

SENATE No. 89

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

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>Michael O. Moore</i>	<i>Second Worcester</i>	
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>	<i>2/3/2017</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>2/3/2017</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>	<i>2/3/2017</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/6/2017</i>

SENATE No. 89

By Mr. Moore, a petition (accompanied by bill, Senate, No. 89) of Michael O. Moore, Danielle W. Gregoire, Joan B. Lovely, Paul K. Frost and others for legislation 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. (a) 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8 designation is rescinded by the director in accordance with the provisions of this section, or any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 section 4.

19 “Fund”, The Community Action Trust Fund to Address Inequality, Promote Opportunity,
20 and End Poverty established by section 2.

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 (b) A community action agency shall maintain a board structure which consists of the
30 following:

31 (i) one-third of the members shall be elected public officials, currently, holding office, or
32 their representatives, except that if the number of elected officials reasonably available and

33 willing to serve is less than one-third of the membership on the board, membership on the board
34 of appointive public officials may be counted in meeting such one-third requirement;

35 (ii) at least one-third of the members shall be persons chosen in accordance with
36 democratic selection procedures adequate to assure that they are representative of the poor in the
37 area served; and

38 (iii) the remainder of the members shall be officials or members of the business, industry,
39 labor, religious, welfare, education, or other major groups and interests in the community.

40 (c) In order to qualify as a community action agency, such agency must be one which is
41 community based and operated as set forth in this section which: -

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

55 which the poor and area residents concerned will be enabled to influence the character of
56 programs affecting their interests, provide for their regular participation in the implementation of
57 those programs, and provide technical and other support needed to enable the poor and
58 neighborhood groups to secure on their own behalf available assistance from public and private
59 sources; build collaborations and coalitions and join with and encourage business, labor and
60 other private groups and organizations to undertake, together with public officials and agencies,
61 activities in support of the community action program which will result in the additional use of
62 private resources and capabilities, with a view to developing new employment opportunities,
63 stimulating investment that will have a measurable impact on reducing poverty among residents
64 of areas of concentrated poverty, and providing methods by which residents of those areas can
65 work with private groups, firms, and institutions in seeking solutions to problems of common
66 concern.

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

72 (iii) includes, but is not limited to, programs to assist low income participants, including
73 the elderly poor, such as programs to: secure and maintain meaningful employment, attain an
74 adequate education; provide and maintain adequate housing and a suitable living environment;
75 receive energy assistance and weatherization services; obtain financial education; avoid
76 homelessness; develop assets; obtain emergency assistance through loans or grants to meet
77 immediate and urgent individual and family needs, including the need for health services,

78 nutritious food, housing and employment-related assistance; remove obstacles and solve personal
79 and family problems which block the achievement of self-sufficiency; and achieve greater
80 participation in the affairs of the community

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

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

101 services are provided in an efficient, cost-effective, and productive manner, recommend
102 legislation to improve the operation of the policies of the Commonwealth, recommend changes
103 to regulations of any agency of the Commonwealth, recommend contracts, grants, or other,
104 recommend partnerships with private entities, including corporate, philanthropic, and faith-based
105 organizations, as well as the federal government and municipalities; the Council shall monitor
106 the progress of any initiatives undertaken in response to the Council's recommendations.

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

110 (d). Subject to appropriation, for a program to provide community investment support for
111 community action agencies operating in Massachusetts, as defined in Chapter 23B, Section 24,
112 of the Massachusetts General Laws;

113 Provided that the resources from this line-item be used for the same purposes by
114 community action agencies that the federal fund known as the community service block grant, as
115 defined in Section 24 of Chapter 23B of the Massachusetts General Laws and 42 U.S.C. et seq. is
116 used;

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

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

122 (e). (i) There shall be a separate fund to be known as the Community Action
123 Trust Fund to Address Inequality, Promote Opportunity, and End Poverty which shall be
124 sited within the Department of Housing and Community Development. The Department shall
125 administer the fund, according to guidelines promulgated by the Department and in consultation
126 with the advisory committee. The fund shall assist in the creation of projects to assist low income
127 individuals and families in the commonwealth out of poverty, for the benefit of households
128 whose incomes are not more than 200 per cent of the federal poverty level as determined by the
129 federal Department of Health and Human Services. The fund shall be an expendable trust fund
130 and shall not be subject to appropriation.

