

2017 -- S 0979

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO CREATING THE RHODE ISLAND COMMISSION FOR NATIONAL AND
COMMUNITY SERVICE

Introduced By: Senator Hanna M. Gallo

Date Introduced: June 21, 2017

Referred To: Senate Special Legislation and Veterans Affairs

It is enacted by the General Assembly as follows:

1 SECTION 1. The purpose of this act is to create the Rhode Island Commission for
2 National and Community Service to foster the development of service activities in the state, and
3 to carry out on behalf of the state objectives of the federally enacted National and Community
4 Service Act of 1990, as amended. The commission will continue the work of the nonprofit
5 corporation created by Rhode Island Public Laws Chapter 297 of 1994 and which previously
6 served as the commission responsible for carrying out the state objectives of the federally enacted
7 National and Community Service Act of 1990 (the “Nonprofit Corporation”). Having determined
8 that the Nonprofit Corporation is no longer the best organization to accomplish the state
9 objectives of the federally enacted National and Community Service Act of 1990, the commission
10 is hereby created and shall be housed within and supported by the Rhode Island Department of
11 Education. In so doing, this act contemplates the dissolution of the Nonprofit Corporation in
12 accordance with Rhode Island Public Laws Chapter 297 of 1994 and chapter 6 of title 7.

13 SECTION 2. (a) There is hereby created a commission, the name of which is the Rhode
14 Island Commission for National and Community Service.

15 (b) The commission is organized for the following purposes: to carry out on behalf of the
16 State of Rhode Island the objectives of the National and Community Service Act of 1990, as
17 amended.

18 (c) The powers of the commission shall be vested in a board of commissioners which will

1 have twenty-five (25) voting members who have demonstrated a commitment to public service.
2 To the extent possible, membership of the commission shall be reflective of Rhode Island's
3 diverse population in terms of race, ethnicity, age, gender, and geographic location.

4 (d)(1) The governor shall appoint twenty-five (25) voting members of the board of
5 commissioners. The governor shall appoint the chair of the commission from among the voting
6 members.

7 (2) Of the voting members of the board of commissioners, nine (9) shall be appointed for
8 initial terms of three (3) years beginning September 1, 2017, eight (8) shall be appointed for
9 initial terms of two (2) years beginning September 1, 2017, and eight (8) shall be appointed for
10 initial terms of one year beginning September 1, 2017.

11 Thereafter, appointments shall be made for terms of three (3) years. A vacancy in the
12 office of a commissioner created, other than by expiration of a term or in the office of a
13 chairperson shall be filled in like manner as an original appointment but only for the unexpired
14 portion of the term. Members shall be eligible to succeed themselves; however, members shall
15 not be appointed to successive terms totaling more than eight (8) years.

16 (3) The governor shall appoint twenty-five (25) voting members with a minimum of one
17 member selected from each of the following categories:

18 (i) An individual with expertise in the educational training and developmental needs of
19 youth, particularly disadvantaged youth; and

20 (ii) An individual with experience in promoting the involvement of older adults fifty-five
21 (55) years old or over) in service and volunteerism; and

22 (iii) A representative of community based agencies within the state; and

23 (iv) A representative of local government; and

24 (v) A representative of a local labor organization; and

25 (vi) A representative of a for-profit business; and

26 (vii) An individual between the ages of sixteen (16) and twenty-five (25) who is, or has
27 been a participant or supervisor in a volunteer or service program; and

28 (viii) A representative of a national service program; and

29 (ix) The commissioner of elementary and secondary education or their designee and the
30 commissioner of postsecondary education or their designee.

31 (4) In addition, the governor shall have the authority to appoint non-voting members to
32 the board of commissioners, one of whom shall be the designated representative of the
33 Corporation of National and Community Service. Other non-voting members shall serve at the
34 pleasure of the governor.

1 (5) To the extent practicable, members of the board of commissioners shall be appointed
2 in the manner described by the National and Community Service Act of 1990, as amended (42
3 USC section 12501 et seq.)

4 (6) Not more than twenty-five percent (25%) of the voting members of the board of
5 commissioners may be officers and/or employees of state government, although additional state
6 agency representatives may be appointed to the board of commissioners as non-voting members.

7 (7) Not more than fifty percent (50%) of the voting members of the board of
8 commissioners plus one voting member may be from the same political party.

9 (8) The members of the board of commissioners will receive no compensation for their
10 services, except that members are entitled to compensation for expenses incurred in the
11 performance of their duties on the commission in the same manner as state employees.

12 (e) The commission will act on behalf of the state to:

13 (1) Prepare and implement a three (3) year national service plan for the state as called for
14 under the National Community Service Act of 1990, as amended, including conducting local
15 outreach to develop a comprehensive and inclusive state service plan, and coordinating with
16 existing programs in order to prevent unnecessary competition for private sources of funding;

17 (2) Administer a competitive process to select the national service programs to be
18 included in any application for funding and prepare and submit the annual state applications for
19 federal funding of Commission selected national service programs;

20 (3) Administer the grants and oversee the monitoring of the programs after the national
21 service funds are awarded;

22 (4) Fulfill federal program administration requirements, such as assisting in the provision
23 of health care and child care for program participants;

24 (5) Integrate new national service programs and existing ACTION and Older American
25 Volunteer Programs into the state strategic service plan;

26 (6) Provide technical assistance to service programs, including the development of
27 training methods and curriculum materials;

28 (7) Develop a statewide recruitment and placement system for individuals interested in
29 community service opportunities;

30 (8) Prepare annual reports on progress for submission to the Governor and the General
31 assembly; and

32 (9) Identify and make application for financial support, particularly funding made
33 available under the National and Community Service Trust Action of 1990, as amended to sustain
34 the commission's program and activities and to receive gifts and grants from public and private

1 sources.

2 (g) Any conflicts of interest that arise will be resolved as prescribed by the Corporation
3 for National and Community Service.

4 SECTION 3. Assets & Liabilities of Nonprofit Corporation.

5 (a) The commission shall assume all of the obligations and liabilities of the Nonprofit
6 Corporation after a majority of the board of the Nonprofit Corporation votes to dissolve the
7 Nonprofit Corporation in accordance with Public Law Chapter 271 of 1994 and chapter 6 of title
8 7. Obligations of the Nonprofit Corporation shall constitute a debt, liability, or obligation of the
9 state after its dissolution.

10 (b) The commission shall assume all assets of the Nonprofit Corporation in accordance
11 with the Nonprofit Corporation's distribution plan and subject to chapter 6 of title 7.

12 SECTION 4. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO CREATING THE RHODE ISLAND COMMISSION FOR NATIONAL AND
COMMUNITY SERVICE

1 This act would create a twenty-five (25) member commission entitled the Rhode Island
2 Commission for National Community Service within the department of education to continue the
3 work of a nonprofit corporation created in 1994 which had carried out the state directives of the
4 federally enacted National and Community Service Act of 1990, both of which entities would be
5 dissolved. The new commission would be charged with the duty of preparing and implementing a
6 three (3) year state community service plan.

7 This act would take effect upon passage.

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