

**UTAH COMMISSION ON VOLUNTEERS**

**AMENDMENTS**

2009 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Douglas C. Aagard**

Senate Sponsor: Ralph Okerlund

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**LONG TITLE**

**General Description:**

This bill modifies provisions related to the Utah Commission on Volunteers regarding terms of office, quorum requirements, and duties of the commission.

**Highlighted Provisions:**

This bill:

- ▶ reduces the term of office for a commission member from four years to three years;
- ▶ provides that approximately one third of the commission is appointed every year;
- ▶ removes a duplicative quorum requirement provision;
- ▶ removes the commission's duty to prepare service learning applications;
- ▶ removes the commission's duty to establish a community volunteer training program

to assist school districts in implementing certain literacy programs; and

- ▶ makes certain technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**9-1-803**, as last amended by Laws of Utah 2000, Chapter 110



28           **9-1-809**, as last amended by Laws of Utah 2008, Chapter 382



30 *Be it enacted by the Legislature of the state of Utah:*

31           Section 1. Section **9-1-803** is amended to read:

32           **9-1-803. Creation -- Members -- Appointment -- Terms -- Vacancies -- Per diem**  
33 **and expenses.**

34           (1) There is created the Utah Commission on Volunteers consisting of the following 25  
35 members:

- 36           (a) the lieutenant governor;
- 37           (b) the commissioner of higher education or the commissioner's designee;
- 38           (c) the superintendent of public instruction[?] or the superintendent's designee;
- 39           (d) nine members appointed by the governor as follows:
  - 40           (i) an individual with expertise in the educational, training, and developmental needs of
  - 41 youth, particularly disadvantaged youth;
  - 42           (ii) an individual with experience in promoting the involvement of older adults in
  - 43 service and volunteerism;
  - 44           (iii) a representative of community-based agencies or community-based organizations
  - 45 within the state;
  - 46           (iv) a representative of local governments in the state;
  - 47           (v) a representative of local labor organizations in the state;
  - 48           (vi) a representative of business;
  - 49           (vii) an individual between the ages of 16 and 25 who is a participant or supervisor in a
  - 50 volunteer or service program;
  - 51           (viii) a representative of a National Service Program; and
  - 52           (ix) a representative of the corporation as a nonvoting, ex officio member; and
- 53           (e) 13 members appointed by the governor from the following groups:
  - 54           (i) local educators;
  - 55           (ii) experts in the delivery of human, educational, cultural, environmental, or public
  - 56 safety services to communities and individuals;
  - 57           (iii) representatives of Native American tribes;
  - 58           (iv) out-of-school youth or other at-risk youth; and

59 (v) representatives of entities that receive assistance under the Domestic Volunteer  
60 Service Act of 1973, 42 U.S.C. 4950 et seq.

61 (2) (a) In appointing persons to serve on the commission, the governor shall ensure  
62 that:

63 (i) no more than 13 members of the commission are members of the same political  
64 party; and

65 (ii) no more than six members of the commission are state government employees.

66 (b) In appointing persons to serve on the commission, the governor shall strive for  
67 balance on the commission according to race, ethnicity, age, gender, and disability  
68 characteristics.

69 (3) (a) Except as required by Subsection (3)(b), as terms of current commission  
70 members expire, the governor shall appoint each new member or reappointed member to a  
71 ~~four~~ three-year term.

72 (b) Notwithstanding the requirements of Subsection (3)(a), the governor shall, at the  
73 time of appointment or reappointment, adjust the length of terms to ensure that the terms of  
74 commission members are staggered so that approximately ~~half~~ one-third of the commission is  
75 appointed every ~~two years~~ year.

76 (4) When a vacancy occurs in the membership for any reason, the replacement shall be  
77 appointed for the unexpired term.

78 (5) ~~Members~~ A member appointed by the governor may not serve more than two  
79 consecutive terms.

80 (6) (a) ~~Members shall~~ A member may not receive ~~no~~ compensation or benefits for  
81 ~~their services~~ the member's service, but may receive per diem and expenses incurred in the  
82 performance of the member's official duties at the rates established by the Division of Finance  
83 under Sections 63A-3-106 and 63A-3-107.

84 (b) ~~Members~~ A member may decline to receive per diem and expenses for ~~their~~ the  
85 member's service.

86 ~~[(7) Thirteen members of the commission are a quorum.]~~

87 ~~[(8) (7) (a) The lieutenant governor is the chair of the commission.~~

88 (b) The commission shall select a vice chair from among its members.

