

Federal Legislation Update:

BUDGET & FUNDING-RELATED ITEMS

→ **COVID-19 Pandemic Response – New** – Congress and the Administration have taken measures regarding the COVID-19 pandemic. Three stimulus packages have been signed into law, with Congress currently in negotiations on a fourth stimulus package.

- **H.R.6201**: President Trump signed into law on March 18 the “Families First Coronavirus Response Act”, a multibillion-dollar emergency assistance package to respond to the coronavirus pandemic. Per NLIHC: The bill, which passed out of the Senate on a 90-8 vote the same day, contains much-needed assistance for households thrown into economic turmoil by the ongoing Coronavirus pandemic but does not include critically important housing assistance for low-income renters or assistance for people experiencing homelessness.
- **“CARES Act” 3rd Stimulus package**: The President signed the nearly \$2 trillion stimulus package to combat the economic fallout of the coronavirus outbreak, including direct payments to most Americans and a half-trillion-dollar fund to shore up struggling companies. Additionally, language in the bill included “None of the funds provided...may be used to require people experiencing homelessness to receive treatment or perform any other prerequisite activities as a condition for receiving shelter, housing, or other services.” This ensures the integrity of the Housing First model is retained for HUD programs.

HUD funding & funding to address homelessness in the bill:

- More than \$6.5 billion in Federal funding for CDBG, the Economic Development Administration, and the Manufacturing Extension Partnership to help mitigate the local economic crisis and rebuild impacted industries such as tourism or manufacturing supply chains.
- Community Development Block Grant (CDBG) – \$5 billion
- Homeless Assistance Grants – \$4 billion.
- Section 8 Tenant-Based Rental Assistance – \$1.25 billion.
- Public Housing Operating Fund – \$685 million.
- Native American Programs – \$300 million
- Housing Opportunities for Person with Aids (HOPWA) – \$65 million.
- Project-Based Rental Assistance – \$1 billion
- Section 202 Housing for the Elderly – \$50 million
- Section 811 Housing for Persons with Disabilities – \$15 million • Fair Housing – \$2.5 million
- \$450 million for The Emergency Food Assistance Program (TEFAP)

Tribal Communities Funding to strengthen response capacity and support tribal communities, including:

- \$1.03 billion to the Indian Health Service to support tribal health care system response efforts;
- \$100 million more for the USDA Food Distribution Program for Indian Reservations
- \$453 million to assist tribes through the Bureau of Indian Affairs
- \$69 million to help tribal schools, colleges and universities through for the Bureau of Indian Education
- \$300 million more to the HUD Indian Housing Block Grant program.
- HHS
- Head Start: \$750 million for grants to all Head Start programs
- Community Services Block Grant: \$1 billion in direct funding
- Substance Abuse and Mental Health Services Administration (\$425 million), including:
- Certified Community Behavioral Health Clinics: \$250 million

Other provisions in the bill:

Checks to individuals and households:

- \$1.2K per person (adults & children) immediately, up to \$2.4 for couples. Phaseout begins at 75k for individuals (150k for couples). Fully phased out at \$100k for individuals (\$200k for couples). Uses 2019 tax return (if filed) or 2018 tax return.
 - Many Mainers who did not file taxes in 2018 or 2019 because they earned less than \$12000 / year can now provide the IRS with direct deposit information in order to more quickly receive their one-time cash payment, if eligible.

The new site—largely targeted at low-income people, the homeless and others who is it is feared may fall through the cracks in distributing the money—is for people who: had gross income that did not exceed \$12,200 for an individual or \$24,400 for married couples for 2019; were not otherwise required to file a federal income tax return for 2019 and didn’t plan to. See, <https://www.irs.gov/coronavirus/non-filers-enter-payment-info-here> and the applicable link takes you to <https://www.freefilefillableforms.com/#/fd/EconomicImpactPayment> Why this information on direct deposit is preferred: The federal government doesn’t routinely print and mail millions of paper checks anymore, and some estimates are that it would take four months or more to get paper checks to everyone if the government can’t obtain more direct deposit information.

Social Security recipients who did not file a tax return in 2018 or 2019 do NOT need to use the new portal or take any action. They will receive their payment in the same way that they receive their Social Security payments. (The estimated

3 million SSI/disability recipients and disabled veterans can give the department their direct deposit information using the new portal.)

Important Note: This portal is separate from the soon-to-be launched “Get My Payment” Portal that the IRS is creating for people who filed their taxes but did not get a tax refund through direct deposit.

