

A-Engrossed
House Bill 2073

Ordered by the House February 14
Including House Amendments dated February 14

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for Housing and Community Services Department)

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.

Establishes official name for interagency coordinating council dealing with hunger and homelessness. Expands council membership. Modifies council duties.

Revises legislative findings and policy regarding hunger. Modifies legislative declaration regarding initiation, promotion and development of activities and programs.

Changes size and composition of Hunger Relief Task Force. Transfers Hunger Relief Account appropriation from Hunger Relief Task Force to Housing and Community Services Department.

Directs Housing and Community Services Department to provide staffing and support for Interagency Council on Hunger and Homelessness and for Hunger Relief Task Force.

A BILL FOR AN ACT

1
2 Relating to the coordination of social service efforts; creating new provisions; amending ORS
3 458.525, 458.530, 458.532 and 458.545; and appropriating money.

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

5 **SECTION 1.** ORS 458.525 is amended to read:

6 458.525. (1) The Housing and Community Services Department shall serve as the lead [*agency to*
7 *coordinate state efforts in meeting the problem of hunger.*] **public body on hunger and homelessness**
8 **issues.**

9 **(2) The Interagency Council on Hunger and Homelessness is established.** The Director of
10 the Housing and Community Services Department shall [*establish an interagency coordinating council*
11 *consisting of representatives of the Housing and Community Services Department, the Department of*
12 *Corrections, the Economic and Community Development Department, the State Commission on Children*
13 *and Families, the Department of Education, the State Department of Agriculture and the Department*
14 *of Human Services.*] **chair the council. In addition to the director, the council shall consist of**
15 **15 members as follows:**

16 **(a) One member representing each of the following:**

17 **(A) The Housing and Community Services Department.**

18 **(B) The Department of Corrections.**

19 **(C) The Economic and Community Development Department.**

20 **(D) The State Commission on Children and Families.**

21 **(E) The Department of Education.**

22 **(F) The State Department of Agriculture.**

23 **(G) The Employment Department.**

24 **(H) The Department of Veterans' Affairs.**

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 **(I) The Department of Transportation.**

2 **(J) The Oregon Youth Authority.**

3 **(K) The Department of Community Colleges and Workforce Development.**

4 **(L) The Department of Justice.**

5 **(b) Three members representing the Department of Human Services. Of the three mem-**
6 **bers representing that department:**

7 **(A) One shall have expertise on issues affecting services to adults and families.**

8 **(B) One shall have expertise on issues affecting health services.**

9 **(C) One shall have expertise on issues affecting services to seniors and to persons with**
10 **disabilities.**

11 *[(2) The administrative heads of the agencies listed in subsection (1) of this section shall serve on*
12 *the council or shall designate an agency representative]*

13 **(3) Each council member must be the administrative head of the listed agency or an**
14 **employee of that agency who is designated by the administrative head and who has an agency**
15 **policy-making role affecting hunger, food programs, nutrition [and related areas], homelessness or**
16 **related issues.**

17 *[(3) The council shall be responsible for:]*

18 *[(a) Implementing recommendations of the Hunger Relief Task Force;]*

19 *[(b) Ensuring that food and nutrition programs operate efficiently and effectively;]*

20 *[(c) Monitoring federal programs;]*

21 *[(d) Encouraging coordination of state and local programs and of public and private organizations*
22 *engaged in food distribution programs; and]*

23 *[(e) Making recommendations to affected agencies and programs.]*

24 **(4) The Hunger Relief Task Force shall adopt recommendations and proposals as the task**
25 **force deems appropriate. The council shall be responsible for receiving the recommendations**
26 **and proposals adopted by the task force and the recommendations of any state body relating**
27 **to the issue of homelessness, and for forwarding the recommendations and proposals to state**
28 **agencies or other public or private organizations for action that the council deems appro-**
29 **priate:**

30 **(a) To ensure the coordination of state agency hunger relief efforts and homelessness**
31 **relief efforts;**

32 **(b) To ensure that food and nutrition programs, other hunger relief efforts and**
33 **homelessness relief efforts operate efficiently and effectively;**

34 **(c) To monitor the utilization of federal hunger relief efforts and homelessness relief ef-**
35 **forts and provide outreach to expand underutilized programs; and**

