

## Federal Legislation Update:

## BUDGET &amp; FUNDING-RELATED ITEMS

➔ **Federal Moratorium on Evictions – Update – On 3/29/21 the Biden administration announced an extension of the federal eviction moratorium through June 30, 2021, and greater enforcement of the moratorium’s protections – two measures that will help keep millions of renters stably housed during the pandemic.** It applies to covered tenants facing eviction for nonpayment of rent who present a signed declaration to their landlords that they meet certain income and hardship criteria. Per CBPP, among those renters not caught up on rent, some owe a substantial amount of back rent, and nearly 5 million have lost employment income during COVID-19 and expect to be evicted in coming months. Although the COVID relief package passed in December includes \$25 billion in rental assistance to help these and other renters, little or none of that money has reached people. An extension of the eviction moratorium will give states and cities more time to set up their programs and help renters pay off rental debt and provide for future payments. On 2/22, the Biden Administration released additional guidance to help states quickly distribute the \$25 billion in rental assistance, allowing people better and quicker access by removing several barriers imposed by the previous Administration. Changes include: allowing renters to self-attest to many criteria including income and housing stability, shortening the timeframe from 21 to as few as 10 days before assistance can be provided directly to tenants in cases in which landlords do not or refuse to participate in the program; expanding eligible items such as internet costs needed for remote learning and working, certain legal costs, and allowing up to 10% of funds to be used for stability services.

**President Biden’s Executive Order Re. Urgent Health and Housing Needs of People Experiencing Homelessness – No new update –** On 1/21, President Biden signed an Executive Order to enable states and communities to address the urgent health and housing needs of people experiencing homelessness by directing the Federal Emergency Management Agency (FEMA) to fully cover (100%) the costs to move people experiencing homelessness and living in congregate shelters or encampments to safer living spaces in hotels and motels through the end of September 2021. The Executive Order also explicitly states that the 100% FEMA payments be retroactive to the beginning of the pandemic.

**President Biden’s Executive Order to direct Homeland Security to review “Public Charge Rule” – No new update–** On 2/2, President Biden released an Executive Order directing the Departments of Homeland Security and of State to “review” the public charge rules from the Trump Administration, which per CBPP, essentially served as a “wealth test” for immigrants who want to come to, or stay in, the United States. This rule prevented many immigrants with low incomes from accessing vital state and federal resources and assistance programs, and made it hard to remain for many immigrants without substantial means who were already here. Many who sought legal entry also found it hampered their ability to unite with their family members.

**President Biden’s Executive Order Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation & related HUD Memo re. Fair Housing Act – No new update –** On 1/20, President Biden released an Executive Order Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation. On 2/11 HUD announced in a memo that the HUD Fair Housing and Equal Opportunity (FHEO) office will administer and fully enforce the Fair Housing Act to prohibit discrimination because of sexual orientation and gender identity. This memo was issued to implement Executive Order 13988 on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation” Essentially, this means that the federally protected class of “sex” now includes sexual orientation and gender identity.

➔ **President Biden’s FY 22 Budget Request – New –** On 4/9 President Biden released his “budget blueprint” previewing his full FY 22 budget request, which is expected to be released in the coming weeks. Per the NLIHC: The President’s blueprint proposes a **\$9 billion or 15% increase to HUD’s budget from FY 2021**. If enacted, the budget would provide substantial federal investments in affordable homes and increase the availability of housing assistance to families with the greatest need. The proposal calls for:

- 30.4 billion for tenant-based rental assistance (an increase of \$46.23 billion) including expanding rental assistance through the Housing Choice Voucher program to 200,000 additional households, focusing on those who are experiencing homelessness or fleeing domestic violence;
- \$3.5 billion for Homeless Assistance Grants (a \$500 million increase);
- \$1.9 billion for the HOME Investment Partnerships program (a \$500 million increase);
- \$180 million to support 2,000 new homes for seniors and people with disabilities;
- \$85 for fair housing activities (a \$12 million increase);
- \$800 million across HUD programs to rehabilitate public and affordable housing and provide energy-efficient upgrades;
- \$3.2 billion for public housing capital repairs; and
- \$295 million increase for CDBG, with additional funds targeted to historically underfunded and marginalized communities facing persistent poverty.

The FY22 budget is the first annual spending bill in a decade that is not limited by the low spending caps required by the Budget Control Act that have prevented Congress from investing in affordable housing at the scale necessary.

➔ **House FY 22 T-HUD McKinney-Vento Dear Colleague Letter – New –** The House circulated a Dear Colleague Letter for the T-HUD budget, which advocated for an appropriations of \$3.3 billion for HUD’s McKinney-Vento Homeless Assistance Grants (HAG) programs for FY 22. Both Congresswoman Pingree and Congressman Golden signed on to the letter.

➔ **President Biden’s “American Families Plan” – New –** On 4/28, President Biden released details on his “American Families Plan,” a \$1.8 trillion companion bill to the \$2.5 trillion American Jobs Plan. The American Families Plan would invest in education, childcare,

and paid leave, among other priorities. The proposal calls for making community college free, expanding Pell grants for students, investing in universal preschool, expanding nutrition assistance for children, providing paid family and medical leave, permanently extending enhancements to the childcare tax credit, earned income tax credit, and Affordable Care Act, and keeping the expanded child tax credit through 2025. Notably missing from the American Families Plan is a proposal to make rental assistance universally available to all eligible households. Currently, only one in four households eligible for and in need of housing assistance receives any. While the American Families Plan does not propose housing investments, the American Jobs Plan includes an [historic \\$213 billion investment](#) in the country's affordable housing infrastructure.

