

HOUSE No. 125

The Commonwealth of Massachusetts

PRESENTED BY:

Tackey Chan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to address inequality, promote opportunity, and end poverty.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Tackey Chan</i>	<i>2nd Norfolk</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>

HOUSE No. 125

By Mr. Chan of Quincy, a petition (accompanied by bill, House, No. 125) of Tackey Chan and others relative to the establishment of an interagency council to address inequality, promote opportunity and end poverty. Community Development and Small Businesses.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act to address inequality, promote opportunity, and end poverty.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 23B of the Massachusetts General Laws is hereby amended by
2 replacing section 24 with the following:

3 Section 24. As used in this section the following words, unless the context requires
4 otherwise, shall have the following meaning:

5 “Community action agency”, a nonprofit agency which has previously been designated
6 and authorized to accept funds from the federal Community Services Administration for
7 community action agencies under the federal Economic Opportunity Act of 1964, unless such
8 designation is rescinded by the director in accordance with the provisions of this section, or any
9 agency formed as may be designated as a community action agency by the director to succeed
10 any agency that the director determines fails to meet federal requirements, or fair and reasonable
11 requirements established by the director, or any agency designated as a community action agency
12 by the director to serve previously unserved areas in accordance with the provisions of this

13 section; community action agencies are the federally mandated antipoverty agencies in the
14 Commonwealth of Massachusetts and the network of community based organizations they
15 comprise shall be considered the federally mandated antipoverty network operating in the
16 Commonwealth of Massachusetts.

17 “Department”, the Massachusetts Department of Housing and Community Development.

18 “Committee”, the advisory committee established by this section.

19 “Fund”, The Community Action Trust Fund to Address Inequality, Promote Opportunity,
20 and End Poverty established by this section.

21 “MASSCAP”, Massachusetts Association for Community Action.

22 “Community services block grant”, funds designated to ameliorate the causes of poverty
23 in communities within the commonwealth, distributed by the federal government to the
24 commonwealth pursuant to section 672(a) et. seq. of the Omnibus Budget Reconciliation Act of
25 1981, or its successor.

26 “Density of poverty”, percentage of total population in area to be served representing
27 persons at one hundred per cent of poverty as defined by the United States Office of
28 Management and Budget.

29 A community action agency shall maintain a board structure where one-third of the
30 members shall be elected public officials, currently, holding office, or their representatives,
31 except that if the number of elected officials reasonably available and willing to serve is less than
32 one-third of the membership on the board, membership on the board of appointive public
33 officials may be counted in meeting such one-third requirement; at least one-third of the

34 members shall be persons chosen in accordance with democratic selection procedures adequate
35 to assure that they are representative of the poor in the area served; and the remainder of the
36 members shall be officials or members of the business, industry, labor, religious, welfare,
37 education, or other major groups and interests in the community.

38 In order to qualify as a community action agency, such agency must be one which is
39 community based and operated as set forth in this section which: -

40 (a) is designed to provide a comprehensive range of services and activities having a
41 measurable and potentially major impact on causes of poverty in the community or those areas of
42 the community where poverty is a particularly acute problem; plan systematically for an
43 effective community action program; develop information as to the problems and causes of
44 poverty in the community; determine how much and how effectively assistance is being provided
45 to deal with those problems and causes; and establish priorities among projects, activities and
46 areas as needed for the best and most efficient use of resources; in cooperation with community
47 agencies and officials, undertake actions to improve existing efforts to reduce poverty, such as
48 community agencies and officials are responsible; Initiate and sponsor projects responsive to
49 needs of the poor which are not otherwise being met, with particular emphasis on providing
50 central or common services that can be drawn upon by a variety of related programs, developing
51 new approaches or new types of services that can be incorporated into other programs, and filling
52 gaps pending the expansion or modification of those programs; establish effective procedures by
53 which the poor and area residents concerned will be enabled to influence the character of
54 programs affecting their interests, provide for their regular participation in the implementation of
55 those programs, and provide technical and other support needed to enable the poor and
56 neighborhood groups to secure on their own behalf available assistance from public and private

57 sources; build collaborations and coalitions and join with and encourage business, labor and
58 other private groups and organizations to undertake, together with public officials and agencies,
59 activities in support of the community action program which will result in the additional use of
60 private resources and capabilities, with a view to developing new employment opportunities,
61 stimulating investment that will have a measurable impact on reducing poverty among residents
62 of areas of concentrated poverty, and providing methods by which residents of those areas can
63 work with private groups, firms, and institutions in seeking solutions to problems of common
64 concern.

