

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 563

H.P. 418

House of Representatives, February 3, 2005

**An Act To End Discrimination against Persons with Pulmonary  
Disabilities in Northern and Eastern Maine**

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Reference to the Committee on Utilities and Energy suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative FAIRCLOTH of Bangor.

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Be it enacted by the People of the State of Maine as follows:

Sec. 1. 35-A MRSA §3214, sub-§5 is enacted to read:

5. Ensuring equal treatment for persons with certain disabilities. If the commission establishes or approves one or more low-income assistance programs under subsections 2 or 3 that result in similarly situated persons receiving different levels of assistance depending solely upon which transmission and distribution utility service territory they reside in, the commission shall by rule establish an equitable-treatment program consistent with this subsection to ensure assistance provided to low-income residential customers who for health reasons must use an electric oxygen pump is substantially equivalent throughout the State.

A. The equitable-treatment program must be available to any person who:

(1) Is eligible for the transmission and distribution utility's low-income assistance program established in accordance with subsection 2; and

(2) Provides documentation from a doctor that the person for health reasons needs an oxygen pump at least 8 hours each day.

B. Program benefits under this subsection must be designed to ensure that the total low-income assistance benefits provided under this section to persons eligible under paragraph A are substantially equivalent throughout the State. The commission may not reduce any assistance provided under any low-income assistance program established under subsection 2 in order to satisfy the requirements of this paragraph.

C. The commission shall establish an administratively simple and inexpensive method of administering the equitable treatment program.

D. Reasonable costs incurred by a transmission and distribution utility in implementing any program established by the commission under this subsection are just and reasonable expenses for rate-making purposes.

E. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

## SUMMARY

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4 Pursuant to current law, the Public Utilities Commission has  
6 established different low-income assistance programs in different  
8 transmission and distribution utility territories. As a result,  
10 low-income customers of Central Maine Power Company are offered a  
12 percent-of-income program that generally provides greater  
14 benefits than those offered under other transmission and  
distribution utility programs. This bill requires the commission  
to establish an equitable-treatment program to ensure the  
electricity bill assistance provided to low-income residential  
customers who for health reasons must use electric oxygen pumps  
is substantially equivalent in the various transmission and  
distribution utility service territories.