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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 247 Session of  
2001

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INTRODUCED BY HASAY, CALTAGIRONE, SEMMEL, T. STEVENSON,  
M. WRIGHT, FLICK, WANSACZ, LaGROTTA, KAISER, TANGRETTI,  
MUNDY, R. STEVENSON, PICKETT, M. BAKER, HABAY, JAMES, ARGALL,  
ALLEN, COLEMAN, MANN, DALLY AND FREEMAN, JANUARY 29, 2001

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AS AMENDED ON THIRD CONSIDERATION, IN SENATE, APRIL 30, 2002

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AN ACT

1 ~~Amending the act of July 10, 1986 (P.L.1263, No.116), entitled,~~ <—  
2 ~~as reenacted, "An act providing for a community services~~  
3 ~~block grant program; and further providing for powers and~~  
4 ~~duties of the Department of Community Affairs," further~~  
5 ~~providing for the expiration of the act; and making editorial~~  
6 ~~changes.~~

7 PROVIDING FOR A COMMUNITY SERVICES BLOCK GRANT PROGRAM; AND <—  
8 FURTHER PROVIDING FOR POWERS AND DUTIES OF THE DEPARTMENT OF  
9 COMMUNITY AND ECONOMIC DEVELOPMENT.

10 The General Assembly of the Commonwealth of Pennsylvania  
11 hereby enacts as follows:

12 ~~Section 1. The title of the act of July 10, 1986 (P.L.1263,~~ <—  
13 ~~No.116), known as the Community Services Act, reenacted December~~  
14 ~~18, 1996 (P.L.1105, No.166), is amended to read:~~

15 ~~AN ACT~~

16 ~~Providing for a community services block grant program; and~~  
17 ~~further providing for powers and duties of the Department of~~  
18 ~~Community [Affairs] and Economic Development.~~

19 ~~Section 2. The definitions of "department" and "secretary"~~

1 ~~in section 3 of the act, reenacted December 18, 1996 (P.L.1105,~~  
2 ~~No.166), are amended to read:~~

3 ~~Section 3. Definitions.~~

4 ~~The following words and phrases when used in this act shall~~  
5 ~~have the meanings given to them in this section unless the~~  
6 ~~context clearly indicates otherwise:~~

7 ~~\* \* \*~~

8 ~~"Department." The Department of Community [Affairs] and~~  
9 ~~Economic Development of the Commonwealth or the designated~~  
10 ~~agency responsible for the administration of community service~~  
11 ~~block grant funds.~~

12 ~~\* \* \*~~

13 ~~"Secretary." The Secretary of Community [Affairs] and~~  
14 ~~Economic Development of the Commonwealth or the designated~~  
15 ~~individual responsible for the administration of community~~  
16 ~~service block grant funds.~~

17 ~~Section 3. Section 11 of the act, reenacted and amended~~  
18 ~~December 18, 1996 (P.L.1105, No.166), is amended to read:~~

19 ~~Section 11. Expiration.~~

20 ~~This act shall expire December 31, [2001] 2006, unless~~  
21 ~~extended by statute.~~

22 ~~Section 4. This act shall take effect in 60 days.~~

23 SECTION 1. SHORT TITLE.

<—

24 THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE COMMUNITY  
25 SERVICES BLOCK GRANT ACT.

26 SECTION 2. DECLARATION OF POLICY.

27 THE GENERAL ASSEMBLY FINDS AND DECLARES AS FOLLOWS:

28 (1) IT IS THE INTENTION OF THE GENERAL ASSEMBLY AS A  
29 MATTER OF PUBLIC POLICY TO AFFIRM THE COMMITMENT OF THE  
30 COMMONWEALTH TO AMELIORATING THE CAUSES AND EFFECT OF POVERTY

1 BY:

2 (I) PROVIDING A RANGE OF SERVICES AND ACTIVITIES  
3 HAVING A MEASURABLE AND POTENTIALLY MAJOR IMPACT ON THE  
4 CAUSES OF POVERTY IN THE COMMUNITY AND ESTABLISHING  
5 GRANTS FOR ORGANIZATIONS PROVIDING SERVICES TO MIGRANT  
6 AND SEASONAL FARMWORKERS.

7 (II) ENCOURAGING AND SUPPORTING A HOLISTIC APPROACH  
8 DESIGNED TO MOVE LOW-INCOME FAMILIES AND INDIVIDUALS  
9 TOWARDS SELF-SUFFICIENCY.

10 (III) PROVIDING ACTIVITIES DESIGNED TO ASSIST LOW-  
11 INCOME PARTICIPANTS IN OBTAINING EMPLOYMENT, EDUCATION,  
12 HOUSING, EMERGENCY ASSISTANCE, TRANSPORTATION AND OTHER  
13 NECESSITIES.

14 (IV) PROVIDING, ON AN EMERGENCY BASIS, FOR THE  
15 PROVISION OF SUCH SUPPLIES AND SERVICES, NUTRITIOUS  
16 FOODSTUFFS AND RELATED SERVICES AS MAY BE NECESSARY TO  
17 COUNTERACT CONDITIONS OF STARVATION AND MALNUTRITION  
18 AMONG THE POOR.

19 (V) COORDINATING AND ESTABLISHING LINKAGES BETWEEN  
20 GOVERNMENTAL AND OTHER SOCIAL SERVICE PROGRAMS TO ASSURE  
21 THE EFFECTIVE DELIVERY OF SERVICES TO LOW-INCOME  
22 INDIVIDUALS.

23 (VI) ENCOURAGING THE USE OF ENTITIES IN THE PRIVATE  
24 SECTOR IN EFFORTS TO AMELIORATE POVERTY IN THE COMMUNITY.

