

CHAPTER 373

MAINE COMMISSION FOR COMMUNITY SERVICE

§7501. Commission established

There is established the Maine Commission for Community Service, referred to in this chapter as "the commission," to foster the State's ethic of community service; encourage community service and volunteerism as a means of meeting critical human, environmental, educational and public safety needs throughout the State; address climate challenges through community service and volunteerism; serve as the State's liaison regarding national and community service and volunteer activities; foster collaboration among service agencies; and receive gifts and grants, implement statewide service programs and make subgrants to state and local entities in accordance with the National and Community Service Trust Act of 1993, 42 United States Code, Sections 12501 to 12682 (1994). [PL 2021, c. 728, §1 (AMD).]

SECTION HISTORY

PL 1995, c. 54, §1 (NEW). PL 1995, c. 625, §A13 (AMD). PL 2021, c. 728, §1 (AMD).

§7502. Membership; terms

1. Membership; qualifications. The commission consists of no fewer than 15 and no more than 25 voting members appointed by the Governor and subject to review by the joint standing committee of the Legislature having jurisdiction over state and local government matters. The commission must include the following:

- A. A representative of a community-based agency or organization; [PL 1995, c. 54, §1 (NEW).]
- B. The Commissioner of Education or the commissioner's designee; [PL 1995, c. 54, §1 (NEW).]
- C. A representative of local government; [PL 1995, c. 54, §1 (NEW).]
- D. A representative of a local labor organization; [PL 1995, c. 54, §1 (NEW).]
- E. A representative of business; [PL 1995, c. 54, §1 (NEW).]
- F. An individual who is at least 16 years of age but no more than 25 years of age and who is a participant in or supervisor of a service program for youth or a campus-based or national service program; [PL 1995, c. 54, §1 (NEW).]
- G. A representative of a national service program; [PL 1995, c. 54, §1 (NEW).]
- H. An individual with expertise in the education, training and development needs of youth, particularly disadvantaged youth; [PL 1995, c. 54, §1 (NEW).]
- I. An individual with experience in promoting the involvement of adults aged 55 and older in national service and volunteerism; and [PL 1995, c. 54, §1 (NEW).]
- J. A representative of the State's volunteer community. [PL 1995, c. 54, §1 (NEW).]

A member may fulfill the representation requirement for more than one category in this subsection.

The appointments may also include educators, including representatives from institutions of higher education and local education agencies; experts in the delivery of human, educational, environmental or public safety services to communities and persons; representatives of Native American tribes and nations; out-of-school or at-risk youth; and representatives of programs that are administered or receive assistance under the federal Domestic Volunteer Service Act of 1973, 42 United States Code, Section 4951, et seq. (1973). The commission also must include a nonvoting liaison designated by the federal

Corporation for National and Community Service. The appointments must reflect diversity with respect to geography, race, ethnicity, age, gender, disability characteristics and political affiliation. Not more than 50% plus one member may be from the same political party. The number of voting members who are officers or employees of the State may not exceed 25% of the total membership.

The chair must be an appointed voting member of the commission, selected by the voting members. Members may not vote on issues affecting organizations they have served in a staff or volunteer capacity at any time during the preceding 12 months.

[PL 1995, c. 54, §1 (NEW).]

2. Terms of office. The appointed members serve 3-year staggered terms. Terms expire on September 1st. The Governor shall appoint members to vacancies on the commission as they occur or upon expiration of terms. Any vacancy must be filled for the unexpired portion of the term in which the vacancy occurs.

[PL 1995, c. 54, §1 (NEW).]

2-A. Members serve duration of terms.

[PL 1995, c. 54, §1 (NEW); MRSA T. 5 §7502, sub-§2-A (RP).]

3. Reimbursement. Members are entitled to compensation for expenses incurred in the performance of their duties on the commission in the same manner as state employees.

[PL 1995, c. 54, §1 (NEW).]

SECTION HISTORY

PL 1995, c. 54, §1 (NEW).

§7503. Duties

The commission shall: [PL 1995, c. 54, §1 (NEW).]

