

# SERVE ALASKA the STATE SERVICE COMMISSION BY-LAWS

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## ***Article I: Name***

Serve Alaska the State Service Commission, herein after referred to as the Commission.

## ***Article II: Purpose***

Section One. The purpose of the Commission as set forth in Administrative Order No259 is to engage Alaskans of all ages and backgrounds in community-based service and volunteerism as a means of community and state problem solving, and to promote participation in the National AmeriCorps Program as required for the receipt of federal financial assistance under section 12638 of the National and Community Service Act of 1993 at 42 U.S.C. 12501-12682 (NCSTA).

Section Two. ***Powers and Duties.*** According to the powers and duties of the Commission as set forth in Administrative Order No. 259, the Commission shall:

A.

- 1) Prepare a service plan for Alaska that:
  - a) is developed through an open and public process (such as through regional forums, hearings, and other means) that provides for maximum participation and input from national service programs within the state and other interested members of the public;
  - b) covers a 3 year period;
  - c) is subject to approval by the Governor
  - d) includes measurable goals and outcomes for the state national service programs in Alaska consistent with the performance levels for national service programs in accordance with 42 U.S.C. 12639(k) (NCSTA);
  - e) is updated annually;
  - f) ensures outreach to diverse community-based agencies that service under represented populations, by using established networks or registers, at the state level; or establishing such networks and registers

- g) provides for effective coordination of financing applications submitted by the State and other organizations within the state under national service laws; and
  - h) contains information the state commission considers appropriate or the Corporation for National Service (Corporation) requires;
- 2) Prepare the applications of the state under 42 U.S.C. 12543 and 42 U.S.C. 12582 for assistance;
  - 3) Assist in the preparation of the application of the state educational agency for assistance under 42 U.S.C. 12525;
  - 4) Prepare the application of the state under 42 U.S.C. 12582 for the approval of service positions that include the national service educational award described in Division D, National Service Trust and Provision of National Service Education Awards;
  - 5) Make recommendations to the Corporation with respect to priorities for programs receiving assistance under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950-5085);
  - 6) Make available technical assistance to enable applicants for assistance under 42 U.S.C. 12571 to plan and implement service programs and to apply for assistance under the national service laws using, if appropriate, information and materials available through a clearinghouse established under 42 U.S.C. 12653
  - 7) Assist in the provision of health care and childcare benefits under 42 U.S.C. 12594 to participants in national service programs that receive assistance under 42 U.S.C. 12571;
  - 8) Develop a state system for the recruitment and placement of participants in programs that receive assistance under the national service laws and dissemination of information concerning national service programs that receive such assistance or approved national service positions;
  - 9) Through the Department of Commerce, Community, and Economic Development (DCCED) administers the grant program in support of national service programs that is conducted by the state using assistance provided to the state under 42 U.S.C. 12571 including selection, oversight, and evaluation of grant recipients;
  - 10) Develop projects, training methods, curriculum materials, and other materials and activities related to national service programs that receive assistance directly from the Corporation (to be made available when a program requests such a program method, material or activity) or from the state using assistance under 42 U.S.C. 12571, for use by programs that request such projects, methods, materials, and activities.
- B. The Commission may not directly carry out any national service program that receives assistance under 42 U.S.C. 12571.
- C. Subject to requirements that the Corporation may prescribe the Commission may delegate non-policy making duties to a state agency or public or private nonprofit organization to the extent allowable by law.

- D. In carrying out its duties the Commission should primarily use teleconferencing or other electronic means to the extent practicable in order to gain the widest public participation at minimum cost.
- E. Meetings of the Commission shall be held in accordance with AS44.62.310-44.62.312 (Open Meetings Law). A majority of the Commission constitutes a quorum for the purpose of conducting business. A quorum must be present at Commission meetings. Records of the Commission are subject to the Alaska Public Records Act, AS40.25.110-40.25.220
- F. Executive Session to the Meeting Section—Executive sessions may be called during a regular meeting as specified in AS44.62.310.
  - 1) The meeting must first be convened as a public meeting, and the question of holding an executive session to discuss matters set for the in Section 2 (F) (2) shall be determined by a majority vote. No subjects may be considered at the executive session except those mentioned in the motion calling for the executive session, unless auxiliary to the main question. No action may be taken during the executive session.
  - 2) The following subjects may be discussed in an executive session;
    - a) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the government unit;
    - b) subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;
    - c) matters which by law, municipal charter, or ordinance are required to be confidential
  - 3) The above subjects shall be construed narrowly in order to avoid unnecessary executive sessions.
- G. The Commission shall conduct their business in accordance with provides by resolution to suspend the use of Robert’s Rules of Order and use other procedures to facilitate the purposes of and duties assigned by this Order.