36 **(d) To encourage the coordination of state and local programs, public and private anti-**
37 **poverty programs affecting food distribution and programs for assisting the homeless.**

38 **[(4)] (5) The Director of the Housing and Community Services Department, in collaboration**
39 **with the Director of Human Services, shall convene council meetings at least quarterly.**

40 **(6) The Director of the Housing and Community Services Department shall provide the**
41 **council with staff support the director deems appropriate, by using Housing and Community**
42 **Services Department employees or by contract. The director shall also provide the council**
43 **with supplies as the director deems appropriate.**

44 **SECTION 2.** ORS 458.530 is amended to read:

45 458.530. (1) The Legislative Assembly finds and declares that it is the policy of this state that:

1 (a) Hunger is defined as the state of being unable to obtain a nutritionally adequate diet from
2 nonemergency food channels. Hunger is not one discrete event. Hunger is a series of events that
3 lead up to and follow a lack of adequate food intake. It is the process in which people become at
4 risk of hunger, attempt to cope with the problem and suffer a variety of health and social conse-
5 quences.

6 (b) All persons have the right to be free from hunger.

7 (c) Freedom from hunger means all persons have food security[, *that is, the means to obtain a*
8 *nutritionally adequate diet through conventional food sources at all times*]. **Persons lack food secu-**
9 **urity if they are uncertain of having, or being able to acquire in socially acceptable ways,**
10 **enough acceptable food at all times to meet basic needs because they have insufficient money**
11 **or other resources for food.**

12 [(d) *All persons in Oregon have food security by the year 2000.*]

13 **(d) Oregon will rank among the top 10 states in providing food security without hunger**
14 **by 2015.**

15 (2) The Legislative Assembly declares that the policy of this state is to provide and encourage
16 activities and programs necessary to fulfill the commitment stated in subsection (1) of this section
17 and that the purpose of policies stated in this section is to provide a guide for the establishment,
18 implementation and operation of activities and programs designed to alleviate or eradicate hunger
19 in this state. It further declares that the activities and programs shall be initiated, promoted and
20 developed through:

21 (a) Volunteers and volunteer groups;

22 (b) Public and private not-for-profit organizations;

23 (c) Partnership with local governmental agencies;

24 (d) Coordinated efforts of state agencies;

25 (e) Coordination and cooperation with federal programs;

26 (f) Partnership with private health and social service agencies; and

27 (g) [A *designated state agency that will encourage and work with the hungry and organizations*
28 *working with the hungry, that will coordinate state, local and private programs, that will encourage*
29 *and monitor federal programs and that will act as an advocate for the hungry in Oregon.*] **The**
30 **Interagency Council on Hunger and Homelessness, the Hunger Relief Task Force and other**
31 **state bodies created to address the issue of homelessness.**

32 **SECTION 3.** ORS 458.532 is amended to read:

33 458.532. (1) The Hunger Relief Task Force is established in the Housing and Community Services
34 Department. The task force shall consist of [24] **not more than 28** members appointed as follows:

35 [(a) *Two Senators, one each appointed by the President of the Senate and the Minority Leader of*
36 *the Senate;*]

37 [(b) *Two Representatives, one each appointed by the Speaker of the House of Representatives and*
38 *the Minority Leader of the House of Representatives; and*]

39 **(a) The President of the Senate shall appoint one member from among members of the**
40 **Senate.**

41 **(b) The Senate Minority Leader shall appoint one member from among members of the**
42 **Senate.**

43 **(c) The Speaker of the House of Representatives shall appoint one member from among**
44 **members of the House of Representatives.**

45 **(d) The House Minority Leader shall appoint one member from among members of the**

1 **House of Representatives.**

2 [(c)] (e) The Director of the Housing and Community Services Department, **with the advice of**
3 **the Director of Human Services**, shall appoint [*one member, unless otherwise indicated, from each*
4 *of*] the following:

5 [(A) *The Department of Education Child Nutrition Program;*]

6 [(B) *The Department of Human Services Food Stamp Program;*]

7 [(C) *The Department of Human Services Women, Infants and Children (WIC) Program;*]

8 [(D) *The State Department of Agriculture;*]

9 [(E) *Oregon Food Bank;*]

10 [(F) *United Way of the Columbia-Willamette;*]