131 (ii) There shall be credited to the fund, revenue from appropriations or other monies
132 authorized by the general court and specifically designated to be credited to the fund and other
133 monies may be utilized, including no less than fifty percent of the federal community service
134 block grant (CSBG) special projects funds, so called, as defined in Section 24 of Chapter 23B of
135 the Massachusetts General Laws and 42 U.S.C. et seq., which is administered by the Department
136 of Housing and Community Development, and gifts, grants, private contributions, and all other
137 sources. Money remaining in the fund at the end of a fiscal year shall not revert to the general
138 fund.

139 (iii) The agency shall maintain the fund as a separate fund, and shall cause it to be audited
140 by an independent accountant on an annual basis in accordance with accepted accounting
141 principles.

142 (iv) The agency shall administer assistance from the fund using only the criteria set forth
143 under this chapter for projects sponsored by MASSCAP or Community Action Agencies. The

144 Department may enter into agreements with MASSCAP or Community Action Agencies to
145 administer assistance from the fund for projects that may be developed and implemented in
146 partnership with other nonprofit organizations, after consulting the advisory committee
147 established by section 7.

148 (f) (i) The fund shall finance innovative community based programs and services that
149 address current and emerging needs that to have a measurable impact on alleviating the causes of
150 poverty. Activities eligible for assistance from the fund include, but are not limited to:

151 (1) Projects to assist low-income participants;

152 (2) Projects to secure and maintain meaningful employment;

153 (3) Projects to offer financial education;

154 (4) Projects to help families avoid homelessness;

155 (5) Projects to offer energy assistance and weatherization services

156 (6) Projects to offer emergency assistance to meet immediate and urgent individual and
157 family needs;

158 (7) Projects to help individuals attain an adequate education.

159 (g) There shall be established an advisory committee to the fund, which shall make
160 policy recommendations to the department of housing and community development regarding
161 the fund's program and funding activities.

162 The committee shall be comprised of the following members: the director of the
163 Department of Housing and Community Development or his designee; the director of

164 Community Economic Development Assistance Corporation (CEDAC) or his designee; two
165 representatives appointed by the Speaker of the Massachusetts House of Representatives; two
166 representatives appointed by the President of the Massachusetts State Senate; two municipal
167 officials appointed by the Massachusetts Municipal Association, one of whom shall be from a
168 city and one of whom shall be from a town; and a representative appointed by each of the
169 following organizations: the Massachusetts Association for Community Action (MASSCAP), the
170 Massachusetts Energy Directors Association (MEDA), the Massachusetts Head Start Association
171 (MHSA). Committee members shall serve at the pleasure of the appointing authorities.

172 (h) The department of housing and community development on annual basis shall file a
173 report with the Executive Office of Administration and Finance, the House Committee on Ways
174 and Means, and the Senate Committee on Ways and Means which will detail all expenditures
175 from the fund, including but not limited to the recipient of the funds, the cost of administration,
176 and the number of low-income families and individuals assisted by the fund.

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

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

191 (k) The provisions of this section shall be applicable to the awarding of contracts by the
192 director under the federal community services block grant program. Not less than ninety per cent
193 of the total of any such community services block grant funds received by the commonwealth
194 during any fiscal federal year shall be contracted directly with community action agencies in
195 existence at the beginning of such fiscal year. Not more than five per cent of the total of any such
196 community services block grant funds received by the commonwealth shall be allocated to the
197 director for administrative expenses. Not more than five per cent of the total of any such
198 community services block grant funds received by the commonwealth shall be awarded by the
199 director for innovative anti-poverty projects or programs operated by nonprofit organizations.

200 (l) The commonwealth, acting by and through the director, may, subject to appropriation,
201 provide supplementary funds to community action agencies in accordance with the provisions of
202 this section.

203 (m) Recognition of a community action agency by the director shall not preclude the
204 agency from receiving other grants or contracts from federal or local agencies, private
205 organizations, or individuals or state agencies to pay the cost of providing services to the poor.