

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 642

Session of
1985

INTRODUCED BY O'CONNELL, ZEMPRELLI, SALVATORE, BRIGHTBILL,
LOEPER, MELLOW, FUMO, LYNCH, STAPLETON AND ANDREZESKI,
MARCH 27, 1985

SENATOR PECORA, LOCAL GOVERNMENT, AS AMENDED, JUNE 18, 1985

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.

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1 The General Assembly of the Commonwealth of Pennsylvania
2 hereby enacts as follows:

3 Section 1. Short title.

4 This act shall be known and may be cited as the Community
5 Services Act.

6 Section 2. Declaration of policy.

7 The General Assembly finds and declares as follows:

8 (1) It is the intention of the General Assembly as a
9 matter of public policy to affirm the commitment of the
10 Commonwealth to ameliorating the causes and effect of poverty
11 by:

12 (i) Providing a range of services and activities
13 having a measurable and potentially major impact on the
14 causes of poverty in the community and establishing
15 grants for organizations providing services to migrant
16 and seasonal farmworkers.

17 (ii) Providing activities designed to assist low-
18 income participants in obtaining employment, education,
19 housing, emergency assistance, transportation and other
20 necessities.

21 (iii) Providing, on an emergency basis, for the
22 provision of such supplies and services, nutritious
23 foodstuffs and related services as may be necessary to
24 counteract conditions of starvation and malnutrition
25 among the poor.

26 (iv) Coordinating and establishing linkages between
27 governmental and other social service programs to assure
28 the effective delivery of services to low-income
29 individuals.

30 (v) Encouraging the use of entities in the private

1 sector in efforts to ameliorate poverty in the community.

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

7 (3) By so doing, it is the intention of the General
8 Assembly to set forth the policies which shall govern the
9 administration of the community services block grant or
10 subsequent funding mechanisms established for similar
11 purposes. This block grant was created by the Omnibus Budget
12 Reconciliation Act of 1981 (Public Law 97-35, 95 Stat. 357)
13 and follows the provisions defined in that act.

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 "Community action agency." Any organization which was
19 officially designated by county commissioners or mayors as such
20 under the Omnibus Budget Reconciliation Act of 1981 (Public Law
21 97-35, 95 Stat. 357) or established pursuant to this act, whose
22 structure and functions are further defined in sections 4 and 5.

23 "Community services block grant." A program authorized by
24 the Omnibus Budget Reconciliation Act of 1981 which follows the
25 provision defined in Title XVII, Subtitle C, Chapter 2, which is
26 intended to be used by the Commonwealth for programs to
27 ameliorate the causes and effects of poverty.

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

<—

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

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

"Department." The Department of Community Affairs of the
Commonwealth, or the designated agency responsible for the
administration of community service block grant funds.

~~"Department desk analysis." A review of all records
regarding a community services block grant limited to those
maintained by the department.~~

"Eligible entity." Any agency or organization designated in
the Omnibus Budget Reconciliation Act of 1981 as an eligible
recipient of community services block grant funds, including a
limited purpose agency and a Statewide migrant and seasonal
farmworkers' organization.

"Limited purpose agency." An agency that was funded under
Title II of the Economic Opportunity Act of 1964 (Public Law 88-
452, 78 Stat. 508) for a limited functional or geographical
purpose and recognized as a community action program under the
Omnibus Budget Reconciliation Act of 1981.

"Secretary." The Secretary of Community Affairs of the
Commonwealth, or the designated individual responsible for the
administration of community service block grant funds.

~~"Statewide migrant and seasonal farmworkers' organization."
An organization established as a private not for profit
corporation that is administered by a board of directors
comprised of at least 51% farmworkers, elected annually.~~

Section 4. Eligibility for community services block grant funds

1 and designation of community action agencies.

