

Annual List of Rule-Making Activity
Rules Adopted January 1, 2015 to December 31, 2015
Prepared by the Secretary of State, pursuant to 5 MRS §8053, sub-§5

Agency name: **Maine State Housing Authority (MSHA)**
Umbrella-Unit: **99-346**
Statutory authority: 30-A MRS §§ 4722(1)(W), 4741(15), 4991 *et seq.*;
42 USCA §§ 8621 *et seq.*
Chapter number/title: **Ch. 24**, Home Energy Assistance Program Rule
Filing number: **2015-089**
Effective date: 5/16/2015
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

The replacement rule extends the FFY 2015 LIHEAP application period from April 30 to July 17 for the following applicants: tenants in subsidized housing with heat included; tenants in rental units with heat included; and households that are potential candidates for the PUC Arrearage Management Program (AMP).

Basis statement:

This rule repeals and replaces the current *Home Energy Assistance Program* rule. The rule establishes standards for administering fuel assistance, emergency fuel assistance, weatherization, and heating system repair and replacement funds to low income households in the State of Maine. The replacement rule extends the FFY 2015 LIHEAP application period from April 30 to July 17 for the following applicants: tenants in subsidized housing with heat included; tenants in rental units with heat included; and households that are potential candidates for the PUC Arrearage Management Program (AMP).

Fiscal impact of rule:

None.

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42 USCA §§ 8621 *et seq.*
Chapter number/title: **Ch. 24**, Home Energy Assistance Program Rule
Filing number: **2015-147**
Effective date: 8/18/2015
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

The replacement rule (i) adds new definitions and clarifies existing definitions, (ii) deletes references to the Social Security Administration database verification process (iii) establishes new guidelines for HEAP funded weatherization activities in place of the U.S. Department of Energy Weatherization Assistance Program guidelines; (iv) revises procurement guidelines for heating system repairs and replacements; (v) clarifies eligibility criteria for a Household that includes a member who is a nonqualified alien; (vi) clarifies eligibility and response times for Energy Crisis Intervention Program; (vii) expands the eligibility for Central Heating Improvement Program services to allow for the replacement and repair of inefficient Heating Systems and preventative cleaning, tuning and evaluation of Heating Systems; (viii) increases the life-time maximum CHIP benefit for a Dwelling Unit to \$5,000 for owner occupied units and \$400 for rental units; (ix) includes MaineHousing's right to debar community action participation for malfeasance; and (x) makes other minor modifications, clarifications, grammatical changes, and formatting improvements.

Basis statement:

This rule repeals and replaces in its entirety the current *Home Energy Assistance Program Rule*. The rule establishes standards for administering fuel assistance, emergency fuel assistance, weatherization, and heating system repair and replacement funds to low income households in the State of Maine. The replacement Rule (i) adds new definitions and clarifies existing definitions, (ii) deletes references to the Social Security Administration database verification process (iii) establishes new guidelines for HEAP funded weatherization activities in place of the U.S. Department of Energy Weatherization Assistance Program guidelines; (iv) revises procurement guidelines for heating system repairs and replacements; (v) clarifies eligibility criteria for a Household that includes a member who is a non-qualified alien; (vi) clarifies eligibility and response times for Energy Crisis Intervention Program; (vii) expands the eligibility for Central Heating Improvement Program services to allow for the replacement and repair of inefficient Heating Systems and preventative cleaning, tuning and evaluation of Heating Systems; (viii) increases the life-time maximum CHIP benefit for a Dwelling Unit to \$5,000 for owner occupied units and \$400 for rental units; (ix) includes MaineHousing's right to debar community action participation for malfeasance; and (x) makes other minor modifications, clarifications, grammatical changes, and formatting improvements.

Fiscal impact of rule:

None.

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Agency name: Maine State Housing Authority (MSHA)
Umbrella-Unit: 99-346
Statutory authority: 30-A MRS §4741.1, §4741.18, §4842, *et seq.*
Chapter number/title: Ch. 19, Homeless Solutions Rule
Filing number: 2015-184
Effective date: 10/7/2015
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

This rule repeals and replaces the current *Homeless Programs Rule*, Ch. 19, with a new *Homeless Solutions Rule*. The intent of the replacement rule is to transform the homeless system to effectively prevent and end homelessness by aligning resources with current state and federal initiatives. The Department of Housing and Urban Development has introduced new requirements and priorities on the use of federal resources which focus on an adequate geographic network of emergency housing and a rapid rehousing approach with support for stability and success in maintaining housing and system performance measures to ultimately end and prevent homelessness. In addition to new federal requirements, there have been several state initiatives and pilot programs that have served as models for the proposed changes to the new *Homeless Solutions Rule*. The definitions section includes new terminology. The “Emergency Shelter Housing Requirements” section addresses the new requirements and best practice models. The “Emergency Shelter Housing Funding Allocation” section includes a new funding methodology. The “Data Collection Requirements” section and the “Monitoring and Assessment” section include an annual review for program compliance.

Basis statement:

This Rule replaces in its entirety the current *Homeless Programs Rule*. MaineHousing uses funds from certain federal and state resources to give grants to agencies for a variety of activities to assist people who are experiencing homelessness or the risk of being homeless. The rule governs MaineHousing's allocation of resources for such programs, program design, the publication and distribution of program guides, basic criteria for determining eligible recipients, and potential selection criteria. This replacement *Homeless Solutions Rule* places new emphasis on outcomes in alignment with current federal initiatives to end homelessness.

Fiscal impact of rule:

None.