Unemployment:

- Increases the maximum unemployment benefit by \$600 per week and provides workers with close to their full pay for four months
- Expands unemployment to gig workers/self-employed
- Other individual assistance:
 - Provides income tax exclusion for individuals who are receiving student loan repayment assistance from their employer
 - \$900 million for LIHEAP to help lower income households heat and cool their homes.
 - \$3.5 billion in additional funding for the Child Care Development Block Grant to provide child care assistance to health care sector employees, emergency responders, sanitation workers, and other workers deemed essential during the response to the coronavirus. • \$15.5 billion to help cover increased demand for SNAP.
 - \$8.8 billion for child food assistance
- Increases limitations on charitable deductions for individuals for 2020 (eliminates cap limiting deductions to 50 percent of income)
- Allows individuals to delay withdrawal from their IRA accounts and also allows early withdrawal without penalty of up to \$100k from 401k.
- 4th Stimulus Package: There is a push from advocates across the country for the fourth stimulus package to include robust funding for Section 8 Housing Choice Vouchers (from \$60 to \$100 billion), and a large investment in sorely needed affordable housing through the passage of the Affordable Housing Credit Improvement Act of 2019 (S 1703/HR 3077).
 - A Dear Colleague sign-on letter is circulating in Congress, requesting that the fourth stimulus package include funding specifically related to people experiencing homelessness, including:
 - \$11.5 billion in Emergency Solutions Grants to expand shelter capacity and support rapid re-housing programs;
 - \$3 billion in Housing Choice Vouchers to expand housing access to those most vulnerable (seniors, individuals with disabilities and/or underlying medical conditions); and
 - \$100 billion in emergency rental assistance funded through contributions to Housing Choice Vouchers, Emergency Solutions Grants, Section 521 Rural Rental Assistance, and the Disaster Housing Assistance Program. This funding will avert a massive surge in evictions due to loss of employment, therefore preventing an increase in America's homeless population.

FY20 Budget & Appropriations – No new update – The President signed a final deal to fund affordable housing and community development programs at HUD and USDA as part of a larger minibus package for FY 20. Per the NLIHC, the spending package also includes legislative provisions to stop the administration from moving forward with efforts to undermine evidence-based approaches to ending homelessness. Also included in the budget deal is \$132.4 million for Runaway and Homeless Youth (RHY) programs an increase of \$5 million/4% over last year's enacted levels; and \$80 million for the Youth Homelessness Demonstration Program (YHDP) at HUD, of which, up to \$10 million may be used for technical assistance. This represents level funding for YHDP overall with a slight increase for technical assistance.

PROPOSED RULES

➡ **SNAP Proposed Rule (time limits for unemployed/underemployed) – Update** – On 12/4 the Trump Administration stated that it had finalized SNAP rule which will time limit food benefits for unemployed and underemployed people who can't document sufficient weekly work hours. They would lose SNAP eligibility after three months. States could previously waive this, however this rule would eliminate that option. The USDA estimated earlier this year that up to 750,000 people would lose SNAP benefits if this proposal took effect – in Maine this will affect 1,200+ SNAP recipients. Officials say that about 7% of the individuals on SNAP are considered able-bodied adults without dependents (ABWDs). However, a judge has since blocked this rule from taking effect – which would have taken effect 4/1/20.

➡ **HUD Proposed Rule Re. Affirmatively Furthering Fair Housing Rule – No new update** – On 1/14 HUD published in the Federal Register a proposed rule which would completely change the Affirmatively Furthering Fair Housing Rule. According to the CBPP: “The proposed rule ... would seriously weaken community efforts to enable all households to secure housing without facing discrimination. The rule would largely reverse 2015 regulations designed to ensure that housing agencies and communities receiving Department of Housing and Urban Development (HUD) funding fulfill their obligations under the 1968 Fair Housing Act. That law requires them to identify barriers to housing access for certain specified groups and take affirmative steps toward ending housing discrimination and reversing damage from many decades of residential segregation and racist housing policies. If the rule takes effect, ongoing housing discrimination and segregation will likely continue to be swept under the rug and HUD resources will do far less to reduce segregation and expand housing opportunities for people of color, people with disabilities, and other protected groups. Rather than build on the 2015 rule, the new proposal would create a “check the box” set of standards enabling agencies and communities to continue hiding ongoing segregation and housing discrimination from the public. More information from the CBPP on the affects of the proposed rule can be found here: <https://www.cbpp.org/press/statements/trump-administration-rule-would->

[reverse-communities-progress-toward-meeting-fair?utm_source=Housing+Policy+News&utm_campaign=aeed80be65-EMAIL_CAMPAIGN_2019_09_20_06_59_COPY_01&utm_medium=email&utm_term=0_8fdffd50b8-aeed80be65-110890801](https://www.federalregister.gov/documents/2020/01/14/2020-00234/affirmatively-furthering-fair-housing) To view the Proposed Rule you can go here: <https://www.federalregister.gov/documents/2020/01/14/2020-00234/affirmatively-furthering-fair-housing> Comments were due on 3/16/2020.

