

MAINE STATE LEGISLATURE

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(EMERGENCY)
(Governor's Bill)
SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1956

H. P. 1866

House of Representatives, February 21, 1980

Referred to the Committee on Appropriations and Financial Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk of the House

Presented by Mr. Tierney of Lisbon.

Cosponsors: Mr. Baker of Portland and Mr. Michael of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

AN ACT to Amend the Emergency Home Heating Act of 1979.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 90-day period will terminate after the end of the current heating season; and

Whereas, federal energy assistance is not available this heating season for elderly and disabled persons whose incomes are above 125% of federal poverty guidelines, but below the income guidelines for Maine's Elderly Homeowner's Tax and Rent Refund Act; and

Whereas, the Emergency Home Heating Act of 1979 contains a deadline for applications which leaves such elderly and disabled persons without recourse of state assistance for 2 months of the heating season; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now therefore,

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

Sec. 1. PL 1979, c. 574, § 6, sub-§ 2, ¶ B, sub-¶ (1), div. (d) is amended by adding at the end the following new sentence:

The requirement that assistance be made available in at least 2 installments no fewer than 30 days apart does not apply to assistance provided after February 29, 1980.

Sec. 2. PL 1979, c. 574, § 6, sub-§ 2, ¶ F is amended to read:

F. Applications for assistance under this program shall be made on or before ~~February 29, 1980~~ **April 30, 1980.**

Sec. 3. PL 1979, c. 574, § 6, sub-§ 2, ¶ G is repealed as follows:

~~**G.** Payments to vendors under this program must be fully utilized on behalf of the eligible household before May 1, 1980. Any amount not so utilized must be returned to the State by May 30, 1980~~

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

The primary purpose of this bill is to extend the application period for state-funded home heating crisis assistance. By regulation, the state-funded crisis assistance provided under the Emergency Home Heating Act of 1979 is now available only to those elderly and disabled persons who do not qualify for the federally funded Crisis Assistance Program, but who do qualify for the State's Elderly Homeowner's Tax and Rent Refund Program.

According to reports which the Division of Community Services has received from local program operators, applications from this particular group of elderly and disabled persons came in at a very slow rate in December and January, with some slight increase in February. This slow rate of applications is generally attributed to the following factors: Low degree days in the early part of this winter, coupled with elderly persons' attitudes of extreme personal pride, thrifty preparedness and conservation. It is the Division of Community Services' position that this group of people should not therefore be penalized by an application deadline set prior to the end of the heating season. The April 30, 1980, deadline for applications, proposed in section 2 of this bill, is the same deadline already in effect for the federal Crisis Assistance Program.

Sections 1 and 3 make changes necessary to insure that persons served after February 29th can fully utilize the assistance they may receive. Section 1 provides that assistance provided after February 29th is not required to be made in 30-day installments. Section 3 removes the statutory deadline, formerly May 1, 1980, for utilization of assistance. This section is deleted, so that eligible applicants applying in April may get the full use of assistance received, rather than change the program to pay back bills for eligible applicants applying in March and April.