

EMERGENCY SHELTER ASSESSMENT COMMITTEE

Remote Meeting

Thursday, February 17, 2022
8:30 AM

AGENDA

1. Introductions

a.

Join Zoom Meeting

<https://portlandmaine-gov.zoom.us/j/84459117148?pwd=RmdLTWNpVS94c2cxSzhWaXE4YWk2UT09>

Meeting ID: 844 5911 7148

Passcode: 184604

One tap mobile

+19292056099,,84459117148#,,, *184604# US (New York)

+13017158592,,84459117148#,,, *184604# US (Washington DC)

Dial by your location

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

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b. Approval of January 20, 2022 Draft Minutes

2. Monthly Shelter Bed Usage Statistics

a. January Statistics

3. Hotel Update and Discussion

4. Warming Center Update

5. Federal, State and Local Legislation

a. Legislative Update and Bill Tracking

6. Covid Update

Next Meeting

March 17, 2022

Time: 8:30 AM -10:00 AM

Location: Remote Meeting

If you should have any questions, please contact:

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Social Services Division
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Adam Harr
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Social Services Division
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ash@portlandmaine.gov

Emergency Shelter Assessment Committee

Remote Meeting

Thursday, January 20, 2022

8:30 am – 10:00 am

Minutes

Name	Organization	Name	Organization
Adam Harr	City of Portland	Norm Maze	Shalom House
Jim Devine	HVJ	Ben Martineau	HVJ
Jenny Stasio	Through These Doors	Dan Coyne	United Way
Terence Miller	Preble Street	Brian Townsend	Amistad
Amy Geren	Portland Downtown	Hannah Brier	United Way
Ginny Dill	Office of Behavioral Health	Vickey Rand	CHOM
Cullen Ryan	CHOM	Ben Strick	Spurwink
Aaron Geyer	City of Portland	Mike Guthrie	CoP FS
Bill Higgins	HA4All	George Rheault	West Bayside Resident
Izzy	Preble Street	Courtney Pladsen	Spurwink
Rachel Ohm	Portland Press Herald		

Meeting Summary

During the statistics discussion, the group decided to add total intakes to the first time homeless slide for comparison. This was the first month with bed nights on the housing placement slide showing how many nights people stayed before exiting shelter into housing. When calculating the average bed nights per person, it should be divided by individual as counting families as one placement in the equation skews the results. First Parish provided a Warming Center for two days that included meals and outreach staff to bring people inside. An emergency protocol to activate warming centers when the temperature drops below 5 degrees. The meeting ended with a PIT count update. LR2299: Land use recommendation: having up to 4 units of housing be the same zone as a single family home. Amistad has moved to 103 India Street and opened 38 units of housing for women at Freedom Place at 66 State Street.

Emergency Shelter Assessment Committee

December Meeting Minutes

- Arron moved to approve the minutes and Terence seconded. ERA stands for Emergency Rental Assistance administered by the Opportunity Alliance. The motion passed with none opposed.
- **Announcements**
 - ERA stands for emergency rental assistance.
- **December Statistics**
 - Add column to 1st time homelessness to compare to total intakes.
 - Total housing placements count households.
 - Bed nights for housing placements should be divided using the individual counts from families to get an average number of bed night per placement.
 - Afghan refugee update or statistics?
 - Are the CTO stats between shelters mutually exclusive?
 - First time homelessness appears to be up during the holiday months, November and December.
- **Statistics report out**
 - Please give feedback
 - Have the stats earlier, by close of business the day before; we should have them by Friday.
- **Warming Center**
 - First Parish has provided WC two days.
 - 8am to 5pm with three meals.
 - Outreach teams went out and staff were given OT to staff.
 - 60 individuals the second day.
 - There were warm clothing donations.
 - People were connected to services.
 - Checked CTO statuses
 - Finding people who there were truly no other option were connected with GA for emergency hotel rooms.
 - Challenges:
 - It is one small space administered by a collective.
 - There were no expectations in the in space so there were unmasked people.
 - Offered testing and encouraged masks.
 - They played music and took requests and that interaction was an entry point for outreach.
 - People felt cared for.
 - Developed an emergency plan protocol for activating warming centers.
 - Looking to formalize plan with Caity Hagar, CoP Emergency Management Coordinator.
 - Activation point at 5 degrees.