➔ **President Biden's "American Jobs Plan" – No new update**– On 3/31, President Biden released details on his "American Jobs Plan," an approximately \$2 trillion infrastructure and recovery package. Per the NLIHC the proposal includes \$213 billion to produce, preserve, and retrofit more than two million affordable and sustainable places to live, through grants, formula funding, targeted tax credits and project-based rental assistance. The President's plan will help address the growing cost of rent and create jobs that pay prevailing wages, including through project labor agreements with a free and fair choice to join a union and bargain collectively. The proposal includes \$40 billion to repair public housing, resources to support homeownership and weatherize homes, and new incentives to encourage communities to eliminate harmful land-use restrictions and eliminate state and local exclusionary zoning laws, which drive up the cost of construction and keep families from moving to neighborhoods with more opportunities for them and their kids and.

Further information on the details of the bill are likely to emerge in the coming weeks. Currently President Biden is calling on Congress to:

- **Produce, preserve, and retrofit more than one million affordable, resilient, accessible, energy efficient housing units.** Through targeted tax credits, formula funding, grants, and project-based rental assistance, President Biden's plan will extend affordable housing rental opportunities to underserved communities nationwide, including rural and tribal areas.
- **Build and rehabilitate more than 500,000 homes for low- and middle-income homebuyers.** President Biden is calling on Congress to take immediate steps to spur the construction and rehabilitation of homes for underserved communities. Specifically, he is calling on Congress to pass the innovative, bipartisan Neighborhood Homes Investment Act (NHIA). Offering \$20 billion worth of NHIA tax credits over the next five years will result in approximately 500,000 homes built or rehabilitated, creating a pathway for more families to buy a home and start building wealth.
- **Eliminate exclusionary zoning and harmful land use policies.** For decades, exclusionary zoning laws – like minimum lot sizes, mandatory parking requirements, and prohibitions on multifamily housing – have inflated housing and construction costs and locked families out of areas with more opportunities. President Biden is calling on Congress to enact an innovative, new competitive grant program that awards flexible and attractive funding to jurisdictions that take concrete steps to eliminate such needless barriers to producing affordable housing.
- **Address longstanding public housing capital needs.** Years of disinvestment have left our public housing in disrepair. President Biden is calling on Congress to invest \$40 billion to improve the infrastructure of the public housing system in America. This funding will address critical life-safety concerns, mitigate imminent hazards to residents, and undertake energy efficiency measures which will significantly reduce ongoing operating expenses. These improvements will disproportionately benefit women, people of color, and people with disabilities.
- **Upgrading homes, weatherization assistance, and clean energy.** President Biden's plan will upgrade homes through block grant programs, the Weatherization Assistance Program, and by extending and expanding home and commercial efficiency tax credits. President Biden's plan also will establish a \$27 billion Clean Energy and Sustainability Accelerator to mobilize private investment into distributed energy resources; retrofits of residential, commercial and municipal buildings; and clean transportation. These investments have a particular focus on disadvantaged communities that have not yet benefited from clean energy investments.

➔ **Senate Republican Infrastructure Proposal – New** – On 4/23, Senate Republicans released a \$568 billion infrastructure proposal in response to President Biden's \$2 trillion "American Jobs Plan." The Republican plan would provide funding to repair the nation's roads, bridges, public transit systems, ports and waterways, and airports, as well as investments in broadband expansion and water storage. The proposal includes no funding to address the affordable housing crisis.

**5<sup>th</sup> Stimulus Bill – \$1.9 Trillion American Rescue Plan Act (HR 1319) – No New Update**– On 3/11 the President signed the \$1.9 trillion COVID-19 and economic recovery bill, HR 1319, the American Rescue Plan Act. This bill includes more than \$40 billion in housing investments, including more than \$250 million that is expected to flow to Maine:

- Another \$152 million in rent relief funds, above and beyond the \$200 million in rent relief allocated to Maine in December. The rules are likely to be very similar for both rounds of rent relief funding, though the ARP funds may be spent until September of 2025 (the dollars allocated in December must be spent by September of 2022) and may be used to assist households experiencing financial hardship not just "due to" the pandemic but "during or due to" the pandemic.
- Approximately \$25 million in Federal HOME funds for a wide variety of uses aimed at benefiting those experiencing (or at risk of experiencing) homelessness or fleeing domestic violence
- \$50 million to help Maine homeowners avoid foreclosure (funding for housing counseling is also included in the bill)
- Approximately \$25 million for new housing vouchers for those experiencing homelessness or fleeing domestic violence. This funding should be sufficient to provide more than 300 additional vouchers not currently in circulation in Maine.