25 (2) IT IS ALSO THE INTENTION OF THE GENERAL ASSEMBLY TO  
26 STIMULATE A BETTER FOCUSING OF HUMAN AND FINANCIAL RESOURCES  
27 ON THE GOAL OF ELIMINATING POVERTY BY PROVIDING FOR THE  
28 CONTINUITY OF PROGRAMS WHICH PRESENTLY EXIST THROUGHOUT THIS  
29 COMMONWEALTH FOR THIS STATED PURPOSE.

30 (3) BY SO DOING, IT IS THE INTENTION OF THE GENERAL

1 ASSEMBLY TO SET FORTH THE POLICIES WHICH SHALL GOVERN THE  
2 ADMINISTRATION OF THE COMMUNITY SERVICES BLOCK GRANT OR  
3 SUBSEQUENT FUNDING MECHANISMS ESTABLISHED FOR SIMILAR  
4 PURPOSES. THIS BLOCK GRANT WAS CREATED BY THE OMNIBUS BUDGET  
5 RECONCILIATION ACT OF 1981 ~~(PUBLIC LAW 97-35, 95 STAT. 357)~~ <—  
6 AND FOLLOWS THE PROVISIONS DEFINED IN THAT ACT.

7 (4) THE GENERAL ASSEMBLY ALSO FINDS THAT THE FEDERAL  
8 FUNDS AVAILABLE TO FINANCE ACTIVITIES UNDER THIS ACT SHALL BE  
9 USED FOR THE FOLLOWING PURPOSES:

10 (I) TO PROVIDE A RANGE OF SERVICES AND ACTIVITIES  
11 HAVING A MEASURABLE AND POTENTIALLY MAJOR IMPACT ON  
12 CAUSES OF POVERTY IN THE COMMUNITY OR THOSE AREAS OF THE  
13 COMMUNITY WHERE POVERTY IS A PARTICULARLY ACUTE PROBLEM.

14 (II) TO PROVIDE ACTIVITIES DESIGNED TO ASSIST LOW-  
15 INCOME PARTICIPANTS, INCLUDING THE ELDERLY POOR:

16 (A) TO SECURE AND RETAIN MEANINGFUL EMPLOYMENT;

17 (B) TO ATTAIN AN ADEQUATE EDUCATION;

18 (C) TO MAKE BETTER USE OF AVAILABLE INCOME;

19 (D) TO OBTAIN AND MAINTAIN ADEQUATE HOUSING AND  
20 A SUITABLE LIVING ENVIRONMENT;

21 (E) TO OBTAIN EMERGENCY ASSISTANCE THROUGH LOANS  
22 OR GRANTS TO MEET IMMEDIATE AND URGENT INDIVIDUAL AND  
23 FAMILY NEEDS, INCLUDING THE NEED FOR HEALTH SERVICES,  
24 NUTRITIOUS FOOD, HOUSING AND EMPLOYMENT-RELATED  
25 ASSISTANCE;

26 (F) TO REMOVE OBSTACLES AND SOLVE PROBLEMS WHICH  
27 BLOCK THE ACHIEVEMENT OF SELF-SUFFICIENCY;

28 (G) TO ACHIEVE GREATER PARTICIPATION IN THE  
29 AFFAIRS OF THE COMMUNITY; AND

30 (H) TO MAKE MORE EFFECTIVE USE OF OTHER PROGRAMS

1 RELATED TO THE PURPOSES OF THIS ACT.

2 (III) TO PROVIDE ON AN EMERGENCY BASIS FOR THE  
3 PROVISION OF SUCH SUPPLIES AND SERVICES, NUTRITIOUS  
4 FOODSTUFFS AND RELATED SERVICES AS MAY BE NECESSARY TO  
5 COUNTERACT CONDITIONS OF STARVATION AND MALNUTRITION  
6 AMONG THE POOR.

7 (IV) TO COORDINATE AND ESTABLISH LINKAGES BETWEEN  
8 GOVERNMENTAL AND OTHER SOCIAL SERVICES PROGRAMS TO ASSURE  
9 THE EFFECTIVE DELIVERY OF SUCH SERVICES TO LOW-INCOME  
10 INDIVIDUALS.

11 (V) TO ENCOURAGE THE USE OF ENTITIES IN THE PRIVATE  
12 SECTOR OF THE COMMUNITY IN EFFORTS TO AMELIORATE POVERTY  
13 IN THE COMMUNITY.

14 SECTION 3. DEFINITIONS.

15 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL  
16 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
17 CONTEXT CLEARLY INDICATES OTHERWISE:

18 "CASE MANAGEMENT." A SERIES OF COORDINATED ACTIVITIES TO  
19 DETERMINE, WITH THE INCOME-ELIGIBLE INDIVIDUALS, WHAT SERVICES  
20 ARE NEEDED AND TO COORDINATE THEIR TIMELY PROVISION WITHIN THE  
21 AGENCY AND THROUGH OTHER RESOURCES IN THE COMMUNITY.

22 "COMMUNITY ACTION AGENCY." ANY ORGANIZATION WHICH WAS  
23 OFFICIALLY DESIGNATED BY COUNTY COMMISSIONERS OR MAYORS AS SUCH  
24 UNDER THE OMNIBUS BUDGET RECONCILIATION ACT OF 1981 (~~PUBLIC LAW~~ <—  
25 ~~97-35, 95-STAT. 357~~) OR ESTABLISHED PURSUANT TO THIS ACT, WHOSE  
26 STRUCTURE AND FUNCTIONS ARE FURTHER DEFINED IN SECTIONS 4 AND 5.

