Office of
The Governor

No. 47 FY 19/20
DATE April 27, 2020

AN ORDER INCREASING ELIGIBILITY FOR CHILDREN'S HOMELESS SHELTERS DURING THE COVID-19 PANDEMIC

WHEREAS, I proclaimed a state of emergency on March 15, 2020 to authorize the use of emergency powers in order to expand and expedite the State's response to the serious health and safety risks of the highly contagious COVID-19, which was extended by a further proclamation issued April 14, 2020; and

WHEREAS, current limitations on homeless shelter eligibility for youth require that they leave the shelter on the thirtieth consecutive day of their placement and that youth must leave upon their 21st birthday; and

WHEREAS, these placement restrictions result in youth leaving the shelter without a place to stay, increasing their exposure to COVID-19 at a time when the Department of Health and Human Services ("DHHS") is seeking to reduce transience, particularly in areas with community transmission; and

WHEREAS, those youth who reach the thirty-day homeless shelter placement limit often leave for one night and return, risking exposure to COVID-19 and increasing the exposure risk of shelter staff and other clients; and

WHEREAS, 37-B M.R.S.§ 742(1)(C)(1) & (2) and (13)(a) authorize the Governor during a state of emergency declared due to the outbreak of COVID-19 to: suspend the enforcement of statutes or rules for the conduct of state business if strict compliance with such requirements would in any way prevent, hinder, or delay necessary action in dealing with the emergency; to utilize resources of the state and its subdivisions as reasonably necessary to cope with the disaster; and to reasonably adjust time frames and deadlines imposed by law for state and municipal government when necessary to mitigate an effect of the emergency.

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, including but not limited to 37-B M.R.S. § 742(1)(C)(1) & (2) and (13)(a) and § 834, do hereby Order the following.

I. ORDER

A Those parts of 22 M.R.S. § 8101(2) and § 8101(4-A) that limit placement of children in an emergency children's shelter and a shelter for homeless children to thirty consecutive days or less are suspended;

B. Those parts of 22 M.R.S. § 8101(2) and § 8101(4-A) that limit placement of children in an emergency children's shelter and a shelter for homeless children to persons under 21 years of age are suspended and modified to establish a limitation of 22 years of age; and

C. DHHS Rules 10-148 C.M.R. Ch. 8, § 2(F) & (P) and 10-148 C.M.R. Ch. 8, § 2 are suspended and modified to conform to paragraphs A and B of this Order.

II. EFFECTIVE DATE

This Order is effective April 27, 2020 and shall remain in effect until rescinded or until the State of Civil Emergency to Protect Public Health is terminated, whichever occurs first.

Janet T. Mills

Governor