**Overall, the bill includes:**

- Expanded unemployment benefits for millions of people through at least September and indicates that provisions should remain in place as long as they are needed;
  - An additional \$27.4 billion for rental assistance
    - \$21.55 billion will be funded through the Coronavirus Relief Fund (CRF) and administered by the U.S. Department of the Treasury. Of the amount provided, \$305 million is set aside for territories. There is a small state set-aside of \$152 million;
  - \$5 billion for housing vouchers, with funds available through September 30, 2030;
    - Under the bill, households are eligible for emergency vouchers if they (1) are or are at risk of experiencing homelessness, (2) are fleeing or attempting to flee domestic violence, dating violence, stalking, sexual assault, or human trafficking, or (3) are recently homeless and rental assistance will prevent the family's homelessness or having a high risk of housing instability;
  - \$5 billion to provide rental assistance and supportive services, to develop affordable rental housing, to help acquire non-congregate shelter to be converted into permanent affordable housing or used as emergency shelter.
    - These funds must primarily benefit 1) individuals or households that are or are at risk of experiencing homelessness, (2) people who are fleeing or attempting to flee domestic violence, dating violence, stalking, sexual assault, or human trafficking, or (3) populations for whom supportive services would prevent the family's homelessness or having a high risk of housing instability, or (4) households with a veteran family member that meets one of these criteria. Funds will be allocated within 30 days of enactment using the HOME Investment Partnerships program formula.
  - \$800 million in dedicated funding to support the identification, enrollment, and school participation of children and youth experiencing homelessness, including through wrap-around services;
  - \$9.96 billion to help homeowners avoid foreclosure through the Homeowner Assistance Fund administered by the U.S. Department of the Treasury.
    - \$39 million to assist rural homeowners through USDA's Section 502 and Section 504 direct loan programs;
  - \$100 million for housing counseling through NeighborWorks America;
  - \$4.5 billion for utility assistance through the Low Income Home Energy Assistance Program (LIHEAP) and \$500 million for water assistance through the Low-Income Household Drinking Water and Wastewater Emergency Assistance Program – provided through a separate bill.
  - Extending the recently enacted 15% increase in SNAP benefits through at least September;
  - State and local government fiscal relief, including funds specifically to support schools and public colleges, funding to hire more local public health workers, and aid to help states and localities avoid laying off more people;
  - Expands the Child Tax Credit and Earned Income Tax Credit;
  - Another round of \$1,400 stimulus payments to individuals;
  - Expands premium tax credits to help people afford comprehensive health coverage in the Affordable Care Act marketplaces, reducing or eliminating premiums for millions of people while expanding access to many others who are uninsured; and
- These investments will help prevent millions of low-income people from losing their homes during the pandemic and will provide cities and states with the resources they need to help people experiencing homelessness be safely housed during and after the pandemic.

**FY 21 T-HUD Appropriations – *No New Update*** – On 12/27 former President Trump signed a package passed by Congress which included an FY 21 omnibus spending bill, funding the government through 9/30/21, including T-HUD. HUD received \$49.6 billion - more than \$12.4 billion above the president's request, and \$561 million above FY20 enacted levels, excluding Federal Housing Administration receipts. It largely funds HUD programs at or above levels proposed by the Senate in November, though not as high as levels proposed by the House. The spending bill likely provides enough funding to renew all existing voucher contracts for rental assistance. Beyond rental assistance, the spending bill provides level funding or moderate increases to all programs. The bill includes:

- \$25.77 billion for Housing Choice vouchers
- \$13.465 billion for Project-Based Section 8
- \$3 billion for Homeless Assistance Grants (\$223 million increase)
  - This increase is in addition to \$43 million for new vouchers targeted to people experiencing or at risk of homelessness, including survivors of domestic or gender-based violence and veterans and their families (who are otherwise ineligible for the HUD-VASH program).
- \$3.475 billion for CDBG (a \$50 million increase)
- The bill includes substantial funding increases necessary to renew existing housing vouchers and Section 8 project-based rental assistance. (However, additional funds are likely to be needed to fully renew vouchers in 2021 because of the extraordinary cost increases caused by COVID and its economic aftermath.)
- \$1.35 billion for HOME (level funding)
- \$3.8 million for USICH
- \$136.8M for Runaway and Homeless Youth Programs
- \$100M for Youth Mentoring Grants
- \$82M for Youth Homelessness Demonstration Projects
- \$430 for HOPWA (\$20 million increase)
- \$227 for HUD Section 811 (\$25 million increase)

- The spending package also includes the “Fostering Stable Housing Opportunities Act,” which improves the accessibility of Family Unification Program (FUP) vouchers for youth aging out of foster care by allowing vouchers to be administered when needed to foster youth at risk of homelessness. It would provide voucher recipients engaged in education, training, or work-related activities the opportunity to extend the use of their vouchers from the standard 36 months to up to 60 months
- \$40 million for new VASH vouchers;
- \$25 million for new FUP vouchers;
- Increases for the Family Self-Sufficiency program and grants to address lead and other health hazards
- The bill doesn’t include legislative language approved in the House version that would halt HUD proposed rules/proposals, including the proposed anti-transgender rule change to the Equal Access Rule.
- It does not prevent changes to the Affirmatively Furthering Fair Housing rule and Disparate Impact rule.
- The bill does not prevent HUD from moving forward with its proposal for mixed-status immigrant families – including 55,000 U.S. citizen children – to separate or face eviction from HUD housing.