27 "COMMUNITY FOOD AND NUTRITION PROGRAM." A PROGRAM WHEREBY  
28 GRANTS ARE MADE TO STATE AND LOCAL HUNGER PREVENTION  
29 ORGANIZATIONS FOR ACTIVITIES WHICH ADDRESS THE FOOD AND  
30 NUTRITION NEEDS OF LOW-INCOME POPULATIONS, ESPECIALLY HIGH RISK

1 CHILDREN, AS OUTLINED IN SECTION 681A(A) OF THE COMMUNITY  
2 SERVICES BLOCK GRANT ACT (PUBLIC LAW 97-35, 42 U.S.C. §  
3 9910A(A)).

4 "COMMUNITY SERVICES BLOCK GRANT." A PROGRAM AUTHORIZED BY  
5 THE OMNIBUS BUDGET RECONCILIATION ACT OF 1981 WHICH FOLLOWS THE  
6 PROVISION DEFINED IN TITLE XVII, SUBTITLE C, CHAPTER 2, WHICH IS  
7 INTENDED TO BE USED BY THE COMMONWEALTH FOR PROGRAMS TO  
8 AMELIORATE THE CAUSES AND EFFECTS OF POVERTY.

9 "COMMUNITY SERVICES BLOCK GRANT ADVISORY TASK FORCE." AN  
10 ADVISORY PANEL ESTABLISHED BY THE DEPARTMENT PURSUANT TO THE  
11 OMNIBUS BUDGET RECONCILIATION ACT OF 1981 TO:

12 (1) COORDINATE AND ESTABLISH LINKAGES BETWEEN  
13 GOVERNMENTAL AND OTHER SOCIAL SERVICES PROGRAMS AS  
14 ESTABLISHED BY THIS ACT TO ASSURE THE EFFECTIVE DELIVERY OF  
15 SUCH SERVICES TO LOW-INCOME INDIVIDUALS; AND

16 (2) ENCOURAGE THE USE OF ENTITIES IN THE PRIVATE SECTOR  
17 OF THE COMMUNITY TO AMELIORATE POVERTY.

18 "DEPARTMENT." THE DEPARTMENT OF COMMUNITY AND ECONOMIC  
19 DEVELOPMENT OF THE COMMONWEALTH OR THE DESIGNATED AGENCY  
20 RESPONSIBLE FOR THE ADMINISTRATION OF COMMUNITY SERVICE BLOCK  
21 GRANT FUNDS.

22 "ELIGIBLE ENTITY." ANY AGENCY OR ORGANIZATION DESIGNATED IN  
23 THE OMNIBUS BUDGET RECONCILIATION ACT OF 1981 AS AN ELIGIBLE  
24 RECIPIENT OF COMMUNITY SERVICES BLOCK GRANT FUNDS, INCLUDING A  
25 LIMITED PURPOSE AGENCY AND A STATEWIDE MIGRANT AND SEASONAL  
26 FARMWORKERS' ORGANIZATION.

27 "LIMITED PURPOSE AGENCY." AN AGENCY THAT WAS FUNDED UNDER  
28 TITLE II OF THE ECONOMIC OPPORTUNITY ACT OF 1964 (PUBLIC LAW 88-  
29 452, 78 STAT. 508) FOR A LIMITED FUNCTIONAL OR GEOGRAPHICAL  
30 PURPOSE AND RECOGNIZED AS A COMMUNITY ACTION PROGRAM UNDER THE

1 OMNIBUS BUDGET RECONCILIATION ACT OF 1981.

2 "OMNIBUS BUDGET RECONCILIATION ACT OF 1981." THE OMNIBUS <—  
3 BUDGET RECONCILIATION ACT OF 1981 (PUBLIC LAW 97-35, 42 U.S.C. §  
4 9901 ET SEQ.).

5 "SECRETARY." THE SECRETARY OF COMMUNITY AND ECONOMIC  
6 DEVELOPMENT OF THE COMMONWEALTH OR THE DESIGNATED INDIVIDUAL  
7 RESPONSIBLE FOR THE ADMINISTRATION OF COMMUNITY SERVICE BLOCK  
8 GRANT FUNDS.

9 SECTION 4. ELIGIBILITY FOR COMMUNITY SERVICES BLOCK GRANT FUNDS  
10 AND DESIGNATION OF COMMUNITY ACTION AGENCIES.

11 (A) COMMUNITY ACTION AGENCY RECEIVES BLOCK GRANTS.--EACH  
12 COUNTY AND FIRST AND SECOND CLASS CITY WITHIN THIS COMMONWEALTH  
13 TO RECEIVE FUNDS UNDER THIS ACT SHALL HAVE A COMMUNITY ACTION  
14 AGENCY DESIGNATED TO RECEIVE COMMUNITY SERVICES BLOCK GRANT  
15 FUNDS. THESE COMMUNITY ACTION AGENCIES MAY BE AN ARM OF THE  
16 DESIGNATING UNIT OF GOVERNMENT OR OTHER ELIGIBLE ENTITY,  
17 CONSTITUTED SO THAT ONE-THIRD OF THE MEMBERS OF THE BOARD OF  
18 DIRECTORS ARE ELECTED PUBLIC OFFICIALS CURRENTLY HOLDING OFFICES  
19 OR THEIR REPRESENTATIVES, EXCEPT THAT, IF THE NUMBER OF ELECTED  
20 OFFICIALS REASONABLY AVAILABLE AND WILLING TO SERVE IS LESS THAN  
21 ONE-THIRD OF THE BOARD MEMBERSHIP, MEMBERSHIP ON THE BOARD OF  
22 APPOINTIVE OFFICIALS MAY BE COUNTED IN MEETING SUCH ONE-THIRD  
23 REQUIREMENT; AT LEAST ONE-THIRD ARE PERSONS CHOSEN IN ACCORDANCE  
24 WITH DEPARTMENTALLY APPROVED DEMOCRATIC SELECTION PROCEDURES  
25 ADEQUATE TO ASSURE THAT THEY ARE REPRESENTATIVE OF THE POOR IN  
26 THE AREA SERVED; AND THE REMAINDER OF THE MEMBERS ARE OFFICIALS  
27 OR MEMBERS OF BUSINESS, INDUSTRY, LABOR, RELIGIOUS, WELFARE,  
28 EDUCATION OR OTHER MAJOR GROUPS AND INTERESTS IN THE COMMUNITY.