President Trump’s Medicaid Proposal –No New Update– According to the CBPP: The Trump Administration has issued guidance inviting states to seek demonstration projects — often called waivers — that would radically overhaul Medicaid coverage. Under the guidance, states could apply for waivers that would convert their Medicaid programs for many adults into a form of block grant, with capped federal funding and new authorities to cut coverage and benefits. The proposed waivers are a lose-lose proposition for people with Medicaid and for states. Far from promoting better health outcomes, as the Administration has claimed, the waivers would worsen people’s health by taking away coverage and reducing access to care. For states, they would mean greater financial risk, with federal funding cuts most likely to occur during recessions, public health emergencies, and other times when states face high demand for coverage and strain on other parts of their budgets. States taking up the proposed waivers should also expect to face litigation, since the waivers appear to violate federal law in several respects. The waivers could harm many people who rely on Medicaid coverage, including:

- [5 million](#) people with disabilities. Although the guidance excludes beneficiaries who receive federal disability assistance, millions more with chronic conditions or serious health needs could be affected.
- Millions of low-income parents and their children. And when parents lose coverage, children are more likely to go uninsured; they also suffer when parents can’t get needed care.
- Older adults. While Medicare-eligible seniors would be excluded, early retirees receiving Social Security but not yet eligible for Medicare could be affected.

[\(Click here for more information on the proposed changes from CBPP; click here for FAQs on this proposal from CBPP.\)](#)

HUD, the CoC NOFA, and Housing First – Update – In the most recent NOFA for the CoC program, HUD made several changes to the competition, including changes to certain rating factor scores and definitions. Some specific changes which are harmful to Maine and the people who depend upon CoC-funded housing and resources include: 1. Changes to the definition of Housing First to allow providers to require service participation; 2. Favoring self-sufficiency after an individual is stably housed; and, 3. Deletion of requirements related to LGBTQ populations. These changes would be detrimental to people experiencing homelessness in Maine and the projects which are designed and funded to serve them. In the FY 20 HUD budget negotiations, Senator Collins played a key role as T-HUD Chair and took a stand to ensure that these harmful changes were reversed for the next HUD Continuum of Care (CoC) Notice of Funding Availability (NOFA). These efforts ensured that when HUD awards funding for the CoC Program, it doesn’t deviate from the FY 18 NOFA with respect to dedication to Housing First and protections for LGBTQ populations. Senator Collins will be thanked for her steadfast advocacy on this, (as well as thanks for her pivotal role in ensuring provision of elderly home care – *see bill below*). However, HUD Secretary Carson has remained steadfast in his efforts to thwart Housing First, and has stated on the record multiple times that he wishes to change the criteria through which projects receiving funding through the HUD CoC NOFA to emphasize results, not philosophies like Housing First. Congress sets the funding priorities for HUD, including the CoC Program, however, Secretary Carson remains steadfast in his desire find a way in which it can be circumvented to focus on results – not Housing First. This remains an area in which vigorous advocacy is needed.

Supporting Older Americans Act – New – On 3/11, the House unanimously passed the *Supporting Older Americans Act*, bipartisan legislation part of which was authored by Senator Collins, the Chairman of the Senate Aging Committee. The bill, which unanimously passed the Senate earlier this month, will reauthorize and strengthen the Older Americans Act (OAA), the nation’s preeminent law focused on the wellbeing of seniors. Included within this bill are protections for older adults pertaining to COVID-19, and home health care services.

BILLS

HR 5191/S 2916 Runaway and Homeless Youth and Trafficking Prevention Act (RHYTPA) – No new update – On 11/20 Senators Susan Collins and Patrick Leahy (D-VT.), and Representatives John Yarmuth (D-KY-3), Don Bacon (R-NE-2), Jahana Hayes (D-CT-5), and Pramila Jayapal (D-WA-7) introduced the bipartisan, bicameral Runaway and Homeless Youth and Trafficking Prevention Act (RHYTPA). RHYTPA provides authorization for many essential local programs for youth and young adults experiencing homelessness, including Basic Center Programs, Transitional Living Programs, Maternity Group Homes, and Street Outreach Programs. As authorizing legislation, the Runaway and Homeless Youth Act defines the structure for these critical programs, as well as provides Congress with the legal authority to actually appropriate public dollars for the purpose of RHY grants. According to cosponsor Senator Leahy’s [press release](#), RHYTPA would:

- Act to reauthorize and increase authorization levels for programs under the Runaway and Homeless Youth Act;
- Increase annual competitive grants for rural youth demographics from \$100,000 to \$200,000;
- Require the Department of Health and Human Services to develop every three years a national estimate of the prevalence of homeless youth; and,
- Allow extensions in length of stay in Basic Center Programs (BCP) from 21 days, to up to 30 days.

