

BYLAWS OF THE MONTANA GOVERNOR'S COMMISSION ON COMMUNITY SERVICE

Revisions to the original Bylaws were last adopted by the Commission December 10, 2010. Previous revisions were adopted July 24, 2006. Modifications to Article II, Section B. Obligations of the Individual Commission member were accepted on March 09, 2016.

Article I NAME, MISSION AND PURPOSE

Section A. Name of Organization

The name of the organization shall be the Montana Commission on Community Service, hereafter referred to in this document as the "Commission."

Section B. Mission of Organization

The mission of the Commission is to expand and promote national service and volunteer opportunities in Montana.

Section C. Purpose of Organization

1. To develop and communicate a statewide vision of service and to foster an ethic of service and volunteering throughout the state.
2. To support the Montana Community Service Act, Title 90, Part 1, MCA, the National and Community Service Trust Act of 1993, the Edward M. Kennedy Act of 2009 and the American Recovery and Reinvestment Act of 2009.
3. To advance and support community service, service learning and volunteerism among all Montanans.
4. To renew the ethic of civic responsibility in the state.
5. To encourage the citizens of the state, regardless of age or income to engage in full or part-time service.
6. To call young people to serve in projects that benefit the state and improve their opportunities for success through the acquisition of literacy, job skills and interpersonal skills.
7. To build on the existing organizational framework of state and local governmental entities to expand full-time and part-time service opportunities in a wide variety of programs for all citizens, particularly youth and older Montanans.
8. To involve participants in activities that would not otherwise be performed by employed workers.
9. To establish programs to accomplish labor-intensive improvements to public or low-income properties or to provide services for the benefit of the state, its communities, and its

- people thorough service contracts that specify the work to be performed.
10. To promote coalitions and collaborative efforts among public, private and nonprofit entities; and federal, state and local agencies that will advance community service programs and activities in each community of the state.

Article II. Membership

Section A. Powers and Duties

The Commission shall carry out the following responsibilities, including, but not limited to:

1. Assisting in the development and coordination of federal and state community service programs, integration of services, dissemination of information, recruitment and training of volunteers, evaluation and accountability for the services provided.
2. Establishing and developing policy for the operation and governance of the Commission.
3. Carrying out revisions to policies in the manner prescribed by these bylaws.
4. Delegating authority to staff or a committee or work group of the Commission.
5. Making policy and carrying out all statutory responsibilities and acknowledging that the Executive Director is responsible for the management and administration of the Commission office and staff, and carrying out the Executive Director's statutory responsibilities.

Section B. Obligations of the Individual Commission member

By assuming office, a commission member:

1. Acknowledges that the best interest of the Commission and of the people of Montana must prevail over individual interest.
2. Respects confidentiality in all matters involving the Commission until there are public records of the matters.
3. Is responsible for exercising due diligence in monitoring and directing the activities of the Commission, including, but not limited to, reviewing information and documentation, reviewing and making recommendations of grants and serving as an ambassador and advocate for the Commission.
4. Is responsible for active participation in the oversight of Commission activities which include, but are not limited to, attending meetings, reviewing adequate information and documentations and monitoring delegated activities.

5. Is responsible for attending the regularly scheduled meetings. Failure to comply will be reviewed by the Executive Committee and may result in the member being asked to resign from the Commission.
6. Will participate in Commission activities outlined in the State Service Plan under “Commissioner Engagement.
7. Is not bound to any geographic area or constituent interest.
8. Supports the board’s final decisions, even if the member disagrees.
9. Shall not act as a commissioner in any political activity.
10. Follows ethical requirements for public officers and public employees as outlined in state statute. (**2-2-105, MCA**).
11. Observes rules for board and advisory council members and the legislative process contained in the Department Directors, Boards, Commissions, Advisory Councils’ Legislative Communications Policy Handbook.

ARTICLE III. COMMISSION COMPOSITION AND TERMS

Section A. Appointment of voting members

The Governor shall appoint up to 15 members for three year terms.

Section B. Appointment of nonvoting members

Upon the Recommendation of the Commission, the Governor may also appoint nonvoting *ex officio* members who may not hold office.

