
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1748 Session of
1983

INTRODUCED BY OLIVER, BELARDI, ZWIKL, IRVIS, McMONAGLE,
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LASHINGER, EVANS, BURD, HARPER, BOWSER, MAIALE, PETRONE,
RICHARDSON AND BRANDT, DECEMBER 5, 1983

REFERRED TO COMMITTEE ON STATE GOVERNMENT, DECEMBER 5, 1983

AN ACT

1 Providing for a community services block grant program and
2 further providing for powers and duties of the Department of
3 Community Affairs.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Community
8 Services Act.

9 Section 2. Declaration of policy.

10 The General Assembly finds and declares as follows:

11 (1) It is the intention of the General Assembly as a
12 matter of public policy to affirm the commitment of the
13 Commonwealth to ameliorating the causes and effect of
14 poverty:

15 (i) By providing a range of services and activities
16 having a measurable and potentially major impact on the
17 causes of poverty in the community.

1 (ii) By providing activities designed to assist low-
2 income participants in obtaining employment, education,
3 housing, emergency assistance, transportation and other
4 necessities.

5 (iii) By providing, on an emergency basis, for the
6 provision of such supplies and services, nutritious
7 foodstuffs and related services as may be necessary to
8 counteract conditions of starvation and malnutrition
9 among the poor.

10 (iv) By coordinating and establishing linkages
11 between governmental and other social service programs to
12 assure the effective delivery of services to low-income
13 individuals.

14 (v) By encouraging the use of entities in the
15 private sector in efforts to ameliorate poverty in the
16 community.

17 (2) It is also the intention of the General Assembly to
18 stimulate a better focusing of human and financial resources
19 on the goal of eliminating poverty by providing for the
20 continuity of programs which presently exist throughout the
21 Commonwealth for this stated purpose.

22 (3) By so doing, it is the intention of the General
23 Assembly to set forth the policies which shall govern the
24 administration of the community services block grant or
25 subsequent funding mechanisms established for similar
26 purposes. This block grant was created by the Federal Omnibus
27 Budget Reconciliation Act of 1981 (Public Law 97-35) and
28 follows the provisions defined in that act.

29 Section 3. Definitions.

30 The following words and phrases when used in this act shall

1 have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "Community action agency." Any organization which was
4 officially designated by county commissioners or mayors as such
5 under section 210 of the Federal Economic Opportunity Act of
6 1964, as amended, or established pursuant to this act, whose
7 structure and functions are further defined in sections 4 and 5.

8 "Community services block grant." Program authorized by the
9 Federal Omnibus Budget Reconciliation Act of 1981 (Public Law
10 97-35) and follows the provision defined in Title XVII, Subtitle
11 B, Chapter 2, which is intended to be used by the Commonwealth
12 for programs to ameliorate the causes and effects of poverty.

13 "Department." The Department of Community Affairs or the
14 designated agency responsible for the administration of
15 community service block grant funds.

16 "Secretary." The Secretary of Community Affairs or the
17 designated individual responsible for the administration of
18 community service block grant funds.

19 Section 4. Eligibility for community services block grant funds
20 and designation of community action agencies.

21 (a) Community action agency receives block grants.--Each
22 county and first and second class city within the Commonwealth
23 to receive funds under this act shall have a community action
24 agency designated to receive community services block grant
25 funds. These community action agencies may be an arm of the
26 designating unit of government or nonprofit private community
27 organization, constituted so that one-third of the members of
28 the board of directors are elected public officials currently
29 holding offices or their representatives, one-third are chosen
30 to represent the poor residing in the geographic area served,

1 and the remaining third, are representatives of business,
2 industry, labor, religion, welfare or other private interests.

3 (b) Present agencies included for eligibility.--This
4 designation includes all present community action agencies
5 established under section 210 of the Federal Economic
6 Opportunity Act of 1964. In counties where there is no community
7 action agency, the county commissioners, and in instances of
8 first and second class cities, the mayors, may be authorized to
9 designate an agency to coordinate community service efforts in
10 that jurisdiction in accordance with section 6(a).

11 (c) Decertification procedure.--The county commissioners or
12 mayors of first and second class cities may initiate action to
13 decertify an agency with 120 days' notice of intent providing
14 the reasons or complaints and by providing for public hearings
15 not sooner than 60 days or later than 90 days after the original
16 notice of intent. An official notification of intent, including
17 reasons or complaints, will also be provided to the secretary,
18 as well as to the agency. Final report with documentation of
19 reasons, results of public hearings and testimony will be
20 provided to the secretary within ten days. The secretary will
21 decide on final decertification based on the reasons and
22 circumstances presented within ten days. If decertification is
23 determined, the agency will be given 45 days for final closeout
24 activities and audit.

25 Section 5. Community action agencies and board.

26 (a) Powers of agency.--Each community action agency
27 established pursuant to section 6 shall:

28 (1) Develop and implement programs and projects designed
29 to serve the poor or low-income areas with maximum feasible
30 participation of residents of the areas and members of the

1 groups served, so as to best stimulate and take full
2 advantage of capabilities for self-advancement and assure
3 that those programs and projects are otherwise meaningful to
4 and widely utilized by their intended beneficiaries.