11 [(G) *The Human Rights Coalition;*]

12 [(H) *A student from an institution of higher education;*]

13 [(I) *The Community Action Directors of Oregon;*]

14 [(J) *The retail food industry;*]

15 [(K) *The grower and processor food industry;*]

16 [(L) *A direct service provider;*]

17 [(M) *The Association of Oregon Counties;*]

18 [(N) *The migrant community;*]

19 **(A) One member representing the Department of Education who has experience in child**
20 **nutrition programs.**

21 **(B) One member representing the Department of Human Services who has experience in**
22 **food stamp programs.**

23 **(C) One member representing the Department of Human Services who has experience in**
24 **the Women, Infants and Children program.**

25 **(D) One member representing the State Department of Agriculture.**

26 **(E) One member representing a statewide food bank.**

27 **(F) One member representing United Way of America or a successor organization.**

28 **(G) One member representing an Oregon low-income advocacy group.**

29 **(H) One member who is a student at an institution of higher education.**

30 **(I) One member representing the Community Action Directors of Oregon.**

31 **(J) One member representing the food retailing industry.**

32 **(K) One member representing the food growing and processing industries.**

33 **(L) One member who is a direct service provider.**

34 **(M) One member representing county government.**

35 **(N) One member representing the migrant community.**

36 (O) Three members [*from*] **representing** the religious community.[; *and*]

37 **(P) One member representing the Housing and Community Services Department.**

38 [(P)] **(Q) No more than six additional [*persons*] members having qualifications other than**
39 **those of members described in subparagraphs (A) to (P) of this paragraph.**

40 [(2) *Of the members described in subsection (1)(c) of this section, at least one member shall be a*
41 *member of a minority ethnic group and at least two members shall be representatives of rural areas*
42 *and areas of eastern Oregon.*]

43 [(3)] **(2)** A member serves for a three-year term. A member may be reappointed.

44 [(4)] **(3)** If there is a vacancy for any cause, the appointing authority shall make an appointment
45 to become immediately effective for the unexpired term. The appointing authority may appoint a

1 replacement for any member of the task force who misses more than two consecutive meetings of
2 the task force.

3 *[(5) The task force shall select one member as chairperson and one member as vice chairperson, for
4 such terms and with duties and powers as the task force determines necessary for the performance of
5 the functions of such offices.]*

6 *[(6)] (4) [Twelve members shall constitute] **One-half of the task force membership constitutes**
7 a quorum for the transaction of business.*

8 *[(7) The task force shall meet at least once each month at a place, day and hour determined by the
9 task force. The task force also shall meet at other times and places specified by the call of the chair-
10 person or of a majority of the members of the task force.]*

11 *[(8) The task force may appoint a director to serve at the pleasure of the task force and with duties
12 determined by the task force.]*

13 *[(9) In addition to other funds made available for the work of the task force, the task force may
14 accept gifts and grants from public and private sources to be used to carry out the purposes for which
15 the task force exists and to alleviate hunger in the state.]*

16 *[(10) The moneys received under subsection (9) of this section shall be deposited in a special ac-
17 count, separate and distinct from the General Fund, to be named the Hunger Relief Account which
18 account is established. All moneys in the account and all earnings thereon are continuously appropri-
19 ated to the Hunger Relief Task Force to be used together with any federal funds that may be available
20 to carry out the work of the task force and to alleviate hunger in the state.]*

21 **(5) The Director of the Housing and Community Services Department shall provide the**
22 **task force with staff support the director deems appropriate, by using Housing and Commu-**
23 **nity Services Department employees or by contract. The director shall also provide for the**
24 **payment of appropriate task force operating expenses.**

25 **SECTION 4. Nothing in the amendments to ORS 458.532 by section 3 of this 2007 Act af-**
26 **fects the term of office of any member of the Hunger Relief Task Force appointed prior to**
27 **and serving on the effective date of this 2007 Act. However, as vacancies occur, replacement**
28 **appointments shall be made in accordance with the qualifications specified in ORS 458.532,**
29 **as amended by section 3 of this 2007 Act.**

30 **SECTION 5. Section 6 of this 2007 Act is added to and made a part of ORS 458.530 to**
31 **458.545.**