2 (a) Community action agency receives block grants.--Each
3 county and first and second class city within this Commonwealth
4 to receive funds under this act shall have a community action
5 agency designated to receive community services block grant
6 funds. These community action agencies may be an arm of the
7 designating unit of government or nonprofit private community
8 organization, constituted so that one-third of the members of
9 the board of directors are elected public officials currently
10 holding offices or their representatives, ~~one-third are elected~~ <—
11 ~~by a democratic process to represent the poor residing in the~~
12 ~~geographic area served, and the remaining third are~~
13 ~~representatives of business, industry, labor, religion, welfare~~
14 ~~or other private interests.~~ EXCEPT THAT IF THE NUMBER OF ELECTED <—
15 OFFICIALS REASONABLY AVAILABLE AND WILLING TO SERVE IS LESS THAN
16 ONE-THIRD OF THE BOARD MEMBERSHIP, MEMBERSHIP ON THE BOARD OF
17 APPOINTIVE OFFICIALS MAY BE COUNTED IN MEETING SUCH ONE-THIRD
18 REQUIREMENT; AT LEAST ONE-THIRD ARE PERSONS CHOSEN IN ACCORDANCE
19 WITH DEMOCRATIC SELECTION PROCEDURES ADEQUATE TO ASSURE THAT
20 THEY ARE REPRESENTATIVE OF THE POOR IN THE AREA SERVED; AND THE
21 REMAINDER OF THE MEMBERS ARE OFFICIALS OR MEMBERS OF BUSINESS,
22 INDUSTRY, LABOR, RELIGIOUS, WELFARE, EDUCATION, OR OTHER MAJOR
23 GROUPS AND INTERESTS IN THE COMMUNITY.

24 (b) Present agencies included for eligibility.--This
25 designation includes all present community action agencies and
26 other eligible entities established under the Omnibus Budget
27 Reconciliation Act of 1981 (Public Law 97-35, 95 Stat. 357). In
28 counties and first and second class cities where there is no
29 community action agency, the department shall provide services
30 through another eligible agency, which shall receive community

1 service block grant funds specifically for this purpose.

2 Section 5. Community action agencies and board.

3 (a) Powers of agency.--Each community action agency
4 designated and created pursuant to the criteria set forth in
5 section 4 shall:

6 (1) Develop and implement programs and projects designed
7 in accordance with Federal regulations established under the
8 Omnibus Budget Reconciliation Act of 1981 (Public Law 97-35,
9 95 Stat. 357) to serve the poor or low-income areas with
10 maximum feasible participation of residents of the areas and
11 members of the groups served, so as to best stimulate and
12 take full advantage of capabilities for self-advancement and
13 assure that those programs and projects are otherwise
14 meaningful to and widely utilized by their intended
15 beneficiaries.

16 (2) Be a continuing and effective mechanism for securing
17 broad community involvement in the programs assisted under
18 this act.

19 (3) Provide effective coordination of existing community
20 action programs with other Federal and State funds provided
21 within the jurisdictional area targeted to the low-income
22 population to avoid duplication of efforts within the area.

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

27 (1) Planning systematically for and evaluating the
28 programs, including actions to develop information as to the
29 problems and causes of poverty in the community; determining
30 how much and how effectively assistance is being provided to

1 deal with those problems and causes; and establishing
2 priorities among projects, activities and areas as needed for
3 the best and most efficient use of resources.

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

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

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

30 (5) Joining with and encouraging business, labor and

1 other private groups and organizations to undertake, together
2 with public officials and agencies, activities in support of
3 the community action program which will result in the
4 additional use of private resources and capabilities, with a
5 view to such things as developing new employment
6 opportunities, stimulating investment that will have a
7 measurable impact in reducing poverty among residents of
8 areas of concentrated poverty, and providing methods by which
9 residents of those areas can work with private groups, firms
10 and institutions in seeking solutions to problems of common
11 concern.

12 (C) PROHIBITION OF ACTIVITIES.--NO COMMUNITY ACTION AGENCY <—
13 OR LIMITED PURPOSE AGENCY RECEIVING FUNDS PURSUANT TO THIS ACT
14 MAY USE THOSE FUNDS TO ENGAGE IN ORGANIZED POLITICAL ACTIVITY,
15 INCLUDING, BUT NOT LIMITED TO, ENDORSEMENT OF CANDIDATES FOR
16 PUBLIC OFFICE, POLITICAL FUNDRAISING, ACTIVITIES TO PROVIDE
17 VOTERS AND PROSPECTIVE VOTERS WITH TRANSPORTATION TO THE POLLS
18 OR PROVIDE SIMILAR ASSISTANCE IN CONNECTION WITH AN ELECTION OR
19 ANY VOTER REGISTRATION ACTIVITY OR LOBBYING EFFORTS AT THE
20 LOCAL, STATE OR FEDERAL LEVEL.

21 Section 6. Financial assistance for community services block
22 grant program.

23 ~~(a) Permissible apportionment of appropriations. From the~~ <—
24 ~~sum appropriated under the community services block grant.~~

25 (A) APPORTIONMENT OF APPROPRIATIONS.--TO HELP MEET THE <—
26 DEPARTMENT'S OBJECTIVE OF ESTABLISHING COMMUNITY ACTION AGENCIES
27 TO PROVIDE SERVICES TO ALL COUNTIES WITHIN THIS COMMONWEALTH,
28 THE SUM APPROPRIATED UNDER THE COMMUNITY SERVICES BLOCK GRANT
29 SHALL BE DISTRIBUTED AS FOLLOWS:

30 (1) ~~Five percent~~ NO GREATER THAN 5% shall be allotted to <—

1 the department for the administration of program operations.