Emergency Shelter Assessment Committee

- Evaluating capacity of space and client numbers.
- We don't want people to get covid from unmasked exposure.
 - Do not want to create more staffing shortages.
- 3 people staffing (Combo volunteers and outreach teams)
- **Winter Planning and PIT Count Update**
 - Looking for volunteers for the next of next Tuesday, the 25th.
 - Meeting on the night of at 5:30 at 190 Lancaster Street in the parking lot across from Two Fat Cats.
 - Will have forms, facemasks and snacks to hand out.
 - Will cover parts of the peninsula.
 - No carpooling because of covid.
 - Survey days the rest of the week.
- **Shelter Licensing Update.**
 - Council voted to postpone until June 6th due to the \$97,000 fiscal note attached to it needed to hire an inspector; the budget is considered in June.
- **Legislative Update**
 - **Federal**
 - FEMA hotel funds extended through 4/1/22
 - FY22 Budget: currently on a continuing resolution through mid February.
 - Build Back Better is stalled.
 - Child tax credit payments may not make it.
 - S 1469/HR 6287 Homeless Children Youth Act
 - S 3350 Helping Foster Homeless Youth Act
 - **State**
 - An act to improve access to behavioral health.
 - Resolve directing the Maine Human Rights Commission to extend to investigate and report on incidents of harassment due to housing status, lack of employment, and other issues – Re. Talbot Ross
 - LR2299: Land use recommendation: having up to 4 units of housing be the same zone as a single family home.
 - Shelter bills were carried over from 2021.
 - LD 913 Maine Data Protection Act voted ought not to pass.
- **Freedom Place at 66 State Street**
 - Open for two weeks and will fill all 38 units by February.
 - Most residents are moving from GA hotels.
 - Serving women who have been homeless for a long time and are in recovery.
 - Kelly Walsh will be the program manager.
 - Amistad headquarters moved to 103 India Street.
 - Office and programming.
 - Once renovated, peer support space will have a post covid capacity of 25 people.

Emergency Shelter Assessment Committee

Remote Meeting

Thursday, December 16, 2021

8:30 am – 10:00 am

Minutes

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Jim Devine	HVJ	Ben Martineau	HVJ
Jenny Stasio	Through These Doors	Dan Coyne	United Way
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Emergency Shelter Assessment Committee

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Meeting ended at approximately 9:35 AM

Federal Legislation Update – Short Version

BUDGET & FUNDING-RELATED ITEMS - Updates

FY 22 Budget – Update – Congressional appropriators in the House and Senate announced progress towards reaching a deal on a federal spending package for FY 22. The announcement came after a 1/13 meeting between Senate Appropriations Committee Chair Patrick Leahy (D-VT) and Ranking Member Richard Shelby (R-AL) and House Appropriations Committee Chair Rosa DeLauro (D-CT) and Ranking Member Kay Granger (R-TX). The current CR is set to expire February 18, at which point Congress will need to pass an FY22 spending bill, enact another CR, or face a government shutdown. Per NLIHC, the FY22 budget presents Congress with an opportunity to move our nation towards universal, stable, and affordable homes for all by making significant investments in affordable housing, including expanding Housing Choice Vouchers to an additional 125,000 households with low incomes.

-The House spending bill would fund HUD programs at almost \$7 billion above FY21 enacted levels and includes significant funding increases to nearly all HUD programs, including an expansion of rental assistance through the Tenant-Based Rental Assistance program to an additional 125,000 households.

-The Senate proposal, however, would provide HUD with over \$1 billion less than the House proposal and does not include the major expansion of rental assistance.

-More information on what's included in the Senate bill, the House bill, and the President's request from NLIHC can be found by [clicking here](#).

Congress' Budget Resolution & "Build Back Better Act" Infrastructure Reconciliation Package — On 11/5, the House passed the \$1.2 trillion bipartisan infrastructure bill, which the House had previously tied to the passage of Build Back Better.

-On 11/19 the House voted to approve the Build Back Better Act.

-On 12/20, Sen. Manchin announced he will not vote for the bill, thwarting its ability to pass. The White House and congressional leadership have pledged to continue working on the bill until it is enacted. Senate Majority Leader Schumer said he will bring up the bill for a vote in the new year. As negotiations in the Senate continue, the bill will likely be significantly reworked and some priorities in the bill may be removed altogether. Advocates are urging senators to retain the historic investment in affordable housing.

