

# D R A F T

## SUMMARY

Updates list of federal antipoverty programs administered by Housing and Community Services Department for which services are delivered by community action agencies.

### A BILL FOR AN ACT

Relating to community action agencies; amending ORS 458.505.

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

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

458.505. (1) The community action agency network, established initially under the federal Economic Opportunity Act of 1964, shall be [*the delivery system for federal antipoverty programs in Oregon, including the Community Services Block Grant, Low Income Energy Assistance Program, State Department of Energy Weatherization Program and such others as may become available.*] **responsible for providing the homeless assistance and homelessness prevention program services funded by federal antipoverty programs that are administered by the Housing and Community Services Department, including but not limited to:**

**(a) The Community Services Block Grant Program;**

**(b) The Emergency Solutions Grants Program;**

**(c) The Weatherization Assistance Program;**

**(d) The HOME Tenant-Based Rental Assistance Program;**

**(e) The Low Income Energy Assistance Program; and**

**(f) Any federal block grant programs that consolidate or replace the homeless assistance and homelessness prevention programs services**

1 **funded under paragraphs (a) to (e) of this subsection.**

2 (2) Funds for such programs shall be distributed to the community action  
3 agencies by the Housing and Community Services Department with the ad-  
4 vice of the Community Action Partnership of Oregon.

5 (3) In areas not served by a community action agency, **or if a community**  
6 **action agency serving an area lacks the resources or capacity to pro-**  
7 **vide the services,** funds other than federal community services funds may  
8 be distributed to and administered by organizations that are found by the  
9 Housing and Community Services Department to serve the antipoverty pur-  
10 pose of the community action agency network.

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

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

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

17 (A) One-third of the members of the board are elected public officials  
18 currently serving or their designees. If the number of elected officials rea-  
19 sonably available and willing to serve is less than one-third of the member-  
20 ship, membership of appointed public officials may be counted as meeting the  
21 one-third requirement;

22 (B) At least one-third of the members are persons chosen through demo-  
23 cratic selection procedures adequate to assure that they are representatives  
24 of the poor in the area served; and

25 (C) The remainder of the members are officials or members of business,  
26 industry, labor, religious, welfare, education or other major groups and in-  
27 terests in the community.

28 (c) If the agency is a private not for profit organization, be governed by  
29 the Community Action Board. The board shall have all duties, responsibil-  
30 ities and powers normally associated with such boards, including, but not  
31 limited to:

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

3 (B) Approval of all contracts, grant applications and budgets and opera-  
4 tional policies of the agency;

5 (C) Evaluation of programs; and

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

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

11 (A) Review and approve program policy;

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

14 (C) Monitor and evaluate program effectiveness;

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

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

18 (e) Have a clearly defined, specified service area. Community action ser-  
19 vice areas may not overlap.

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

22 (g) Provide assurances against the use of government funds for political  
23 activity by the community action agency.

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

29 (i) Provide assurances the community action agency shall comply with  
30 any prohibition against discrimination on the basis of age under the Age  
31 Discrimination Act of 1975 or with respect to an otherwise qualified indi-

1 vidual with disabilities as provided in section 504 of the Rehabilitation Act  
2 of 1973.

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

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

7 (a) Administer federal and state antipoverty programs.

8 (b) Apply for all available antipoverty funds on behalf of eligible entities  
9 as defined in this section.

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

13 (d) Biennially produce and make available to the public a status report  
14 on efforts by it and state agencies to reduce the incidence of poverty in  
15 Oregon. This report shall contain figures regarding the numbers and types  
16 of persons living in poverty in Oregon. The report shall also describe the  
17 status of efforts by the department and the Department of Human Services  
18 to implement the state policy regarding homelessness described in ORS  
19 458.528.

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

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

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

28 (h) Conduct a planning process to meet the needs of low income people  
29 in Oregon. That process shall fully integrate the Oregon Human Develop-  
30 ment Corporation into the antipoverty delivery system. The planning process  
31 shall include development of a plan for minimum level of services and fund-

1 ing for low income migrant and seasonal farmworkers from the antipoverty  
2 programs administered by the agency.

3 (i) Limit its administrative budget in an effort to maximize the avail-  
4 ability of antipoverty federal and state funds for expenditures by local eli-  
5 gible entities.

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