

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 910**

Introduced by McDonnell, 5.

Read first time January 10, 2022

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to state government; to adopt the Nebraska
- 2 Volunteer Service Commission Act; to provide an operative date; and
- 3 to declare an emergency.
- 4 Be it enacted by the people of the State of Nebraska,

1           Section 1. Sections 1 to 8 of this act shall be known and may be  
2 cited as the Nebraska Volunteer Service Commission Act.

3           Sec. 2. For purposes of the Nebraska Volunteer Service Commission  
4 Act:

5           (1) Commission means the Nebraska Volunteer Service Commission;

6           (2) Corporation means the Corporation for National and Community  
7 Service; and

8           (3) References to federal law refer to such law as it existed on  
9 January 1, 2022.

10          Sec. 3. The Legislature finds and declares that:

11          (1) The Nebraska Volunteer Service Commission, also known as  
12 ServeNebraska, was created through Executive Order No. 94-5, dated July  
13 26, 1994, by Governor Ben Nelson pursuant to the federal National and  
14 Community Service Trust Act of 1993, and receives grants, allotments, and  
15 service positions on behalf of the state under the federal act;

16          (2) Pursuant to the executive order, the commission has implemented  
17 programs and administered funds received from the Corporation for  
18 National and Community Service. The commission has used these and other  
19 funds to cultivate community service and volunteerism and for programs  
20 focused on education, economic opportunities, disaster response,  
21 environmental stewardship, healthy futures, and veteran and military  
22 families;

23          (3) As part of its programs, the commission has administered  
24 AmeriCorps for the State of Nebraska. At a national level, over one  
25 million people have served as AmeriCorps members since 1994 and provided  
26 over one billion hours of service. The AmeriCorps program leverages more  
27 than one billion dollars in resources from private, philanthropic, and  
28 other sources each year and mobilizes or manages over two million  
29 community volunteers each year;

30          (4) The commission has furthered a culture of civic engagement and  
31 fostered opportunities for public service in Nebraska; and

1       (5) Restructuring the commission as a statutory agency will provide  
2 the commission with stability and preserve its autonomy, align the  
3 commission with comparable organizations in Nebraska and across the  
4 nation, and allow the commission to more effectively carry out its many  
5 missions serving the people of the State of Nebraska.

6       Sec. 4. (1) The commission shall consist of no fewer than fifteen  
7 and no more than twenty-five voting members. Members serving on the  
8 commission as of the effective date of this act shall continue their  
9 terms as provided in subsection (6) of this section.

10       (2) The voting membership of the commission shall include:

11       (a) The Commissioner of Education or the commissioner's designee;  
12 and

13       (b) The following members appointed by the Governor:

14       (i) A representative of a community-based agency or organization;

15       (ii) A representative of local government;

16       (iii) A representative of a local labor organization;

17       (iv) A representative of business;

18       (v) An individual who is at least sixteen years of age but no more  
19 than twenty-five years of age and who is a participant in or supervisor  
20 of a service program for youth or a campus-based or national service  
21 program;

22       (vi) A representative of a national service program;

23       (vii) An individual with expertise in the education, training, and  
24 development needs of youth, particularly disadvantaged youth;

25       (viii) An individual with experience in promoting the involvement of  
26 adults fifty-five years of age and older in national service and  
27 volunteerism;

28       (ix) A representative of the state's volunteer community; and

29       (x) At least five, but not more than fifteen, individuals who have  
30 knowledge in the fields of community service, volunteerism, literacy,  
31 mentoring, or other subject areas as necessary for the needs of the

1 commission's programs.

2 (3) The commission shall include a nonvoting liaison member  
3 designated by the corporation. Such member shall not be appointed by the  
4 Governor.

5 (4) Not more than fifty percent of the voting members of the  
6 commission, plus one additional member, may be affiliated with the same  
7 political party. In making appointments, the Governor shall ensure, to  
8 the maximum extent possible, that the membership of the commission is  
9 diverse.

10 (5) The number of voting members of the commission who are officers  
11 or employees of the state shall not exceed twenty-five percent, reduced  
12 to the nearest whole number, of the total membership of the commission.

13 (6) Each voting member of the commission appointed under subdivision  
14 (2)(b) of this section shall serve for a term of three years and may be  
15 reappointed to one additional three-year term. This limit includes  
16 service as a commission member prior to the effective date of this act.  
17 Beginning April 1, 2023, and each April 1 thereafter, the Governor shall  
18 appoint or reappoint approximately one-third of such members.