89 Section 2. Section **9-1-809** is amended to read:

90 **9-1-809. Commission duties.**

91 (1) The commission shall, in the performance of its tasks and functions:

92 (a) ensure that its funding decisions meet all federal and state statutory requirements;

93 (b) recommend innovative, creative, statewide service programs to increase volunteer  
94 participation in all age groups and community-based problem-solving among diverse  
95 participants;

96 (c) develop and implement a centralized, organized system of obtaining information  
97 and technical support concerning volunteerism and community service recruitment, projects,  
98 training methods, materials, and activities throughout the state and share [~~such~~] the information  
99 and support upon request;

100 (d) promote strong interagency collaboration as an avenue for maximizing resources  
101 and providing that model on the state level;

102 (e) provide public recognition and support of individual volunteer efforts and  
103 successful or promising private sector initiatives and public/private partnerships that address  
104 community needs;

105 (f) stimulate increased community awareness of the impact of volunteer services in the  
106 state;

107 (g) utilize local, state, and, subject to Title 63J, Chapter 5, Federal Funds Procedures  
108 Act, federal resources to reinforce, expand, and initiate quality service programs;

109 (h) assist in the planning and implementation of volunteer programs;

110 (i) serve as the state's liaison and voice to appropriate national and state organizations  
111 that support its mission;

112 (j) develop a three-year comprehensive state and community service plan and establish  
113 state priorities;

114 (k) preselect programs and prepare applications to the corporation pursuant to ~~H~~→ [f] **the**  
114a **act** [h]

115 [~~this part~~] ←~~H~~ ;

116 [~~(l) prepare service learning applications;~~]

117 [~~(m)~~] (l) administer the grants program and oversee and monitor the performance and  
118 progress of funded programs;

119 [~~(n)~~] (m) implement comprehensive, nonduplicative evaluation and monitoring  
120 systems;

121           ~~[(t)]~~ (n) provide technical assistance to local nonprofit organizations and other entities;

122           ~~[(p)]~~ (o) assist in the development of programs established ~~H→~~ [f] in the act [j] ~~[under~~

122a ~~this part]~~ ←H ;

123           ~~[(q)]~~ (p) develop mechanisms for recruitment and placement of people interested in

124 participating in national service programs;

125           ~~[(r)]~~ (q) assist in the provision of health care and child care benefits to participants

126 under ~~H→~~ [f] the act [j] ~~[this part]~~ ←H ;

127           ~~[(s)]~~ (r) make priority program recommendations to the corporation;

128           ~~[(t)]~~ (s) coordinate its activities with the activities of other state agencies that

129 administer federal block grants; and

130           ~~[(u)]~~ (t) coordinate its activities with the activities of other volunteer service programs.

131           (2) The commission may not directly operate or run ~~[any]~~ a national service program

132 receiving financial assistance, in any form, from the corporation.

133           (3) (a) The commission may, subject to Title 63J, Chapter 5, Federal Funds Procedures

134 Act, receive and accept federal funds, and may receive and accept private gifts, donations, or

135 funds from any source.

136           (b) All moneys shall be deposited with the state and shall be continuously available to

137 the commission to carry out the purposes of this part.

138           ~~[(4)]~~ (a) ~~The commission shall establish a community volunteer training program to~~

139 ~~assist the state's school districts in implementing the literacy programs required under Section~~

140 ~~53A-1-801.]~~

141           ~~[(b)]~~ ~~The program shall focus on:]~~

142           ~~[(i)]~~ recruitment of volunteers to assist public schools in reading improvement

143 programs;]

144           ~~[(ii)]~~ providing for the training of volunteers recruited under Subsection (4)(b)(i), which

145 may include training in teaching phonetic decoding skills and phonemic awareness, to assist

146 public schools and community based, not-for-profit literacy programs in accomplishing the

147 literacy goals established in Section 53A-1-801;]

148           ~~[(iii)]~~ providing grants to entities whose primary purpose is to support literacy by

149 working with either school districts or individual schools to accomplish their literacy goals;

150 and]

151           ~~[(iv)]~~ providing materials and supplies which may be used by the commission or the

152 ~~public schools or both to help public education accomplish its literacy goals under Section~~  
153 ~~53A-1-801.]~~

154 ~~[(c) The commission shall coordinate its activities under this Subsection (4) with other~~  
155 ~~state and community entities engaged in child literacy programs.]~~

156 ~~[(d) (i) The commission shall make an annual report to the State Board of Education~~  
157 ~~on:]~~

158 ~~[(A) how public monies were spent on the programs authorized under this Subsection~~  
159 ~~(4); and]~~

160 ~~[(B) the number of volunteers recruited for and participating in the program.]~~

161 ~~[(ii) The commission shall make its report by July 1, with the first report required by~~  
162 ~~July 1, 2000.]~~

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**Legislative Review Note**  
**as of 12-8-08 2:34 PM**

**Office of Legislative Research and General Counsel**

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**H.B. 231 - Utah Commission on Volunteers Amendments**

**Fiscal Note**

2009 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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