

HOUSE No. 294

The Commonwealth of Massachusetts

PRESENTED BY:

Sally P. Kerans

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:	DATE ADDED:
<i>Sally P. Kerans</i>	<i>13th Essex</i>	<i>2/19/2021</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>	<i>2/25/2021</i>
<i>Jacob R. Oliveira</i>	<i>7th Hampden</i>	<i>2/25/2021</i>
<i>Steven C. Owens</i>	<i>29th Middlesex</i>	<i>2/25/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/25/2021</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/25/2021</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>2/26/2021</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>2/26/2021</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/26/2021</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>2/26/2021</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/26/2021</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>3/3/2021</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>	<i>3/3/2021</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>3/9/2021</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>3/15/2021</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>3/15/2021</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>	<i>3/19/2021</i>
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>3/24/2021</i>

Natalie M. Blais
Tram T. Nguyen

1st Franklin
18th Essex

4/4/2021
5/18/2021

HOUSE No. 294

By Ms. Kerans of Danvers, a petition (accompanied by bill, House, No. 294) of Sally P. Kerans and others for an investigation by a special commission (including members of the General Court) of strategies to address inequality, promote equity and inclusion and create and expand opportunity for people living with low incomes and to end poverty. Community Development and Small Businesses.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

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, as appearing in the 2016
2 Official Edition, is hereby amended by striking section 24 in its entirety, and inserting in place
3 thereof the following:

4 Section 24. As used in this section the following words, unless the context requires
5 otherwise, shall have the following meaning:“Community action agency”, a nonprofit agency
6 which has previously been designated and authorized to accept funds from the federal
7 Community Services Administration for community action agencies under the federal Economic
8 Opportunity Act of 1964, unless such designation is rescinded by the director in accordance with
9 the provisions of this section, or any agency formed as may be designated as a community action
10 agency by the director to succeed any agency that the director determines fails to meet federal
11 requirements, or fair and reasonable requirements established by the director, or any agency

12 designated as a community action agency by the director to serve previously unserved areas in
13 accordance with the provisions of this section; community action agencies are the federally
14 mandated antipoverty agencies in the Commonwealth of Massachusetts and the network of
15 community based organizations they comprise shall be considered the federally mandated
16 antipoverty network operating in the 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

60 will result in the additional use of private resources and capabilities, with a view to
61 developing new employment opportunities, stimulating investment that will have a measurable
62 impact on reducing poverty among residents of areas of concentrated poverty, and providing
63 methods by which residents of those areas can work with private groups, firms, and institutions
64 in seeking solutions to problems of common 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 The commonwealth, acting by and through the director, may enter into contracts with
80 community action agencies, and such other organizations as the director determines, to provide
81 services consistent with the purposes of this section. Any such agency shall comply with such
82 requirements as the director may establish by regulation or otherwise, including, but not limited
83 to, reporting and monitoring requirements, and evaluation procedures, and, in the case of
84 community action agencies, procedures for the designation and the suspension or rescision of
85 designation as a community action agency. Procedures for the suspension or rescision of
86 designation as a community action agency shall include adequate notice and an opportunity for a
87 hearing.

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

93 The provisions of this section shall be applicable to the awarding of contracts by the
94 director under the federal community services block grant program. Not less than ninety per cent
95 of the total of any such community services block grant funds received by the commonwealth
96 during any fiscal federal year shall be contracted directly with community action agencies in
97 existence at the beginning of such fiscal year. Not more than five per cent of the total of any such
98 community services block grant funds received by the commonwealth shall be allocated to the

99 director for administrative expenses. Not more than five per cent of the total of any such
100 community services block grant funds received by the commonwealth, at least fifty percent of
101 which, shall be awarded by the director for innovative anti-poverty projects or programs operated
102 by MASSCAP or community action agencies.

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

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

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

116 A special commission known as the Commission to address inequality, promote
117 opportunity and end poverty is established for the purpose of investigating, developing, and
118 recommending statewide strategies to address inequality, promote equity and inclusion, and
119 create and expand opportunity for people living with low incomes and end poverty including but
120 not limited to support and enhancement of the social safety net, analyzing structural barriers that

121 cause poverty such as racism, the wage gap, and the cliff effect, so called. The commission shall
122 consist of: 2 members of the senate, one of whom shall be appointed by the senate president and
123 one to be appointed by the senate minority leader; 2 members of the house of
124 representatives, one of whom shall be appointed by the speaker and one of whom to be
125 appointed by the house minority leader; the secretary of administration and finance or her
126 designee; the secretary for health and human services or her designee; the commissioner of the
127 department of public health or her designee; the undersecretary of the department of housing and
128 community development or her designee; the commissioner of the department of transitional
129 assistance or her designee; the secretary of labor and workforce development or her designee; the
130 secretary of education or his designee; the secretary of transportation or her designee, the
131 commissioner of the department of early education and care or her designee; a representative
132 from the McCormick Graduate School, University of Massachusetts, Boston; a representative
133 from each of the following organizations: the Massachusetts Association for Community Action,
134 the Massachusetts Municipal Association, the Massachusetts Association of Community
135 DevelopmentCorporations, the Massachusetts Law Reform Institute, the Massachusetts
136 Association for Early Education and Care, the Massachusetts League of Community Health
137 Centers, Citizens Housing and Planning Association, the Massachusetts Coalition for Homeless,
138 the Massachusetts Workforce Association, the Massachusetts Immigrant and Refugee
139 Association, Children’s Health Watch, the United Way of Mass Bay, Massachusetts Business
140 Roundtable, Black Economic Council of Massachusetts; 2 persons to be appointed by Black and
141 Latino Caucus; 2 persons to be appointed by the Commission on the Status of Women; 4 persons
142 to be appointed by the governor including one from a community foundation, two from
143 community based organizations including, but not limited to community action agencies, and one

144 from a city or town including, but not limited to a mayor, selectman/woman/or town manager.
145 The governor shall designate a member of the commission to serve as one co-chairperson and the
146 members of the commission shall elect a member of the commission to serve as one co-
147 chairperson.

148 The commission's activities shall include but not be limited to performing research,
149 conducting listening sessions and/or hearings, organizing expert panels and presentations which
150 will support its development of a comprehensive set of public policy, program, and practice
151 recommendations, including a consensus budget proposal, to address inequality, promote
152 opportunity, and reduce poverty in Massachusetts by 50 percent over 10 years and develop a
153 comprehensive strategy to be implemented over a 5 year period.

154 The commission shall file its strategic plan, including a timeline for implementation, cost
155 estimates and finance mechanisms, its recommendations, and its budget proposals together with
156 drafts of legislation and regulations, if any, necessary to carry out its recommendations with the
157 clerks of the senate and the house of representatives, the joint committee on children and
158 families, the joint committee on housing, the joint committee on education, the joint committee
159 on community development and small business, and the senate and house committees on
160 ways and means not later than June 30, 2023. The Commission may report preliminary findings
161 and recommendations on a variety of topics related to its research and deliberations, including
162 but not limited to the cliff effect, before June 30, 2023. The Commission shall remain in
163 operation for a 10 year period, will monitor and report on the progress of its recommendations
164 each year, and may issue report cards, so called, on an annual basis summarizing the progress of
165 its recommendations.

166 The commission may request from all state agencies such information and assistance as
167 the commission may require.

168 The commission may accept and solicit funds, including any gifts, donations, grants or
169 bequests or any federal funds, for any of the purposes of this section. Such funds shall be
170 deposited in a separate account with the state treasurer, be received by said treasurer on behalf of
171 the commonwealth, and be expended by the commission in accordance with law