

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 247 Session of
2001

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

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, APRIL 24, 2002

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"~~
20 ~~in section 3 of the act, reenacted December 18, 1996 (P.L.1105,~~

1 ~~No.166), are amended to read:~~

2 ~~Section 3. Definitions.~~

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

6 ~~* * *~~

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

11 ~~* * *~~

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

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

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

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

22 SECTION 1. SHORT TITLE.

<—

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

25 SECTION 2. DECLARATION OF POLICY.

26 THE GENERAL ASSEMBLY FINDS AND DECLARES AS FOLLOWS:

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

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

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

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

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

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

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

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

29 (3) BY SO DOING, IT IS THE INTENTION OF THE GENERAL
30 ASSEMBLY TO SET FORTH THE POLICIES WHICH SHALL GOVERN THE

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

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

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

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

15 (A) TO SECURE AND RETAIN MEANINGFUL EMPLOYMENT;

16 (B) TO ATTAIN AN ADEQUATE EDUCATION;

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

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

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

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

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

29 (H) TO MAKE MORE EFFECTIVE USE OF OTHER PROGRAMS
30 RELATED TO THE PURPOSES OF THIS ACT.

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

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

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

13 SECTION 3. DEFINITIONS.

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

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

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

26 "COMMUNITY FOOD AND NUTRITION PROGRAM." A PROGRAM WHEREBY
27 GRANTS ARE MADE TO STATE AND LOCAL HUNGER PREVENTION
28 ORGANIZATIONS FOR ACTIVITIES WHICH ADDRESS THE FOOD AND
29 NUTRITION NEEDS OF LOW-INCOME POPULATIONS, ESPECIALLY HIGH RISK
30 CHILDREN, AS OUTLINED IN SECTION 681A(A) OF THE COMMUNITY

1 SERVICES BLOCK GRANT ACT (PUBLIC LAW 97-35, 42 U.S.C. §
2 9910A(A)).

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

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

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

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

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

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

26 "LIMITED PURPOSE AGENCY." AN AGENCY THAT WAS FUNDED UNDER
27 TITLE II OF THE ECONOMIC OPPORTUNITY ACT OF 1964 (PUBLIC LAW 88-
28 452, 78 STAT. 508) FOR A LIMITED FUNCTIONAL OR GEOGRAPHICAL
29 PURPOSE AND RECOGNIZED AS A COMMUNITY ACTION PROGRAM UNDER THE
30 OMNIBUS BUDGET RECONCILIATION ACT OF 1981.

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

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

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

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

28 (B) PRESENT AGENCIES INCLUDED FOR ELIGIBILITY.--THIS
29 DESIGNATION INCLUDES ALL PRESENT COMMUNITY ACTION AGENCIES AND
30 OTHER ELIGIBLE ENTITIES ESTABLISHED UNDER THE OMNIBUS BUDGET

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

6 SECTION 5. COMMUNITY ACTION AGENCIES AND BOARD.

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

10 (1) DEVELOP AND IMPLEMENT PROGRAMS AND PROJECTS DESIGNED
11 IN ACCORDANCE WITH FEDERAL REGULATIONS ESTABLISHED UNDER THE
12 OMNIBUS BUDGET RECONCILIATION ACT OF 1981 (~~PUBLIC LAW 97-35, <—~~
13 ~~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 (2) BE A CONTINUING AND EFFECTIVE MECHANISM FOR SECURING
25 BROAD COMMUNITY INVOLVEMENT IN THE PROGRAMS ASSISTED UNDER
26 THIS ACT.

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

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

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

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

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

1 THE EXPANSION OR MODIFICATION OF THOSE PROGRAMS.

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

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

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

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

1 PROVIDING ANY NONPARTISAN VOTER REGISTRATION ACTIVITY OR
2 LOBBYING EFFORTS AT THE LOCAL, STATE OR FEDERAL LEVEL.
3 SECTION 6. FINANCIAL ASSISTANCE FOR COMMUNITY SERVICES BLOCK
4 GRANT PROGRAM.

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

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

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

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

21 (4) A FORMULA BASIS SHALL BE ESTABLISHED FOR THE
22 DISTRIBUTION OF FUNDS RESERVED FOR COMMUNITY ACTION AGENCIES.
23 THE FORMULA SHALL INCLUDE CONSIDERATION OF THE NUMBER OF
24 PERSONS BELOW THE POVERTY LEVEL AND THE NUMBER OF PERSONS
25 UNEMPLOYED, AS DETERMINED ANNUALLY BY THE UNITED STATES
26 DEPARTMENT OF LABOR, AND SHALL INCLUDE A MINIMUM FUNDING
27 LEVEL OF COMMUNITY SERVICES BLOCK GRANT FUNDS FOR EXISTING
28 COMMUNITY ACTION AGENCIES MEETING THE REQUIREMENTS OF THE
29 OMNIBUS BUDGET RECONCILIATION ACT OF 1981 (~~PUBLIC LAW 97-35,~~ <—
30 ~~95-STAT. 357~~) AND A STATEWIDE MIGRANT AND SEASONAL

1 FARMWORKERS' ORGANIZATION APPROVED BY THE SECRETARY.

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

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

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

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

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

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

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

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

29 (C) SEVERE ECONOMIC DISLOCATION; AND

30 (II) THE FAILURE OF AN ELIGIBLE ENTITY TO COMPLY

1 WITH THE TERMS OF ITS AGREEMENT TO PROVIDE SERVICES UNDER
2 THIS ACT.

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

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

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

30 SECTION 7. MONITORING OF COMMUNITY ACTION AGENCY.

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

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

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

23 SECTION 8. FISCAL CONTROL AND FUND ACCOUNTING.

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

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

1 ACTION AGENCIES AND OTHER ELIGIBLE AGENCIES UNDER THE
2 PROVISIONS OF THAT ACT.

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

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

15 SECTION 9. REMEDIES.

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

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

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

30 (1) REQUIRE APPROPRIATE CORRECTIVE MEASURES AND PROVIDE

1 TECHNICAL ASSISTANCE TO ASSIST IN IMPLEMENTING THEM.

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

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

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

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

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

24 SECTION 10. WAIVERS.

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

1 SECTION 11. CONSTRUCTION.

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

5 SECTION 12. RETROACTIVITY.

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

7 SECTION 13. EXPIRATION.

8 THIS ACT SHALL EXPIRE DECEMBER 31, 2006.

9 SECTION 14. EFFECTIVE DATE.

10 THIS ACT SHALL TAKE EFFECT IMMEDIATELY.