

# House Bill 2260

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 **as introduced**.

Allows Housing and Community Services Department to make farmworker housing financing information and biennial report on poverty available to public by placing materials and report on department website or by other means determined by department.

## A BILL FOR AN ACT

1  
2 Relating to the availability of information produced by the Housing and Community Services De-  
3 partment; amending ORS 456.585 and 458.505.

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

5 **SECTION 1.** ORS 456.585 is amended to read:

6 456.585. The Housing and Community Services Department shall serve as the primary state  
7 agency for farmworker housing information. The department shall perform the following duties re-  
8 lated to farmworker housing information:

9 (1) Develop an information center for farmworker housing financing information. The department  
10 shall consult with private organizations and the Farmworker Housing Facilitation Team established  
11 pursuant to subsection (3) of this section in developing and operating the information center. [*The*  
12 *information center shall include provision for access by the Internet.*] **The department may make**  
13 **information regarding farmworker housing financing available by placing the information on**  
14 **the department website or by other means determined by the department.**

15 (2) To the extent practicable, simplify the application process for funding farmworker housing  
16 projects.

17 (3) Establish a Farmworker Housing Facilitation Team to provide an ongoing discussion forum  
18 for state and local government agencies that are involved with farmworker housing. Team members  
19 shall include the Housing and Community Services Department, the Occupational Safety and Health  
20 Division, the State Department of Agriculture, the Department of Land Conservation and Develop-  
21 ment, the Employment Department and the Oregon State University Extension Service. The Housing  
22 and Community Services Department shall also invite Rural Development and the Farm Service  
23 Agency of the United States Department of Agriculture, the United States Department of Labor,  
24 local planning agencies and other interested persons to be members of the team.

25 (4) Ensure that homeowner assistance programs engage in outreach efforts to contact  
26 farmworkers.

27 (5) Promote the establishment and use of individual development accounts by farmworkers and  
28 others.

29 (6) Use a statewide map of crop diversity to determine housing needs, and facilitate the devel-  
30 opment of farmworker housing in appropriate locations.

**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 (7) Look at creative ways to provide housing, including but not limited to time-share housing,  
2 cooperative housing, mobile and portable housing and modular housing.

3 (8) Work with private businesses, state agencies and nonprofit organizations to maximize the  
4 development of farmworker housing.

5 (9) To the extent practicable, refer housing-based conflicts to dispute resolution processes.

6 **SECTION 2.** ORS 458.505, as amended by section 28, chapter 100, Oregon Laws 2007, is  
7 amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

39 (C) Evaluation of programs; and

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

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

44 (A) Review and approve program policy;

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

- 1 (C) Monitor and evaluate program effectiveness;
- 2 (D) Ensure the effectiveness of community involvement in the planning process; and
- 3 (E) Assume all duties delegated to it by the governing board.
- 4 (e) Have a clearly defined, specified service area. Community action service areas may not
- 5 overlap.
- 6 (f) Have an accounting system that meets generally accepted accounting principles and be so
- 7 certified by an independent certified accountant.
- 8 (g) Provide assurances against the use of government funds for political activity by the com-
- 9 munity action agency.
- 10 (h) Provide assurances that no person shall, on the grounds of race, color, sex, sexual orien-
- 11 tation or national origin, be excluded from participation in, be denied the benefits of or be subjected
- 12 to discrimination under any program or activity funded in whole or in part with funds made avail-
- 13 able through the community action program.
- 14 (i) Provide assurances the community action agency shall comply with any prohibition against
- 15 discrimination on the basis of age under the Age Discrimination Act of 1975 or with respect to an
- 16 otherwise qualified individual with disabilities as provided in section 504 of the Rehabilitation Act
- 17 of 1973.
- 18 (5) For the purposes of this section, the Oregon Human Development Corporation is eligible to
- 19 receive federal community service funds and low-income energy assistance funds.
- 20 (6) The Housing and Community Services Department shall:
- 21 (a) Administer federal and state antipoverty programs.
- 22 (b) Apply for all available antipoverty funds on behalf of eligible entities as defined in this sec-
- 23 tion.
- 24 (c) In conjunction with the Community Action Directors of Oregon, develop a collaborative role
- 25 in advocating for, and addressing the needs of, all low income Oregonians.
- 26 (d) Biennially produce and make available to the public a status report on efforts by it and state
- 27 agencies to reduce the incidence of poverty in Oregon. **The department may make the report**
- 28 **available by placing the report on the department website or by other means determined by**
- 29 **the department.** This report shall contain figures regarding the numbers and types of persons liv-
- 30 ing in poverty in Oregon.
- 31 (e) On a regular basis provide information to the Community Action Directors of Oregon on the
- 32 activities and expenditures of the Housing and Community Services Department.
- 33 (f) As resources are available, provide resources for technical assistance, training and program
- 34 assistance to eligible entities.
- 35 (g) As resources are available, provide resources for the training and technical assistance needs
- 36 of the Community Action Directors of Oregon.
- 37 (h) Conduct a planning process to meet the needs of low income people in Oregon. That process
- 38 shall fully integrate the Oregon Human Development Corporation into the antipoverty delivery sys-
- 39 tem. The planning process shall include development of a plan for minimum level of services and
- 40 funding for low income migrant and seasonal farmworkers from the antipoverty programs adminis-
- 41 tered by the agency.
- 42 (i) Limit its administrative budget in an effort to maximize the availability of antipoverty federal
- 43 and state funds for expenditures by local eligible entities.

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