

**Annual List of Rulemaking Activity**  
**Rules Adopted January 1, 2021 to December 31, 2021**  
*Prepared by the Secretary of State pursuant to 5 MRS §8053-A sub-§5*

**Agency name:** **Maine State Housing Authority (MSHA)**  
**Umbrella-Unit:** **99-346**  
**Statutory authority:** 30-A MRS §§ 4722(1)(W), 4741(1) and (15), 4991  
*et seq.*; 42 USCA §§ 8621 *et seq.*  
**Chapter number/title:** **Ch. 24**, Home Energy Assistance Program Rule  
**Filing number:** **2021-146** (*Repeal and replace*)  
**Effective date:** 7/19/2021  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**  
*(See Basis Statement)*

**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, TANF Supplemental Benefits, weatherization, heat pumps, and heating system repair and replacement funds to low-income households in the State of Maine. This replacement rule: amends the definitions of “Heat Pump”; revises the calculation used to determine electricity costs for the consumption based method of determining a Benefit; updates the Benefit Matrix including rounding method used in determining poverty level brackets, language regarding heating degree days, and adding a new home energy type; removes reference to using an electronic verification system with the Social Security Administration; changes the fuel tank reading necessary for a Household to be eligible for ECIP; adds information regarding the Heat Pump Program; updates language regarding the amount of time a Household must reside in Maine in order to be considered eligible for HEAP; and changes the income verification period from the previous three (3) or twelve (12) month period to the previous one (1) month or thirty (30) day period. Other changes correct errors or provide clarification to the previous version of the rule.

**Fiscal impact of rule:**  
None.

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**Umbrella-Unit:** **99-346**  
**Statutory authority:** 30-A MRS §§ 4722, 4741.1; 36 MRS §5219-WW  
**Chapter number/title:** **Ch. 35** (*New*), State Low Income Housing Tax Credit Rule  
**Filing number:** **2020-218**  
**Effective date:** 10/13/2020  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**  
*(See Basis Statement)*

**Basis statement:**

The state low income housing tax credit law was enacted to provide funds for the development and preservation of multi-family affordable housing. Under the law, the amount of the state low income housing tax credit a project receives for new rental units is equal to the amount of federal low income housing tax credits the project receives in conjunction with the issuance of tax exempt bonds. At least 10% of the credit to be allocated in a calendar year, must be set aside for qualified rural development preservation projects that incur at least \$100,000 in improvements and do not receive federal low income housing tax credits. The law requires MaineHousing to allocate and administer the credit and define “rural areas.”

**Fiscal impact of rule:**

\$10,000,000 per year tax credits.