HR 4300/S 2803: Fostering Stable Housing Opportunities Act – No new update – On 9/12 Rep. Madeline Dean (D-PA) reintroduced an improved version of the Fostering Stable Housing Opportunities Act to expand the availability of FUP vouchers for youth aging out of foster care. The House passed this bill on 11/18, it now goes to the Senate for consideration.

S. 2946 / HR 5813: Pathway to Stable and Affordable Housing for All Act – No new update – on 11/21 Senator Mazie Hirono (D-HI) introduced this bill to effectively end homelessness through robust investments in the national Housing Trust Fund, funding rental assistance, and expanded funding for homelessness programs. On 2/7, Representative Grace Meng (D-NY) introduced a companion bill in the House.

S 1703 / HR 3077: The Affordable Housing Credit Improvement Act of 2019 – No new update – The Affordable Housing Credit Improvement Act (AHCIA) of 2019 is sponsored by Senators Maria Cantwell (D-WA), Johnny Isakson (R-GA), Ron Wyden (D-OR), and Todd Young (R-IN), and Representatives Suzan DelBene (D-WA-1), Kenny Marchant (R-TX-24), Don Beyer (D-VA-8) and Jackie Walorski (R-IN-2). Maine’s entire Delegation has co-sponsored these bills, at the request of advocates in Maine. In the 115th Congress, AHCIA was cosponsored by more than 40 percent of all members of Congress. In 2018 two key provisions were enacted: a 12.5 percent Housing Credit allocation increase for four years (2018-2021), as well as “income averaging,” a provision that provides flexibility to serve a broader range of low, very-low and extremely-low income families. This year’s legislation builds on last year’s bill, and adds several new provisions to strengthen and improve the Housing Credit. The bill is estimated to incentivize the building of over 450,000 affordable homes over the next decade, and generate \$48.5 billion in wages and business income, \$19.1 billion in additional tax revenue, and 510,000 jobs.

Key provisions reintroduced in the AHCIA of 2019:

- Increase Housing Credit allocations by 50 percent, phased in over five years, to help meet the vast and growing need for affordable housing.
- Enact a minimum 4 percent rate to parallel the minimum 9 percent rate already enacted, providing predictability to the marketplace and substantially increasing production by making more developments financially feasible.
- Enable the Housing Credit to better serve hard-to reach communities including rural, Native American, high-poverty, and high-cost communities, as well as extremely low-income tenants.
- Make the Housing Credit a more effective tool for preserving the nation’s existing affordable housing inventory by simplifying and aligning rules.

New provisions in the AHCIA of 2019 that will strengthen the Housing Credit:

- Make Housing Credit properties in rural areas eligible for additional credits if needed for financial feasibility.
- Clarify that the Housing Credit and Housing Bonds can be used to develop properties specifically for veterans and other special populations.
- Better align the Housing Credit with Violence Against Women Act protections.
- Ensure cost reasonableness is considered when awarding Housing Credits.
- Enable states to maximize Private Activity Bond affordable housing resources by recycling Multifamily Housing Bonds that are used in conjunction with Housing Credits.

HR 4302: Homeless Assistance Act of 2019 –No new update – Sponsored by Rep. Sherman (D-CA). This bill would authorize public housing agencies to share certain data regarding homeless individuals and families for the provision of housing and services, and for other purposes. **The House passed this by voice vote on a motion to suspend the rules on 1/13. It now goes to the Senate for consideration.**

HR 5187: Housing is Infrastructure Act of 2019 –No new update – Sponsored by Rep. Maxine Waters (D-CA). This bill would provide \$70 billion to address the capital needs backlog for public housing and another \$32.1 billion for investments in affordable housing. This bill includes \$10 billion for a Community Development Block Grant set-aside to incentivize states and cities to eliminate impact fees and streamline the process to develop affordable homes, \$5 billion for mitigation efforts to protect communities from future disasters, \$5 billion for the national Housing Trust Fund and \$5 billion for the HOME Investment Partnership program. The legislation also includes \$2.5 billion each the Section 202 Supportive Housing for the Elderly program, the Section 811 Supportive Housing for Persons with Disabilities program and the Capital Magnet Fund and \$1 billion for the backlog of capital needs for the Section 515 and Section 514 rural housing stock. On 2/27 the bill was passed by the House Committee on Financial Services.

S 2613: Ending Homelessness Act of 2019 – No new update – Introduced by Senator Kamala Harris (D-CA). The bill would establish federal grant programs to address the unmet needs of people experiencing homelessness and would authorize increased funding for existing programs including the national Housing Trust Fund (HTF), project-based rental assistance (PBRA), and project-based vouchers (PBVs).