1. Vision. Develop a state vision statement for national, state and community service;
[PL 1995, c. 54, §1 (NEW).]

2. Ethic of service. Demonstrate an ethic of service through its activities and procedures utilizing decision-making by consensus and annually evaluate how effectively its procedures and bylaws are fostering the state vision and service ethic;

[PL 1995, c. 54, §1 (NEW).]

3. National and community service plan. Develop a 3-year comprehensive national and community service plan and update the plan annually. The commission shall ensure an open and inclusive process for maximum participation in development of the plan and determination of state priorities;

[PL 1995, c. 54, §1 (NEW).]

4. Preselect programs and prepare applications. Preselect national service programs as defined in the National Service Trust Act, 42 United States Code, Section 12501, et seq. and prepare a grant application to the Corporation for National and Community Service;

[RR 1995, c. 2, §7 (COR).]

5. Assist state education agencies. Assist the Department of Education and institutions of higher education in the preparation of applications for national and community service grants;

[PL 1995, c. 54, §1 (NEW).]

6. Administer grant programs. Evaluate, monitor and administer grant programs;

[PL 1995, c. 54, §1 (NEW).]

7. Provide technical assistance. Serve as a clearinghouse for information on national and community service and provide technical assistance to local nonprofit organizations and other entities in planning, applying for funds and implementing national service programs; [PL 1995, c. 54, §1 (NEW).]

8. Provide program development assistance and training. Provide program development assistance and training to national service programs in the State; [PL 1995, c. 54, §1 (NEW).]

9. Recruitment and placement. Serve as a clearinghouse for people interested in national and community service placements and agencies recruiting volunteers; [PL 1995, c. 54, §1 (NEW).]

10. State priorities. Make recommendations to the Corporation for National and Community Service with respect to priorities within the State for programs receiving assistance under the federal Domestic Volunteer Service Act of 1973, 42 United States Code, Section 4951, et seq. (1973); [PL 1995, c. 54, §1 (NEW).]

11. Coordination. Coordinate and foster collaboration among state agencies, colleges, universities, municipalities, federal agencies and volunteer service programs, including, but not limited to, coordination of and collaboration regarding the activities of the Maine Climate Corps Program established pursuant to section 7507 and related national and other climate-related service programs; [PL 2021, c. 728, §2 (AMD).]

12. Advisory committees. Establish advisory committees as needed, with membership not limited to commission members; [PL 1995, c. 54, §1 (NEW).]

13. Fund raising. Carry out fund-raising efforts to supplement federal funding and to meet all federal matching requirements; [PL 2021, c. 155, §1 (AMD).]

13-A. Maine Service Fellows Program. Develop and administer the Maine Service Fellows Program under section 7506; and [PL 2021, c. 155, §2 (NEW).]

14. Annual report. Submit an annual report to the Governor, the Legislature and the joint standing committee of the Legislature having jurisdiction over state and local government matters by January 31st of each year. [PL 1995, c. 54, §1 (NEW).]

SECTION HISTORY

RR 1995, c. 2, §7 (COR). PL 1995, c. 54, §1 (NEW). PL 2021, c. 155, §§1, 2 (AMD). PL 2021, c. 728, §2 (AMD).

§7504. Staff and administrative services

The Department of Education shall provide staff and administrative services as follows. [PL 2011, c. 655, Pt. LL, §1 (AMD); PL 2011, c. 655, Pt. LL, §3 (AFF).]

1. Executive director. The Commissioner of Education, in consultation with the commission, shall hire an executive director as a member of the Department of Education staff. The executive director oversees day-to-day operations of the commission, hires staff members with the approval of the commission and the Commissioner of Education and carries out other responsibilities as directed by the commission. [PL 2011, c. 655, Pt. LL, §1 (AMD); PL 2011, c. 655, Pt. LL, §3 (AFF).]

2. Administrative services. The Department of Education shall provide the executive director and the commission with continuing administrative support as appropriate. The Department of Education may establish a dedicated account on behalf of the commission to receive funds contributed by private and public agencies for use solely for commission purposes.

[PL 2011, c. 655, Pt. LL, §1 (AMD); PL 2011, c. 655, Pt. LL, §3 (AFF).]

SECTION HISTORY

PL 1995, c. 54, §1 (NEW). PL 2011, c. 655, Pt. LL, §1 (AMD). PL 2011, c. 655, Pt. LL, §3 (AFF).