### ***Article III: Membership***

Section One. The Commission consists of 15 to 25 members. At no time shall the membership be less than 15. Membership includes the following:

- A. Required Members. The Governor shall include as voting members at least one of each of the following individuals:
  - 1) an individual with expertise in the education, training, and development 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 head of the State of Alaska, Department of Education and Early Development;
  - 5) a representative of local governments;
  - 6) a representative of business;

- 7) a representative of local labor organization in the State;
  - 8) an individual between the ages of 16 and 25 who is a participant or a supervisor in a national service program as defined in 42 U.S.C: 12511;
  - 9) a representative of a national service program described in 42 U.S.C. 12572 (NCSTA), such as a youth corps program described in 42 U.S.C. 12572 (2)(NCSTA);
  - 10) a representative of the volunteer sector
- B. Sources of Other Members. The Governor may include as voting members the following:
- 1) members selected from among local educators;
  - 2) members selected from among experts in the delivery of human, education, environmental, or public safety services to communities and persons;
  - 3) representatives of Indian tribes;
  - 4) members selected from among out of school youth or other at risk youth;
  - 5) representatives of entities that receive assistance under the Domestic volunteer Service Act of 1973 (42U.S.C. 4950-5085)
- C. Corporation for National Service Representative: The representative of the Corporation designated under 42 U.S.C. 12651f (c) for the state shall be an ex-officio nonvoting member of the commission, unless the state permits the representative to serve as a voting member of the commission.
- D. Ex-Officio State Representatives. The Governor may appoint, as ex-officio, nonvoting members of the Commission, representatives selected from among officers and employees of State Agencies operating community service, youth service, education, social service, and job training programs.
- E. Limitation of Number of State Employees as Members. The number of voting members of the Commission selected under paragraph 1 or 2 who are officers or employees of the state may not exceed 25 percent (reduced to the nearest whole number) of the total membership of the state commission.
- F. New Commissioner Orientation to the Members Section--Members of the Commission shall receive an orientation to the responsibilities of the Commission by the Chair and or the Executive Director at the next regularly scheduled meeting or the Commission following appointment or at a special meeting called for the purpose of orientation.

Section Two. **Terms.** All commission members are appointed by the Governor and serve at the pleasure of the Governor. Each member of the Commission shall serve for a term of 3 years.

Section Three. **Vacancies.** If a vacancy occurs on the Commission, a new member shall be appointed by the Governor and serve for the remainder of the term for which the predecessor of that member was appointed. The vacancy shall

not affect the authority of the remaining member to execute the duties of the Commission.

Section Four. **Compensation.** A member of the commission shall not receive any additional compensation by reason of service on the Commission, except that the Department of Commerce, Community, and Economic Development may authorize the reimbursement of travel expenses, including per diem, in the same manner as other employees serving intermittently in the service of the state.

Section Five. **Absences.** Commission members are expected to attend all Commission meetings, if a Commission member is unable to attend a commission meeting; it is the responsibility of the member to notify the Commission Chair immediately. If a commission member is absent more than two meetings, the executive director will notify the Governor's office. The Chair will exercise his/her judgment in excusing the absence. If a commission member is absent for more than two meetings, the executive director will notify the Governor's office.

Rules of Order of the Commission. The commission shall conduct its business in accordance with Robert's Rules of Order, unless the commission provides by resolution to suspend the use of Robert's Rules of Order and use other procedures to facilitate the purpose of and duties assigned by this Order.

#### ***Article IV: Officers***

Section One. **Enumeration.** The officers of the Commission shall be a Chair and a Vice Chair.

