

SENATE No. 155

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>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/16/2021</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>	<i>3/1/2021</i>
<i>John J. Cronin</i>	<i>Worcester and Middlesex</i>	<i>3/3/2021</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>3/3/2021</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>3/11/2021</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>3/11/2021</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>4/6/2021</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>4/6/2021</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>6/9/2021</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>6/9/2021</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>8/16/2021</i>

SENATE No. 155

By Mr. Moore, a petition (accompanied by bill, Senate, No. 155) of Michael O. Moore, Joanne M. Comerford, Tami L. Gouveia, John Cronin and other members of the General Court for legislation to address inequality, promote opportunity and end poverty. Community Development and Small Businesses.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 91 OF 2019-2020.]

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 2018
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:

6 “Community action agency”, a nonprofit agency which has previously been designated
7 and authorized to accept funds from the federal Community Services Administration for
8 community action agencies under the federal Economic Opportunity Act of 1964, unless such
9 designation is rescinded by the director in accordance with the provisions of this section, or any

10 agency formed as may be designated as a community action agency by the director to succeed
11 any agency that the director determines fails to meet federal requirements, or fair and reasonable
12 requirements established by the director, or any agency designated as a community action agency
13 by the director to serve previously unserved areas in accordance with the provisions of this
14 section; community action agencies are the federally mandated antipoverty agencies in the
15 Commonwealth of Massachusetts and the network of community based organizations they
16 comprise shall be considered the federally mandated antipoverty network operating in the
17 Commonwealth of Massachusetts.

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

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

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

22 “MASSCAP”, Massachusetts Association for Community Action.

23 “Community services block grant”, funds designated to ameliorate the causes of poverty
24 in communities within the commonwealth, distributed by the federal government to the
25 commonwealth pursuant to section 672(a) et. seq. of the Omnibus Budget Reconciliation Act of
26 1981, or its successor.

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

30 A community action agency shall maintain a board structure where one-third of the
31 members shall be elected public officials, currently, holding office, or their representatives,
32 except that if the number of elected officials reasonably available and willing to serve is less than
33 one-third of the membership on the board, membership on the board of appointive public
34 officials may be counted in meeting such one-third requirement; at least one-third of the
35 members shall be persons chosen in accordance with democratic selection procedures adequate
36 to assure that they are representative of the poor in the area served; and the remainder of the
37 members shall be officials or members of the business, industry, labor, religious, welfare,
38 education, or other major groups and interests in the community.

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

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

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

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

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

76 immediate and urgent individual and family needs, including the need for health services,
77 nutritious food, housing and employment-related assistance; remove obstacles and solve personal
78 and family problems which block the achievement of self-sufficiency; and achieve greater
79 participation in the affairs of the community.

80 The commonwealth, acting by and through the director, may enter into contracts with
81 community action agencies, and such other organizations as the director determines, to provide
82 services consistent with the purposes of this section. Any such agency shall comply with such
83 requirements as the director may establish by regulation or otherwise, including, but not limited
84 to, reporting and monitoring requirements, and evaluation procedures, and, in the case of
85 community action agencies, procedures for the designation and the suspension or rescission of
86 designation as a community action agency. Procedures for the suspension or rescission of
87 designation as a community action agency shall include adequate notice and an opportunity for a
88 hearing.

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

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

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

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

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

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

117 SECTION 2. A special commission shall be established for the purpose of investigating,
118 developing, and recommending statewide strategies to address inequality, promote equity and
119 inclusion, and create and expand opportunity for people living with low incomes and end poverty

120 including but not limited to support and enhancement of the social safety net, analyzing
121 structural barriers that cause poverty such as racism, the wage gap, and the cliff effect, so called.
122 The commission shall consist of: 2 members of the senate, one of whom shall be appointed by
123 the senate president and one to be appointed by the senate minority leader; 2 members of the
124 house of 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 Institute on Assets and Social Policy, the Heller School, Brandeis University; a
133 representative from the McCormick Graduate School, University of Massachusetts, Boston; a
134 representative from each of the following organizations: the Massachusetts Association for
135 Community Action, the Massachusetts Municipal Association, the Massachusetts Association of
136 Community Development Associations, the Massachusetts Law Reform Institute, the
137 Massachusetts Association for Early Education and Care, Citizens Housing and Planning
138 Association, the Massachusetts Coalition for the Homeless, the Massachusetts Workforce
139 Association, the Massachusetts Immigrant and Refugee Association, Children’s Health Watch,
140 the United Way of Mass Bay, the Alliance for Business Leadership, Massachusetts Business
141 Roundtable; 4 persons to be appointed by the governor including one from a community
142 foundation, two from community based organizations including, but not limited to community

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

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

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

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

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