2 (2) No ~~greater~~ LESS than 5% may be allotted at the <—
3 discretion of the secretary in a manner consistent with this
4 act.

5 ~~(3) No less than 90% shall be reserved for community~~ <—
6 ~~action agencies and other eligible entities as defined in~~
7 ~~section 3.~~

8 (3) OF THE REMAINING 90%, NO GREATER THAN 5% MAY BE <—
9 ALLOTTED TO ESTABLISH COMMUNITY ACTION AGENCIES IN THOSE AREAS
10 CURRENTLY UNSERVED; NO LESS THAN 85% SHALL BE RESERVED FOR
11 EXISTING COMMUNITY ACTION AGENCIES AND OTHER ELIGIBLE
12 ENTITIES AS DEFINED IN SECTION 3.

13 (4) A formula basis shall be established for the
14 distribution of funds reserved for community action agencies.
15 The formula shall include consideration of the number of
16 persons below the poverty level and the number of persons
17 ~~unemployed.~~ UNEMPLOYED, AS DETERMINED ANNUALLY BY THE UNITED <—
18 STATES DEPARTMENT OF LABOR, AND SHALL INCLUDE A MINIMUM
19 FUNDING LEVEL OF COMMUNITY SERVICES BLOCK GRANT FUNDS FOR
20 EXISTING COMMUNITY ACTION AGENCIES MEETING THE REQUIREMENTS
21 OF THE OMNIBUS BUDGET RECONCILIATION ACT OF 1981 (PUBLIC LAW
22 97-35, 95 STAT. 357) AND A STATEWIDE MIGRANT AND SEASONAL
23 FARMWORKERS' ORGANIZATION APPROVED BY THE SECRETARY.

24 (5) A minimum funding level of ONLY community service <—
25 ~~block grant funds for existing community action agencies~~ <—
26 ~~meeting the requirements of the Omnibus Budget Reconciliation~~
27 ~~Act of 1981 (Public Law 97-35, 95 Stat. 357) and a Statewide~~
28 ~~migrant and seasonal farmworkers' organization shall be set~~
29 ~~at \$150,000.~~ GRANT FUNDS SHALL BE SET AT \$150,000. <—

30 (6) IN THE EVENT FEDERAL FUNDS ARE INSUFFICIENT TO MEET

1 THE MINIMUM FUNDING LEVELS, THE DETERMINATION OF ANNUAL
2 FUNDING LEVELS SHALL BE MADE BY THE SECRETARY BASED ON INPUT
3 FROM THE LOCAL AGENCIES AND THE COMMUNITY SERVICES BLOCK
4 GRANT ADVISORY TASK FORCE.

5 (b) Grant prerequisite.--The secretary shall require, as a
6 condition of assistance, that each community action agency or
7 other eligible agency designated for funding adopt a systematic
8 approach for achieving the functions stated in section 5(b) and
9 for utilizing the funds provided under this act. Such an
10 approach shall encompass a planning and implementation process
11 which seeks to identify the problems and causes of poverty in
12 the community, seeks to mobilize and coordinate relevant public
13 and private resources, establishes program priorities, links
14 program components with one another and with other relevant
15 programs and provides for evaluation.

16 ~~(c) Local services determined by local agency. In order to~~ <—
17 ~~promote local responsibility and initiative, all decisions~~
18 ~~regarding which of the qualified services shall be provided~~
19 ~~shall be established through a local planning process~~
20 ~~administered by the local agency that guarantees effective input~~
21 ~~from the three sectors represented on each governing board and~~
22 ~~the public at large. Each local agency shall submit its plans to~~
23 ~~the department for review to ensure eligibility of proposed~~
24 ~~services under the provisions of the Omnibus Budget~~
25 ~~Reconciliation Act of 1981.~~

26 (C) PROGRAM PRIORITIES.--THE SECRETARY MAY ESTABLISH <—
27 STATEWIDE PRIORITIES FOR THE OFFERING OF SPECIFIC SERVICES OR
28 TYPE OF SERVICES. IN ESTABLISHING THESE PRIORITIES, THE
29 SECRETARY SHALL CONSIDER THE RECOMMENDATIONS OF THE COMMUNITY
30 SERVICES BLOCK GRANT ADVISORY TASK FORCE.

