

# MAINE STATE LEGISLATURE

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DATE: 4/25/05

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UTILITIES AND ENERGY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 418, L.D. 563, Bill, "An Act To End Discrimination against Persons with Pulmonary Disabilities in Northern and Eastern Maine"

Amend the bill by striking out the title and substituting the following:

'An Act To Assist Persons with Pulmonary Disabilities'

Further amend the bill in section 1 by striking out all of subsection 5 and inserting in its place the following:

5. Ensuring equitable treatment for persons with certain disabilities. If the commission establishes or approves one or more low-income assistance programs under subsection 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.

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

(1) Is eligible for benefits under 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.

COMMITTEE AMENDMENT

BOB

2           B. The equitable-treatment program must be designed to  
4           ensure that the low-income assistance benefits provided  
6           under this section to persons who qualify under paragraph A  
8           mitigate, to an extent that is reasonably equivalent in each  
10          transmission and distribution utility territory, electric  
            charges associated with the operation of an oxygen pump.  
            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.

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

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

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

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**SUMMARY**

            This amendment modifies the language governing the  
30           establishment of the equitable-treatment program. It removes the  
32           requirement that overall program benefits provided to low-income  
34           persons who use oxygen pumps be substantially equivalent  
36           throughout the State. Since the low-income programs of the  
38           various transmission and distribution utilities are dissimilar in  
40           many ways, that result might be difficult to achieve and conflict  
42           with the goal of establishing an administratively simple and  
44           inexpensive program. The amendment provides that the program  
            ensure that low-income assistance benefits mitigate, to an extent  
            that is reasonably equivalent throughout the State, the increased  
            electric costs associated with the use of oxygen pumps. The  
            amendment also ensures that only persons eligible for benefits  
            under the current programs would be eligible for the adjustment  
            provided under the equitable-treatment program.

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**FISCAL NOTE REQUIRED**  
**(See attached)**



Approved: 03/29/05 *MRC*

# 122nd MAINE LEGISLATURE

LD 563

LR 0325(02)

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

**Fiscal Note for Bill as Amended by Committee Amendment "A"**

**Committee: Utilities and Energy**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - Other Special Revenue Funds