5 (2) Have at least one-third of its board members chosen
6 to represent the poor in the area served.

7 (3) Be so established and organized that the poor and
8 residents of the area concerned will be enabled to influence
9 the character of programs affecting their interest and
10 regularly participate in the planning and implementation of
11 those programs.

12 (4) Be a continuing and effective mechanism for securing
13 broad community involvement in the programs assisted under
14 this act.

15 (5) Review all funds provided within the jurisdictional
16 area targeted to the low income population to insure
17 effective coordination with the existing community action
18 programs and to avoid duplication of effort within the area.

19 (b) Functions of agency.--In exercising its powers and
20 carrying out its overall responsibility for a community action
21 program, a community action agency shall have, subject to the
22 purposes of this act, at least the following functions:

23 (1) Planning systematically for and evaluating the
24 programs, including actions to develop information as to the
25 problems and causes of poverty in the community, determining
26 how much and how effectively assistance is being provided to
27 deal with those problems and causes; and establishing
28 priorities among projects, activities and areas as needed for
29 the best and most efficient use of resources.

30 (2) Encouraging agencies engaged in activities related

1 to the community action program to plan for, secure and
2 administer assistance available under this act or from other
3 sources on a common or cooperative basis; providing planning
4 or technical assistance to those agencies; and generally, in
5 cooperation with community agencies and officials,
6 undertaking actions to improve existing efforts to attack
7 poverty, such as improving day-to-day communication, closing
8 service gaps, focusing resources on the most needy and
9 providing additional opportunities to low-income individuals
10 for regular employment or participation in the programs or
11 activities for which those community agencies and officials
12 are responsible.

13 (3) Initiating and sponsoring projects responsive to
14 needs of the poor which are not otherwise being met, with
15 particular emphasis on providing central or common services
16 that can be drawn upon by a variety of related programs,
17 developing new approaches or new types of services that can
18 be incorporated into other programs; and filling gaps pending
19 the expansion or modification of those programs.

20 (4) Establishing effective procedures by which the poor
21 and area residents concerned will be enabled to influence the
22 character of programs affecting their interests, and
23 providing technical and other support needed to enable the
24 poor and neighborhood groups to secure on their own behalf
25 available assistance from public and private sources.

26 (5) Joining with and encouraging business, labor and
27 other private groups and organizations to undertake, together
28 with public officials and agencies, activities in support of
29 the community action program which will result in the
30 additional use of private resources and capabilities, with a

1 view to such things as developing new employment
2 opportunities, stimulating investment that will have a
3 measurable impact in reducing poverty among residents of
4 areas of concentrated poverty, and providing methods by which
5 residents of those areas can work with private groups, firms
6 and institutions in seeking solutions to problems of common
7 concern.

8 Section 6. Financial assistance for community services program.

9 (a) Permissible apportionment of appropriations.--From the
10 sum appropriated under the community services block grant:

11 (1) No greater than 5% may be allotted to the department
12 for the administration of program operations.

13 (2) No greater than 5% may be allotted at the discretion
14 of the secretary in a manner consistent with this act.

15 (3) No less than 90% shall be reserved for community
16 action agencies as defined in section 5.

17 (4) A formula basis shall be established for the
18 distribution of funds reserved for community action agencies.
19 The formula shall include consideration of the number of
20 persons below the poverty level and the number of persons
21 unemployed.

22 (5) A minimum funding level for existing community
23 action agencies meeting the requirements of the Federal
24 Omnibus Budget Reconciliation Act of 1981 (Public Law 97-35)
25 shall be set at \$150,000.

26 (b) Grant prerequisite.--The secretary shall require, as a
27 condition of assistance, that each community action agency adopt
28 a systematic approach for achieving the functions stated in
29 section 5(b) and for utilizing the funds provided under this
30 act. Such an approach shall encompass a planning and

1 implementation process which seeks to identify the problems and
2 causes of poverty in the community, seeks to mobilize and
3 coordinate relevant public and private resources, establishes
4 program priorities, links program components with one another
5 and with other relevant programs and provides for evaluation.

6 (c) Local services determined by local agency.--In order to
7 promote local responsibility and initiative, all decisions
8 regarding which of the qualified services shall be provided
9 shall be established through a local planning process
10 administered by the local agency that guarantees effective input
11 from the three sectors represented on each governing board and
12 the public at large. The department shall not require nor
13 prohibit the offering of any specific service or type of
14 service.

15 (d) Annual audit.--At least once annually the department
16 shall make or cause to be made an audit of each grant or
17 contract of assistance under this act. Promptly after the
18 completion of such audit, the secretary shall determine on the
19 basis of resulting findings and conclusions whether any of the
20 costs or expenditures incurred shall be disallowed.

21 Section 7. Expiration.

22 This act shall expire in three years unless extended by
23 statute.

24 Section 8. Effective date.

25 This act shall take effect immediately.