

130<sup>TH</sup> LEGISLATURE SECOND REGULAR SESSION – JANUARY 5, 2022 - APRIL 20, 2022

USEFUL LINKS

- Maine Legislature Homepage: <http://legislature.maine.gov/>
- Maine Legislature YouTube Channels for Legislative Committees: <https://www.youtube.com/mainestatelegislature>
- Sign up to Testify and/or submit testimony here: <https://www.mainelegislature.org/testimony/>

2022 NEW BILLS

Color code: **Orange font = Budget bill**; **Black font = Homelessness related bill**; **Green font = Housing/Rental Assistance related**; **Blue font = Service related**; **Purple font = General Assistance related**;

Bill #	Sponsor	Title	Status & Committee	Notes
LD 1995	Governor Mills	An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2022 and June 30, 2023	Public Hearing: 2/28 and Work Sessions on 3/8 and 3/10 at 10am in front of the HHS Committee for DHHS portions Public Hearing: 3/3 at in front of the Labor & Housing Committee for Labor/Housing portions	This is the Governor’s Supplemental Budget Bill and includes: <ul style="list-style-type: none"> <li>• Funding to raise rates to be sufficient to pay direct support professionals at 125 percent of minimum wage;</li> <li>• Funding for the Homeless Youth Program</li> <li>• Nearly \$12 million in unappropriated funding for the discretion of lawmakers</li> </ul>
LD 1871	Rep. Talbot Ross	Resolve, Directing the Maine Human Rights Commission To Extend Its Pilot Program To Investigate and Report on Incidents of Harassment Due to Housing Status, Lack of Employment and Other Issues	Public Hearing: 1/25/22, Work Session: 2/2, Judiciary Committee Divided Report	This resolve extends by 2 years the 2-year Maine Human Rights Commission pilot program to receive, review and investigate incidents and complaints of harassment due to a person’s housing status and other reports of interference with a person’s access to public accommodations and extends the deadlines for its reports. The resolve is retroactive to June 16, 2020, the effective date of Resolve 2019, chapter 113.
LD 1968	Rep. Talbot Ross	An Act To Expand Access to Mental Health and Crisis Care for Individuals in Jails and Individuals Experiencing Homelessness	<b>Update:</b> Public Hearing: 3/1, Work Session 3/4 in front of the HHS Committee – tabled at the Work Session pending bill review/revisions	This bill proposes to create pathways to alleviate the crisis of individuals experiencing homelessness and individuals languishing in the county jail system who are suffering from acute mental health crises and substance use disorder by implementing measures to improve their access to psychiatric treatment, wraparound services, supportive housing and other services that are part of the continuum of care. Measures include (but are not limited to): <ul style="list-style-type: none"> <li>• Immediately remove barriers to permanent supportive housing for this population, create clear pathways to the development of permanent supportive housing for this population commensurate</li> </ul>