65 (b) has been developed and has organized and combined projects and has integrated and
66 arranged and blended services, also known as “wrap around” services, so called, and has
67 employed comprehensive case management as a fundamental component of its service approach
68 and activities undertaken by the agency in a manner appropriate to carry out all the purposes of
69 this section; and

70 (c) includes, but is not limited to, programs to assist low income participants, including
71 the elderly poor, such as programs to: secure and maintain meaningful employment, attain an
72 adequate education; provide and maintain adequate housing and a suitable living environment;
73 receive energy assistance and weatherization services; obtain financial education; avoid
74 homelessness; develop assets; obtain emergency assistance through loans or grants to meet
75 immediate and urgent individual and family needs, including the need for health services,
76 nutritious food, housing and employment-related assistance; remove obstacles and solve personal
77 and family problems which block the achievement of self-sufficiency; and achieve greater
78 participation in the affairs of the community.

79 From time to time, community action agencies, as represented by their association known
80 as the Massachusetts Association for Community Action, shall convene with elected and
81 appointed officials, allied organizations, low-income residents, and others, regional and
82 statewide sessions on addressing poverty, the findings and information from which shall
83 contribute to the adjustment and improvement of existing policies and programs and practices
84 and the development of new policies and programs and practices to address inequality in the
85 Commonwealth of Massachusetts.

86 There shall be established the Interagency Council to Address Inequality, Promote
87 Opportunity, and End Poverty for the purpose of reviewing existing programs and making
88 recommendations to ensure that programs aimed at addressing poverty and inequality, promoting
89 opportunity, and otherwise fostering self-sufficiency among low income and working people are
90 coordinated and provided in a productive manner; the Council shall be coordinated by the
91 Department of Housing and Community and Development and will increase coordination among
92 the several other state agencies and departments including but not limited to the departments
93 within the Executive Office of Health and Human Services and within the Executive Office of
94 Labor and Workforce Development (more to add) that help vulnerable people achieve stability
95 and move on to economic mobility; members of the Council shall meet at least 6 times a year
96 and consult on a regular basis with individuals or groups who have specific expertise in subject
97 areas that the Council is addressing; the Council shall have the authority to review existing
98 programs and recommend improvements to such programs and policies to ensure that such
99 services are provided in an efficient, cost-effective, and productive manner, recommend
100 legislation to improve the operation of the policies of the Commonwealth, recommend changes
101 to regulations of any agency of the Commonwealth, recommend contracts, grants, or other,

102 recommend partnerships with private entities, including corporate, philanthropic, and faith-based
103 organizations, as well as the federal government and municipalities; the Council shall monitor
104 the progress of any initiatives undertaken in response to the Council's recommendations.

105 The Council shall be considered a permanent panel and shall report any findings or
106 recommendations, including any recommendations for legislation or regulation, to the Governor
107 at such periods as determined by the Chair on January 15th of each year.

108 Subject to appropriation, for a program to provide community investment support for
109 community action agencies operating in Massachusetts, as defined by this section;

110 Provided that the resources from this line-item be used for the same purposes by
111 community action agencies that the federal fund known as the community service block grant, as
112 defined by this section and 42 U.S.C. et seq. is used;

113 Provided further, that the resources from this line-item be distributed to the community
114 action agencies by the department of housing and community development;

115 Provided further, that not less than one percent of the resources from this line item be
116 provided to the Massachusetts Association for Community Action (MASSCAP) to provide
117 training and technical assistance to community action agencies operating in Massachusetts.

118 There shall be a separate fund to be known as the Community Action Trust Fund to
119 Address Inequality, Promote Opportunity, and End Poverty which shall be sited within the
120 Department of Housing and Community Development. The Department shall administer the
121 fund, according to guidelines promulgated by the Department and in consultation with the
122 advisory committee. The fund shall assist in the creation of projects to assist low income

123 individuals and families in the commonwealth out of poverty, for the benefit of households
124 whose incomes are not more than 200 per cent of the federal poverty level as determined by the
125 federal Department of Health and Human Services. The fund shall be an expendable trust fund
126 and shall not be subject to appropriation.

127 There shall be credited to the fund, revenue from appropriations or other monies
128 authorized by the general court and specifically designated to be credited to the fund and other
129 monies may be utilized, including no less than fifty percent of the federal community service
130 block grant (CSBG) special projects funds, so called, as defined by this section and 42 U.S.C. et
131 seq., which is administered by the Department of Housing and Community Development, and
132 gifts, grants, private contributions, and all other sources. Money remaining in the fund at the end
133 of a fiscal year shall not revert to the general fund.