HR 1856: Ending Homelessness Act of 2019 – No new update– Reintroduced by House Financial Services Committee Chair Maxine Waters (D-CA). This bill would provide a path to end homelessness in the United States, and for other purposes. This bill passed the House Financial Service Committee on 3/28. This legislation is a comprehensive plan to ensure the lowest-income people have safe, decent, and affordable homes. The bill invests \$13.27 billion over five years to address the shortage of affordable housing and combat homelessness by providing 410,000 new affordable homes for the lowest-income households. The bill earmarks \$1 billion annually to the national Housing Trust Fund (HTF) and \$50 million each year for rental assistance to be used in conjunction with HTF-created housing. Within Congressman Waters' bill is a 75% set-aside that will help create new supportive housing throughout the country. Additionally, this bill would permanently authorize appropriations for the McKinney-Vento Homeless Assistance Grants Act and permanently reauthorize USICH.

HR 3620: Strategy and investment in Rural Housing Preservation Act of 2019 – No new update – Introduced by Rep. Lacy Clay. This bill was passed by voice vote in the House on 9/10. This bill would permanently authorize the Multifamily Housing Preservation and Revitalization program, expand the use of U.S. Department of Agriculture (USDA) vouchers, and create an advisory committee to help the agency develop a comprehensive strategy to maintain the agency’s rental housing portfolio, which provides more than

415,000 affordable homes to low-income people living in rural areas. The bill has been received by the Senate and assigned to the Committee on Banking, Housing and Urban Affairs.

S 923 / HR 1978: Fighting Homelessness Through Services and Housing Act (companion bill: HR 1978)– No new update –

Sponsored by Senators Feinstein, Murkowski, and Congressmen Lieu and Stivers. This bill would bill authorize \$750 million in grants annually for the next five years for local governments. It also conditions federal funds on a grant recipient’s ability to provide not only housing but also comprehensive services like mental health care, substance abuse treatment and job training.

HR 508: Trafficking Victims Housing Act of 2019 – No new update – Sponsored by Rep. Joyce Beatty. This bill would require a study and report on the housing and service needs of victims of trafficking and individuals at risk for trafficking.

HR 232: Landlord Accountability Act of 2019 – No new update – Sponsored by Rep. Nydia Velazquez. This bill would amend the Fair Housing Act, to prohibit discrimination based on use of section 8 vouchers, and for other purposes.

HR 715: HOMES Act of 2019 – No new update – Sponsored by Rep. Steve Stivers. To amend section 428 of the McKinney-Vento Homeless Assistance Act to provide incentives to grantees under the Continuum of Care program to re-house all former members of the Armed Forces, and for other purposes.

S 8: Preserving Our Commitment to Homeless Veterans Act – No new update – Sponsored by Sen. Marco Rubio. This bill would require the Secretary of Veterans Affairs to ensure that the supported housing program of the Department of Veterans Affairs has

S 789/HR 1724: The Higher Education Access and Success for Homeless and Foster Youth Act of 2019 (HEASHFY) (companion bill S 789)– No new update– This bill was introduced by Senators Patty Murray (D-WA) and Rob Portman (R-OH) in the Senate, and by Representatives Katherine Clark (D-MA) and Don Young (R- AK). HEASHFY amends the Higher Education Act to simplify eligibility for federal financial aid and to improve outreach, resources, and policies for homeless and foster youth.

S 2615 / HR 2825: Historic Tax Credit Growth and Opportunity Act (HTC-GO) – No new update – Introduced by Senator Collins along with Senators Cassidy, Cardin, and Cantwell. This bill is the Senate version of the House’s HTC-GO bill. The Senate bill would bring more value to Historic Tax Credit projects, improve access to the credit, and encourage investment in smaller rehabilitation projects. Key provisions of the bill:


- Increasing the credit from 20 to 30 percent for projects with rehabilitation expenses of less than \$2.5 million;
- Making it easier to meet the substantial rehabilitation test;
- Creating greater flexibility for nonprofit organizations to access HTC benefits; and
- Eliminating the HTC basis adjustment requirement which will bring more value to all HTC projects by increasing the basis of rehabilitated historic buildings for building owners and eliminating the so-called 50(d) rules.

S 3083: Family Stability and Opportunity Vouchers Act of 2019 – No new update– On 12/18, Senators Young and Van Hollen introduced bipartisan legislation which would authorize a new type of housing choice voucher to help achieve the goals of ending homelessness among families with children, increasing housing opportunities, and improving life outcomes of poor children. The bill defines an “eligible family” as: pregnant woman or a child under the age of 6; meets all applicable eligibility requirements under this subsection; and is: a) homeless; b) unstably housed; c) living in an area of concentrated poverty; or d) at risk of displacement from an opportunity area for children or an area rapidly transitioning to become an opportunity area for children. Assistance would be provided to public housing authorities on a competitive basis.