29 (B) PRESENT AGENCIES INCLUDED FOR ELIGIBILITY.--THIS  
30 DESIGNATION INCLUDES ALL PRESENT COMMUNITY ACTION AGENCIES AND

1 OTHER ELIGIBLE ENTITIES ESTABLISHED UNDER THE OMNIBUS BUDGET  
2 RECONCILIATION ACT OF 1981 (~~PUBLIC LAW 97-35, 95-STAT. 357~~). IN <—  
3 COUNTIES AND FIRST AND SECOND CLASS CITIES WHERE THERE IS NO  
4 COMMUNITY ACTION AGENCY, THE DEPARTMENT SHALL PROVIDE SERVICES  
5 THROUGH ANOTHER ELIGIBLE AGENCY WHICH SHALL RECEIVE COMMUNITY  
6 SERVICE BLOCK GRANT FUNDS SPECIFICALLY FOR THIS PURPOSE.

7 SECTION 5. COMMUNITY ACTION AGENCIES AND BOARD.

8 (A) POWERS OF AGENCY.--EACH COMMUNITY ACTION AGENCY  
9 DESIGNATED AND CREATED PURSUANT TO THE CRITERIA SET FORTH IN  
10 SECTION 4 SHALL:

11 (1) DEVELOP AND IMPLEMENT PROGRAMS AND PROJECTS DESIGNED  
12 IN ACCORDANCE WITH FEDERAL REGULATIONS ESTABLISHED UNDER THE  
13 OMNIBUS BUDGET RECONCILIATION ACT OF 1981 (~~PUBLIC LAW 97-35, 95-STAT. 357~~) TO SERVE THE POOR OR LOW-INCOME AREAS WITH <—  
14 MAXIMUM FEASIBLE PARTICIPATION OF RESIDENTS OF THE AREAS AND  
15 MEMBERS OF THE GROUPS SERVED, SO AS TO BEST STIMULATE AND  
16 TAKE FULL ADVANTAGE OF CAPABILITIES FOR SELF-ADVANCEMENT AND  
17 ASSURE THAT THOSE PROGRAMS AND PROJECTS ARE OTHERWISE  
18 MEANINGFUL TO AND WIDELY UTILIZED BY THEIR INTENDED  
19 BENEFICIARIES. PARTICIPATION IN ANY COMMUNITY SERVICE BLOCK  
20 GRANT PROGRAM IS LIMITED TO PERSONS WHOSE INCOME IN RELATION  
21 TO FAMILY SIZE DOES NOT EXCEED 125% OF THE OFFICIAL POVERTY  
22 LINE ESTABLISHED BY THE FEDERAL OFFICE OF MANAGEMENT AND  
23 BUDGET.

24  
25 (2) BE A CONTINUING AND EFFECTIVE MECHANISM FOR SECURING  
26 BROAD COMMUNITY INVOLVEMENT IN THE PROGRAMS ASSISTED UNDER  
27 THIS ACT.

28 (3) PROVIDE EFFECTIVE COORDINATION OF EXISTING COMMUNITY  
29 ACTION PROGRAMS WITH OTHER FEDERAL AND STATE FUNDS PROVIDED  
30 WITHIN THE JURISDICTIONAL AREA TARGETED TO THE LOW-INCOME

1 POPULATION TO AVOID DUPLICATION OF EFFORTS WITHIN THE AREA.

2 (B) FUNCTIONS OF AGENCY.--IN EXERCISING ITS POWERS AND  
3 CARRYING OUT ITS OVERALL RESPONSIBILITY FOR A COMMUNITY ACTION  
4 PROGRAM, A COMMUNITY ACTION AGENCY SHALL HAVE, SUBJECT TO THE  
5 PURPOSES OF THIS ACT, AT LEAST THE FOLLOWING FUNCTIONS:

6 (1) PLANNING SYSTEMATICALLY FOR AND EVALUATING THE  
7 PROGRAMS, INCLUDING ACTIONS TO DEVELOP INFORMATION AS TO THE  
8 PROBLEMS AND CAUSES OF POVERTY IN THE COMMUNITY; DETERMINING  
9 HOW MUCH AND HOW EFFECTIVELY ASSISTANCE IS BEING PROVIDED TO  
10 DEAL WITH THOSE PROBLEMS AND CAUSES; AND ESTABLISHING  
11 PRIORITIES AMONG PROJECTS, ACTIVITIES AND AREAS AS NEEDED FOR  
12 THE BEST AND MOST EFFICIENT USE OF RESOURCES.

13 (2) ENCOURAGING AGENCIES ENGAGED IN ACTIVITIES RELATED  
14 TO THE COMMUNITY ACTION PROGRAM TO PLAN FOR, SECURE AND  
15 ADMINISTER ASSISTANCE AVAILABLE UNDER THIS ACT OR FROM OTHER  
16 SOURCES ON A COMMON OR COOPERATIVE BASIS; PROVIDING PLANNING  
17 OR TECHNICAL ASSISTANCE TO THOSE AGENCIES; AND GENERALLY, IN  
18 COOPERATION WITH COMMUNITY AGENCIES AND OFFICIALS,  
19 UNDERTAKING ACTIONS TO IMPROVE EXISTING EFFORTS TO ATTACK  
20 POVERTY, SUCH AS IMPROVING DAY-TO-DAY COMMUNICATION, CLOSING  
21 SERVICE GAPS, FOCUSING RESOURCES ON THE MOST NEEDY, PROVIDING  
22 ADDITIONAL OPPORTUNITIES TO LOW-INCOME INDIVIDUALS FOR  
23 REGULAR EMPLOYMENT AND AFFORDABLE HOUSING OR PARTICIPATION IN  
24 THE PROGRAMS OR ACTIVITIES FOR WHICH THOSE COMMUNITY AGENCIES  
25 AND OFFICIALS ARE RESPONSIBLE.

