

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1721

S.P. 684

In Senate, April 18, 2023

An Act to Create Transitional Housing Communities for Homeless Populations in the State

Reference to the Joint Select Committee on Housing suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator DUSON of Cumberland.
Cosponsored by Speaker TALBOT ROSS of Portland and
Senators: PIERCE of Cumberland, TIPPING of Penobscot, VITELLI of Sagadahoc,
Representatives: FAY of Raymond, GATTINE of Westbrook, GERE of Kennebunkport,
MATLACK of St. George, RANA of Bangor.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §7852, sub-§6**, as enacted by PL 2001, c. 596, Pt. A, §1 and
3 affected by Pt. B, §25, is amended to read:

4 **6. Independent housing with services program.** "Independent housing with services
5 program" means a program of assisted housing services provided to residents in private
6 apartments in buildings that include a common dining area or residents in a transitional
7 housing community, either directly by the provider or indirectly through contracts with
8 persons, entities or agencies. For purposes of this subsection, "transitional housing
9 community" has the same meaning as in Title 30-A, section 4768, subsection 1, paragraph
10 C.

11 **Sec. 2. 22 MRSA §7864** is enacted to read:

12 **§7864. Transitional housing communities**

13 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
14 following terms have the following meanings.

15 A. "Cultural brokerage" means the act of bridging, linking or mediating between
16 groups or persons of different cultural backgrounds to reduce conflict or produce
17 change.

18 B. "Transitional housing community" has the same meaning as in Title 30-A, section
19 4768, subsection 1, paragraph C.

20 **2. Services provided to transitional housing communities.** The department shall
21 coordinate, arrange or provide assisted housing services at a transitional housing
22 community under Title 30-A, section 4768 to improve the health and welfare of the
23 residents of the transitional housing community and to assist the residents in making
24 community connections, establishing financial independence and locating and maintaining
25 permanent housing. Services under this subsection may include health care, counseling,
26 English language learning, legal aid, housing navigation, transportation assistance, job
27 training, cultural brokerage or other services the department determines appropriate.
28 Services provided may be tailored to a resident and may change over time to adapt to the
29 changing needs of a resident.

30 **Sec. 3. 30-A MRSA c. 201, sub-c. 3-D** is enacted to read:

31 **SUBCHAPTER 3-D**

32 **TRANSITIONAL HOUSING COMMUNITIES**

33 **§4768. Transitional Housing Community Construction Program and Fund**

34 **1. Definitions.** As used in this subchapter, unless the context otherwise indicates, the
35 following terms have the following meanings.

36 A. "Dwelling unit" has the same meaning as in Title 12, section 682, subsection 11.

37 B. "Transitional housing" means housing designed to provide a homeless individual or
38 family with interim stability and support to successfully move to and maintain

1 permanent housing. Transitional housing is typically used for up to 24 months and
2 generally includes accompanying support services.

3 C. "Transitional housing community" means more than one transitional housing
4 dwelling unit located collectively in one building or in multiple buildings on one site
5 with community space.

6 **2. Program established.** The Transitional Housing Community Construction
7 Program, referred to in this section as "the program," is established within the Maine State
8 Housing Authority. The goals of the program are to create transitional housing
9 communities to reduce state and municipal costs and reliance on hotels, motels and other
10 transient lodging accommodations to provide temporary housing to homeless populations,
11 to provide stability for homeless individuals and families and to create efficiencies for
12 service providers in the provision of services to the homeless populations.

13 **3. Program activities.** The activities of the program include providing short-term or
14 long-term assistance in the form of:

15 A. Grants or loans to private entities to incentivize and assist with the development and
16 construction of transitional housing communities;

17 B. Creating transitional housing communities;

18 C. Purchasing dwelling units to be used as transitional housing in transitional housing
19 communities;

20 D. Purchasing land on which to locate transitional housing communities;

21 E. Purchasing buildings in which to locate transitional housing dwelling units or
22 community space associated with a transitional housing community;

23 F. Conducting site work in preparation for a transitional housing community; or

24 G. Purchasing furniture, fixtures or equipment for transitional housing.

25 **4. Fund established.** The Transitional Housing Community Construction Program
26 Fund, referred to in this section as "the fund," is established and administered by the Maine
27 State Housing Authority. The purpose of the fund is to support the Transitional Housing
28 Community Construction Program. The fund consists of appropriations and allocations and
29 grants, donations and revenue from other public and private sources. Amounts in the fund
30 may be invested, and interest earned by the investments is credited to the fund. Funds in
31 the fund do not lapse but must be carried forward to the next fiscal year. The Maine State
32 Housing Authority may expend funds in the fund for reasonable costs in administering the
33 fund.

34 **5. Reporting.** Beginning February 1, 2024 and quarterly thereafter, the Maine State
35 Housing Authority shall submit a report of expenditures from the fund and the goals and
36 achievements of the program to the joint standing committee of the Legislature having
37 jurisdiction over housing matters.

38 **Sec. 4. Maine State Housing Authority to establish transitional housing**
39 **communities.** The Maine State Housing Authority shall establish transitional housing
40 communities pursuant to the Maine Revised Statutes, Title 30-A, section 4768 under this
41 section.

1 1. For purposes of this section, unless the context otherwise indicates, the following
2 terms have the following meanings.