**4<sup>th</sup> Stimulus Package – Bipartisan Emergency COVID Relief Act of 2020 – No New Update** – On 12/27, former President Trump signed a package passed by Congress which included the 4<sup>th</sup> stimulus bill. The package is a bipartisan \$900+ billion economic relief bill, which will provide:

- \$288 billion in another round of small business aid through the PPP program;
- Fund federal unemployment benefits at \$300 per week for 16 weeks (into April 2021);
- Direct stimulus payments based on income (\$600 per individual, \$1200 for couples, and an additional \$600 per child);
- \$25 billion in rental assistance through the Coronavirus Relief Fund
  - 90% of fund must be used for rent payments, rental arrears, utilities, utility arrears, with 10% of funds available for housing stability services;
  - Specific measures included to ensure the most in-need households receive support, with a preference for households at or below 50% AMI;
  - Can cover up to 18 months of arrears or future assistance;
- \$26 billion in nutrition/agriculture assistance – including a temporary 15% increase in SNAP through 6/30/21, expansion of the Pandemic-EBT program to cover families with children in child care, provisions to make it easier for people to qualify for SNAP (excluding pandemic Unemployment benefits as income), temporary increase in WIC, funding for senior nutrition programs including Meals on Wheels;
- \$5 billion for opioid treatment;
- Devote tens of billions of dollars to other priorities, such as child care, transportation, education, and vaccine distribution;
- Extends the deadline from December 30, 2020 to December 31, 2021 for funds provided by Congress in the CARES Act through the Coronavirus Relief Fund (CRF);
- Establishes a permanent floor for the 4% credit in the Low Income Housing Tax Credit (LIHTC) program. This change will make it easier to secure the financing needed for affordable housing projects and will assist in restarting stalled LIHTC projects throughout the country. Advocates estimate that the creation of a 4% floor could create as much as 126,000 rental homes in the next 10 years.
- Language cancelling the FY 20 CoC NOFA.

#### BILLS

 **Housing is Infrastructure Act – New** – On 4/12, House Financial Services Committee Chairwoman Maxine Waters (D-CA) released an updated discussion draft of the “[Housing is Infrastructure Act](#).” The Act:

- Invests \$70 billion to preserve public housing for current and future generations
- Provides \$45 billion through the national Housing Trust Fund to build new homes
- \$2 billion to address urgent housing needs in tribal nations, and \$2 billion to preserve affordable homes in rural America.
- \$5 billion to address lead-hazards and other unsafe housing conditions.
- Resources to help build and preserve homes, through the HOME Investment Partnerships program, Capital Magnet Fund, and programs that serve seniors and people with disabilities.
- Down payment assistance for homebuyers.
- A national infrastructure bank to facilitate investments.
- Promotes fair and equitable development: The bill directs several federal agencies – including HUD, Treasury, FEMA, and Agriculture – to require grantees to consult with qualified fair housing enforcement organizations and local fair housing government agencies when applying for investments.
- Addresses climate change and the need for environmental sustainability: The bill requires that at least 15% of capital investments address climate and natural disaster resilience, water and energy efficiency, and other strategies to enhance the environmental sustainability of housing production and design.

 **American Housing and Economic Mobility Act – New** – Senator Elizabeth Warren (D-MA) and Representative Emanuel Cleaver (D-MO) reintroduced the “[American Housing and Economic Mobility Act](#)” to help address the underlying causes of America’s housing crisis, primarily through robust investments in the national Housing Trust Fund (HTF).

**HR 2292 Keep Your Home and Prevent Homelessness Act – No new update**– Introduced on 3/29 by Rep. Torres (D-CA), and 15 of her House colleagues, this bill would amend the “Emergency Economic Stabilization Act of 2008” to authorize the use of funding for

the Troubled Assets Relief Program for assistance under the national Housing Trust Fund (HTF), resulting in an investment of at least \$500 million – and potentially billions of dollars – into the HTF.

**S 3923 Emergency Family Stabilization Act – No new update** – This bill was introduced by Sen. Murkowski (R-AK) on 2/4, with Senators Collins, Manchin (D-WV), Sullivan (R-AK), Sinema (D-AZ), Shaheen (D-NH), Schatz (D-HI), Hassan (H-NH), Casey (D-PA), Hirono (D-HI), and Kelly (D-AZ) signing on as original co-sponsors. It would establish a competitive grant program within the Administration for Children and Families (ACF) for family stabilization agencies to provide emergency relief to children, youth, and families experiencing homelessness. Recipients may use grant funds for, among other purposes, personnel costs, personal protective equipment, and other supplies to mitigate the spread of COVID-19 (i.e., coronavirus disease 2019), as well as payments for security deposits and other housing-related needs. This bill would provide flexible funding during the COVID-19 pandemic to support community-based organizations already serving unaccompanied homeless youth, with a focus on meeting the needs of unsheltered youth, youth sharing housing due to deep poverty, pregnant and parenting youth, and youth experiencing domestic violence and human trafficking.

**HR 7301 The Emergency Housing Protections and Relief Act of 2020 – No new update** – The House passed this bill on 6/29, which includes a package of critically needed emergency housing resources and protections to help keep renters in their homes and to address the health and safety of people experiencing homelessness. The bill includes the housing and homelessness resources approved by the House in the HEROES Act, including many top priorities:

- \$100 billion in emergency rental assistance;
- A national, uniform moratorium on evictions and foreclosures;
- \$11.5 billion to prevent and respond to outbreaks among people experiencing homelessness; and
- Additional needed resources to ensure housing stability.