26 (3) INITIATING AND SPONSORING PROJECTS RESPONSIVE TO  
27 NEEDS OF THE POOR WHICH ARE NOT OTHERWISE BEING MET, WITH  
28 PARTICULAR EMPHASIS ON PROVIDING CENTRAL OR COMMON SERVICES  
29 THAT CAN BE DRAWN UPON BY A VARIETY OF RELATED PROGRAMS;  
30 DEVELOPING NEW APPROACHES OR NEW TYPES OF SERVICES THAT CAN

1 BE INCORPORATED INTO OTHER PROGRAMS; AND FILLING GAPS PENDING  
2 THE EXPANSION OR MODIFICATION OF THOSE PROGRAMS.

3 (4) ESTABLISHING EFFECTIVE PROCEDURES BY WHICH THE POOR  
4 AND AREA RESIDENTS CONCERNED WILL BE ENABLED TO INFLUENCE THE  
5 CHARACTER OF PROGRAMS AFFECTING THEIR INTERESTS AND PROVIDING  
6 TECHNICAL AND OTHER SUPPORT NEEDED TO ENABLE THE POOR AND  
7 NEIGHBORHOOD GROUPS TO SECURE ON THEIR OWN BEHALF AVAILABLE  
8 ASSISTANCE FROM PUBLIC AND PRIVATE SOURCES.

9 (5) JOINING WITH AND ENCOURAGING BUSINESS, LABOR AND  
10 OTHER PRIVATE GROUPS AND ORGANIZATIONS TO UNDERTAKE, TOGETHER  
11 WITH PUBLIC OFFICIALS AND AGENCIES, ACTIVITIES IN SUPPORT OF  
12 THE COMMUNITY ACTION PROGRAM WHICH WILL RESULT IN THE  
13 ADDITIONAL USE OF PRIVATE RESOURCES AND CAPABILITIES, WITH A  
14 VIEW TO SUCH THINGS AS DEVELOPING NEW EMPLOYMENT  
15 OPPORTUNITIES, STIMULATING INVESTMENT THAT WILL HAVE A  
16 MEASURABLE IMPACT IN REDUCING POVERTY AMONG RESIDENTS OF  
17 AREAS OF CONCENTRATED POVERTY AND PROVIDING METHODS BY WHICH  
18 RESIDENTS OF THOSE AREAS CAN WORK WITH PRIVATE GROUPS, FIRMS  
19 AND INSTITUTIONS IN SEEKING SOLUTIONS TO PROBLEMS OF COMMON  
20 CONCERN.

21 (6) UTILIZING A COMPREHENSIVE CASE-MANAGEMENT APPROACH  
22 TO THE PROVISION OF SERVICES PROVIDED TO ELIGIBLE LOW-INCOME  
23 INDIVIDUALS AS DEFINED IN SECTION 3.

24 (C) PROHIBITION OF ACTIVITIES.--NO COMMUNITY ACTION AGENCY  
25 OR LIMITED PURPOSE AGENCY RECEIVING FUNDS PURSUANT TO THIS ACT  
26 MAY ENGAGE IN ORGANIZED POLITICAL ACTIVITY, INCLUDING, BUT NOT  
27 LIMITED TO, ENDORSEMENT OF CANDIDATES FOR PUBLIC OFFICE,  
28 POLITICAL FUNDRAISING OR PROVIDE SIMILAR ASSISTANCE IN  
29 CONNECTION WITH AN ELECTION, NOR SHALL FUNDS RECEIVED PURSUANT  
30 TO THIS ACT BE EXPENDED FOR PROVIDING TRANSPORTATION OF VOTERS

1 OR PROSPECTIVE VOTERS TO THE POLLS ON A NONPARTISAN BASIS, FOR  
2 PROVIDING ANY NONPARTISAN VOTER REGISTRATION ACTIVITY OR  
3 LOBBYING EFFORTS AT THE LOCAL, STATE OR FEDERAL LEVEL.

4 SECTION 6. FINANCIAL ASSISTANCE FOR COMMUNITY SERVICES BLOCK  
5 GRANT PROGRAM.

6 (A) APPORTIONMENT OF APPROPRIATIONS.--TO HELP MEET THE  
7 DEPARTMENT'S OBJECTIVE OF ESTABLISHING COMMUNITY ACTION AGENCIES  
8 TO PROVIDE SERVICES TO ALL COUNTIES WITHIN THIS COMMONWEALTH,  
9 THE SUM APPROPRIATED UNDER THE COMMUNITY SERVICES BLOCK GRANT  
10 SHALL BE DISTRIBUTED AS FOLLOWS:

11 (1) NO GREATER THAN 5% SHALL BE ALLOTTED TO THE  
12 DEPARTMENT FOR THE ADMINISTRATION OF PROGRAM OPERATIONS.

13 (2) NO LESS THAN 5% MAY BE ALLOTTED, AT THE DISCRETION  
14 OF THE SECRETARY, FOR A RANGE OF ACTIVITIES, INCLUDING THE  
15 FUNDING OF COMMUNITY FOOD AND NUTRITION PROGRAMS IN A MANNER  
16 CONSISTENT WITH THIS ACT.

