



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 4502 (Substitute H-1 as passed by the House)
Sponsor: Representative Sandra Caul
House Committee: Family and Children Services
Senate Committee: Commerce and Labor

Date Completed: 6-17-03

CONTENT

The bill would amend the Michigan Economic and Social Opportunity Act to:

- **Revise the responsibilities of the Bureau of Community Services, which the bill would rename the "Bureau of Community Action and Economic Opportunity".**
- **Revise the membership of the Commission on Economic and Social Opportunity, which the bill would rename the "Commission on Community Action and Economic Opportunity".**
- **Increase the responsibilities of the Commission.**
- **Allow a community action agency (CAA) to engage in additional activities.**
- **Revise membership requirements for the board of a CAA, and delete responsibilities of a board.**
- **Delete a requirement that each CAA and other agency desiring funds develop a program budget request.**
- **Provide that the distribution of funds to CAAs would have to meet Federal requirements.**

The bill also would repeal a section of the Act allowing a CAA that is a public office or agency of a local unit of government to establish either a board of directors or an advisory board.

Department Designation

The Act, enacted in 1981, originally created the Bureau of Community Services and the Commission on Economic and Social Opportunity within the Michigan Department of Labor to administer the Federal community services block grant in Michigan. The Bureau subsequently was merged with the Bureau of Employment and Training, forming the Bureau of Employment Training and Community Services. Executive Order 1993-4 abolished the Bureau and the Commission in the Department of Labor, and transferred the Department's responsibilities under the Act to the Michigan Jobs Commission. Executive Order 1995-2 transferred those responsibilities to the Department of Social Services, now the Family Independence Agency.

The bill would define "department" as the Family Independence Agency or another department or agency designated by the Governor to receive and distribute community services block grant funds under Community Services Block Grant Act of the Omnibus Bureau Reconciliation Act of 1981.

Bureau

The Michigan Economic and Social Opportunity Act permits the Bureau to engage in certain activities, such as coordinating State activities designed to reduce poverty, receiving and

spending funds for authorized purposes, assisting local units of government to establish and operate a CAA, and conducting performance assessments of CAAs. Under the bill, these activities would be mandatory. The bill also would require the Bureau to serve as an advocate within the executive branch to remove administrative barriers to self-sufficiency services and to seek additional resources for antipoverty strategies.

The bill would delete provisions under which Bureau may do the following:

- Participate in the development of the State program budget and make budget recommendations based on program budget requests.
- Administer the neighborhood assistance program established under the Neighborhood Assistance and Participation Act.
- Administer other programs and services designated by the department director or the Legislature.

Commission

The Act requires the Commission to consist of 15 members, including at least five who are low-income individuals. Of the members who are not low income, the Commission must include at least one representative of local government, at least one representative of organized labor, at least one representative of the business community, and at least three representatives of local CAA governing boards. At least five members must reside in rural communities.

The bill would delete these requirements. Instead, the Commission would have to consist of six to 15 members, including equal numbers of elected officials, private sector members, and low-income individuals, or as nearly equal in number as possible. At least one-third of the members would have to be CAA representatives as either staff or board members.

The bill would require the Commission to do the following, in addition to its current responsibilities:

- Every two years, convene a State forum that included representatives from the public, private, nonprofit, and low-income sectors to analyze poverty trends and make recommendations to reduce poverty.
- Receive reports from the Bureau on strategies to reduce poverty and make recommendations based on those reports to the Governor.
- Evaluate State statutes and programs relevant to the reduction of poverty and recommend appropriate changes to the Governor and the Legislature.

The Commission also would have to participate with the Bureau to implement a public education program designed to increase public awareness regarding the nature and extent of poverty in Michigan; and, in coordination with CAAs, establish an education and public information program designed to increase public awareness regarding the nature and extent of poverty in Michigan and regarding existing community social and economic programs.

In addition, the Commission would have to submit reports to the Governor, the Legislature, the Congressional delegation, and other appropriate Federal officials regarding the needs, problems, opportunities, and contributions of low-income individuals and the effectiveness of existing State and Federal policies and programs, and recommend actions to improve economic and social opportunities for low-income individuals.

Community Action Agencies

Designation. Under the Act, the executive director of the Bureau must designate CAAs to fulfill the requirements of the Act in service areas governed by one or more local units of government. The executive director may rescind the designation of a CAA for cause, and must follow procedures set forth in the Act for the designation of a CAA or rescission of a designation (i.e., consulting with the department director, local chief elected officials, and the Commission, and holding at least one public hearing in the service area). The bill also would require the executive director, when rescinding a designation, to follow the procedures set forth in the Community Services Block Grant Act.