#### RULES

➔ **Housing and Community Development Act of 1980: Verification of Eligible Status; Withdrawal – New** – On 4/2 HUD published in the *Federal Register* a rule withdrawal, “[Housing and Community Development Act of 1980: Verification of Eligible Status; Withdrawal](#),” that will remove the previous administration’s proposed “mixed-status” rule from HUD’s upcoming Spring 2021 *Unified Agenda of Regulatory and Deregulatory Actions*. The Rule being withdrawn would have led to thousands of mixed-status immigrant families that have members who are undocumented or otherwise ineligible for public and other subsidized housing to split up or be evicted, putting them at risk of homelessness. HUD’s withdrawal of that rule puts an end to the proposal, ensuring that these families can still pursue the assistance they are eligible for without fear of being separated or evicted

➔ **Making Admission or Placement Determinations Based on Sex in Facilities Under Community Planning and Development Housing Programs; Proposed Rule Withdrawal – New** – On 4/22 HUD announced that it was withdrawing the proposed rule, published in the *Federal Register* by the previous administration, which would have weakened the Equal Access Rule. The Equal Access Rule ensures that all individuals—regardless of sexual orientation or gender identity—have equal access to the Department’s Office of Community Planning and Development (CPD) programs, shelters, other buildings and facilities, benefits, services, and accommodations. [Read the full press release on HUD.gov](#). Along with this announcement, HUD is releasing technical assistance resources prepared by technical assistance providers to HUD grantees. These resources will support HUD’s CPD grantees in implementing the Equal Access Rule. View the Equal Access technical assistance materials for shelter operators on the [HUD Exchange LGBTQ Homelessness page](#).

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#### State Legislation Update: *The 130<sup>th</sup> Legislature convened on Wednesday, 12/2.*

**Color code:** Bills highlighted in yellow have been voted by the Maine Homeless Policy Committee to support. Bills highlighted in red have been voted by the Maine Homeless Policy Committee to oppose. Bills highlighted in light blue have faced votes in the House and/or Senate either to be engrossed or enacted. Bills highlighted in pink have been passed in each chamber and sent to the Governor. Bills highlighted in Green have been passed by the Governor, or became law without the Governor’s signature. Bills with red text are now dead.

- **MaineHousing Rent Relief Program:** MaineHousing’s rent relief program, has begun accepting applications again. Maine has \$200 million in rent relief funds from the federal Emergency Rental Assistance Program. This program will provide rental and utility relief payments to help eligible renters maintain housing stability. Maine’s Community Action Agencies will review applications, check eligibility, and process payments for eligible expenses on behalf of households. For more information visit the program’s webpage: <https://www.mainehousing.org/programs-services/rental/rentaldetail/covid-19-rental-relief-program>

➔ **Supplemental Budget – Update** – Very late on 3/11, the legislature passed the Supplemental Budget ([LD 162](#), [LD 220](#)), which approves supplemental funding for the fiscal year in which we currently operate (FY 21 which ends 6/30/2021). Budget information can be found on the Bureau of the Budget website: <https://www.maine.gov/budget/home> Per the [Governor’s Press Release on 1/8](#),

➔ the Governor “submitted to the Legislature a supplemental budget proposal for Fiscal Year 2021 and a biennial budget proposal for Fiscal Years 2022-2023 that focus on maintaining vital services and increasing savings without creating new programs. The Governor’s complete proposals are available on the [Bureau of the Budget website](#).

**Back to Basics Budget – FY 22 – Update** – On 3/30 the Legislature passed a pared down “back to basics” budget for FY 22 that was signed into law by the Governor the same week.

➔ **FY 22 & FY 23 Supplemental Budget – New** – Legislators will next consider another budget - a supplemental budget - to address supplemental FY 22 spending (in addition to what was included in the Back to Basics Budget for FY 22) and address FY 23 spending (which has not yet been addressed as it usually would in the Biennial Budget Process). This FY 22 and FY 23 Supplemental Budget

Process will consider the allocation of federal dollars from the American Rescue Plan Act coming to Maine. This process will likely happen in May/June.

**Testimony Process in the 130<sup>th</sup> Legislature:** *Committees will not be receiving testimony at the State House complex at this time and will be conducting all meetings electronically. To register to provide testimony please see the attachment with instructions on how to submit testimony. You can sign up to give live testimony, only written testimony, or both at the Legislature's online testimony portal: <https://www.mainelegislature.org/testimony/>*

➔ **Bills:** Please note that the bills listed below have only been submitted as bill titles in concept form. Once bills are printed, out of the Revisor's office with LD numbers assigned, and bill text/summary information is available, the information below will be updated accordingly.

- **Joint Order SP 435** – *On 3/30 the Senate and House passed SP 435, which orders that all matters not finally disposed of in the Legislature prior to the adjournment of the First Regular Session in the possession of the Legislature be carried over to a subsequent special or regular session of the 130th Legislature. Noting that any public hearings or work sessions already scheduled could go on as scheduled.*

