

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1844

H.P. 1176

House of Representatives, April 27, 2023

**An Act to Support Emergency Housing Facility Construction,
Renovation and Acquisition Statewide by Creating a Matching
Grant Program**

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative ARFORD of Brunswick.
Cosponsored by Senator DAUGHTRY of Cumberland and
Representatives: ANKELES of Brunswick, BRENNAN of Portland, CYRWAY of Albion,
GATTINE of Westbrook, GOLEK of Harpswell, MORRIS of Turner, PERRY of Calais,
Speaker TALBOT ROSS of Portland.

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

2 **Sec. 1. 30-A MRSA §4766** is enacted to read:

3 **§4766. Emergency Housing Matching Grant Program**

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

6 A. "By-name list" means a comprehensive list of every person experiencing
7 homelessness in an area, updated in real time using information collected and shared
8 with the person's consent, containing information about the person, including the
9 person's name, homeless history, health and housing needs.

10 B. "Client" means a person receiving services from an emergency housing or shelter
11 program.

12 C. "Emergency housing or shelter program" means any organization that operates a
13 facility with the primary purpose of providing temporary shelter for persons
14 experiencing homelessness.

15 D. "Housing first" means an approach to serving persons experiencing homelessness
16 that:

17 (1) Recognizes that a person experiencing homelessness must first be able to access
18 a decent, safe place to live;

19 (2) Does not limit length of stay before stabilizing, improving health, reducing
20 harmful behaviors or increasing income of the person;

21 (3) Prioritizes connecting the person to a permanent home as quickly as possible;

22 (4) Removes barriers to accessing housing, including requirements for sobriety or
23 absence of criminal history of the person; and

24 (5) Values the person's choices, including where to live and whether to participate
25 in support services and does not require the person to participate in support services
26 to access or retain housing.

27 E. "Mainstream resources" means housing, health, social services, employment,
28 education and youth programs for which individuals and families experiencing
29 homelessness and individuals and families at risk of homelessness may be eligible,
30 including the MaineCare program, the Temporary Assistance for Needy Families
31 program, the federal State Children's Health Insurance Program and other federal
32 programs that assist homeless, indigent or underserved populations.

33 F. "Program" means the Emergency Housing Matching Grant Program established in
34 subsection 2.

35 G. "Rapid rehousing" means rapidly connecting individuals and families experiencing
36 homelessness to permanent housing through a tailored package of assistance that may
37 include the use of time-limited financial assistance and targeted supportive services.

38 **2. Program established.** The Emergency Housing Matching Grant Program is
39 established within the Maine State Housing Authority. The program requires applicants to
40 match grant requests under the program on a one-to-one basis with funds from a source
41 other than state funding.

1 **3. Purpose.** The purpose of the program is to provide grants to emergency housing or
2 shelter programs for the construction, renovation or acquisition of a new or existing
3 building to house the emergency housing or shelter programs.

4 **4. Recipient criteria.** A recipient of a grant under the program must:

5 A. Be a nonprofit corporation in good standing in the State and qualify as a tax-exempt
6 organization under 26 United States Code, Section 501(c)(3) or a municipal
7 corporation;

8 B. Be eligible for funding under the McKinney-Vento Homeless Assistance Act, 42
9 United States Code, Section 11301 et seq. (2009);

10 C. Be a provider of homeless services with at least one year of experience providing
11 emergency housing, street outreach, homeless prevention or rapid rehousing activities;

12 D. Be a regular and active participant in a state-based continuum eligible for
13 homelessness funding from the United States Department of Housing and Urban
14 Development and be compliant with the continuum's governance charter and
15 performance criteria;

16 E. Be a regular and active participant in a regional homeless service hub administered
17 by the Maine State Housing Authority serving the region of the recipient by
18 participating in hub meetings and providing relevant data to the hubs for the generation
19 of a by-name list of persons experiencing homelessness in an area served by the
20 recipient;

