

# Senate Bill 962

Sponsored by COMMITTEE ON HUMAN SERVICES

## 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**.

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

1  
2 Relating to community action agencies; 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 [*the delivery system for federal antipoverty programs in*  
7 *Oregon, including the Community Services Block Grant, Low Income Energy Assistance Program,*  
8 *State Department of Energy Weatherization Program and such others as may become available.*] **re-**  
9 **sponsible for providing the homeless assistance and homelessness prevention program ser-**  
10 **vices funded by federal antipoverty programs that are administered by the Housing and**  
11 **Community Services Department, including but not limited to:**

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

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

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

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

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

17 (f) **Any federal block grant programs that consolidate or replace the homeless assistance**  
18 **and homelessness prevention programs services funded under paragraphs (a) to (e) of this**  
19 **subsection.**

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

23 (3) In areas not served by a community action agency, **or if a community action agency**  
24 **servicing an area lacks the resources or capacity to provide the services**, funds other than fed-  
25 eral community services funds may be distributed to and administered by organizations that are  
26 found by the Housing and Community Services Department to serve the antipoverty purpose of the  
27 community action agency network.

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

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

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

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

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

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

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

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

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

17 (C) Evaluation of programs; and

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

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

22 (A) Review and approve program policy;

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

24 (C) Monitor and evaluate program effectiveness;

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

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

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

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

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

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

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

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

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

44 (a) Administer federal and state antipoverty programs.

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

1 tion.

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

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

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

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

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

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

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

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