19 (7) Any vacancy occurring otherwise than by expiration of a term  
20 shall be filled for the remainder of the unexpired term in the same  
21 manner as the original appointment.

22 (8) The voting members shall select a voting member to serve as  
23 chairperson and may select other voting members to serve as such officers  
24 as the voting members deem appropriate. The chairperson and any other  
25 officers shall serve for such terms and under such conditions as the  
26 voting members deem appropriate.

27 (9) The voting members shall serve without compensation, but they  
28 shall be entitled to receive reimbursement for expenses incurred incident  
29 to such service as provided in sections 81-1174 to 81-1177.

30 Sec. 5. (1) The commission may employ an executive director to  
31 carry out the purposes of the Nebraska Volunteer Service Commission Act

1 and may expend funds to obtain office space, furniture, equipment, and  
2 other necessary supplies.

3 (2) The executive director may hire staff as necessary to carry out  
4 the purposes of the act as funding is available. The commission and  
5 executive director may, subject to appropriation, hire up to fifteen  
6 full-time equivalent employees.

7 Sec. 6. The commission shall meet at least four times per year and  
8 may meet more frequently at the discretion of the commission.

9 Sec. 7. (1) In accordance with 42 U.S.C. 12638, the primary duties,  
10 responsibilities, and functions of the commission include:

11 (a) Recommending to the Governor a three-year comprehensive national  
12 and community service plan for the state that is developed through an  
13 open and public process, is updated annually, and ensures outreach to  
14 diverse community-based agencies that serve underrepresented populations;

15 (b) Administering a competitive process in compliance with federal  
16 regulations to select service programs to be included in the applications  
17 to the corporation;

18 (c) Assisting and collaborating with community and nonprofit  
19 organizations, including in the development of service grant programs;

20 (d) Preparing for the Governor an application to the corporation to  
21 receive funding and educational awards for programs selected pursuant to  
22 42 U.S.C. 12582;

23 (e) Administering, overseeing, and monitoring the performance and  
24 progress of funded programs, including working with the Governor and the  
25 corporation to implement comprehensive, nonduplicative evaluation and  
26 monitoring systems;

27 (f) Providing technical assistance to, and collaborating with, local  
28 nonprofit organizations and other entities in planning programs, applying  
29 for funds, and implementing high-quality programs;

30 (g) Developing mechanisms for recruitment and placement of people  
31 interested in participating in service programs;

1       (h) Assisting the State Department of Education in preparing the  
2 application to the corporation for programs described in 42 U.S.C. 12525;

3       (i) Assisting in the provision of health care and child care  
4 benefits under 42 U.S.C. 12594 to participants in service programs that  
5 receive assistance under 42 U.S.C. 12571;

6       (j) Coordinating commission activities with other state agencies  
7 that administer federal financial assistance programs under the federal  
8 Community Service Block Grant program, 42 U.S.C. 9901 et seq.;

9       (k) Coordinating the commission's efforts with the priorities and  
10 initiatives of the Governor through continued discussion and  
11 consideration of the Governor's recommendations;

12       (l) Preparing the application of the state under 42 U.S.C. 12582 for  
13 the approval of service positions, including the national service  
14 educational award;

15       (m) Making recommendations to the corporation with respect to  
16 priorities for programs receiving assistance under the federal Domestic  
17 Volunteer Service Act of 1973, 42 U.S.C. 4950 et seq.;

18       (n) Developing projects, training methods, curriculum materials, and  
19 other materials and activities related to national service programs that  
20 receive assistance directly from the corporation or from the state using  
21 assistance provided under 42 U.S.C. 12571 for use by programs that  
22 request such projects, methods, materials, and activities; and

23       (o) Conducting such other state programs as are consistent with the  
24 commission's mission or authorized by the corporation.

25       (2) To accomplish the purposes of the Nebraska Volunteer Service  
26 Commission Act, the commission may:

27       (a) Delegate non-policy-making duties to a state agency or public or  
28 private nonprofit organization subject to such requirements as the  
29 corporation may prescribe or as necessary to implement a federal program  
30 or requirement; and

31       (b) Seek, accept, and expend gifts, grants, or donations from

1 private or public sources.

2       Sec. 8. On or before January 1, 2023, and on or before January 1 of  
3 each year thereafter, the commission shall electronically submit a report  
4 to the Legislature summarizing the activities of the commission during  
5 the preceding year.

6       Sec. 9. This act becomes operative on July 1, 2022.

7       Sec. 10. Since an emergency exists, this act takes effect when  
8 passed and approved according to law.