S 3276: Allowing Steady Savings by Eliminating Tests (ASSET) Act” – No new update – On 2/11, Senators Chris Coons (D-DE) and Sherrod Brown (D-OH) and Representatives TJ Cox (D-CA), Kim Schrier (D-WA), and Jimmy Gomez (D-CA) introduced the ASSET Act, which proposes eliminating asset limits for the Temporary Assistance for Needy Families (TANF) program, Supplemental Nutrition Assistance Program (SNAP), and Low Income Home Energy Assistance Program (LIHEAP) and raising asset limits on Supplemental Security Income (SSI). The bill aims to improve financial security for low-income Americans and remove barriers to program applicants.

H.R. 3749: The Legal Services for Homeless Veterans Act – No new update– This bill requires the Department of Veterans Affairs (VA) to make grants to eligible entities that provide legal services to homeless veterans and veterans at risk for homelessness. To be eligible, an entity must (1) be a public or nonprofit private entity with the capacity to effectively administer a grant, (2) demonstrate that adequate financial support will be available to provide legal services to homeless veterans and veterans at risk for homelessness, and (3) agree to meet the VA’s established requirements and demonstrate a capacity to meet such requirements. The bill requires the VA to (1) use a specified portion of the grants to provide legal services to women veterans, and (2) report on areas where VA programs are failing to meet the needs of women veterans who are homeless. This bill passed the House on 2/25, and now goes to the Senate for consideration.

INITIATIVES

 **CSH A Million Homes for Safer & Healthier Communities – New –** CSH is calling for the **creation of 1.1 million supportive housing apartments** to dramatically shift the way we address health, income, and racial disparities of the most vulnerable Americans in the midst of the country’s largest public health crisis in nearly a century. This effort would drive **\$400 billion in catalytic investments generating nearly 900,000 new construction and permanent jobs in housing management and human services.** (See the attached CSH proposal for more information.)

State Legislation Update: *The Legislature adjourned Sine Die on Tuesday 3/17, with any bills remaining being carried over into any Special Session of the 129th Legislature.*

Color key-code: Bills highlighted in yellow have public hearings scheduled. Bills highlighted in blue have faced OTP Committee votes and/or OTP/OTP-as amended votes in at least one chamber but have not been passed to be engrossed or enacted in both. Bills highlighted in pink have been sent for the Governor's signature. Bills highlighted in green became law with or without the Governor's signature.



Governor Mills' Executive Orders and Programs re. COVID-19

- **Maine COVID-19 Rent Relief Program:** Established at the urging of Governor Mills, MaineHousing has created a \$5 million COVID-19 Rent Relief Program. Each household that meets certain ability to pay requirements may receive a one-time payment of up to \$500 in rental assistance paid directly to the landlord. The landlord then agrees not to evict the tenant for nonpayment for the month the payment was issued. Maine's Community Action Agencies will administer the program locally and may have additional resources available for other needs. The funding, which comes from the Housing Opportunity for Maine (HOME) Fund, will go entirely to Mainers served. No organization will receive administrative fees for program administration. For more information you can go to www.mainehousing.org/covidrent
- **Evictions:** On 4/16, Governor Mills issued an [Executive Order](#) that, when taken in combination with a March 18 order issued by the Maine Court System, will prevent the immediate eviction of tenants other than those who engage in dangerous or unlawful conduct for the duration of the state of emergency. The Governor also strengthened the penalties for landlords who may try to evict tenants by unlawful means (increasing the fine to \$1000), and she extended the timeframe for the eviction process in the event that the Courts reopen before the Governor's state of emergency is terminated. Regarding the latter piece, the Governor's Order protects tenants who are considered "at will", meaning they do not have a legal agreement with their landlord, and because of COVID-19 cannot make their rent payment, by requiring a landlord to provide at least 60 days' notice, rather than 30, to a tenant to leave. If the landlord is attempting to evict those at-will tenants, the Order also extends an eviction notice timeframe from 7 to 30 days.
- **General Assistance:** On March 31, Governor Mills issued an [Executive Order](#) bolstering General Assistance vouchers for basic necessities, such as housing. Under the Executive Order, all applications for General Assistance will be processed as emergency applications for eligibility purposes, and certain other requirements are waived. The order also allows eligible individuals to reapply after 60 days rather than 30 days for ongoing assistance.
- **BRAP:** Additionally, on March 25, 2020, [Governor Mills directed](#) the Maine Department of Health and Human Services to adjust requirements for the Bridging Rental Assistance Program (BRAP) beginning May 1, 2020. BRAP helps clients with serious mental illness, including those who also have substance use disorder, obtain transitional housing. The transition to lower income requirements is expected to be completed by July 1, 2020 for all new and existing BRAP participants.