21 F. Have board or advisory board representation of persons experiencing homelessness
22 or having experienced homelessness who are involved in policy making or planning of
23 the recipient;

24 G. Participate in a coordinated entry process that links persons who are experiencing
25 homelessness or who are at risk of homelessness with appropriate housing or services
26 by acting as an access point to the coordinated entry process, administering common
27 tools to assess the needs of the persons, placing eligible persons on a housing
28 prioritization list, participating in case conferencing meetings and making housing
29 referrals using the processes and procedures designated by the continuum in paragraph
30 D;

31 H. Have the administrative and financial management capacity necessary to administer
32 and to account for the use of the grant from the program in accordance with the grant's
33 funding requirements;

34 I. Operate in accordance with the homelessness strategy outlined in the most recent
35 consolidated housing and community development plan submitted by the Maine State
36 Housing Authority to the United States Department of Housing and Urban
37 Development outlining the State's goals and strategies for using federal funds to meet
38 housing and community development needs;

39 J. If applicable, meet the procedural and administrative objectives for a grant from the
40 program subject to recapture on certain terms and for certain purposes determined by
41 the Maine State Housing Authority;

42 K. If the recipient is a victim services provider, participate in and meet the performance
43 and reporting requirements of a homeless management information system that is a

1 local information technology system used to collect client data and data on the
2 provision of housing and services to individuals and families experiencing
3 homelessness and individuals and families at risk of homelessness;

4 L. Not engage in any explicitly religious activities, including worship, religious
5 instruction or proselytizing, as part of the activities and services of the recipient housed
6 in a building constructed, renovated or acquired through a grant from the program. If
7 religious activities are offered by the recipient, the recipient must offer the religious
8 activities at a separate time and location from the activities and services housed in a
9 building constructed, renovated or acquired through a grant from the program and
10 participation in those religious activities must be voluntary for a person participating
11 in activities or receiving services housed in a building constructed, renovated or
12 acquired through a grant from the program;

13 M. Operate an emergency housing or shelter program free from discrimination on the
14 basis of age, race, color, sex, religion, national origin, physical or mental disability,
15 ancestry, sexual orientation or gender identity in accordance with applicable federal
16 and state fair housing laws;

17 N. Comply with the federal Rehabilitation Act of 1973, 29 United States Code, Section
18 701 et seq.; and

19 O. Comply with any other requirements of the Maine State Housing Authority.

20 **5. Emergency housing or shelter program requirements.** An emergency housing or
21 shelter program of a recipient of a grant under the program must:

22 A. Provide access 365 days per year to assist clients to meet basic emergency shelter
23 needs;

24 B. Provide adequate sleeping space or beds and a clean and functioning shower and
25 toilet facility;

26 C. Provide safe and nutritious food, including breakfast or access to breakfast and, if
27 open 24 hours per day, provide lunch and dinner or access to lunch and dinner;

28 D. Treat all clients with dignity and respect, regardless of religious or political beliefs,
29 cultural background, disability, gender identity or sexual orientation;

30 E. Provide shelter or housing services based upon rapid rehousing or a housing first
31 approach;

32 F. Have admittance and stay policies that are appropriate for the population served and
33 do not create unnecessary barriers to clients staying at the facility;

34 G. Provide access to community resources such as health care, job readiness and
35 employment services, mainstream resources and educational services to assist clients
36 in achieving housing stability;

37 H. Assess clients for emergency housing or shelter program eligibility and services to
38 enable mobility to permanent housing with adequate supports;

39 I. Inform a client of the client's rights and responsibilities, including specific shelter
40 policies or house rules;

