

# Notice of Agency Rule-making Proposal

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AGENCY: 99-346 Maine State Housing Authority

CHAPTER NUMBER AND TITLE: Chapter 24, Home Energy Assistance Program

PROPOSED RULE NUMBER (*leave blank; assigned by Secretary of State*):

CONTACT PERSON FOR THIS FILING: Linda Uhl, Chief Counsel, Maine State Housing Authority, State House Station #89, 353 Water Street, Augusta, Maine 04330-4633, (207) 626-4600 (telephone), (800) 452-4668 (voice in state only) or Maine Relay 711, [luhl@mainehousing.org](mailto:luhl@mainehousing.org) (e-mail)

Upon sufficient notice, this notice and the proposed rule will be made available in alternative formats for persons with disabilities and in alternative languages for persons with limited English proficiency.

CONTACT PERSON FOR SMALL BUSINESS INFORMATION (if different): Same as Contact Person

PUBLIC HEARING (if any): A public hearing will be held on Tuesday, June 19, 2018 at 9:30 AM at Maine State Housing, 353 Water Street, Augusta, Maine 04330-4633

Maine State Housing Authority's office and the hearing room are accessible to persons with disabilities and, upon sufficient notice, appropriate communications auxiliary aids and services will be provided to persons with disabilities and persons with limited English proficiency.

COMMENT DEADLINE: Friday, June 29, 2018 at 5:00 PM

BRIEF \*SUMMARY:

The proposed rule repeals and replaces the current *Home Energy Assistance Program* rule which establishes standards for the Fuel Assistance Program, the Energy Crisis Intervention Program, HEAP Weatherization, the Central-Heating Improvement Program, and Supplemental Benefits.

A copy of the proposed replacement rule may be found at [www.mainehousing.org](http://www.mainehousing.org).

IMPACT ON MUNICIPALITIES OR COUNTIES (if any) None

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STATUTORY AUTHORITY FOR THIS RULE: 30-A M.R.S.A. §§4722(1)(W), 4741(15), and 4991 *et seq.*; 42 U.S.C.A. §§8621, *et seq.*

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (if different): Same as above

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: [luhl@mainehousing.org](mailto:luhl@mainehousing.org)

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\* Check one of the following two boxes.

*The above summary is for use in both the newspaper and website notices.*

*The above summary is for the newspaper notice only. A more detailed summary / basis statement is attached.*

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**Please approve bottom portion of this form and assign appropriate AdvantageME number.**

APPROVED FOR PAYMENT \_\_\_\_\_ DATE: \_\_\_\_\_  
*(authorized signature)*

FUND	AGENCY	ORG	APP	JOB	OBJT	AMOUNT
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BASIS STATEMENT: This replacement 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, Supplemental Benefits funded by TANF funds, weatherization, and heating system repair and replacement funds to low income households in the State of Maine. The replacement rule: (i) describes the TANF Supplemental Benefits program; (ii) extends the Application period to July 15 for all Applicants; (iii) eliminates the necessity of an Applicant having to provide proof of SSN if his/her SSN can be verified electronically; (iv) includes Social Security card as an acceptable form of documentation for any Household member that is not a U.S. citizen; (v) allows Primary Applicant to include or exclude dependents who are full-time college students as Household members; (vi) disallows the deduction of business expenses if self-employment income cannot be documented through a filed tax return for the current or previous year; (vii) excludes certain types of income in order to increase the pool of eligible Applicants, increase the amount of a Household's Benefits, and achieve greater alignment with other MaineHousing administered programs: exclusions include assets drawn down from financial institutions, foster care payments, adoption assistance, in-kind payments received in lieu of payment for work, and capital gains; (viii) allows court ordered child support to be deducted from Applicant income provided the amount paid during the income verification can be documented; (ix) removes the clause restricting Applicant eligibility for ECIP if the Applicant has the ability to receive credit from the vendor; (x) allows the Subgrantee to issue the maximum ECIP benefit amount in a single delivery (removes "An Eligible Household will receive an ECIP benefit equal to the maximum ECIP benefit or the cost of a standard minimum delivery of Home Energy, whichever is less"); and (xi) increases the income limits for weatherization so as to be consistent with the Department of Energy income threshold of 200% of federal poverty.