



STATE OF TENNESSEE

EXECUTIVE ORDER

BY THE GOVERNOR

No. 55

AN ORDER ESTABLISHING THE TENNESSEE STATE COMMISSION ON NATIONAL AND COMMUNITY SERVICE

WHEREAS, there is a compelling need for more civic participation to solve community and state problems, and address many of the country's unmet social, environmental, educational and public safety needs; and

WHEREAS, promoting the capability of Tennessee's people, communities, and enterprises to work collaboratively is vital to the long-term prosperity of this state; and

WHEREAS, building and encouraging community service is an integral part of the state's future well being, and requires cooperative efforts by the public and private sectors; and

WHEREAS, the development of a National Service program in Tennessee requires an interim administrative vehicle which conforms with federal guidelines detailed in the National and Community Service Trust Act of 1993;

NOW, THEREFORE, I, Ned McWherter, Governor of Tennessee, by virtue of the power vested in me by the Constitution and law of this state, do hereby order and direct the following:

1. The Tennessee State Commission on National and Community Service ("Commission") is hereby established to encourage community service and volunteer participation as a means of community and state problem-solving; to promote and support voluntary citizen involvement in government and private service programs throughout the state; to develop a long-term, comprehensive vision and plan for action for

community service initiatives in Tennessee; and to serve as the state's liaison to national and state organizations which support its mission.

2. The Commission shall consist of twenty-five (25) members appointed by the Governor on a bipartisan basis.

A) Not more than 50 percent of the Commission plus one member may be from the same political party. To the extent possible, the Commission shall be balanced according to race, ethnicity, age, disability, and gender characteristics. In establishing the Commission, the Governor shall appoint one-third of the initial members for a term of one year; one-third for a term of two years; and one-third for a term of three years. Following expiration of these initial terms, all appointments shall be for three-year terms. Members may not serve two consecutive terms. Any legislator members of the commission shall serve on the commission only so long as they remain members of the General Assembly.

B. The Commission shall include, but not be limited to:

- (1) An individual with expertise in the educational, training, and developmental needs of youth, particularly disadvantaged youth.
- (2) An individual with experience in promoting the involvement of older adults in service and volunteerism.
- (3) A representative of community-based agencies or community-based organizations within the State.
- (4) The Commissioner of Education or his designee.
- (5) A representative of local governments in the State.
- (6) A representative of local labor organizations in the State.
- (7) A representative of business.
- (8) An individual between the ages of 16 and 25 who is a participant or supervisor in a volunteer or service program.
- (9) A representative of a national service program; and
- (10) The Director of the Tennessee State Planning Office.

C. The Commission may include but not be limited to:

- (1) Members selected from among local educators.
- (2) Members selected from among experts in the delivery of human, educational, environmental, or public safety services to communities and persons.
- (3) Members selected from among out-of-school youth or other at-risk youth.
- (4) Representatives of entities that receive assistance under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.)

D. Not more than 25 percent of the Commission members may be employees of state government; provided, however, that the following individuals shall sit on the Commission as non-voting, ex officio members:

Commissioner, Department of Employment Security; Commissioner, Department of Environment and Conservation; Commissioner, Department Finance and Administration; Commissioner, Department of Health; Commissioner, Department of Human Services; Commissioner, Department of Labor; Commissioner, Mental Health and Mental Retardation; The Adjutant General, Department of Military; Commissioner, Department of Safety; Commissioner, Department of Youth Development; President, The University of Tennessee; Chancellor, Tennessee Board of Regents.

E. The following individuals shall also sit on the Commission as non-voting, ex-officio members:

State Program Director, ACTION; Coordinator, Campus Opportunity Outreach League; and President, Tennessee Network of Volunteer Administrators.

F. Vacancies among the members shall be filled by the Governor to serve for the remainder of the term.

3. The Chairman and Vice Chair of the Commission shall be elected by the voting Commission members from among their ranks and shall serve for a term of one year. Vacancies in any offices shall be

filled with an election by the Commission for the remainder of the unexpired term.

A. Chair: It shall be the responsibility of the Chair to preside at all meetings of the Commission; to appoint all committee chairs; to assist all chairs in the planning of committee activities; to supervise all chairs as to the management of committee plans; to authorize and execute the wishes of the board; to call all quarterly meetings and special meetings with the approval of the Director of the State Planning Office; and to be an ex officio member of all committees.

B. Vice-Chair: The Vice-Chair shall assist the Chair, and, in the absence of the Chair, perform the duties of Chair. The Vice-Chair shall accept special assignments from the Chair and perform other duties as delegated by the Commission.

4. The Commission shall meet at least semi-annually. Failure to attend at least 75 percent of called meetings in any calendar year may result in removal from the Commission. The Governor may remove a member for good cause. A quorum shall consist of a simple majority of voting members.

5. Nonlegislative members of the commission shall not receive a per diem salary for duties performed as a member of the commission, but shall be entitled to reimbursement for all necessary expenses incurred in connection with the performance of their duties in accord with the comprehensive travel regulations promulgated by the Commissioner of Finance and Administration and approved by the Attorney General. Legislative members shall be reimbursed as members of the General Assembly are paid for attending legislative meetings as provided in Tennessee Code Annotated, Section 3-1-106.

6. The Tennessee Commission for National and Community Service and designated staff will have the following duties and responsibilities:

A. Serve as a statewide advocate for community service.

B. Facilitate and encourage communication and collaboration among and between individuals, communities, and organizations-- public and private.

C. Serve as the State's liaison and voice to appropriate national and state organizations which support its mission.

D. Prepare a three-year national service plan for the State as called for under federal law.

E. As determined by the Commission, submit the appropriate annual financial assistance applications of the State under the National and Community Service Trust Act of 1993.

F. Make technical assistance available to enable applicants of assistance under Section 121 to plan and implement service programs and to apply for assistance under the federal service laws such as the Conference Report.

G. Assist in the provision of health care and child care benefits under Section 140 to participants in national service programs that receive assistance under Section 121 of the Conference Report.

H. Develop a statewide recruitment and placement system for individuals interested in community service opportunities.

I. Administer the State's grant program in support of national service programs (using assistance provided to the State under Section 121 of the Conference Report) including selection, monitoring, and evaluation of grant recipients.

J. Coordinate its functions (including recruitment, public awareness, and training activities) with any division of the federal ACTION program or the Corporation for National and Community Services outlined in the Conference Report.

6. The Governor's State Planning Office shall provide necessary administrative and staff support services to the Commission from the effective date of this order through July 1, 1994. Thereafter, such administrative and staff support services for the Commission shall be provided by the Office of Children's Services Administration or its

successor agency. The Commission is authorized to accept funds and in-kind services from other state and federal entities, as authorized by Tennessee law. Subject to existing statutes, rules, and policies, the commission may procure office space and supplies necessary to enable it to effectively carry out its mission. The commission may enter into such contractual and promotional agreements necessary to effectively carry out its mission.

7. Subject to existing state law, the commission may disburse legislatively appropriated funds for planning and for commemorative programs and activities.

8. The Commission may take such other action as is necessary and appropriate to promote, effectuate and further the principles and aims of this order.

9. The commission may work with counties, municipalities, private organizations and citizens as it plans and engages in activities relative to promoting service.

10. The commission shall have the authority to employ such additional staff support, within budgetary limits, as it deems necessary to effectuate its purposes and duties.

This order is effective immediately.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 7th day of Feb., 1994.

W. R. Markham
GOVERNOR

Riley C. Darnell
SECRETARY OF STATE