- A. A Nominating Committee consisting of three members of the Commission shall develop the slate of candidates for the election of officers.

Section Two. **Election.** The voting members of the commission shall elect two of the voting members to serve as Chair and Vice Chair of the Commission. Each officer shall be elected by a majority of the Commission. If more than one person is nominated for an office, election must occur by paper ballot.

Section Three. **Terms of Officers.** Each officer shall be elected for a term of two years. Their term of office shall be effective the end of the meeting in which they were elected until the end of the meeting of the next election. Any officer may be elected to no more than two successive terms to the same office.

Section Four. **Resignation and Removal of Officers.** An officer may resign at any time by giving written notice to the Commission. Officers may be removed from office by majority vote of the Commission membership at a regular or special meeting of the Commission called for that purpose.

Section Five. ***Vacancy of Officer(s).*** Any vacancy in an office shall be filled by election of the Commission members for the unexpired portion of the term.

Section Six. ***Responsibilities and Duties of Officers.***

- A. The Chair shall preside at all meetings of the Commission, except as provided in Section 6 (B)
- B. The Vice Chair shall preside at meetings in the absence of the Chair and shall perform such duties as are required by the Commission and necessitated by the Chair's absence. In the event of the absence of both officers, an acting chair shall be selected by majority vote of the Commission members present. The acting Chair shall perform any additional duties requested by the Commission and routinely executed by the Chair.

### ***Article V: Committees***

Section One. ***Committees.*** The Commission may authorize the creation, prescribe the term, and define the duties of committees as may be necessary or useful to the implementation of Administrative Order No. 259 the State plan developed under this Order, or other community and national volunteerism endeavors the Commission wishes to undertake. All Committees will consist of at least three members.

Section Two. ***Committee Quorum.*** A quorum shall consist of fifty percent (50%) of committee membership. Committees may choose to conduct their business through electronic mail, teleconferencing, video-conferencing, or meeting as a group. Committee meetings shall be held in accordance with AS 44.62.310-44.62.312 (Open Meeting Act) Committee records are records of the Commission.

### ***Article VI: Conflict of Interest***

Section One. Commission members are subject to 42USC12638 (d) (6) (A)-(C) and AS 39.52 (Alaska Executive branch Ethics Act).

Section Two. Individual Commission members must also ensure that they do not provide anyone outside the Commission information that has not been released to the public by the Commission or that is not already on the public record.

Section Three. If a Commission member is found to have a conflict of interest after a vote of the other Commission members, he or she may not:

- A. assist the applying organization in the preparation of the grant application;

- B. participate in any discussions or decisions by the Commission regarding that specific grant application;
- C. participate in any discussions or decisions by the Commission regarding any other grant applications submitted under the same funding category (e.g. AmeriCorps or Learn and Serve America);
- D. participate in the oversight, evaluation, continuation, suspension, or termination of the grant award.

Section Four. Commission members may not, under any circumstances, assist an organization in the preparation of a grant application, except to take part in a Commission-approved program of technical assistance that is equally available to all potential applicants.

### ***Article VI: Lead Agency and Staffing***

The Commission will be housed in the State Department of Commerce, Community, and Economic Development. The Department of Commerce, Community, and Economic Development is the designated lead agency and will supply administrative support to the Commission. The Department of Commerce, Community, and Economic Development shall work with the Commission to determine duties to be delegated to other state agencies to the extent allowed by law consistent with Administrative Order No. 259

The Commission's executive director will be selected and hired by the Department of Commerce, Community, and Economic Development with final approval from the Governor. The executive director will act as the liaison between the Governor, Department of Commerce, Community, and Economic Development, the Corporation and the Commission. The executive director is also the identified private sector liaison and point of contact.

Other staff will be selected and hired as needed by the executive director with final approval from the Department of Commerce, Community, and Economic Development.

### ***Article VII: Amending By-Laws***

The Chair may refer proposed changes to committee for review and recommendation. Proposed changes must be provided to members in writing (30) days prior to the scheduled meeting. These by-laws may be amended by a majority vote at a regularly scheduled meeting.