#### Homelessness

- **LD 81 An Act To Ensure the Safety of Children Experiencing Homelessness by Extending Shelter Placement Periods**, Rep. Meyer – This bill amends the laws governing facilities for children. It amends the definition of "emergency children's shelter" to extend placement from 30 consecutive days or less to 60 consecutive days or less, and it amends the definition of "shelter for homeless children" to extend the limit on overnight lodging and supervision from 30 consecutive overnights to 60 consecutive overnights. – **Public Hearing in front of the HHS Committee was held on Thursday, 4/8; Committee voted OTP-AM at the 4/16 Work Session.**
- **LD 175 An Act To Authorize a General Fund Bond Issue To Create and Enhance Regional Homeless Shelters**, Rep. Cloutier – The funds provided by this bond issue, in the amount of \$50,000,000, will be used to create and enhance regional homeless shelters. – **Public Hearing in front of the Appropriations and Financial Affairs Committee was held on Wednesday, 4/21.**
- **LD 1076 An Act To Support the Operations of Youth Shelters in Maine**, Sen. Libby – This bill amends the definitions of "emergency children's shelter" and "shelter for homeless children" to extend from 30 consecutive days or overnights to 90 consecutive days or overnights the length of time a child may stay at such a facility. The bill requires the Department of Health and Human Services to amend its rules for the licensure of shelters for homeless children to allow a child to be admitted for up to 30 days without first notifying the child's guardian. The bill requires the department to also amend its rules for the licensure of emergency shelters for children to allow the admission of a child into care for up to 30 days without obtaining the permission of the child's guardian. Finally, the bill increases the funding provided to homeless youth shelters from \$2,000,000 annually to \$2,500,000 annually. – **Public Hearing in front of the HHS Committee was held on Thursday, 4/8; Committee voted OTP-AM at the 4/16 Work Session.**
- **LD 1238 An Act To Protect Women's Single-sex Shelters**, Sen. Keim - This bill exempts from the definition of "place of public accommodation" in the Maine Human Rights Act privately owned and operated facilities that provide emergency shelter to women or temporary housing for women who are in reasonable fear of their safety. **Public Hearing in front of the Judiciary Committee on Thursday 5/6 and 9am.**
- **LD 211 An Act To Support Emergency Shelter Access for Persons Experiencing Homelessness**, Rep. Cloutier – This bill includes 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 low-barrier emergency homeless shelters across the State. This bill specifies that the funding is supplemental to the Maine State Housing Authority's emergency shelter and housing assistance program and is to be delivered outside of the funding formula set forth in the Maine State Housing Authority's rule under 99-346 C.M.R. Chapter 19, Homeless Solutions Rule. – **Passed to be engrossed as amended by the House then the Senate on 4/28, the bill now faces votes for enactment in each Chamber.**
- **LD 654 An Act To Create a 24-hour Shelter Capital Project Funding Program**, Rep Arford – This bill establishes the Twenty-four-hour Shelter Capital Project program within the Maine State Housing Authority to support new construction or expansion of emergency 24-hour shelters for persons experiencing homelessness. New construction and expansion projects funded by the program must address an increase in the need for shelter capacity in the region since the construction, or expansion, of an existing shelter or shelters in the region or since the start of the outbreak of COVID-19 or both. The bill includes a one-time General Fund appropriation of \$3,000,000 in fiscal year 2021-22 to the Maine State Housing Authority to fund the program. This bill specifies that the funding is supplemental to funding for the Maine State Housing Authority's emergency shelter and housing assistance program. – **Tabled at the 3/26 Work Session, 2<sup>nd</sup> Work Session held on 4/21 in which there was a divided report.**
- **LD 1300 An Act to Require County Governments to Coordinate with Municipalities to Create Plans to Address Homelessness**. Rep. Supica – This bill requires the county commissioners of each county, in consultation and coordination with the Statewide Homeless Council, regional homeless councils and the municipalities in the county, to develop and implement a plan with protocols to address homelessness within the county. – *Public Hearing in front of the State and Local Government Committee was held on Friday, 4/16; Divided report from the Committee at the work session on 4/26.*
- **LD 1301 An Act To Support Transitional Housing for Persons Experiencing Abuse, Dangerous Living Conditions, Economic Insecurity Due to Divorce or Separation, Chronic Homelessness, Substance Use Disorder or Mental Disorders**, Rep. Collings – This bill directs the Department of Health and Human Services to coordinate and arrange for transitional housing and services including job training and health care services for persons in need of transitional housing, including those experiencing abuse,

dangerous living conditions, economic insecurity due to divorce or separation, chronic homelessness, substance use disorder or mental disorders, including post-traumatic stress disorder, in every county of the State or by region if all counties are provided for. It also provides an ongoing appropriation of \$8,000,000 beginning in fiscal year 2022-23. – Public Hearing in front of the HHS Committee was held on 4/20; Committee voted ONTP at the 4/29 Work Session.

- **LD 1318 An Act To Increase High School Graduation Rates for Students Experiencing Education Disruption**, Sen. Libby – This bill amends the laws regarding students who experience education disruption and Department of Education diplomas in many ways, but importantly it adds “student experiencing homelessness” to students experiencing education disruption. A student experiencing homelessness is defined in the bill as “a student who has been identified by a school administrative unit as a homeless child or youth as defined in the federal McKinney-Vento Homeless Assistance Act, 42 United States Code, Chapter 119.” – Public Hearing in front of the Education and Cultural Affairs Committee was held on Monday, 4/26: work session on 5/5.

