

LEGISLATION

9-1-801. Title.

This part is known as the "Commission on National and Community Service Act."

9-1-802. Definitions.

- (1) "Act" means the National Community and Service Trust Act of 1993, 42 U.S.C. 12501 et seq.
- (2) "Commission" means the Utah Commission on Service and Volunteerism created in Section [9-1-803](#).
- (3) "Corporation" means the Corporation for National and Community Service described in the act.

9-1-803. Creation -- Members -- Appointment -- Terms -- Vacancies -- Per Diem and Expenses.

- (1) There is created the Utah Commission on Service and Volunteerism consisting of the following 19 voting members and one nonvoting member.
- (2) The 19 voting members of the commission are:
 - (a) the lieutenant governor;
 - (b) the commissioner of higher education or the commissioner's designee; (c) the state superintendent of public instruction or the superintendent's designee;
 - (d) the executive director of the Department of Heritage and Arts or designee as a nonvoting, ex officio member
 - (e) nine members appointed by the governor as follows:
 - (i) an individual with expertise in the educational, training, and developmental needs of youth, particularly disadvantaged youth;
 - (ii) an individual with experience in promoting the involvement of older adults in volunteer service;
 - (iii) a representative of a community-based agency or organization within the state;
 - (iv) a representative of local government;
 - (v) a representative of a local labor organization in the state;
 - (vi) a representative of business;
 - (vii) an individual between the ages of 16 and 25 participates in a volunteer or service program;
 - (viii) a representative of a national service program; and
 - (ix) a representative of the volunteer sector; and
 - (f) six members appointed by the governor from among the following groups:
 - (i) local educators;
 - (ii) experts in the delivery of human, educational, cultural, environmental, or public safety services to communities and individuals;
 - (iii) representatives of Native American tribes;
 - (iv) representatives of organizations that assist out-of-school youth or other at-risk youth; or
 - (v) representatives of entities that receive assistance under the Domestic Volunteer Service Act of 1973, 42 U.S.C. 4950 et seq.
- (3) The Nonvoting member of the commission is the state representative of the federal corporation
- (4)(a) In appointing persons to serve on the commission, the governor shall ensure that:
 - (i) no more than 10 voting members of the commission are members of the same political party; and
 - (ii) no more than five voting members of the commission are state government employees.
- (b) In appointing persons to serve on the commission, the governor shall strive for balance on the commission according to race, ethnicity, age, gender, and disability characteristics.
- (5) (a) Except as required by Subsection (5)(b), as terms of current commission members expire, the governor shall appoint each new member or reappointed member to a three-year term.
- (b) Notwithstanding the requirements of Subsection (5)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of commission members are staggered so that approximately one-third of the commission is appointed every year.
- (6) When a vacancy occurs in the membership, the replacement shall be appointed for the unexpired term.
- (7) A member appointed by the governor may not serve more than two consecutive terms.

(8) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

- (a) Section [63A-3-106](#);
- (b) Section [63A-3-107](#); and
- (c) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and [63A-3-107](#).

9-1-805. Election of officers.

- (1) The voting members of the commission shall elect a chair and a vice-chair from among the voting members of the commission
- (2) The chair and vice-chair shall serve for a term of one year.

9-1-806. Officers' duties.

- (1) The chair shall:
 - (a) preside at meetings of the commission; and
- (2) The vice chair shall:
 - (a) assist the chair,
 - (b) if the chair is absent, perform the duties of the chair.
 - (c) accept special assignments from the chair; and
 - (d) perform other duties as delegated by the commission.

9-1-808. Meetings -- Quorum.

- (1) The commission shall meet at least quarterly.
- (2) A voting member of the commission member who fails to attend at least 75% of called meetings in a calendar year is automatically removed from the commission. (3) A commission quorum is a simple majority of the voting members

9-1-809. Commission duties.

- (1) The commission shall
 - (a) assist in the selection, development and oversight of programs funded and established in the act;
 - (b) pursue opportunities for sustainable and high impact community service;
 - (c) develop and annually update a three-year community service plan for the state, including the establishment of state priorities; and
 - (d) stimulate increased community awareness of the impact of volunteer service in the state.
- (2)(a) The commission may, subject to Title 63J, Chapter 5, Federal Funds Procedures Act, receive and accept federal funds, and may receive and accept private gifts, donations, or funds from any source.
 - (b) Money received under Subsection (2) shall be deposited with the state and shall be available to the commission to carry out the purposes of this part.

9-1-810. Administration, reporting, and expenses.

- (1) The commission shall report to the office of the lieutenant governor.
- (2) The Department of Heritage and Arts shall provide administrative and staff support services to the commission.

9-1-811. Rulemaking

- (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the Department of Heritage and Arts may make rules to: implement this part; and
- (2) ensure the commission complies with the act and related federal requirements.