State Supplemental Budget



- Maine lawmakers enacted a variety of measures on 3/17 to address the impact of the coronavirus on the state and its economy. The \$73 million supplemental budget approved by lawmakers was down from the \$134 initially proposed by the governor prior to the outbreak's spread to the U.S. The Maine CDC will receive \$1 million and \$15 million will be for direct health care providers. In the sweeping omnibus bill, the state will expand unemployment benefits to those impacted by closures or quarantine, while temporarily removing the week-long waiting period for benefits. The bill also includes low-interest loans through the Finance Authority of Maine, adjustments to school-day requirements, and assistance in providing school lunches for low-income families. It also gives the governor the ability to direct changes to June elections. Another bill sets aside \$11 million to a COVID-19 fund, to address any unforeseen expenses related to the outbreak. Also included is a \$120 million bond package, with \$105 million earmarked for transportation infrastructure upgrades.

Housing & Services



- **LD 2056, An Act to Create a Frequent Users Systems Engagement Collaborative** – Rep. Morales. This resolve establishes the Frequent Users System Engagement Collaborative in order to develop a plan to provide stable housing and community services to 200 persons who are homeless or at risk of homelessness who are the most frequent consumers of high-cost services, such as psychiatric hospitals, emergency shelters, emergency rooms, police, jails and prisons. The collaborative must submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than January 1, 2021 on its plan and recommendations. The joint standing committee of the Legislature having jurisdiction over health and human services matters is authorized to report out a bill to the First Regular Session of the 130th Legislature related to the report. [A work session was held on 2/27, in which the Committee voted unanimously Ought to Pass as Amended – Carried over into any Special Session of the 129th Legislature.](#) The full bill text can be found here: <http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP1460&item=1&snum=129>

Homelessness Related Bills



- **LD 1909, An Act to Support Emergency Shelter Access for Persons Experiencing Homelessness in Maine** – Rep. Gattine – This bill, as amended would include ongoing General Fund appropriations of \$3,000,000 per year to the Shelter Operating Subsidy program within the Maine State Housing Authority to support operations and capacity at emergency homeless shelters across the State. The bill was amended to expand the use of funds to support shelter operations at all emergency homeless shelters, not just low-barrier emergency shelters as proposed in the bill. It also allows the Maine State Housing Authority to allocate

funds to shelters using the funding formula methodology for shelter operations from its Homeless Solutions Rule. **On 3/3 the Senate placed the bill on the Special Appropriation Table pending Passage to be Enacted.** – **Carried over into any Special Session of the 129th Legislature.** The full amended bill can be found here:

<http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP1363&item=2&num=129>

- **LD 1916, An Act To Increase High School Graduation Rates for Students Experiencing Homelessness or in Foster Care** – Senator Libby – This bill would assist in increased high school graduation rates for youth experiencing homelessness in foster care. **A public hearing was held on 1/22 and a work session on 1/29. There is an anticipated divided report.** – **Carried over into any Special Session of the 129th Legislature.** The full bill text can be found here:
<http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=SP0663&item=1&num=129>

Affordable Housing

- **LD 1645, An Act To Create Affordable Workforce and Senior Housing and Preserve Affordable Rural Housing** – Rep. Fecteau. The purpose of this bill is to address Maine's shortage of safe, affordable housing by creating a state affordable housing tax credit. The tax credit is administered by the Maine State Housing Authority, which will allocate the state credit through a process similar to its current allocation of federal housing tax credits. **The House and the Senate passed an amendment to the bill which would extend the time the credit is available from 4 years to 8 years, until 12/31/2028. The total allocation is \$80M; however, the amendment spreads the \$80M over 8 years rather than 4, providing for credits of \$10M per year for 8 years rather than \$20M per year for 4 years. The amendment includes language requiring that in allocating credit for new rental units, MaineHousing either require or provide incentives to encourage for a minimum of 4 units or 20% of the total number of units, whichever is greater, that occupancy preference be given to persons who qualify for supportive housing (per the amendment: ““ Supportive housing” means housing to assist persons with special needs in achieving housing stability. For purposes of this paragraph, “person with special needs” includes a person who has experienced chronic homelessness or is displaced, has a disability, is a victim of domestic violence or has other special housing needs.”).** **This bill was signed into public law.**
- **LD 48, An Act to Authorize a General Fund Bond Issue To Invest in Housing for Persons Who Are Homeless** (Presented by Representative BRENNAN of Portland). This bill would authorize a \$15 million bond, to go to referendum, to invest in the creation of housing for people experiencing homelessness, to be administered by MaineHousing. – **Carried over into any Special Session of the 129th Legislature.**