#### Housing/Rental Assistance

- **LD 475 Resolve, To Create the Frequent Users System 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 on Health and Human Services no later than January 1, 2022 on its plan and recommendations. The Joint Standing Committee on Health and Human Services is authorized to report out a bill to the Second Regular Session of the 130th Legislature related to the report. – HHS Committee voted unanimously OTP-AM at the 4/9 Work Session.
- **LD 473 An Act To Create the Maine Rental Assistance and Voucher Program**, Rep. Morales – This bill requires the Maine State Housing Authority to establish and administer the Maine Rental Assistance and Voucher Guarantee Program. The program must include a rental assistance component to assist individuals with the cost of rent and a rental voucher guarantee component to encourage landlords to work with the program and other rental assistance programs in the State. The bill also creates the Maine Rental Assistance and Voucher Guarantee Program Fund under the Maine State Housing Authority to carry out the program. The bill includes a General Fund appropriation of \$8,500,000 to the fund in fiscal year 2021-22 and fiscal year 2022-23. – Tabled at the 4/5 Work Session; 2<sup>nd</sup> Work Session on 4/21; tabled at the 3<sup>rd</sup> work session on 4/30.
- **LD 1305 An Act To Streamline Requests for Housing Assistance**, Rep Morales – This bill requires the Department of Health and Human Services to include on certain applications for aid, including those for the statewide food supplement program, the MaineCare program, and the Temporary Assistance for Needy Families program, an option for the applicant to request housing assistance from the department or the Maine State Housing Authority – Referred to HHS Committee – Public Hearing in front of the HHS Committee was held on Tuesday, 4/13, Tabled at the Work Session on 4/21; 2<sup>nd</sup> work session on 5/6.
- **LD 1269 An Act To Preserve Fair Housing in Maine**, Rep Talbot Ross – This bill requires the Maine State Housing Authority to ensure that public funds are used to affirmatively further fair housing, which is defined as to engage actively in efforts to address barriers to and create opportunities for full and equal access to housing without discrimination on the basis of race, color, sex, sexual orientation or gender identity, physical or mental disability, religion, ancestry, national origin, familial status or receipt of public assistance. The bill requires the Maine State Housing Authority to develop a plan and report back to the Joint Standing Committee on Labor and Housing by January 15, 2022. – Public Hearing in front of the Labor and Housing Committee on Wednesday 5/5 at 10am.
- **LD 50 An Act To Authorize a General Fund Bond Issue To Invest in Housing for Persons Who Are Homeless**, Rep. Brennan - The funds provided by this bond issue, in the amount of \$15,000,000, will be used for capital construction costs for housing for persons who are homeless. – Public Hearing in front of the Appropriations and Financial Affairs Committee was held on Wednesday, 4/21.
- **LD 964 An Act To Expand Access to Certified Substance Use Disorder Recovery Residence Services**, Rep. Fecteau – This bill requires recovery residences to be certified according to the standards set by a nationally recognized organization that supports persons recovering from substance use disorder in order to receive contracts from the department or receive housing vouchers or municipal general assistance housing assistance from a person living in a recovery residence. The bill also prevents an applicant for general assistance from being denied general assistance for the sole reason that the person is living in a recovery residence. The bill requires the costs of living in a recovery residence to be calculated in the same manner as for other housing assistance when maximum amounts of general assistance under the municipal ordinance and the amount of general assistance granted to the applicant are established. – Public Hearing in front of the HHS Committee on Tuesday, 4/6 at 9am.
- **LD 1180 An Act To Prohibit Discrimination in Housing Based on a Person’s Participation in a Rental Assistance Program**, Rep. Collings – This bill amends the Maine Human Rights Act to include as prohibited acts the discrimination against a tenant because the tenant participates in a federal, state or local tenant-based rental assistance program. – Public Hearing was held on 4/20 in front of the Judiciary Committee; divided report at the work session on 4/29.
- **LD 773 An Act To Assist Public School Students and Families Who Are Homeless**, Rep. Brennan – This bill requires that the Maine State Housing Authority give priority for temporary housing assistance to homeless students and their families who are identified and referred to the authority by a local educational agency liaison for children and youth experiencing homelessness under the federal McKinney-Vento Homeless Education Assistance Improvements Act of 2001. – Public Hearing in front of the Labor and Housing Committee was held on Friday, 4/2; divided report at the Work Session on 4/21.

- **LD 787 An Act To Comprehensively Address Homelessness and Affordable Housing in Maine**, Rep Morales – This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures to comprehensively address homelessness and affordable housing in the State. – Referred to Labor and Housing Committee
- **LD 843 An Act To Create a Pathway to Housing Stability for Homeless Young People and Those at Risk of Entering and Those Exiting Corrections Systems**, Rep. Morales – This bill would require the completion of an assessment to determine whether young people and their families who are identified by the federal Family First Prevention Services Act state plan program being developed by the Department of Health and Human Services, Office of Child and Family Services as homeless and young people and their families who are at risk of entering into the custody of the Department of Corrections or exiting that custody are homeless or housing insecure. Following the assessment, this bill would require the State to provide a housing navigator and a state-funded or federal housing voucher to create a pathway to housing security for those individuals and their families. – **Public Hearing in front of the HHS Committee was held on Thursday, 4/8; work session on 5/4.**
- **LD 827 An Act To Help Veterans Access Jobs, Education and Housing**, Sen. Rafferty – There are three parts to this bill. The bill can be found here: <http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=SP0269&item=1&snum=130> The most relevant part of this bill is Part C: Part C helps veterans access housing by requiring the Department of Health and Human Services, in coordination with the Director of the Maine Bureau of Veterans' Services within the Department of Defense, Veterans and Emergency Management, to develop a method of identifying veterans who are homeless and eligible for temporary housing assistance under the Bridging Rental Assistance Program. – Public Hearing held on 4/5 in front of the Veteran and Legal Affairs Committee; voted ONTP at the work session on 4/26.
- **LD 953 An Act To Improve Affordable Housing Options and Services to Address Homelessness**, Sen. Deschambault – This bill permits tax increment financing to be used by a municipality to cover costs associated with the development of affordable housing in and outside development districts, for the use in supporting housing services for persons who are homeless, for the purpose of providing an incentive for development within the municipality. The bill also corrects a conflict in the Maine Revised Statutes, Title 30-A, section 5225, subsection 1, paragraph C, which was amended by Public Law 2019, chapter 604 and chapter 625, by incorporating the changes made by both laws. – Public Hearing in front of the Taxation Committee was held on Wednesday, 4/14; Work Session on 4/21 in which the Committee voted OTP-AM.