1 (D) DETERMINATION OF LOCAL SERVICES.--TO PROMOTE LOCAL
2 RESPONSIBILITY AND INITIATIVES, DECISIONS REGARDING WHICH OF THE
3 QUALIFIED SERVICES SHALL BE PROVIDED SHALL BE ESTABLISHED
4 THROUGH A LOCAL PLANNING PROCESS ADMINISTERED BY THE LOCAL
5 AGENCY. THE PLAN SHOULD BE BASED ON THE RECOMMENDATIONS OF THE
6 LOCAL BOARD AND THE PUBLIC AT LARGE AND SHALL INDICATE
7 CONSIDERATION OF THE STATEWIDE PRIORITIES ESTABLISHED BY THE
8 SECRETARY. EACH LOCAL AGENCY SHALL SUBMIT ITS PLAN TO THE
9 DEPARTMENT FOR REVIEW TO ENSURE ELIGIBILITY OF PROPOSED SERVICES
10 UNDER THE PROVISION OF FEDERAL LAW AND REGULATIONS.

11 Section 7. Monitoring of community action agency.

12 (a) Monitoring procedures.--It shall be the policy of the
13 department to monitor the community action agencies using a <—
14 common set of assessment criteria, assigning qualitative ratings
15 to agency performance, and applying the monitoring results to
16 various aspects of the department's management process. The
17 department shall perform the following procedures:

18 (1) Identify the strengths and weaknesses of department
19 funded and related programs and activities relating to the
20 community service block grant.

21 (2) Provide the information base for rendering support
22 and assistance to agencies to improve their performance.

23 (3) Provide a basis for gauging progress of agencies in
24 fulfilling their contracted obligations with the
25 Commonwealth.

26 (4) Provide information which may point to needed policy
27 or procedural changes by the department or other related
28 State agencies.

29 (5) Provide information useful to the department in
30 making specific funding or programmatic decisions.

~~(6) Provide information useful to the department, the agencies and the General Assembly.~~

~~(b) Specific criteria. The department shall establish specific criteria, with input from the community action agencies and their constituents, in the design of its monitoring instruments and procedures.~~

~~(c) Phases of procedure. The monitoring procedure shall consist of three interrelated phases:~~

~~(1) A department desk analysis of all internal records on each agency. This analysis shall take place at the time of the annual agency work plan evaluation.~~

~~(2) A local community action agency self assessment process which includes specific assessment of department funded activities. The self assessment shall be included in its annual agency work plan.~~

~~(3) If determined to be necessary by the department, an agency onsite visit conducted by the department. The purpose of the onsite visit is to clarify discrepancies that may result from the department desk analysis and agency self assessment. The department may schedule an onsite visitation to the specific agency to review agency records, interview agency personnel and board members and interview agency constituents and other local human services agencies.~~

~~(d) Onsite visit procedure. When the department determines a visit is necessary, the agency shall be notified in writing one month in advance of the scheduled event. The postponement of a scheduled visit must be agreed upon by both the agency and department, at which time a new date shall be set. When a cancellation is requested by either party, it shall be done in writing and include the reasons for the change.~~

1 ~~(c) Preparation of report. The department shall prepare the~~
2 ~~report, using the findings of the desk analysis and local agency~~
3 ~~self assessment and any additional data or other input the~~
4 ~~community action agency may present. The report shall be the~~
5 ~~document which identifies agency strengths and weaknesses. When~~
6 ~~this report is completed, any required remedial actions and~~
7 ~~timetables for implementation shall be identified and agreed~~
8 ~~upon by both groups. A final conference shall be held with~~
9 ~~agency representatives and copies of any appropriate reports~~
10 ~~shall be left with or forwarded to the community action agency~~
11 ~~directly.~~ TO ASSURE COMPLIANCE WITH ALL CONTRACTUAL OBLIGATIONS <—
12 AND TO ASSESS THE EFFECTIVENESS OF LOCAL AGENCIES IN MEETING THE
13 OBJECTIVES OF THIS ACT AS OUTLINED IN SECTION 2. MONITORING
14 PROCEDURES SHALL BE ESTABLISHED ANNUALLY BY THE DEPARTMENT AND
15 PUBLISHED AS PART OF THE STATE PLAN.

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

23 (C) PREPARATION OF REPORT.--THE DEPARTMENT SHALL PREPARE A
24 REPORT, USING THE FINDINGS OF THE MONITORING PROCEDURES AND
25 ONSITE VISITS, IF CONDUCTED, WHICH IDENTIFIES AGENCY STRENGTHS
26 AND WEAKNESSES AND ANY REQUIRED REMEDIAL ACTIONS. A COPY OF THE
27 REPORT SHALL BE FORWARDED BY CERTIFIED MAIL TO THE COMMUNITY
28 ACTION AGENCY. THE AGENCY MAY REQUEST A CONFERENCE WITH THE
29 DEPARTMENT TO DISCUSS THE REPORT.