Support Services

- **LD, 775, Resolve, To Authorize the Department of Health and Human Services To Amend Its Rules for Eligibility for Community Support Services** – Rep. Gramlich. This bill, as amended, authorizes the Department of Health and Human Services to amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter II, Section 17, Community Support Services concerning eligibility criteria for services under that section. The department may include in the eligibility determination an assessment of whether an individual has significant impairment or limitation in adaptive behavior or functioning related to the individual’s primary diagnosis. It also orders the Department to report back to the HHS Committee by 1/15/21. In practice, this would expand who may be eligible for Section 17 services. **This bill was signed into public law.**
- **LD 1404, Resolve, To Provide Support Services and Funds to Prevent Homelessness** – Rep. Brennan. – **Carried over into any Special Session of the 129th Legislature.**
- **LD, 763, An Act To Ensure the Availability of Community Integration Services** – Rep. Rachel Talbot-Ross. This bill provides funding to increase reimbursement rates in the Department of Health and Human Services rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 17 for community integration services to \$24.25 per quarter-hour. This would increase the rate for Section 17 CI services. – **Carried over into any Special Session of the 129th Legislature.**

Food Security and Basic Safety Net Assistance:

- **LD 795, Resolution, Proposing an Amendment to the Constitution of Maine to Establish a Right to Food** – Rep. Craig Hickman. **On 3/10, the House Passed to be Engrossed As Amended by Committee Amendment A and House Amendment B; the Senate followed suit on 3/12. The bill now faces votes for enactment in each chamber.** – **Carried over into any Special Session of the 129th Legislature.**
- **LD 1403, An Act To Amend the General Assistance Laws Governing Eligibility and Reimbursement** – Rep. Brennan. This bill, as amended, would reestablish the 90% reimbursement rate for municipalities that incur net general assistance costs in any fiscal year in excess of .0003 of that municipality's most recent state valuation and 100% reimbursement for general assistance costs to Indian tribes. It retains the 70% reimbursement rate for other municipalities for costs below the .0003% of municipalities’ most recent state valuation. The bill clarifies that reimbursement is based on gross costs rather than net costs. – **Carried over into any Special Session of the 129th Legislature.**
- **LD 2157, An Act Regarding Reimbursements to Municipalities for General Assistance** – Emergency Bill submitted by Rep. Gratwick. This proposal is the result of a stakeholder working group and is supported by the Maine Welfare Directors’ Association, the Maine Municipal Association, and Maine Equal Justice, among others. Under current law, the State reimburses towns 70% of the General Assistance (GA) benefits they provide. Under this bill, the State would reimburse towns 100% of the amount of GA they provide “over and above” the usual maximum levels, when the extra amount is necessary to remedy an emergency.

Other Homelessness Related Bills:

- **LD 46, An Act to Establish a Substance Use Disorder Clinic at the Cumberland County Jail** – Rep. Michael Brennan. This bill would provide funding (\$250,000 in each year of the biennium) to create a substance use disorder clinic at the Cumberland County jail.

On 5/28 both the House and Senate passed the bill to be engrossed as amended. **– Carried over into any Special Session of the 129th Legislature.**

- LD 510, An Act To Authorize Funding for Transitional Housing for Women Veterans and Their Families – Rep. Bettyann Sheats. This bill would provide a one-time \$150,000 General Fund appropriation in fiscal year 2019-20 to the Department of Defense, Veterans and Emergency Management for the Betsy Ann Ross House of Hope to provide suitable housing for women veterans in transition and their families. **– Carried over into any Special Session of the 129th Legislature.**
- LD 1294, Resolve, Directing the Maine Human Rights Commission To Implement a Pilot Program To Investigate and Report on Incidents of Harassment Due to Housing Status, Lack of Employment and Other Issues – Rep. Talbot-Ross. **This bill was signed into public law.**
- LD 2145, An Act To Help Veterans Access Jobs, Education, Health Care and Housing and Provide General Support to Veterans (attached), sponsored by Sen. Michael Carpenter (D - Aroostook), is a concept draft that would provide assistance to veterans in the areas of employment education, health care and housing. The bill would help veterans access housing as follows:
 - Provide funds to reduce barriers to veterans seeking housing, e.g., criminal convictions, substance use, mental illness and physical disabilities;
 - Increase the number of housing vouchers provided to homeless veterans;
 - Provide funds to assist landlords to improve substandard apartments and give incentives to landlords to rent to veterans;
 - Change the "Salute ME" mortgage program administered by MaineHousing to provide veterans with a greater discount on home mortgage rates;
 - Change the property tax exemption for certain veterans to apply to all veterans;
 - Survey public land, unused public buildings and available private buildings, including closed mills, for opportunities to provide housing or temporary shelter for veterans;
 - Provide preference to veterans in the Bridging Rental Assistance Program; and
 - Provide funds for organizations and facilities that provide housing for homeless veterans.**– Carried over into any Special Session of the 129th Legislature.**