Section C. Qualifications for members

1. Members must include:
 - A. A representative from tribal government
 - B. Representatives from at least four state agencies in the following functional areas:
 - a. Natural Resources
 - b. Human Services
 - c. Labor
 - d. K-12 Education
 - e. Higher Education
 - f. Military Affairs
2. Members may include representatives of:
 - A. Local Government
 - B. Not-for-profit agencies
 - C. Federal agencies
 - D. Businesses
 - E. Labor Unions
 - F. Volunteer Groups
 - G. Private Citizens

Section D. Political affiliation

Not more than 50% of the voting members, plus one additional member, may be from the same political party.

Section E. Resignation

A member may resign at any time with written notice to the Governor.

Section F. Vacancies

A vacancy on the Commission may be filled for the remainder of the unexpired term by the Governor of Montana.

Section G. Compensation and Reimbursements

1. Unless the Commission member is a full-time salaried employee of this state or any of its political subdivisions, Commission members may receive reimbursement and per diem for their expenses and an amount to be determined by the Executive Director not to exceed \$50 per day in which the member is actually and necessarily engaged in the performance of commission duties. **(2-15-122 (5), MCA)**
2. Commission members may donate their reimbursements or other compensation as in-kind donations.

Section H. Conflict of Interest

1. Commissioners shall sign a conflict of interest form at the beginning of their term of appointment.
2. Commissioners who are employees of an agency receiving a grant from the Commission shall recuse themselves from participation in the grant review and approval process or any action to approve or deny funding by the Commission.
3. Commissioners shall disclose any conflict of interest or potential conflict of interest in any transaction, occurrence of circumstance that exists or may arise with respect to his/her serving as a Commissioner or participating on any work group or committee.
4. Should any Commissioner have a conflict of interest involving personal financial gain or a financial gain for any organization on whose governing board the Commissioner serves, or by whom the commissioner is employed, volunteers, or is otherwise presently associated with or for any other reason is not or does not appear to be impartial with respect to a matter before the Commission (collectively and individually, each of the foregoing constituting a “conflict of interest”) that Commissioner will

- declare such conflict of interest and recuse himself/herself from any vote involving the conflict of interest.
5. If the presiding officer of the Commission declares such a conflict of interest, he/she shall relinquish the Chair during any vote that involves the conflict of interest.
 6. If adherence to the foregoing recusal procedure results in an insufficient number of eligible members to maintain quorum, then the remaining member (s) of the Commission shall have the authority to act by majority vote, unless a unanimous vote of all members is required by applicable law, in which case authority to act shall require a unanimous vote of the remaining members.
 7. Commission members may not, under any circumstances, assist an organization in the preparation of a grant application, except as part of a Commission approved technical assistance program available to all potential applicants.

Section I. Performance of Commission

The Commission shall annually conduct an assessment of its effectiveness.

ARTICLE IV. OFFICERS

The officers of the Commission shall consist of Chair and Vice Chair, who shall serve as the Executive Committee.

Section A. Terms

1. All elected officials shall take office and assume the powers and duties that are associated with their respective position upon the next scheduled meeting.
2. All elective officers shall serve a term of two (2) years and until their successor is duly elected.
3. Elective officers are eligible for re-election for one more successive term.

Section B. Election and duties of the Chair

1. The voting members of the Commission shall elect voting members of the Commission as Chair and Vice Chair.
2. The election of the Chair and Vice Chair shall be held every two years at the October meeting of the Commission, or if there is no October meeting, at the next succeeding meeting.
3. The Vice Chair shall have the same powers and duties as the Chair in the event of the latter's absence.
4. The Chair shall have general charge of the business of the Commission.
5. The Chair shall have official responsibility to sign official records of the commission.

6. Any officer may resign at any time by giving written notice to the Chair and Executive Director. In the event of the resignation of the Chair, the Vice Chair shall serve as Chair, until a new Chair is elected at the next commission meeting, to fill out the balance of the unexpired term.
7. In the event of the resignation of the Vice Chair, a new Vice Chair shall be elected at the next commission meeting to fill out the balance of the unexpired term.

ARTICLE V. COMMISSION STAFF

Section A. Appointment of the Executive Director

The Executive Director must be appointed by the Governor, after consultation with the Commission, and serves at the pleasure of the Governor.

Section B. Duties of the Executive Director

1. Duties of the Executive Director shall be specified in the position description developed by the Office of the Governor and as specified in 90-14-103, MCA.
2. The Executive Director shall serve as the Chief Executive Officer for the Governor’s Office of Community Service and shall implement the policies of the Commission.
3. The Commission staff shall provide administrative support to the Commission.
4. The Executive Director shall attend all Commission and Executive Committee meetings.