Update – On 1/19, President Biden stated at a press conference that the Build Back Better Act will likely be "substantially slimmed down" before it's enacted. Recent reports suggests that housing is not currently included in the priorities for the reconfigured/slimmed down bill.

-As passed by the House, the Build Back Better Act is a \$1.75 trillion package – negotiated down from \$3.5 trillion – and includes \$150 billion in affordable housing investments, including:

- \$25 billion in rental assistance for hundreds of thousands of households
- \$65 billion to preserve our nation's public housing infrastructure
- \$15 billion for the national Housing Trust Fund (HTF) to build and preserve over 150,000 homes affordable to extremely low-income households.

This is less than the original proposed \$330 billion in affordable housing, but is still the most substantial federal investment in quality, stable, affordable homes for the country's lowest-income people ever (per NLIHC). The bill includes an additional investment of \$150 billion for Home and Community-Based Services. These services can help older adults and people with serious disabilities, including those who have experienced homelessness and now have access to housing, to receive essential services to assist them to retain that housing and be connected to their communities. The extension of the refundable Child Tax Credit will also provide those eligible families experiencing homelessness with much needed income.

BILLS - Updates

The Decent, Affordable, Safe Housing for All (DASH) Act – No new update – On 8/18 Senate Finance Committee Chair Ron Wyden (D-Ore.) announced the DASH Act, legislation to make a generational investment to house all people experiencing homelessness, tackle the housing affordability crisis, and expand homeownership opportunities for young people by creating a new down payment tax credit for first-time homebuyers. The DASH Act would make stable, safe and decent housing available for all by:

- Housing everyone experiencing homelessness within five years, and prioritizing children and families for placement, by issuing them a Housing Choice Voucher, because young children are heavily impacted by housing instability, and because housing is a chief determinant of health;
- Expanding health, child care, financial and nutrition services for families and individuals to stay on a path to unassisted housing stability, because the climb out of housing poverty is nearly impossible to complete alone;
- Greatly increasing the production of deeply affordable housing for families exiting homelessness and for low-income households by investing in effective, efficient existing programs and reforming the tax code to strengthen the Low-Income Housing Tax Credit (LIHTC) to weather the economic fallout from the pandemic, as well as establish a Renter's Tax Credit and Middle-Income Housing Tax Credit (MIHTC);
- Investing in homeownership in underserved communities and for low income Americans with new tax credits and down payment assistance, including a down payment tax credit for first-time homebuyers; and
- Incentivizing environmentally-friendly development strategies and land use policies.

How the DASH Act ends homelessness:

- Any person or family experiencing homelessness or at risk of homelessness will be able to contact a public child welfare agency, a public housing agency or any organization that is a part of a community's Continuum of Care and be evaluated for their eligibility for a Housing Choice Voucher. If they are deemed eligible, they will receive a voucher to pay the amount of rent that exceeds 30% of their adjusted income. Each person or family that receives a voucher will be individually evaluated for supportive services and will have access to a caseworker. Services will be provided through the Continuum of Care, and public housing agencies will administer the voucher; services will be permanently funded federally to meet the need.
- Housing Trust Fund: The legislation provides \$10 billion in the Housing Trust Fund (HTF) for the next ten years to states to acquire, develop or rehabilitate deeply affordable housing. States will be required to commit their entire allocation to eligible activities within five years, though the construction does not have a time limit. The intent is for states to efficiently construct a sufficient supply of deeply affordable housing that cannot otherwise be built given current resources and market conditions.
- Public housing agencies will receive a capacity investment in order to serve everyone experiencing homelessness in their jurisdiction, and states will receive a generational investment through the Housing Trust Fund program to construct an initial tranche of housing for these voucher recipients. States will be held accountable for making demonstrated progress towards housing all eligible people and families.

Key tax Provisions of the DASH Act:

