECESSARY TO IMPLEMENT A FEDERAL PROGRAM OR REQUIREMENT; AND

(b) SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES.

(5) AT THE REQUEST OF THE COMMISSION, THE OFFICE OF THE LIEUTENANT GOVERNOR SHALL PROVIDE OFFICE SPACE, EQUIPMENT, AND STAFF SERVICES AS NECESSARY TO IMPLEMENT THIS PART 5.

SECTION 3. Appropriation. For the 2018-19 state fiscal year, \$200,000 is appropriated to the office of the governor for use by the office of the lieutenant governor. This appropriation is from the general fund. To implement this act, the office may use this appropriation for the governor's commission on community service.

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 30, 2018