Activities. The Michigan Act permits a CAA to engage in activities necessary to fulfill the intent of the Act, including activities specified in the Act. Under the bill, a CAA also could do the following:

- Provide a range of services and activities having a measurable and potentially major impact on causes of poverty in the community or in the community's service areas.
- Provide on an emergency basis for the provision of supplies and services, nutritious food items, and related services necessary to counteract conditions of starvation and malnutrition among the poor.
- Provide and establish linkages between governmental and other social services programs to assure the effective delivery of services to low-income individuals.
- Encourage the use of entities in the private sector of the community in efforts to reduce poverty.

In addition, a CAA could provide activities designed to assist low-income participants, including the elderly poor, to do the following: secure and retain meaningful employment; attain an adequate education; make better use of available income; obtain and maintain adequate housing and a suitable living environment; obtain emergency assistance through loans or grants to meet immediate and urgent individual and family needs; remove obstacles and solve problems that block the achievement of self-sufficiency; and make more effective use of other related programs.

The bill also would allow CAAs to mobilize community involvement from private and nonprofit sectors, including businesses, economic and job development organizations, nonprofit faith-based communities, technical colleges and institutions of higher education, and the public sector, including townships, cities, counties, and the State, to address issues of poverty. Community action agencies would have to coordinate with welfare-to-work strategies and implement strategies that increase household income and assets leading to long-term economic self-sufficiency.

Further, a CAA could serve populations with barriers to self-sufficiency, such as individuals and families with low income, senior citizens, young children, homeless individuals, physically and developmentally disabled people, low-wage workers, and adults without literacy skills or basic education or adequate skills needed for the workplace.

One of the current activities of CAAs is increasing interagency coordination and cooperation in serving low-income people. The bill also provides that, if possible, CAAs would have to enter into partnership and collaboration with other organizations to meet economic self-sufficiency goals.

The Act permits CAAs to develop an annual program budget request, and to receive and accept grants or gifts to support or promote the authorized activities. The bill would delete these provisions.

Budget. Under the Act, each CAA and each public agency, nonprofit private agency, and nonprofit organization desiring funds annually must develop and submit a program budget request for funds appropriated from the State program budget. Each year the executive director must publish guidelines detailing the nature and extent of information required in a program budget request. The bill would delete these requirements.

Board of Directors. Under the Act, a CAA that is a nonprofit agency must establish a governing board of directors that consists of at least 15 but not more than 51 members. One-third of the board members must be low income, elderly, or consumers with disabilities residing in the CAA's service area. One-third of the members must be representatives of local units of government and public agencies within the service area. One-third must represent the private sector, including representatives of business and industry, agriculture, labor, and religious and civic organizations located within the CAA's service area.

The bill would omit the minimum and maximum size of a board. The bill generally would retain the current composition of a board, but would require that one-third of the members be elected public officials, rather than representatives of local units of government and public agencies within the service area. The bill also would delete the requirements that the other members reside or be located in a CAA's service area.

Currently, a CAA board is responsible for activities listed in the Act (e.g., approving contracts and budget requests; performing an annual audit; establishing policies for the CAA; convening public meetings; and evaluating the CAA's programs and policies). Also, a CAA may establish standing committees, as long as each committee has the same proportional representation of consumers, public, and private members as the board. The bill would delete these provisions.

Repealer

Section 12 of the Act permits a CAA that is a public office or agency of a local unit of government to establish a board or directors or an advisory board. If a CAA has an advisory board, the chief elected official of the local unit of government is responsible for certain activities of a board of directors under the Act, and the advisory board is responsible for others. The bill would repeal Section 12.

The bill also would repeal Section 20, which set an effective date of October 1, 1981, for the Act.

MCL 400.1103 et al.

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill could have an indeterminate fiscal impact on the State. The Federal Community Services Block Grant (CSBG) State allocation for FY 2003-04 is \$24.4 million. The majority, or 90%, of the funds are passed through to community action agencies for direct services or administration. The remaining funds are limited at 5% each for discretionary spending (training, technical assistance, and special CAA projects) and State administrative costs. The costs for administration could exceed the 5% limit as a result of an increase in the Commission's responsibilities. The State could experience cost increases associated with salaries and wages and contractual services, supplies and materials, and would be required to use General Fund or other fund sources to augment CSBG funding availability for this purpose.

Fiscal Analyst: Constance Cole

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.