				<p>with need within a rapid timeframe, and examine and remove barriers to admission to crisis care, licensed psychiatric facilities, detoxification, and recovery residences, which are a part of the cycle of proper care for this population.</p> <ul style="list-style-type: none"> <li>• Increase the supply of community-based Intensive Case Managers who can flexibly wrap services around this population and stay with them through to stable housing and permanent success there and increase access to ACT Team services.</li> <li>• Require the Department of Health and Human Services report on service locator project data regarding inpatient and community beds by geographic region, establish a telehealth behavioral health service for jails, and have DHHS ensure there is adequate availability of appropriate residential treatment within the state.</li> <li>• Allow necessary updates to 15 MRSA 101. <ul style="list-style-type: none"> <li>-Insert “community ACT team” reference in 101(D)(4)</li> <li>-When a court orders commitment, ensure there is a clear and reasonable timeframe for the appropriate placement. Placement shall take place within 30 days.</li> </ul> </li> </ul>
LD 1822	Rep. Morales	An Act To Improve Access to Behavioral Health Services by Limiting Cost Sharing by Insurers	Public Hearing: 1/11/22, Work Session: 3/3, Health Coverage, Insurance and Financial Services Committee – Tabled at the Work Session – next WS on 3/10	This bill prohibits insurance carriers offering a health plan that provides or covers any benefits with respect to behavioral health services from applying a copayment, deductible, coinsurance or other cost-sharing requirement to those behavioral health services.
LD 1848	Rep. Madigan	An Act To Increase the Availability of Assertive Community Treatment Services	Public Hearing: 1/18 Work Session: 2/2 in front of the HHS Committee Voted OTP/AM	This bill amends the behavioral and developmental services law regarding mental health hospitalization to add the definition of "prescriber," which is defined to mean a licensed health care provider with authority to prescribe, including a licensed physician, certified nurse practitioner or licensed physician assistant who has training or experience in psychopharmacology.
LD 1860	Sen. Moore	An Act To Address Maine's Suicide and Opioid Crises through the Construction of Affordable Recovery Facilities in Underserved Areas of the State	Referred to HHS Committee	Still a concept draft. This bill proposes to direct new federal money to construct affordable recovery facilities in underserved areas in order to better address the State's suicide and opioid crises.
LD 1910	Rep. Tepler	An Act To Improve Children's Mental Health by Requiring Insurance Coverage for Certain Mental Health Treatment	Public Hearing: 1/27; Work Session: 3/3 in front of the HHS Committee – Tabled	This bill requires health insurance carriers to provide coverage for mental health treatment services that use evidence-based practices that are recommended by a provider for a child 18 years of age or younger.

			at the Work Session – next WS on 3/10	
LD 1915	Rep. Berry	An Act To Improve Intensive Behavioral Health and Public Safety Case Management Services	Public Hearing: 2/3/22, Work Session: 2/22 in front of the HHS Committee – Divided report.	This bill provides funding for the recruitment and retention of all Intensive Case Manager positions in the State via a \$5 per wage-hour stipend payment and a \$1 per wage hour stipend payment for employees in those positions holding or obtaining a relevant master's degree. These increases are commensurate with the increases given to the child welfare services program in Public Law 2017, chapter 471.
LD 1961	Sen. Hickman	An Act to Help Alleviate Maine’s Housing Shortage and Change the Membership of the Maine State Housing Authority	Public Hearing 3/7 at in front of the Labor & Housing Committee	This bill includes among the state goals for all state and municipal agencies affecting natural resource management, land use and development preserving the State’s tribal and cultural resources; addressing significant disparities in housing needs and access to educational, occupational and other opportunities; furthering the purposes of the federal Fair Housing Act; and promoting housing choice and economic diversity in housing, including housing for both low-income and moderate-income households. It also changes the membership of the Maine State Housing Authority and specifies that appointments to the Maine State Housing Authority and the appointment of the director of the authority are subject to review by the joint standing committee of the Legislature having jurisdiction over housing matters.
LD 2003	Speaker Fecteau	An Act To Implement the Recommendations of the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions	Public Hearing 3/7 at in front of the Labor & Housing Committee	This bill makes changes to zoning and land use laws based upon the recommendations in the report of the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions. The bill: 1. Amends the fair housing provisions of the Maine Human Rights Act, and to prohibit municipalities & government entities from using these criteria to restrict the construction or development of housing accommodations in any area; 2. Establishes the Municipal Housing Development Permit Review Board, which is responsible for the review of municipal housing development permit decisions; 3. Prohibits municipalities from adopting any ordinance that caps the number of building or development permits each year for any kind of residential dwellings; 4. Requires the Department of Economic and Community Development to develop a program to provide technical assistance to municipalities for the purposes of developing and implementing zoning and land use ordinances; 5. Requires the Department of Economic and Community Development to implement a program to provide grants to municipalities for the