30 Section 8. Fiscal control and fund accounting.

1 Under the provisions of the Omnibus Budget Reconciliation Act
2 of 1981 (Public Law 97-35, 95 Stat. 357), the department shall:

3 (1) Provide that fiscal control and fund accounting
4 procedures be established as may be necessary to assure the
5 proper disbursement of and accounting for Federal funds paid
6 to the Commonwealth. This includes procedures which may be
7 necessary for monitoring the assistance provided to community
8 action agencies and other eligible agencies under the
9 provisions of that act.

10 (2) Provide that at least once a year the department
11 shall prepare an audit of its expenditures of amounts
12 received and transferred to carry out the purposes of this
13 section. ~~Promptly after completing the audit, the secretary~~ <—
14 ~~shall determine from the audit results whether any of the~~
15 ~~costs or expenditures should be disallowed.~~ IF THE AUDITING <—
16 AND MONITORING PROCEDURES RESULT IN ANY AUDIT EXCEPTIONS OR
17 DISALLOWED COSTS ON THE PART OF ANY LOCAL AGENCY, THE LOCAL
18 AGENCY SHALL REIMBURSE THE DEPARTMENT FOR SAID AUDIT
19 EXCEPTIONS AND DISALLOWED COSTS FROM NON-STATE AND NON-
20 FEDERAL FUNDS.

21 (3) Permit and cooperate with Federal investigations
22 undertaken pursuant to section 679 of the Omnibus Budget
23 Reconciliation Act of 1981.

24 Section 9. Remedies.

25 (a) Notice of discrepancy or violation.--If a discrepancy or
26 violation of this act is discovered through monitoring and
27 auditing activities of the department, the department shall
28 notify the community action agency of the discrepancy or
29 violation immediately.

30 (b) Agency response.--The agency ~~may~~ SHALL respond to the <—

1 department's notice of discrepancy or violation WITHIN TWO WEEKS <—
2 OF RECEIPT OF SAID NOTICE by written correspondence to, or by
3 requesting a meeting with, the department to negotiate or
4 clarify facts.

5 (c) Agency noncompliance.--If the community action agency is
6 found to have been in noncompliance with the provisions of this
7 act, the department shall have the power to do any of the
8 following:

9 (1) Demand that the community action agency comply with
10 this act.

11 (2) Place the community action agency on probation until
12 the agency complies with this act.

13 (d) Agency violation.--Notwithstanding subsection (b), if
14 the department determines that a violation has occurred with
15 willful disregard for this act, the department may do any of the
16 following:

17 (1) Suspend the operation of the community action agency
18 for a designated period of time. The agency must then rectify
19 the violation and reestablish itself as competent AS <—
20 DETERMINED BY THE DEPARTMENT to carry out those
21 responsibilities enumerated in this statute for a community
22 action agency.

23 (2) Close out the operation of the community action
24 agency through the process of defunding, IN ACCORDANCE WITH <—
25 FEDERAL LAW AND REGULATIONS. If closeout is approved by the
26 secretary, a minimum of 30 days' notice shall be given to the
27 agency. The department shall oversee agency equipment
28 inventory transfer to other agencies.

29 (e) Right of appeal.--The community action agency shall, at
30 all times, retain the right to appeal any ~~department decisions~~ <—

1 DEPARTMENTAL ADJUDICATIONS CONCERNING THIS PROGRAM AS OTHERWISE <—
2 PROVIDED BY LAW.

3 SECTION 10. WAIVERS. <—

4 IF A DETERMINATION IS MADE BY THE DEPARTMENT OF HEALTH AND
5 HUMAN SERVICES THAT ANY PROVISIONS OF THIS ACT ARE IN VIOLATION
6 OF FEDERAL LAW OR REGULATIONS AND WOULD JEOPARDIZE FEDERAL
7 FUNDING, THE SECRETARY SHALL HAVE THE RIGHT TO WAIVE THOSE
8 SECTIONS, OR PORTIONS THEREOF, WHOSE ENFORCEMENT CONSTITUTES
9 SAID VIOLATIONS.

10 Section ~~10~~ 11. Expiration. <—

11 This act shall expire in three years unless extended by
12 statute.

13 Section ~~11~~ 12. Effective date. <—

14 This act shall take effect immediately.