134 The agency shall maintain the fund as a separate fund, and shall cause it to be audited by
135 an independent accountant on an annual basis in accordance with accepted accounting principles.

136 The agency shall administer assistance from the fund using only the criteria set forth
137 under this chapter for projects sponsored by MASSCAP or Community Action Agencies. The
138 Department may enter into agreements with MASSCAP or Community Action Agencies to
139 administer assistance from the fund for projects that may be developed and implemented in
140 partnership with other nonprofit organizations, after consulting the advisory committee
141 established by this section.

142 The fund shall finance innovative community based programs and services that address
143 current and emerging needs that to have a measurable impact on alleviating the causes of
144 poverty. Activities eligible for assistance from the fund include, but are not limited to:

- 145 (1) Projects to assist low-income participants;
- 146 (2) Projects to secure and maintain meaningful employment;
- 147 (3) Projects to offer financial education;
- 148 (4) Projects to help families avoid homelessness;
- 149 (5) Projects to offer energy assistance and weatherization services
- 150 (6) Projects to offer emergency assistance to meet immediate and urgent individual and
- 151 family needs;
- 152 (7) Projects to help individuals attain an adequate education.

153 There shall be established an advisory committee to the fund, which shall make policy

154 recommendations to the department of housing and community development regarding the

155 fund's program and funding activities.

156 The committee shall be comprised of the following members: the director of the

157 Department of Housing and Community Development or his designee; the director of

158 Community Economic Development Assistance Corporation (CEDAC) or his designee; two

159 representatives appointed by the Speaker of the Massachusetts House of Representatives; two

160 representatives appointed by the President of the Massachusetts State Senate; two municipal

161 officials appointed by the Massachusetts Municipal Association, one of whom shall be from a

162 city and one of whom shall be from a town; and a representative appointed by each of the

163 following organizations: the Massachusetts Association for Community Action (MASSCAP), the

164 Massachusetts Energy Directors Association (MEDA), the Massachusetts Head Start Association

165 (MHSA). Committee members shall serve at the pleasure of the appointing authorities.

166 The department of housing and community development on annual basis shall file a
167 report with the Executive Office of Administration and Finance, the House Committee on Ways
168 and Means, and the Senate Committee on Ways and Means which will detail all expenditures
169 from the fund, including but not limited to the recipient of the funds, the cost of administration,
170 and the number of low-income families and individuals assisted by the fund.

171 The commonwealth, acting by and through the director, may enter into contracts with
172 community action agencies, and such other organizations as the director determines, to provide
173 services consistent with the purposes of this section. Any such agency shall comply with such
174 requirements as the director may establish by regulation or otherwise, including, but not limited
175 to, reporting and monitoring requirements, and evaluation procedures, and, in the case of
176 community action agencies, procedures for the designation and the suspension or rescision of
177 designation as a community action agency. Procedures for the suspension or rescision of
178 designation as a community action agency shall include adequate notice and an opportunity for a
179 hearing.

180 The director may designate an agency as a community action agency to serve a
181 previously unserved area, if the director finds that: there are sufficient additional community
182 services block grant funds appropriated to provide for the addition and continuing operation of
183 such agency, and that such agency will serve an area having a population in excess of seventy-
184 five thousand and a density of poverty which exceeds seven per cent.

185 The provisions of this section shall be applicable to the awarding of contracts by the
186 director under the federal community services block grant program. Not less than ninety per cent
187 of the total of any such community services block grant funds received by the commonwealth

188 during any fiscal federal year shall be contracted directly with community action agencies in
189 existence at the beginning of such fiscal year. Not more than five per cent of the total of any such
190 community services block grant funds received by the commonwealth shall be allocated to the
191 director for administrative expenses. Not more than five per cent of the total of any such
192 community services block grant funds received by the commonwealth shall be awarded by the
193 director for innovative anti-poverty projects or programs operated by nonprofit organizations.

194 The commonwealth, acting by and through the director, may, subject to appropriation,
195 provide supplementary funds to community action agencies in accordance with the provisions of
196 this section.

197 Recognition of a community action agency by the director shall not preclude the agency
198 from receiving other grants or contracts from federal or local agencies, private organizations, or
199 individuals or state agencies to pay the cost of providing services to the poor.