				<p>purposes of contracting for services and hiring staff to help administer municipal responsibilities in developing and implementing zoning and land use ordinances and appropriates \$1,294,680 for that program in fiscal year 2022-23;</p> <p>6. Requires the Department of Economic and Community Development to create an incentive program that a municipality may participate in for up to 3 years and receive grants of up to \$25,000 per year for fulfilling certain requirements related to reviewing how its zoning and land use ordinances may impact the availability of housing;</p> <p>7. Defines "affordable housing development," requires municipalities to allow affordable housing developments to be built at certain densities and sets certain criteria to ensure that an affordable housing development remains affordable for at least 30 years;</p> <p>8. Requires, for any zone in which housing is permitted, that a municipality permit structures with up to 4 dwelling units and creates general requirements for municipal ordinances governing residential zones;</p> <p>9. Beginning April 20, 2023, requires municipalities to allow the construction of accessory dwelling units and sets out specific requirements for the permitting and construction of accessory dwelling units; and</p> <p>10. Requires that a municipality designate an area within the municipality as a priority development zone, which is defined as a zone in which multifamily housing is permitted at a greater density, and requires the priority development zone to be located in an area that has significant potential for housing development and is located near community resources. Municipalities are not required to designate a priority development zone until 2 years following adoption of rules by the Department of Economic and Community Development.</p>
--	--	--	--	---

**CARRIED OVER BILLS FROM 2021**

Color code: Black font = Homelessness related bill; Green font = Housing/Rental Assistance related; Blue font = Service related; Purple font = General Assistance related;

Bill #	Sponsor	Title	Status & Committee	Notes
LD 211	Rep. Cloutier	An Act To Support Emergency Shelter Access for Persons Experiencing Homelessness	Placed on the Special Appropriations Table then Carried Over	As amended: Provides ongoing General Fund appropriations of \$3,000,000 per year to MaineHousing's Shelter Operating Subsidy program to support operations and capacity at all emergency homeless shelters across the State. Funding allocation would be based upon the Homeless Solutions Rule shelter funding formula.
LD 654	Rep. Arford	An Act To Create a 24-hour Shelter Capital Project Funding Program	Placed on the Special Appropriations Table then Carried Over	Establishes the 24-hour Shelter Capital Project program within MaineHousing 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. Includes a one-time supplemental General Fund appropriation of \$3,000,000 in fiscal year 2021-22 to MaineHousing to fund the program.
LD 175	Rep. Cloutier	An Act To Authorize a General Fund Bond Issue To Create and Enhance Regional Homeless Shelters	<b>Update:</b> Work Session on 2/22 in front of the AFA Committee <b>which voted ONTP</b>	The funds provided by this bond issue, in the amount of \$50,000,000, will be used to create and enhance regional homeless shelters.
LD 1300	Rep. Supica	An Act to Require County Governments to Coordinate with Municipalities to Create Plans to Address Homelessness	Placed on the Special Appropriations Table then Carried Over	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.
LD 773	Rep. Brennan	An Act To Assist Public School Students and Families Who Are Homeless	Placed on the Special Appropriations Table then Carried Over	Requires that MaineHousing give priority for temporary housing assistance to homeless students and their families who are identified and referred by a local educational agency liaison for children and youth experiencing homelessness.
LD 473	Rep. Morales	An Act To Create the Maine Rental Assistance and Guarantee Program	Placed on the Special Appropriations Table then Carried Over	As amended: Establishes the Maine Rental Assistance and Guarantee Program within the Maine State Housing Authority. The program provides rental assistance to qualified tenants and provides housing navigation services and includes a guarantee program to encourage landlords to work with rental assistance programs. Creates the Maine Rental Assistance and Guarantee Program Fund to carry out the program. Includes an ongoing non-lapsing General Fund appropriation of \$9,000,000 per year.
LD 50	Rep. Brennan	An Act To Authorize a General Fund Bond Issue To Invest in Housing for Persons Who Are Homeless	<b>UPDATE:</b> Work Session on 2/22 in front of the AFA Committee <b>which voted ONTP</b>	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
LD 1673	Rep. Talbot Ross	An Act To Create a Comprehensive Permit Process for the Construction of Affordable Housing	<b>UPDATE:</b> Public Hearing on 2/14 in front of the Labor and Housing Committee	This bill establishes a comprehensive permit process to streamline the building construction permitting system and promote the creation of additional affordable housing by public agencies, nonprofit organizations and limited dividend organizations.
LD 913	Rep. Hasenfus	An Act To Enact the Maine Data Collection Protection Act	<b>UPDATE:</b> Work Session on 1/6 in front of the Innovation, Development,	This bill creates the Maine Data Collection Protection Act, which prohibits data collectors from collecting and aggregating, selling or using specific types of public documents or information from those documents for the purpose of determining a consumer's eligibility for consumer credit, employment or residential housing.

