§ 159-e. Definitions. When used in this article:

1. "Eligible entity" shall mean any organization

(a) officially designated as a community action agency or a community action program under the provisions of section two hundred ten of the economic opportunity act of 1964 for fiscal year 1981, unless such community action agency or a community action program lost its designation under section two hundred ten of such act as a result of a failure to comply with the provisions of such act; or

(b) designated by the process described in section one hundred fifty-nine-m of this article (including an organization serving migrant or seasonal farmworkers that is so described or designated).

Such eligible entity shall have a tripartite board as its governing board which fully participates in the development, planning, implementation, and evaluation of the program to serve low-income communities and through which the entity shall administer the community services block grant program. However, such eligible entities which are public organizations shall have either a tripartite board or another mechanism specified by the state to assure decision making and participation by low-income individuals in the development, planning, implementation, and evaluation of programs funded under this article.

2. "Tripartite board" shall mean

(a) the governing board of a private nonprofit entity selected by the entity and composed so as to assure that

(1) one-third of the members of the board are elected public officials, holding office on the date of selection, or their representatives, except that if the number of such elected officials reasonably available and willing to serve on the board is less than one-third of the membership of the board, membership on the board of appointive public officials or their representatives may be counted in meeting such one-third requirement;

(2) (A) not fewer than one-third of the members are persons chosen in accordance with democratic selection procedures adequate to assure that these members are representative of low-income individuals and families in the neighborhood served; and

(B) each representative of low-income individuals and families selected to represent a specific neighborhood within a community under clause (A) of this subparagraph resides in the neighborhood represented by the member; and

(3) the remainder of the members are officials or members of business, industry, labor, religious, law enforcement, education, or other major groups and interests in the community served; or

(b) the governing board of a public organization, which shall have members selected by the organization and shall be composed so as to assure that not fewer than one-third of the members are persons chosen in accordance with democratic selection procedures adequate to assure that these members

(1) are representative of low-income individuals and families in the neighborhood served;

(2) reside in the neighborhood served; and

(3) are able to participate actively in the development, planning, implementation, and evaluation of programs funded under this article.

3. "Indian tribes" and "tribal organizations" shall mean those tribes, bands or other organized groups of Indians recognized in the state or considered by the federal secretary of the interior to be an Indian tribe or an Indian organization for any purpose.

4. "Community based organization" shall mean any organization incorporated for the purpose of providing services or other assistance to economically or socially disadvantaged persons within its designated community. Such organization must have a board of directors of which more than half of the members reside in such designated community.

5. "Department" shall mean the department of state.

6. "Secretary" shall mean the secretary of state.