

Senate Bill 81

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Corrects references for federal antipoverty programs delivered through community action agency network.

A BILL FOR AN ACT

1
2 Relating to federal antipoverty programs; amending ORS 458.505.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 458.505 is amended to read:

5 458.505. (1) The community action agency network, established initially under the federal Eco-
6 nomic Opportunity Act of 1964, [*shall be*] **is** the delivery system for federal antipoverty programs in
7 Oregon, including the Community Services Block Grant, Low Income **Home** Energy Assistance
8 Program, [*State*] **United States** Department of Energy Weatherization **Assistance** Program and
9 such others as may become available.

10 (2) Funds for such programs shall be distributed to the community action agencies by the
11 Housing and Community Services Department with the advice of the Community Action Partnership
12 of Oregon.

13 (3) In areas not served by a community action agency, funds other than federal community ser-
14 vices funds may be distributed to and administered by organizations that are found by the Housing
15 and Community Services Department to serve the antipoverty purpose of the community action
16 agency network.

17 (4) In addition to complying with all applicable requirements of federal law, a community action
18 agency shall:

19 (a) Be an office, division or agency of the designating political subdivision or a not for profit
20 organization in compliance with ORS chapter 65.

21 (b) Have a community action board of at least nine but no more than 33 members, constituted
22 so that:

23 (A) One-third of the members of the board are elected public officials currently serving or their
24 designees. If the number of elected officials reasonably available and willing to serve is less than
25 one-third of the membership, membership of appointed public officials may be counted as meeting the
26 one-third requirement;

27 (B) At least one-third of the members are persons chosen through democratic selection proce-
28 dures adequate to assure that they are representatives of the poor in the area served; and

29 (C) The remainder of the members are officials or members of business, industry, labor, religious,
30 welfare, education or other major groups and interests in the community.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (c) If the agency is a private not for profit organization, be governed by the Community Action
 2 Board. The board shall have all duties, responsibilities and powers normally associated with such
 3 boards, including, but not limited to:

4 (A) Selection, appointment and dismissal of the executive director of the agency;

5 (B) Approval of all contracts, grant applications and budgets and operational policies of the
 6 agency;

7 (C) Evaluation of programs; and

8 (D) Securing an annual audit of the agency.

9 (d) If the organization is an office, division or agency of a political subdivision, be administered
 10 by the board that shall provide for the operation of the agency and be directly responsible to the
 11 governing board of the political subdivision. The administering board at a minimum, shall:

12 (A) Review and approve program policy;

13 (B) Be involved in and consulted on the hiring and firing of the agency director;

14 (C) Monitor and evaluate program effectiveness;

15 (D) Ensure the effectiveness of community involvement in the planning process; and

16 (E) Assume all duties delegated to it by the governing board.

17 (e) Have a clearly defined, specified service area. Community action service areas may not
 18 overlap.

19 (f) Have an accounting system that meets generally accepted accounting principles and be so
 20 certified by an independent certified accountant.

21 (g) Provide assurances against the use of government funds for political activity by the com-
 22 munity action agency.

23 (h) Provide assurances that no person shall, on the grounds of race, color, sex, sexual orien-
 24 tation or national origin be excluded from participation in, be denied the benefits of or be subjected
 25 to discrimination under any program or activity funded in whole or in part with funds made avail-
 26 able through the community action program.

27 (i) Provide assurances the community action agency shall comply with any prohibition against
 28 discrimination on the basis of age under the Age Discrimination Act of 1975 or with respect to an
 29 otherwise qualified individual with disabilities as provided in section 504 of the Rehabilitation Act
 30 of 1973.

31 (5) For the purposes of this section, the Oregon Human Development Corporation is eligible to
 32 receive federal community service funds and low-income energy assistance funds.

33 (6) The Housing and Community Services Department shall:

34 (a) Administer federal and state antipoverty programs.

35 (b) Apply for all available antipoverty funds on behalf of eligible entities as defined in this sec-
 36 tion.

37 (c) In conjunction with the Community Action Partnership of Oregon, develop a collaborative
 38 role in advocating for, and addressing the needs of, all low income Oregonians.

39 (d) Biennially produce and make available to the public a status report on efforts by it and state
 40 agencies to reduce the incidence of poverty in Oregon. This report shall contain figures regarding
 41 the numbers and types of persons living in poverty in Oregon. The report shall also describe the
 42 status of efforts by the department and the Department of Human Services to implement the state
 43 policy regarding homelessness described in ORS 458.528.

44 (e) On a regular basis provide information to the Community Action Partnership of Oregon on
 45 the activities and expenditures of the Housing and Community Services Department.

1 (f) As resources are available, provide resources for technical assistance, training and program
2 assistance to eligible entities.

3 (g) As resources are available, provide resources pursuant to ORS 409.750 for the training and
4 technical assistance needs of the Community Action Partnership of Oregon.

5 (h) Conduct a planning process to meet the needs of low income people in Oregon. That process
6 shall fully integrate the Oregon Human Development Corporation into the antipoverty delivery sys-
7 tem. The planning process shall include development of a plan for minimum level of services and
8 funding for low income migrant and seasonal farmworkers from the antipoverty programs adminis-
9 tered by the agency.

10 (i) Limit its administrative budget in an effort to maximize the availability of antipoverty federal
11 and state funds for expenditures by local eligible entities.

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