17 (3) OF THE REMAINING 90%, NO GREATER THAN 5% MAY BE  
18 ALLOTTED TO ESTABLISH COMMUNITY ACTION AGENCIES IN THOSE AREAS  
19 CURRENTLY UNSERVED; NO LESS THAN 85% SHALL BE RESERVED FOR  
20 EXISTING COMMUNITY ACTION AGENCIES AND OTHER ELIGIBLE  
21 ENTITIES AS DEFINED IN SECTION 3.

22 (4) A FORMULA BASIS SHALL BE ESTABLISHED FOR THE  
23 DISTRIBUTION OF FUNDS RESERVED FOR COMMUNITY ACTION AGENCIES.  
24 THE FORMULA SHALL INCLUDE CONSIDERATION OF THE NUMBER OF  
25 PERSONS BELOW THE POVERTY LEVEL AND THE NUMBER OF PERSONS  
26 UNEMPLOYED, AS DETERMINED ANNUALLY BY THE UNITED STATES  
27 DEPARTMENT OF LABOR, AND SHALL INCLUDE A MINIMUM FUNDING  
28 LEVEL OF COMMUNITY SERVICES BLOCK GRANT FUNDS FOR EXISTING  
29 COMMUNITY ACTION AGENCIES MEETING THE REQUIREMENTS OF THE

30 OMNIBUS BUDGET RECONCILIATION ACT OF 1981 ~~(PUBLIC LAW 97-35,~~

<—

1     ~~95-STAT. 357~~ AND A STATEWIDE MIGRANT AND SEASONAL  
2     FARMWORKERS' ORGANIZATION APPROVED BY THE SECRETARY.

3           (5) A MINIMUM FUNDING LEVEL OF ONLY COMMUNITY SERVICE  
4     BLOCK GRANT FUNDS SHALL BE SET AT \$150,000 OR A PRO RATA     <—  
5     AMOUNT IF INSUFFICIENT FUNDS ARE AVAILABLE TO PROVIDE THE  
6     MINIMUM AMOUNT.

7           (6) AS ESTABLISHED BY THE FORMULA UNDER THIS SECTION,  
8     THE DETERMINATION OF ANNUAL FUNDING LEVELS SHALL BE MADE BY  
9     THE SECRETARY BASED ON INPUT FROM THE LOCAL AGENCIES AND THE  
10    COMMUNITY SERVICES BLOCK GRANT ADVISORY TASK FORCE.

11    (A.1) REDUCTION OR TERMINATION OF FUNDING.--

12           (1) ANY COMMUNITY ACTION AGENCY OR MIGRANT AND SEASONAL  
13     FARMWORKER ORGANIZATION WHICH RECEIVED FUNDING IN THE  
14     PREVIOUS FISCAL YEAR UNDER THIS ACT WILL NOT HAVE ITS PRESENT  
15     OR FUTURE FUNDING TERMINATED UNDER THIS ACT OR REDUCED BELOW  
16     THE PROPORTIONAL SHARE OF FUNDING IT RECEIVED IN THE PREVIOUS  
17     FISCAL YEAR UNLESS, AFTER NOTICE AND OPPORTUNITY FOR HEARING  
18     ON THE RECORD, THE COMMONWEALTH DETERMINES THAT CAUSE EXISTED  
19     FOR SUCH TERMINATION OR SUCH REDUCTION, SUBJECT HOWEVER TO  
20     REVIEW UNDER SECTION ~~676A~~ 678C(B) OF THE OMNIBUS BUDGET     <—  
21     RECONCILIATION ACT OF 1981 (PUBLIC LAW 97-35, ~~95-STAT. 357~~ 42     <—  
22     U.S.C. § 9915(B)).

23           (2) FOR PURPOSES OF MAKING A DETERMINATION WITH RESPECT  
24     TO A FUNDING REDUCTION, THE TERM "CAUSE" INCLUDES:

25           (I) A STATEWIDE REDISTRIBUTION OF FUNDS UNDER THIS  
26     ACT TO RESPOND TO:

27                   (A) THE RESULTS OF THE MOST RECENTLY AVAILABLE  
28                   CENSUS OR OTHER APPROPRIATE DATA;

29                   (B) THE ESTABLISHMENT OF A NEW ELIGIBLE ENTITY;

30                   (C) SEVERE ECONOMIC DISLOCATION; AND

1 (II) THE FAILURE OF AN ELIGIBLE ENTITY TO COMPLY  
2 WITH THE TERMS OF ITS AGREEMENT TO PROVIDE SERVICES UNDER  
3 THIS ACT.

4 (B) GRANT PREREQUISITE.--THE SECRETARY SHALL REQUIRE, AS A  
5 CONDITION OF ASSISTANCE, THAT EACH COMMUNITY ACTION AGENCY OR  
6 OTHER ELIGIBLE AGENCY DESIGNATED FOR FUNDING ADOPT A SYSTEMATIC  
7 APPROACH FOR ACHIEVING THE FUNCTIONS STATED IN SECTION 5(B) AND  
8 FOR UTILIZING THE FUNDS PROVIDED UNDER THIS ACT. SUCH AN  
9 APPROACH SHALL ENCOMPASS A PLANNING AND IMPLEMENTATION PROCESS  
10 WHICH SEEKS TO IDENTIFY THE PROBLEMS AND CAUSES OF POVERTY IN  
11 THE COMMUNITY, SEEKS TO MOBILIZE AND COORDINATE RELEVANT PUBLIC  
12 AND PRIVATE RESOURCES, ESTABLISHES PROGRAM PRIORITIES, LINKS  
13 PROGRAM COMPONENTS WITH ONE ANOTHER AND WITH OTHER RELEVANT  
14 PROGRAMS AND PROVIDES FOR EVALUATION.