			Economic Advancement and Business Committee, reported out as Referred to Judiciary Committee- <b>ONTP</b> ; Public hearing on 2/22 & Work Session on 3/2 in front of the Judiciary Committee – Divided Report	
LD 415	Rep. Stearns	Resolve, Directing the Department of Health and Human Services To Increase MaineCare Reimbursement Rates for Targeted Case Management Services To Reflect Inflation	Placed on the Special Appropriations Table then Carried Over	Requires DHHS to amend its rules governing MaineCare reimbursement for targeted case management services to provide an increase reflecting cost increases from 2010 to 2020.
LD 432	Rep Madigan	Resolve, To Improve Behavioral Health Care for Children	Placed on the Special Appropriations Table then Carried Over	Requires the Department of Health and Human Services to amend rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 65 to reimburse for additional collateral contacts for children's home and community-based treatment. Those additional collateral contacts are between the child's mental health professional and parents, medical providers, psychiatric providers, residential providers, case managers and school personnel as long as the goal of the collateral contact is included in the goals of the individual treatment plan. Fiscal note: \$133K General Fund, \$240K Federal Match
LD 496	Rep Gramlich	An Act To Increase Timely Access to Mental Health Services by Increasing MaineCare Reimbursement Rates (title was amended, originally: An Act To Clear Waiting Lists for and Ensure Timely Access to Mental Health Services for Maine Children)	Placed on the Special Appropriations Table then Carried Over	This bill, as amended, provides funding to increase rates in rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 65, Behavioral Health Services, Children's Home and Community Based Treatment and Section 97, Appendix D, Principles of Reimbursement for Child Care Facilities by 25% no later than July 1, 2021. The bill as amended also includes a 25% reimbursement increase for outpatient therapy for individuals and families and outpatient group therapy under the MaineCare program. Fiscal Note: 9.2M General Fund, \$21M Federal Match
LD 582	Rep. Madigan	An Act To Support the Fidelity and Sustainability of Assertive Community Treatment	Placed on the Special Appropriations Table then Carried Over	Modifies the definition of ACT to better align the definition with an evidence-based treatment model. Adds definitions of "psychiatric provider" and "medical assistant" and changes the description of the composition of the multidisciplinary teams that provide assertive community treatment. Requires DHHS to increase the MaineCare reimbursement rates for ACT by 25% immediately to allow providers to continue to offer the service. Requires the department to amend its

				rules governing ACT to provide an initial authorization period of 6 months for clients meeting eligibility requirements for ACT and require reauthorization no more often than 6 months thereafter.
LD 512	Rep. Dodge	An Act to Provide Intensive Case Managers to Counties That Do Not Have County Jails or Regional Jails	Placed on the Special Appropriations Table then Carried Over	As amended: Provides funding for 4 additional ICM positions in DHHS. Directs the department to report to the Joint Standing Committee on Health and Human Services on the geographic distribution and activities of the ICMs.
LD 910	Rep. Brennan	An Act To Amend the General Assistance Laws Governing Reimbursement	Placed on the Special Appropriations Table then Carried Over	Requires the State to provide 100% reimbursement for GA 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 GA costs and that the reimbursement is for gross costs rather than net costs. It establishes that the new reimbursement to municipalities begins July 1, 2022.