ARTICLE VI. EXECUTIVE COMMITTEE

Section A. Composition

1. The officers of the Commission shall serve as the Executive Committee.
2. The Executive Director shall serve as a nonvoting, *ex-officio* member of the Executive Committee.
3. The Chair may appoint a nonvoting, *ex-officio* member to the Executive Committee.

Section B. Duties

1. The Executive Committee shall have general supervision of the Commission between its business meetings and shall have the authority to conduct the business of the Commission between its regular meetings in accordance with the bylaws of the Commission.
2. The Executive Committee shall make recommendations to the Commission.

3. The Executive Committee shall perform other duties as specified in these guidelines.
4. When official action is taken during a meeting of the Executive Committee, minutes from the meeting shall be posted on the Commission's website.
5. Interim Commission actions ratified by the Executive Committee must be ratified at the next Commission meeting.
6. The Executive Committee shall approve agendas for all Commission meetings.

Section C. Meetings

The Executive Committee shall meet by telephone or video conference or in person at least one time prior to each scheduled Commission meeting at the call of the Chair.

Article VII. WORK GROUPS

The Chair shall appoint standing work groups and their chairs, and other work groups and their chairs, as needed.

Section A. Grant Review Work Group

The Grant Review Work Group will participate in grant review, selection and recommendation for funding by the Commission.

Section B. Award Work Group

The Award Work Group will participate in review and selection of the annual award recipients.

Article VIII. Meetings

The word "meetings" as used in these bylaws means "session" and covers all regular meetings, special meetings, annual meetings and adjourned meetings.

Section A. Regular Meetings

1. There shall be at least four (4) regular meetings of the Commission each year, which may be held by telephone or video conference as necessary to conduct Commission business.
2. Unofficial minutes of Commission meetings shall be publicly posted within two (2) weeks following Commission meetings.

Section B. Public Notice

1. Notice of meetings shall be publically noticed in compliance with 2-3-103, MCA and posted on the state calendar at least one (1) week in advance of the meeting.
2. Agendas and material necessary to prepare for the meeting shall be posted on the Commission's website.

Section C. Open Meetings

In accordance with Montana’s 1972 Constitution, (Article II, section 8 and 9) and the state’s open meeting statutes, all meetings and actions of the Commission shall be conducted openly, and are therefore open to the Public, as are any record of the proceedings.

ARTICLE IX. VOTING

Section A. One Commissioner One Vote

Each voting Commissioner shall be entitled to one (1) vote on the commission.

Section B. Conflict of Interest

No Commissioner shall be entitled to vote upon any matter in which the member has perceivably or actually a “conflict of interest” as that term is defined in these bylaws.

Section C. Quorum

A quorum shall be constituted when one-half of the voting members of the Commission is present.

Section D Majority Vote

Actions, including the election of officers, shall require a majority vote of all voting members present and voting.

Section E. Proxy Vote

1. A voting Commission member may delegate his/her voting authority in writing to another voting Commission member.
2. This delegation expires at the conclusion of the designated Commission meeting.
3. The Executive Director must be provided a copy of the proxy and ensures that it becomes part of the official record of the Commission’s actions.

Article X. AMENDMENTS

Section A. Review

The Executive Committee or an ad hoc work group appointed by the Chair shall review the bylaws at least biennially and make recommendations for appropriate changes to the Commission.

Section B. Proposed Amendments

Proposed amendments to these bylaws must be submitted in writing to Executive Committee or to the ad hoc working group designated by the Chair.

Section C. Recommendations

Executive Committee or the ad hoc work group designated by the Chair shall review proposed amendments and send recommendations concerning the proposed amendments to the full Commission with the official notice of the meeting.

Section D. Voting

1. Such proposals shall be presented at the next regular Commission meeting, with a formal vote to follow at the subsequent meeting.
2. Proposed amendments to the bylaws must receive a two-thirds (2/3) majority vote of voting Commission members in attendance in order to be adopted.

ARTICLE XI. PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Roberts Rules of Order 10th Edition shall govern the Commission in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Commission may adopt.

ARTICLE XII. FISCAL YEAR

The fiscal year shall be from July 1 through June 30.