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H.485

Introduced by Representative Noyes of Wolcott

Referred to Committee on

Date:

Subject: Executive; Agency of Human Services; SerVermont

Statement of purpose of bill as introduced: This bill proposes to codify in law SerVermont, which currently exists pursuant to Executive Order to serve as a State Commission on National and Community Service in accordance with 42 U.S.C. § 12638.

An act relating to SerVermont

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 3 V.S.A. § 3002 is amended to read:

§ 3002. CREATION OF AGENCY

(a) ~~An~~ The Agency of Human Services is created consisting of the following:

\* \* \*

(b) The following units are attached to the Agency for administrative support:

(1) SerVermont.

1           ~~(18)~~(2) Governor's Committee on Employment of People with  
2           Disabilities.

3           (c) Units attached to the Agency for administrative support shall receive,  
4           and shall use, the services provided by the Administrative Services Division of  
5           the Agency under section 3086 of this ~~title~~ chapter.

6           Sec. 2. 3 V.S.A. § 3097 is added to read:

7           § 3097. SERVERMONT

8           (a) Creation. There is created SerVermont, which shall serve as a State  
9           Commission on National and Community Service under 42 U.S.C. § 12638 in  
10           order for Vermont to be eligible to receive a grant or allotment under 42 U.S.C.  
11           chapter 129 (national and community service), subchapter I (National and  
12           Community Service State Grant Program), Divisions B (School-Based and  
13           Community-Based Service-Learning Programs) and C (National Service Trust  
14           Program).

15           (b) Membership.

16           (1) Voting members. The Governor shall appoint between 15 and 25  
17           voting members to SerVermont. Not more than 50 percent, plus one member,  
18           shall be from the same political party. To the maximum extent practicable, the  
19           Governor shall ensure that the membership is diverse with respect to race,  
20           ethnicity, age, gender, disability, and geography.

1           (A) These members shall include at least one of each of the  
2 following:

3           (i) an individual with expertise in the educational, training, and  
4 development needs of youths, particularly disadvantaged youths;

5           (ii) an individual with experience in promoting the involvement of  
6 older adults in service and voluntarism;

7           (iii) a representative of community-based agencies or community-  
8 based organizations within the State;

9           (iv) the Secretary of Education;

10          (v) a representative of local governments in the State;

11          (vi) a representative of local labor organizations in the State;

12          (vii) a representative of business;

13          (viii) an individual between the ages of 16 and 25 who is a  
14 participant or supervisor in a program;

15          (ix) a representative of a national service program described in 42

16 U.S.C. § 12572(a), (b), or (c); and

17          (x) a representative of the volunteer sector.

18          (B) These members may include:

19          (i) members selected from among local educators;

1                   (ii) members selected from among experts in the delivery of  
2 human, educational, environmental, or public safety services to communities  
3 and persons;

4                   (iii) representatives of Native American Indian tribes;

5                   (iv) members selected from among out-of-school youths or other  
6 at-risk youths; and

7                   (v) representatives of entities that receive assistance under the  
8 Domestic Volunteer Service Act of 1973 set forth in 42 U.S.C. § 4950 et. seq.

9                   (C) State officers or employees appointed as voting members shall  
10 not comprise more than 25 percent of the total membership of SerVermont.

11                   (D) Voting members shall abide by the limits on their voting as set  
12 forth in 42 U.S.C. § 12638(d)(6) (limitation on member participation).

13                   (2) Nonvoting members.

14                   (A) The Governor may appoint as ex officio nonvoting members  
15 officers and employees of State agencies operating community service, youth  
16 service, education, social service, and job training programs.

17                   (B) The representative of the Corporation for National and  
18 Community Service designated for the State under 42 U.S.C. § 12651f(c) shall  
19 serve as an ex officio nonvoting member.

1           (3) Terms; vacancies.

2           (A) Members shall serve three-year staggered terms and shall serve  
3 not more than two consecutive terms.

4           (B) If a vacancy occurs in the office of a member, the Governor shall  
5 appoint a person to fill the vacancy for the remainder of the term.

6           (4) Officers. The voting members shall elect from among themselves a  
7 chair, vice chair, treasurer, and secretary, who shall constitute the Executive  
8 Committee. These officers shall be elected annually at the first regular  
9 meeting of the calendar year, for a term of one year commencing with the first  
10 meeting, subject to the approval of the Governor.

11           (A) An officer shall not hold office for more than three consecutive  
12 years. Following at least one year out of office, a person who has served as an  
13 officer may again be eligible for election.

14           (B) The Chair may appoint committees as necessary and appropriate  
15 to carry out the duties of SerVermont, including a Finance Committee that  
16 shall be chaired by the SerVermont Treasurer and that shall review the annual  
17 budget and make budgetary recommendations.

18           (C) The Chair shall be an ex officio member of all committees, with  
19 the exception of any nominating committee that is established.

1       (c) Powers and duties. SerVermont members shall perform the duties set  
2       forth in 42 U.S.C. § 12638(e), including:

3           (1) providing to the Corporation for National and Community Service  
4       an annual update to the State's three-year national service plan setting forth  
5       priorities for and the coordination of efforts in community service programs in  
6       the State;

7           (2) administering grant programs as set forth in 42 U.S.C. chapter 129  
8       (national and community service), subchapter I (National and Community  
9       Service State Grant Program), Divisions B (School-Based and Community-  
10       Based Service-Learning Programs) and C (National Service Trust Program);

11          (3) providing technical assistance to Vermont nonprofit organizations  
12       and other entities applying for Corporation for National and Community  
13       Service funds and in planning programs relating to community service; and

14          (4) disseminating information in the State relating to national service  
15       programs in a manner designed to ensure that interested Vermonters are aware  
16       of such opportunities.

17       (d) Executive Director. The Governor shall appoint an Executive  
18       Director of SerVermont from a list of three candidates nominated by the  
19       members.

20       (e) Compensation and reimbursement. SerVermont members shall be  
21       entitled to per diem compensation and reimbursement of expenses as

1       permitted under 32 V.S.A. § 1010. These payments shall be made from  
2       monies appropriated to the Agency of Human Services.

3       Sec. 3. TRANSITIONAL PROVISION; EXISTING MEMBERS

4       Existing members of SerVermont serving under the authority of Executive  
5       Order on the effective date of this act may serve the remainder of their terms in  
6       accordance with the provisions of this act.

7       Sec. 4. EFFECTIVE DATE

8       This act shall take effect on July 1, 2019.