§7505. Private support organization

1. Designation of private support organization. The executive director of the commission, with the consent of the voting members of the commission, shall designate a nonprofit corporation as the private support organization for the commission. The nonprofit corporation must be incorporated under the laws of this State and for purposes that are consistent with the goals, objectives, programs, responsibilities and functions of the commission.

The commission's private support organization must be organized and operated exclusively to receive, hold, invest and administer property and funds and to make expenditures to and for the benefit of the commission.

[PL 2015, c. 94, §1 (NEW).]

2. Board of directors. A member of the private support organization's board of directors may not also be a member of the commission. The executive director of the commission, or the executive director's designee, shall serve as a nonvoting ex-officio member of the private support organization's board of directors.

[PL 2015, c. 94, §1 (NEW).]

3. Scope of work. The private support organization shall operate under a memorandum of understanding negotiated annually by the commission that outlines a plan of work consistent with the purposes and goals of the commission and shall submit an annual budget for review and approval by the commission by June 1st.

The memorandum of understanding must further stipulate the reversion to the commission, or to the State if the commission ceases to exist, of money and property held in trust by the private support organization if the private support organization is no longer designated by the commission pursuant to subsection 1.

[PL 2015, c. 94, §1 (NEW).]

4. Use of property. The commission may authorize the private support organization to use the commission's facilities, equipment and other property, except money, in keeping with the purposes of the private support organization.

[PL 2015, c. 94, §1 (NEW).]

SECTION HISTORY

PL 2015, c. 94, §1 (NEW).

§7506. Maine Service Fellows Program

The Maine Service Fellows Program, referred to in this section as "the program," is established within the commission. Individuals who participate in the program are referred to in this section as "program fellows." The commission shall administer the program in accordance with this section. [PL 2021, c. 155, §3 (NEW).]

1. Program purposes. The commission shall establish the program to:

- A. Increase the opportunities for individuals to devote a year of service to communities in the State; [PL 2021, c. 155, §3 (NEW).]
 - B. Attract to and retain in the State motivated adults who have completed a college degree within the prior 5 years to serve in positions where they can apply skills and abilities to projects for the benefit of citizens of the State; [PL 2021, c. 155, §3 (NEW).]
 - C. Provide rural and underserved communities in the State a resource to address critical health and human, public safety, education and environmental needs; and [PL 2021, c. 155, §3 (NEW).]
 - D. Strengthen civic engagement of both the program fellows and community residents through solutions based in whole or in part in volunteer service. [PL 2021, c. 155, §3 (NEW).]
- [PL 2021, c. 155, §3 (NEW).]

2. Program design. The program must be designed to coordinate with appropriate organizations in the served communities. Program fellows must be required to commit up to 20% of their time in the program to developing regional networks of volunteer programs whose common goals can result in mutual benefits. An entity may submit a proposal to sponsor a program fellow based on guidelines established under this subsection. Services provided by a program fellow may include but are not limited to services to address home evictions, to support workforce development, to mitigate and prevent substance use disorder and to promote mental health. The commission may identify other priority needs of communities to be addressed by the program and may make those services available to eligible communities. During the first 3 years of operation of the program, the commission shall ensure that program fellows focus on helping communities recover from the effects of coronavirus disease 2019, also known as COVID-19, and the related pandemic, while also addressing long-term issues that communities face. The commission shall establish guidelines for the program that include but are not limited to:

- A. Limiting the eligibility of entities that may sponsor program fellows to local or county government, school districts, nonprofit organizations, faith-based organizations and similar entities; [PL 2021, c. 155, §3 (NEW).]
 - B. Establishing standards for local sponsors regarding supervision and support of program fellows during their service; [PL 2021, c. 155, §3 (NEW).]
 - C. Ensuring that projects and project proposals are well-designed and measure their impact and do not include partisan or political activity; [PL 2021, c. 155, §3 (NEW).]
 - D. Ensuring that program fellows are not used to replace positions eliminated or position hours reduced as a result of budget cuts by the sponsor; [PL 2021, c. 155, §3 (NEW).]
 - E. Requiring criminal background checks or other safeguards if projects involve working with vulnerable populations such as schoolchildren or if otherwise required to receive federal funds; [PL 2021, c. 155, §3 (NEW).]
 - F. Focusing the program on rural communities as defined by the United States Department of Agriculture, Economic Research Service's rural-urban continuum codes, except that the commission shall use criteria other than the codes for defining rural communities in Penobscot County; [PL 2021, c. 155, §3 (NEW).]
 - G. Authorizing private sector and local partner contributions to program operations for travel reimbursements or training costs; and [PL 2021, c. 155, §3 (NEW).]
 - H. Any other guideline that the commission believes will benefit the program. [PL 2021, c. 155, §3 (NEW).]
- [PL 2021, c. 155, §3 (NEW).]

3. Compensation. To the extent funds are available, the commission shall ensure that program fellows receive the following compensation for service:

A. A stipend set by the commission to achieve an annual income of up to 212% of the nonfarm income official federal poverty level. To the extent the stipend is paid from the General Fund or any other account of the commission, personal liability insurance and workers' compensation insurance, paid for from the same source of funds, must also be provided. Notwithstanding any law to the contrary, program fellows are not employees of the State for the purposes of Title 5, Part 20; [PL 2021, c. 155, §3 (NEW).]

B. A program completion bonus that includes, to the extent established by the commission by rule, an educational loan payment in an amount up to 20% of the stipend value paid on behalf of the program fellow to the holder of the loan; and [PL 2021, c. 155, §3 (NEW).]

C. An allowance to pay for individual health insurance not to exceed 2% of the stipend amount. [PL 2021, c. 155, §3 (NEW).]

[PL 2021, c. 155, §3 (NEW).]

4. Funding. The commission may seek and receive both private and federal funds, grants and gifts in support of the program. The commission may accept funding from other state agencies to support program fellows whose work will support and promote goals of programs administered by those agencies.

[PL 2021, c. 155, §3 (NEW).]

5. Rules. The commission may adopt rules necessary to carry out the purposes of this section. Rules adopted under this subsection are routine technical rules as defined in chapter 375, subchapter 2-A.

[PL 2021, c. 676, Pt. A, §5 (AMD).]

SECTION HISTORY

PL 2021, c. 155, §3 (NEW). PL 2021, c. 676, Pt. A, §5 (AMD).

§7507. Maine Climate Corps Program

The Maine Climate Corps Program, referred to in this section as “the program,” is established within the commission to provide grants, technical assistance and training to community service corps programs with the mission of responding to the impacts of climate change. Eligible community service corps programs under the program must be designed to: [PL 2021, c. 728, §3 (NEW).]

1. Direct service projects. Conduct evidence-based direct service projects developed through community collaboration, including collaboration with indigenous communities, that address principles of equity, justice and accessibility;

[PL 2021, c. 728, §3 (NEW).]

2. Climate impacts. Address through measurable performance one or more of the following areas: transportation, energy, housing, the State’s coastal zone as defined under the United States Department of Commerce, National Oceanic and Atmospheric Administration’s coastal zone management program, public health, land and fresh water preservation, community resilience and climate-related education; [PL 2021, c. 728, §3 (NEW).]

3. Disproportionately affected communities; representation. Prioritize assistance to disproportionately affected communities and ensure that individuals in service positions represent the economic and demographic diversity of communities, including persons who are historically marginalized; and

[PL 2021, c. 728, §3 (NEW).]

4. Additional standards. Meet additional program standards, including, but not limited to, requirements to:

A. Enroll individuals for set terms in service positions; [PL 2021, c. 728, §3 (NEW).]

B. Provide individuals in full-time service positions with stipends, health insurance, liability insurance and accidental death or dismemberment insurance; [PL 2021, c. 728, §3 (NEW).]

C. Provide individuals in service positions with training, education and service experiences that further employability or career preparation; and [PL 2021, c. 728, §3 (NEW).]

D. Meet any other standards set by the commission or nationally for similar programs. [PL 2021, c. 728, §3 (NEW).]

[PL 2021, c. 728, §3 (NEW).]

SECTION HISTORY

PL 2021, c. 728, §3 (NEW).

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