- 1 J. Accept eligible clients regardless of the ability to pay or eligibility for reimbursement
2 or actual reimbursement from any 3rd-party source, including local, municipal, state
3 or federal funding source;
- 4 K. Have no lease requirements for clients;
- 5 L. If serving families with children, provide space for a family other than open
6 dormitory style and not require involuntary family separation for admission;
- 7 M. Provide separate accommodations for male and female clients consistent with the
8 gender identity of the clients;
- 9 N. Protect the privacy, confidentiality and personal information of clients;
- 10 O. Provide training, policies, procedures and regular maintenance to encourage,
11 improve and maintain the health and safety of clients, volunteers and staff;
- 12 P. Post fire, disaster and other emergency procedures in a conspicuous place and review
13 the procedures with each client;
- 14 Q. Maintain a daily and confidential census of clients including precise sleeping
15 locations;
- 16 R. Operate in compliance with all applicable federal, state and local codes, laws, rules
17 and regulations; and
- 18 S. Have written policies and procedures for standards that meet federal guidelines in
19 the following areas:
- 20 (1) Nondiscrimination;
- 21 (2) Client grievance and appeal of services termination;
- 22 (3) Approval of financial transactions;
- 23 (4) Record retention;
- 24 (5) Procurement;
- 25 (6) Whistleblowers;
- 26 (7) Access to shelter and services;
- 27 (8) Client rights and responsibilities;
- 28 (9) Personnel and facility operations;
- 29 (10) Health and safety;
- 30 (11) Food preparation and distribution;
- 31 (12) Electronic data and security;
- 32 (13) Fair housing; and
- 33 (14) Drug-free workplace.

34 **6. Request for proposals; amount of grant.** The Maine State Housing Authority shall
35 award grants on an annual basis and issue a request for proposals to award grants under the
36 program no later than January 1st of the year in which a grant will be issued. The program
37 shall award a grant of \$10,000 per emergency housing bed up to \$1,000,000 per recipient.

1 **7. Fund.** The Emergency Housing Matching Grant Program Fund, referred to in this
 2 subsection as "the fund," is established within the Maine State Housing Authority to fund
 3 grants under the program. The fund may receive money from appropriations, allocations,
 4 donations and other public or private sources. The fund is interest-bearing, and interest
 5 earned by the fund is credited to the fund. Funds in the fund do not lapse but carry over to
 6 the next fiscal year.

7 **Sec. 2. Request for proposals.** No later than January 1, 2024, the Maine State
 8 Housing Authority shall issue a request for proposals for grants under the Emergency
 9 Housing Matching Grant Program under the Maine Revised Statutes, Title 30-A, section
 10 4766, for the 2024 grant year under the program.

11 **Sec. 3. Appropriations and allocations.** The following appropriations and
 12 allocations are made.

13 **HOUSING AUTHORITY, MAINE STATE**

14 **Emergency Housing Matching Grant Program N430**

15 Initiative: Establishes ongoing base allocations to allow for the expenditure of funds if
 16 money is received from donations and other public or private sources.

17 OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
18 All Other	\$500	\$500
19		
20 OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

21 **Emergency Housing Matching Grant Program N430**

22 Initiative: Provides ongoing appropriations for grants to programs to construct, renovate or
 23 acquire new or existing buildings to house the emergency housing or shelter programs.

24 GENERAL FUND	2023-24	2024-25
25 All Other	\$10,000,000	\$10,000,000
26		
27 GENERAL FUND TOTAL	\$10,000,000	\$10,000,000

28

29 **HOUSING AUTHORITY, MAINE STATE**

30 DEPARTMENT TOTALS	2023-24	2024-25
31		
32 GENERAL FUND	\$10,000,000	\$10,000,000
33 OTHER SPECIAL REVENUE FUNDS	\$500	\$500
34		
35 DEPARTMENT TOTAL - ALL FUNDS	\$10,000,500	\$10,000,500

36 **SUMMARY**

37 This bill establishes the Emergency Housing Matching Grant Program to award grants
 38 at \$10,000 per emergency housing bed up to \$1,000,000 per recipient to program providers
 39 to construct, renovate or acquire new or existing buildings to house emergency housing or
 40 shelter programs, including emergency housing 24 hours per day, 7 days per week and
 41 housing navigation and case management services in the building after occupancy.

1 Recipients must match the grants on a one-to-one basis from a source other than state
2 funding. The bill also includes an appropriations and allocations section.