

**Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 18-1028.01 Megan Waples x4348

HOUSE BILL 18-1324

HOUSE SPONSORSHIP

Hamner, Young, Rankin

SENATE SPONSORSHIP

Lundberg, Lambert, Moreno

House Committees
Appropriations

Senate Committees
Appropriations

A BILL FOR AN ACT

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

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Joint Budget Committee. The bill codifies the existing governor's commission on community service, which was created through executive order. The commission was created pursuant to the federal "National and Community Service Trust Act of 1993" and allows the state to receive grants, allotments, and service positions under the act. The commission

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
3rd Reading Unamended
April 5, 2018

SENATE
2nd Reading Unamended
April 4, 2018

HOUSE
3rd Reading Unamended
March 29, 2018

HOUSE
2nd Reading Unamended
March 28, 2018

consists of at least 15, but not more than 20, members and is charged with implementing programs and administering funds received from the corporation for national and community service. The commission is established in the office of the lieutenant governor and receives staff and administrative support from that office. The bill authorizes the commission to receive gifts, grants, and donations to fulfill its functions.

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

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

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

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

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

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

1 have served more than twenty-eight million hours and qualified for
2 education awards totaling more than seventy million dollars.

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

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

8 **SECTION 2.** In Colorado Revised Statutes, **add** part 5 to article
9 20 of title 24 as follows:

10 PART 5

11 GOVERNOR'S COMMISSION ON

12 COMMUNITY SERVICE

13 **24-20-501. Governor's commission on community service -**
14 **creation - definition.** THE GOVERNOR'S COMMISSION ON COMMUNITY
15 SERVICE, REFERRED TO IN THIS PART 5 AS THE "COMMISSION", IS CREATED
16 IN THE OFFICE OF THE LIEUTENANT GOVERNOR.

17 **24-20-502. Membership and organization - definition.** (1) THE
18 COMMISSION CONSISTS OF AT LEAST FIFTEEN, BUT NOT MORE THAN
19 TWENTY, VOTING MEMBERS AS FOLLOWS:

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

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

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

26 (II) A REPRESENTATIVE OF LOCAL GOVERNMENT;

27 (III) A REPRESENTATIVE OF LOCAL LABOR ORGANIZATIONS;

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

5 (V) A REPRESENTATIVE OF A NATIONAL SERVICE PROGRAM;

6 (VI) A REPRESENTATIVE OF BUSINESS;

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

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

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

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

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

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

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

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

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

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

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

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

23 (7) ON OR BEFORE JANUARY 1, 2020, AND ON OR BEFORE JANUARY
24 1 OF EACH YEAR THEREAFTER, THE COMMISSION SHALL SUBMIT A REPORT
25 TO THE GOVERNOR SUMMARIZING THE ACTIVITIES OF THE COMMISSION
26 DURING THE PRECEDING YEAR.

27 **24-20-503. Powers and duties.** (1) THE COMMISSION SHALL MEET

1 AT LEAST SIX TIMES PER YEAR AND MAY MEET MORE FREQUENTLY AT THE
2 DISCRETION OF THE COMMISSION.

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

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

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

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

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

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

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

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

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

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

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

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

16 (k) COORDINATING THE COMMISSION'S EFFORTS WITH THE
17 PRIORITIES AND INITIATIVES OF THE GOVERNOR'S OFFICE THROUGH
18 CONTINUED DISCUSSION AND CONSIDERATION OF THE GOVERNOR'S
19 RECOMMENDATIONS;

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

23 (m) MAKING RECOMMENDATIONS TO THE CORPORATION WITH
24 RESPECT TO PRIORITIES FOR PROGRAMS RECEIVING ASSISTANCE UNDER THE
25 FEDERAL "DOMESTIC VOLUNTEER SERVICE ACT OF 1973", 42 U.S.C. SEC.
26 4950, ET. SEQ.;

27 (n) DEVELOPING PROJECTS, TRAINING METHODS, CURRICULUM

1 MATERIALS, AND OTHER MATERIALS AND ACTIVITIES RELATED TO
2 NATIONAL SERVICE PROGRAMS THAT RECEIVE ASSISTANCE DIRECTLY FROM
3 THE CORPORATION OR FROM THE STATE USING ASSISTANCE PROVIDED
4 UNDER 42 U.S.C. SEC. 12571 FOR USE BY PROGRAMS THAT REQUEST SUCH
5 PROJECTS, METHODS, MATERIALS, AND ACTIVITIES; AND

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

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

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

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

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

19 **SECTION 3. Appropriation.** For the 2018-19 state fiscal year,
20 \$200,000 is appropriated to the office of the governor for use by the
21 office of the lieutenant governor. This appropriation is from the general
22 fund. To implement this act, the office may use this appropriation for the
23 governor's commission on community service.

24 **SECTION 4. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly (August
27 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2018 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.