15 (C) PROGRAM PRIORITIES.--THE SECRETARY MAY ESTABLISH  
16 STATEWIDE PRIORITIES FOR THE OFFERING OF SPECIFIC SERVICES OR  
17 TYPE OF SERVICES. IN ESTABLISHING THESE PRIORITIES, THE  
18 SECRETARY SHALL CONSIDER THE RECOMMENDATIONS OF THE COMMUNITY  
19 SERVICES BLOCK GRANT ADVISORY TASK FORCE.

20 (D) DETERMINATION OF LOCAL SERVICES.--TO PROMOTE LOCAL  
21 RESPONSIBILITY AND INITIATIVES, DECISIONS REGARDING WHICH OF THE  
22 QUALIFIED SERVICES SHALL BE PROVIDED SHALL BE ESTABLISHED  
23 THROUGH A LOCAL PLANNING PROCESS ADMINISTERED BY THE LOCAL  
24 AGENCY. THE PLAN SHOULD BE BASED ON THE RECOMMENDATIONS OF THE  
25 LOCAL BOARD OF DIRECTORS AND THE PUBLIC AT LARGE AND THE  
26 STATEWIDE PRIORITIES ESTABLISHED BY THE SECRETARY. EACH LOCAL  
27 AGENCY SHALL SUBMIT ITS PLAN TO THE DEPARTMENT FOR REVIEW TO  
28 ENSURE ELIGIBILITY OF PROPOSED SERVICES UNDER THE PROVISION OF  
29 FEDERAL LAW AND REGULATIONS AND CONSISTENCY, TO THE EXTENT  
30 POSSIBLE, WITH THE STATEWIDE PRIORITIES.

1 SECTION 7. MONITORING OF COMMUNITY ACTION AGENCY.

2 (A) MONITORING PROCEDURES.--IT SHALL BE THE POLICY OF THE  
3 DEPARTMENT TO MONITOR THE COMMUNITY ACTION AGENCIES TO ASSURE  
4 COMPLIANCE WITH ALL CONTRACTUAL OBLIGATIONS AND TO ASSESS THE  
5 EFFECTIVENESS OF LOCAL AGENCIES IN MEETING THE OBJECTIVES OF  
6 THIS ACT AS OUTLINED IN SECTION 2 AND TO ASSESS THE IMPACT OF  
7 STATEWIDE PRIORITIES ON LOCAL SERVICES. MONITORING PROCEDURES  
8 SHALL BE ESTABLISHED ANNUALLY BY THE DEPARTMENT AND PUBLISHED AS  
9 PART OF THE STATE PLAN.

10 (B) ONSITE VISITS.--IF DETERMINED TO BE NECESSARY BY THE  
11 DEPARTMENT, THE DEPARTMENT MAY CONDUCT AN AGENCY ONSITE VISIT.  
12 THE DEPARTMENT MAY CONDUCT AN ONSITE VISIT TO CLARIFY  
13 DISCREPANCIES THAT MAY RESULT FROM MONITORING PROCEDURES, REVIEW  
14 AGENCY RECORDS REGARDING PROGRAMS FUNDED PURSUANT TO THIS ACT,  
15 INTERVIEW AGENCY PERSONNEL AND BOARD MEMBERS AND INTERVIEW  
16 AGENCY CONSTITUENTS AND OTHER LOCAL HUMAN SERVICES AGENCIES.

17 (C) PREPARATION OF REPORT.--THE DEPARTMENT SHALL PREPARE A  
18 REPORT, USING THE FINDINGS OF THE MONITORING PROCEDURES AND  
19 ONSITE VISITS, IF CONDUCTED, WHICH IDENTIFIES AGENCY STRENGTHS  
20 AND WEAKNESSES AND ANY REQUIRED REMEDIAL ACTIONS. A COPY OF THE  
21 REPORT SHALL BE FORWARDED BY MAIL TO THE COMMUNITY ACTION  
22 AGENCY. THE AGENCY MAY REQUEST A CONFERENCE WITH THE DEPARTMENT  
23 TO DISCUSS THE REPORT.

24 SECTION 8. FISCAL CONTROL AND FUND ACCOUNTING.

25 UNDER THE PROVISIONS OF THE OMNIBUS BUDGET RECONCILIATION ACT  
26 OF 1981 (~~PUBLIC LAW 97-35, 95 STAT. 357~~), THE DEPARTMENT SHALL: <—

27 (1) PROVIDE THAT FISCAL CONTROL AND FUND ACCOUNTING  
28 PROCEDURES BE ESTABLISHED AS MAY BE NECESSARY TO ASSURE THE  
29 PROPER DISBURSEMENT OF AND ACCOUNTING FOR FEDERAL FUNDS PAID  
30 TO THE COMMONWEALTH. THIS INCLUDES PROCEDURES WHICH MAY BE

1 NECESSARY FOR MONITORING THE ASSISTANCE PROVIDED TO COMMUNITY  
2 ACTION AGENCIES AND OTHER ELIGIBLE AGENCIES UNDER THE  
3 PROVISIONS OF THAT ACT.

4 (2) PROVIDE THAT AT LEAST ONCE A YEAR THE DEPARTMENT  
5 SHALL PREPARE AN AUDIT OF ITS EXPENDITURES OF AMOUNTS  
6 RECEIVED AND TRANSFERRED TO CARRY OUT THE PURPOSES OF THIS  
7 SECTION. IF THE AUDITING AND MONITORING PROCEDURES RESULT IN  
8 ANY AUDIT EXCEPTIONS OR DISALLOWED COSTS ON THE PART OF ANY  
9 LOCAL AGENCY, THE LOCAL AGENCY SHALL REIMBURSE THE DEPARTMENT  
10 FOR SAID AUDIT EXCEPTIONS AND DISALLOWED COSTS FROM NON-STATE  
11 AND NON-FEDERAL FUNDS.