- *Emergency Affordable Housing Act:* The Emergency Affordable Housing Act (EAHA) would strengthen the Low-Income Housing Tax Credit (LIHTC) to weather the economic fallout from the pandemic, by preserving and protecting current LIHTC properties, dramatically expanding production, and extending housing to those at extremely low incomes. Key provisions would expand the 9% housing credit by 50% to house more families; provide a 50% basis boost to projects that prioritize extremely low-income renters; expand the 4% credit for rural areas; reduce the tax-exempt bond financing threshold for 4% credit projects from 50% to 25% for 3 years; and preserve tens of thousands of affordable housing units by closing a key loophole. EAHA would produce nearly 1 million new affordable housing units over the next ten years.
- *Renter's Tax Credit:* Some 11 million low-income Americans are rent burdened. The Renter's Tax Credit provides a refundable tax credit to property owners who rent to eligible tenants with incomes at or below 30% of area median income. The credit equals up to 110% of the difference between market rent and utilities and 30% of the tenant's income. Each year, Treasury will allocate renters' credits to states through a per capita formula. States in turn will allocate their credits to participating property owners who have signed a binding rent reduction agreement with eligible tenants. A state's unused credits are returned to the national pool. Participating property owners must also comply with the Fair Housing Act.
- *Middle-Income Housing Tax Credit (MIHTC):* A new Middle Income Housing Tax Credit (MIHTC) would continue where the very successful LIHTC program leaves off, by providing a tax credit to developers who house tenants between 60 and 100% of area median income. The credit would equal 50% of the present value of construction costs, or 5% per year on an undiscounted basis. States would administer the program, and Treasury would annually allocate the credit to states based on a \$1 per capita formula with a \$1.14 million small state minimum. States could also use MIHTC dollars to augment their LIHTC program.

S 1469/HR 6287 Homeless Children and Youth Act – No New Update– On 12/14 the Homeless Children and Youth Act was introduced in the House by Congresswoman Sherrill and Congressman Van Taylor, and co-signed by nine other members of Congress. It was previously introduced in the Senate on 4/29 by Senators Feinstein, Portman, and Baldwin. HCYA corrects flaws in the HUD homeless assistance system. It aligns the HUD definition of homelessness with the definitions utilized by other federal agencies, increases data transparency within the current system, and allows localities to prioritize program models that best meet the needs of their communities.

S 3350 Helping Foster and Homeless Youth Achieve Act – No New Update – On 12/9 the Helping Foster and Homeless Youth Achieve Act was introduced in the U.S. Senate by Senators Jacky Rosen (D-NV) and Rob Portman (R-OH). This bipartisan legislation removes barriers to higher education for youth experiencing homelessness and youth formerly in foster care by requiring federally-funded institutions of higher education waive application fees for foster and homeless youth. Waiving the barrier of application fees will increase access to postsecondary education for homeless and foster youth.

RULES – No New Updates

State Update: Per Statute, the 2nd Regular Session of the 130th Legislature (the "short session") begins the first Wednesday after the first Tuesday of January (1/12/22) and concludes the third Wednesday in April (4/20/22). Cloture, that date when bill titles must be submitted for consideration, is on 9/24.

Governor Mills announces \$50 Million from Maine Jobs & Recovery Plan to Expand Housing Opportunities – New – On 1/26 Governor Mills announced a \$50 million investment from her Maine Jobs & Recovery Plan to build more housing and help more Maine people families find a safe, affordable place to call home. An initial \$10 million to support at least 150 new homes for Maine workers and families is now available through MaineHousing, with an additional \$40 million available later this year.

BILLS

Please see the attached Bill Tracking Document for information on Bills in the Second Session of the 130th Legislature.

130TH 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

Bill #	Sponsor	Title	Status & Committee	Notes
LD 1915	Rep. Berry	An Act To Improve Intensive Behavioral Health and Public Safety Case Management Services	Public Hearing: 2/3/22, 1pm, HHS Committee	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 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 1822	Rep. Morales	An Act To Improve Access to Behavioral Health Services by Limiting Cost Sharing by Insurers	Public Hearing: 1/11/22, Health Coverage, Insurance and Financial Services Committee	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 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, 10am, Judiciary Committee	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.
LR 2299	Speaker Fecteau	An Act To Implement the Recommendations of the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions		

LR 2339	Sen. Hickman	An Act To Help Alleviate Maine's Housing Shortage through Changes to Zoning Laws		
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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	Public Hearing in front of the AFA Committee held then Carried Over	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	Public Hearing in front of the AFA Committee held then Carried Over	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	UPDATE: Public Hearing on 2/14 at 10am 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	UPDATE: Work Session on 1/6 in front of the Innovation, Development, Economic Advancement and Business Committee, reported out as Referred to Judiciary Committee- ONTP	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.
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 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 1059	Rep. Morales	An Act To Provide Substance Use Disorder treatment to Adolescents	UPDATE: Work Session on 1/20 in front of the HHS Committee; voted ONTP	Require DHHS 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.
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.