3 A. "Congregate housing" means housing where a resident lives in a separate apartment
4 but shares common space including a dining room, kitchen or other similar amenities.

5 B. "Dwelling unit" has the same meaning as in the Maine Revised Statutes, Title 30-A,
6 section 4768, subsection 1, paragraph A.

7 C. "Transitional housing" has the same meaning as the Maine Revised Statutes, Title
8 30-A, section 4768, subsection 1, paragraph B.

9 D. "Transitional housing community" has the same meaning as in the Maine Revised
10 Statutes, Title 30-A, section 4768, subsection 1, paragraph C.

11 2. The Maine State Housing Authority shall create 400 dwelling units of transitional
12 housing for families, with at least one transitional housing community within each of the 9
13 homeless response service hubs established in the Corporation for Supportive Housing's
14 Maine Homeless System Re-Design Initiative, Final Report and Recommendations,
15 published in June 2021. Each transitional housing community under this subsection must:

16 A. Have dwelling units that:

17 (1) Range in size from 1 to 4 bedrooms; and

18 (2) Have a full kitchen and a bathroom with a shower, toilet and sink; and

19 B. Consist of at least 25 dwelling units.

20 3. The Maine State Housing Authority shall create 500 dwelling units of transitional
21 housing for single individuals, with at least one transitional housing community within each
22 of the 9 homeless response service hubs established in the Corporation for Supportive
23 Housing's Maine Homeless System Re-Design Initiative, Final Report and
24 Recommendations, published in June 2021. Each transitional housing community under
25 this subsection:

26 A. May be created as congregate housing or noncongregate housing;

27 B. If an individual does not have access to a full kitchen for meal preparation, must
28 provide the individual a meal on site;

29 C. Must provide an individual access to secure storage for personal belongings and
30 access to day space that is separate from sleeping space; and

31 D. Must consist of at least 25 dwelling units.

32 The space allotted to an individual is considered a dwelling unit.

33 4. The Maine State Housing Authority shall create at least 400 square feet of shared
34 community space for a transitional housing community with up to 50 dwelling units and
35 an additional 200 square feet of shared community space for each additional 25 dwelling
36 units in the transitional housing community. The community space must:

37 A. Be located on the same site as the transitional housing community; and

38 B. Be suitable for year-round use with heating, cooling and restroom facilities or
39 access.

40 5. A transitional housing dwelling unit created under this section must be used as
41 transitional housing for a period of at least 30 years, except that, if at any time within the
42 30-year period under this subsection the need for transitional housing has diminished, the

1 dwelling unit may be used as a rental unit for an individual or family whose income is 60%
 2 or less of the area median income for that census tract as determined by the Federal National
 3 Mortgage Association.

4 **Sec. 5. Appropriations and allocations.** The following appropriations and
 5 allocations are made.

6 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**
 7 **Transitional Housing Community Services N442**

8 Initiative: Provides ongoing funds to support services associated with transitional housing
 9 under the Maine Revised Statutes, Title 22, section 7864.

10	GENERAL FUND	2023-24	2024-25
11	All Other	\$12,000,000	\$12,000,000
12			
13	GENERAL FUND TOTAL	<u>\$12,000,000</u>	<u>\$12,000,000</u>

14
 15 **HEALTH AND HUMAN SERVICES,**
 16 **DEPARTMENT OF**
 17 **DEPARTMENT TOTALS**

18		2023-24	2024-25
19	GENERAL FUND	\$12,000,000	\$12,000,000
20			
21	DEPARTMENT TOTAL - ALL FUNDS	<u>\$12,000,000</u>	<u>\$12,000,000</u>

22 **HOUSING AUTHORITY, MAINE STATE**
 23 **Transitional Housing Community Construction Program Fund N441**

24 Initiative: Provides one-time funding for transitional housing community construction
 25 under the Maine Revised Statutes, Title 30-A, section 7864.

26	GENERAL FUND	2023-24	2024-25
27	All Other	\$45,000,000	\$45,000,000
28			
29	GENERAL FUND TOTAL	<u>\$45,000,000</u>	<u>\$45,000,000</u>

30
 31 **HOUSING AUTHORITY, MAINE STATE**
 32 **DEPARTMENT TOTALS**

33		2023-24	2024-25
34	GENERAL FUND	\$45,000,000	\$45,000,000
35			
36	DEPARTMENT TOTAL - ALL FUNDS	<u>\$45,000,000</u>	<u>\$45,000,000</u>

37
 38 **SECTION TOTALS**

39		2023-24	2024-25
40	GENERAL FUND	\$57,000,000	\$57,000,000
41			
42	SECTION TOTAL - ALL FUNDS	<u>\$57,000,000</u>	<u>\$57,000,000</u>

SUMMARY

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This bill creates the Transitional Housing Community Construction Program Fund under the Maine State Housing Authority to create transitional housing communities, which are clusters of transitional housing dwelling units for homeless individuals and families to provide stability and to allow the individuals and families to transition to permanent housing. The bill directs that transitional housing communities be created throughout the State designed to cover all 16 counties. The bill directs the Department of Health and Human Services, through independent housing services under its administration of assisted housing programs, to coordinate, arrange or provide services including job training and health care services for residents of transitional housing communities. The bill also provides one-time funding to the Maine State Housing Authority to create transitional housing communities and funding to the department to provide independent housing services to residents of transitional housing.