#### Services

- **LD 48 Resolve, To Require the Department of Health and Human Services To Request a Waiver Relating to Support Services and To Provide Funds To Prevent Homelessness**, Rep. Brennan – This resolve requires the Department of Health and Human Services to apply to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services for a waiver from the requirements of federal law and regulations to allow Maine to provide Medicaid-funded direct support services to individuals experiencing homelessness. In addition, the resolve provides ongoing funds to the Housing First Assistance Program established within the Maine State Housing Authority to be distributed to community action agencies to assist individuals on the verge of becoming homeless. – **This bill is now dead. At the 4/9 Work Session the Committee opted instead to send a letter to DHHS asking for report-outs from the Medicaid IAP as this is very closely related to this bill.**
- **LD 1059 An Act To Provide Substance Use Disorder treatment to Adolescents**, Rep Morales – This bill would require the Department of Health and Human Services to work with stakeholders to develop and fund a continuum of evidence-based treatment services for adolescents affected by substance use disorder. Services would include, but not be limited to, detoxification beds in hospitals or residential settings and intensive outpatient treatment services. – **Public Hearing in front of the HHS Committee was held on Tuesday, 4/6.**
- **LD 415 Resolve, Directing the Department of Health and Human Services To Increase MaineCare Reimbursement Rates for Targeted Case Management Services To Reflect Inflation**, Rep. Stearns – This resolve requires the Department of Health and Human Services to amend its rules governing MaineCare reimbursement for targeted case management services to provide an increase reflecting cost increases from 2010 to 2020. – **Public Hearing in front of the HHS Committee was held on Thursday, 4/15; divided report at the Work Session on 4/21; voted OTP-AM at the 4/26 work session.**
- **LD 582 An Act To Support the Fidelity and Sustainability of Assertive Community Treatment**, Rep. Madigan – This bill modifies the definition of "assertive community treatment" to better align the definition with an evidence-based treatment model. The bill adds definitions of "psychiatric provider" and "medical assistant" and changes the description of the composition of the multidisciplinary teams that provide assertive community treatment. The bill also requires the Department of Health and Human Services to increase the MaineCare reimbursement rates for assertive community treatment by 25% immediately to allow providers to continue to offer the service. The bill also requires the department to adopt rules to transition to a per member, per month payment model and to reform the criteria and operation of the program to ensure its fidelity to the evidence-based model for assertive community treatment services. – **Public Hearing in front of the HHS Committee was held on Thursday, 4/15.**
- **LD 196 Resolve, To Ensure Access to Community Mental Health Services**, Sen. Breen – This resolve directs the Department of Health and Human Services to amend its rule Chapter 101: MaineCare Benefits Manual, Chapter III, Sections 17 and 65 to increase reimbursement rates for daily living support services and any home and community-based services provided by behavioral health professionals by 15%. It requires that the department ensure that the increase in reimbursement rates be applied to ensure providers are located in a sufficient geographical range for MaineCare members to access services and so that providers can maintain the services provided to MaineCare members. – **Public Hearing in front of the HHS Committee was held on Thursday, 4/15; tabled at the Work Session on 4/21.**

- **LD 512 An Act to Provide Intensive Case Managers to Counties That Do Not Have County Jails or Regional Jails**, Rep. Dodge – This bill directs the Department of Health and Human Services to create additional intensive case manager positions so that counties that do not have a county jail or regional jail will have an intensive case manager. An intensive case manager oversees persons who are detained by a law enforcement officer and who have intellectual disabilities or mental health conditions or have misused substances and connects them to the services for which they qualify, works with the court system to ensure that they receive due process and speedy trials and assists persons who qualify for the MaineCare program to apply for and receive MaineCare benefits and services while being detained or incarcerated, including during the implementation of diversion and reentry plans. – **HHS Committee voted Ought to Pass as Amended at the 4/9 Work Sessions.**
- **LD 360 Resolve, To Reduce Barriers to Recovery from Addiction by Expanding Eligibility for Targeted Case Management Services**, Rep. Madigan – This resolve directs the Department of Health and Human Services to amend its rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 13.03-4 to remove from the eligibility requirements for targeted case management services for adults with substance use disorder the provision regarding pregnancy, living with minor children and intravenous drug use. – **This bill is now dead.**

#### General Assistance

- **LD 910 An Act To Amend the General Assistance Laws Governing Reimbursement**, Rep. Brennan – This bill requires the State to provide 100% reimbursement for general assistance costs to Indian tribes. It provides that a municipality's most recent state valuation rather than the all state valuation is used for calculating when the municipality begins to be reimbursed 90% for general assistance costs and that the reimbursement is for gross costs rather than net costs. It establishes that the new departmental reimbursement to municipalities begins July 1, 2022. *(This language was also presented as an amendment for the Supplemental Budget.)* – **Public Hearing in Front of the HHS Committee was held on Thursday, 4/1; divided report at the Work Session on 4/22.**

#### Food Insecurity

- **LD 95 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Right to Food**, Rep. Faulkingham – This constitutional resolution declares that all individuals have a natural, inherent and unalienable right to grow, raise, harvest, produce and consume the food of their own choosing for their own nourishment, sustenance, bodily health and well-being. – A second Work Session was held on 4/15, voted OTP-AM, was reconsidered at the 4/20 Work Session where it was tabled; divided report at the 3<sup>rd</sup> work session on 4/27.