32 **SECTION 6. (1) The Hunger Relief Account is established in the State Treasury separate**
33 **and distinct from the General Fund. Interest earned by the account shall be credited to the**
34 **account.**

35 **(2) Moneys in the account are continuously appropriated to the Housing and Community**
36 **Services Department to carry out the purposes of ORS 458.530 to 458.545.**

37 **(3) The department may apply for and accept gifts, grants and donations for deposit to**
38 **the account.**

39 **SECTION 7. (1) The Hunger Relief Account established by section 6 of this 2007 Act is a**
40 **continuation of the Hunger Relief Account established by ORS 458.532 as set forth in the 2005**
41 **Edition of Oregon Revised Statutes. The unexpended balance of the Hunger Relief Account**
42 **existing on the effective date of this 2007 Act shall continue to be credited to the account**
43 **and is available for expenditure by the Housing and Community Services Department as de-**
44 **scribed in section 6 of this 2007 Act.**

45 **(2) Notwithstanding section 6 of this 2007 Act, any liability, debt or obligation of the**

1 **Hunger Relief Task Force legally incurred prior to the effective date of section 6 of this 2007**
2 **Act and the amendments to ORS 458.532 by section 3 of this 2007 Act shall be a liability, debt**
3 **or obligation of the Housing and Community Services Department payable from the Hunger**
4 **Relief Account.**

5 **SECTION 8.** ORS 458.545 is amended to read:

6 458.545. The Hunger Relief Task Force shall:

7 [(1) *Function as the designated state unit on hunger.*]

8 [(2)] (1) Serve within government and in the state at large as an advocate for hungry persons.

9 [(3)] (2) Participate in coordinating the effective and efficient provision of services to hungry
10 citizens so that the services will be readily available to the greatest number over the widest ge-
11 ographic area; assure that information on these services is available in each locality, utilizing
12 whenever possible existing information services; and assure that each new service receives maxi-
13 mum publicity at the time it is initiated.

14 [(4)] (3) Have authority to study programs and budgets of [*all public agencies and those private*
15 *agencies willing to cooperate which*] **those public bodies or private entities willing to cooperate,**
16 **and all state agencies, that** provide services **or funding** directed at the alleviation or eradication
17 of hunger. [*After such study, the task force shall make recommendations to*]

18 (4) **Have authority to study any concepts regarding the alleviation or eradication of**
19 **hunger within this state.**

20 (5) **Make any recommendations or proposals the task force deems appropriate to the**
21 **Interagency Council on Hunger and Homelessness, the Governor, the Legislative Assembly [*and***
22 *the agencies involved*] **or others.** Such recommendations shall be designed to provide coordination
23 of programs for hungry persons, to avoid unnecessary duplication in provision of services, to point
24 out gaps in provision of services and to recommend ways of filling gaps in services. The task force
25 also shall recommend development of a comprehensive plan for delivery of services to hungry per-
26 sons. In carrying out these tasks, the task force shall coordinate its efforts with other advisory
27 groups or entities with similar or related responsibilities to avoid duplication of effort.

28 [(5)] (6) Encourage, by expansion of existing activities and programs for the hungry, by school
29 programs, by meals-on-wheels, by counseling or by other means, public and private development of
30 nutrition programs for hungry citizens that prevent or minimize hunger and illness which is related
31 to hunger or nutritional deficiencies.

32 [(6)] (7) Conduct research and other appropriate activities to determine:

33 (a) The dimensions of hunger in the state;

34 (b) The availability and accessibility of emergency food in all areas of the state;

35 (c) The opportunities for public and private partnerships in the areas of food and nutrition;

36 (d) The participation rates of eligible persons in all federal food programs, especially food
37 stamps;

38 (e) The identification of persons needing food and nutrition services who are not eligible under
39 existing programs;

40 (f) Barriers to the participation of eligible persons in food and nutrition programs; and

41 (g) The impact of economic changes on food and nutrition programs.

42 [(7) *Develop specific proposals and recommendations for action for presentation to the Governor*
43 *and the Legislative Assembly.*]

44 (8) Prepare and disseminate an annual report on the status of hunger in the state, efforts being
45 made to alleviate and eradicate hunger, and proposals and recommendations for strengthening

1 progress toward the eradication of hunger.

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