12 (3) PERMIT AND COOPERATE WITH FEDERAL INVESTIGATIONS  
13 UNDERTAKEN PURSUANT TO SECTION ~~679~~ 678D OF THE OMNIBUS BUDGET <—  
14 RECONCILIATION ACT OF 1981 (PUBLIC LAW 97-35, 42 U.S.C. § <—  
15 ~~9920~~ 9916). <—

16 SECTION 9. REMEDIES.

17 (A) NOTICE OF DISCREPANCY OR VIOLATION.--IF A DISCREPANCY OR  
18 VIOLATION OF THIS ACT IS DISCOVERED THROUGH MONITORING AND  
19 AUDITING ACTIVITIES OF THE DEPARTMENT, THE DEPARTMENT SHALL  
20 NOTIFY THE COMMUNITY ACTION AGENCY OF THE DISCREPANCY OR  
21 VIOLATION IMMEDIATELY BY CERTIFIED MAIL.

22 (B) AGENCY RESPONSE.--THE AGENCY SHALL RESPOND TO THE  
23 DEPARTMENT'S NOTICE OF DISCREPANCY OR VIOLATION WITHIN TWO WEEKS  
24 OF RECEIPT OF SAID NOTICE BY WRITTEN CORRESPONDENCE TO, OR BY  
25 REQUESTING A MEETING WITH, THE DEPARTMENT TO NEGOTIATE OR  
26 CLARIFY FACTS.

27 (C) AGENCY NONCOMPLIANCE.--IF THE COMMUNITY ACTION AGENCY IS  
28 FOUND TO HAVE BEEN IN NONCOMPLIANCE WITH THE PROVISIONS OF THIS  
29 ACT, THE DEPARTMENT SHALL HAVE THE POWER TO DO ANY OF THE  
30 FOLLOWING:

1           (1) REQUIRE APPROPRIATE CORRECTIVE MEASURES AND PROVIDE  
2           TECHNICAL ASSISTANCE TO ASSIST IN IMPLEMENTING THEM.

3           (2) PLACE THE COMMUNITY ACTION AGENCY ON PROBATION UNTIL  
4           THE AGENCY COMPLIES WITH THIS ACT.

5           (D) AGENCY VIOLATION.--NOTWITHSTANDING SUBSECTION (B), IF  
6           THE DEPARTMENT DETERMINES THAT A VIOLATION HAS OCCURRED WITH  
7           WILLFUL DISREGARD FOR THIS ACT, THE DEPARTMENT MAY DO ANY OF THE  
8           FOLLOWING:

9           (1) SUSPEND THE COMMUNITY SERVICE BLOCK GRANT CONTRACT  
10          FOR A DESIGNATED PERIOD OF TIME. THE AGENCY MUST THEN RECTIFY  
11          THE VIOLATION AND REESTABLISH ITSELF AS COMPETENT AS  
12          DETERMINED BY THE DEPARTMENT TO CARRY OUT THOSE  
13          RESPONSIBILITIES ENUMERATED IN THIS STATUTE FOR A COMMUNITY  
14          ACTION AGENCY.

15          (2) CLOSE OUT THE COMMUNITY SERVICE BLOCK GRANT CONTRACT  
16          THROUGH THE PROCESS OF DEFUNDING, IN ACCORDANCE WITH FEDERAL  
17          LAW AND REGULATIONS. IF CLOSEOUT IS APPROVED BY THE  
18          SECRETARY, A MINIMUM OF 30 DAYS' NOTICE SHALL BE GIVEN TO THE  
19          AGENCY. THE DEPARTMENT SHALL OVERSEE AGENCY EQUIPMENT  
20          INVENTORY TRANSFER TO OTHER AGENCIES.

21          (E) RIGHT OF APPEAL.--THE COMMUNITY ACTION AGENCY SHALL, AT  
22          ALL TIMES, RETAIN THE RIGHT TO APPEAL ANY DEPARTMENTAL  
23          ADJUDICATIONS CONCERNING THIS PROGRAM AS OTHERWISE PROVIDED BY  
24          LAW.

25          SECTION 10. WAIVERS.

26          IF A DETERMINATION IS MADE BY THE DEPARTMENT OF HEALTH AND  
27          HUMAN SERVICES THAT ANY PROVISIONS OF THIS ACT ARE IN VIOLATION  
28          OF FEDERAL LAW OR REGULATIONS AND WOULD JEOPARDIZE FEDERAL  
29          FUNDING, THE SECRETARY, WITH THE APPROVAL OF THE GOVERNOR, MAY  
30          SUSPEND THOSE SECTIONS, OR PORTIONS THEREOF, WHOSE ENFORCEMENT

1   CONSTITUTES SAID VIOLATIONS.

2   SECTION 11.   CONSTRUCTION.

3       THIS ACT SHALL BE CONSTRUED AS A CONTINUATION OF THE ACT OF  
4   JULY 10, 1986 (P.L.1263, NO.116), KNOWN AS THE COMMUNITY  
5   SERVICES ACT.

6   SECTION 12.   RETROACTIVITY.

7       THIS ACT SHALL BE RETROACTIVE TO JANUARY 1, 2002.

8   SECTION 13.   EXPIRATION.

9       THIS ACT SHALL EXPIRE DECEMBER 31, 2006.

10   SECTION 14.   EFFECTIVE DATE.

11       THIS ACT SHALL TAKE EFFECT IMMEDIATELY.