

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 1891

H.P. 1332

House of Representatives, January 3, 2006

**An Act To Provide Funding for the Low Income Home Energy
Assistance Program**

(EMERGENCY)

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Speaker RICHARDSON of Brunswick. (GOVERNOR'S BILL)
Cosponsored by President EDMONDS of Cumberland and
Representatives: ADAMS of Portland, ANNIS of Dover-Foxcroft, ASH of Belfast, AUSTIN of
Gray, BABBIDGE of Kennebunk, BARSTOW of Gorham, BEAUDETTE of Biddeford,
BERUBE of Lisbon, BIERMAN of Sorrento, BISHOP of Boothbay, BLANCHARD of Old
Town, BLANCHETTE of Bangor, BLISS of South Portland, BOWEN of Rockport, BOWLES
of Sanford, BRANNIGAN of Portland, BRAUTIGAM of Falmouth, BROWN of South
Berwick, BROWNE of Vassalboro, BRYANT of Windham, BRYANT-DESCHENES of
Turner, BURNS of Berwick, CAIN of Orono, CAMPBELL of Newfield,

CANAVAN of Waterville, CARR of Lincoln, CEBRA of Naples, CHURCHILL of Washburn, CLARK of Millinocket, CLOUGH of Scarborough, COLLINS of Wells, CRAVEN of Lewiston, CRESSEY of Cornish, CROSBY of Topsham, CROSTHWAITE of Ellsworth, CUMMINGS of Portland, CURLEY of Scarborough, CURTIS of Madison, DAIGLE of Arundel, DAVIS of Falmouth, DAVIS of Augusta, DRISCOLL of Westbrook, DUCHESNE of Hudson, DUDLEY of Portland, DUGAY of Cherryfield, DUNN of Bangor, DUPLESSIE of Westbrook, DUPREY of Hampden, EBERLE of South Portland, EDER of Portland, EDGECOMB of Caribou, EMERY of Cutler, FAIRCLOTH of Bangor, FARRINGTON of Gorham, FINCH of Fairfield, FISCHER of Presque Isle, FISHER of Brewer, FITTS of Pittsfield, FLETCHER of Winslow, FLOOD of Winthrop, GERZOFKY of Brunswick, GLYNN of South Portland, GOLDMAN of Cape Elizabeth, GREELEY of Levant, GROSE of Woolwich, HALL of Holden, HAMPER of Oxford, HANLEY of Paris, HANLEY of Gardiner, HARLOW of Portland, HOGAN of Old Orchard Beach, HOTHAM of Dixfield, HUTTON of Bowdoinham, JACKSON of Fort Kent, JACOBSEN of Waterboro, JENNINGS of Leeds, JODREY of Bethel, JOY of Crystal, KAELIN of Winterport, KOFFMAN of Bar Harbor, LANSLEY of Sabattus, LERMAN of Augusta, LEWIN of Eliot, LINDELL of Frankfort, LUNDEEN of Mars Hill, MAKAS of Lewiston, MAREAN of Hollis, MARLEY of Portland, MARRACHÉ of Waterville, MAZUREK of Rockland, McCORMICK of West Gardiner, McFADDEN of Dennysville, McKANE of Newcastle, McKENNEY of Cumberland, McLEOD of Lee, MERRILL of Appleton, MILLER of Somerville, MILLETT of Waterford, MILLS of Farmington, MOODY of Manchester, MOORE of Standish, MOORE of the Passamaquoddy Tribe, MOULTON of York, MUSE of Fryeburg, NASS of Acton, NORTON of Bangor, NUTTING of Oakland, O'BRIEN of Lewiston, OTT of York, PARADIS of Frenchville, PATRICK of Rumford, PELLETIER-SIMPSON of Auburn, PERCY of Phippsburg, PERRY of Calais, PILON of Saco, PINEAU of Jay, PINGREE of North Haven, PINKHAM of Lexington Township, PIOTTI of Unity, PLUMMER of Windham, RECTOR of Thomaston, RICHARDSON of Carmel, RICHARDSON of Greenville, RICHARDSON of Skowhegan, RICHARDSON of Warren, RINES of Wiscasset, ROBINSON of Raymond, ROSEN of Bucksport, SAMPSON of Auburn, SAVIELLO of Wilton, SCHATZ of Blue Hill, SEAVEY of Kennebunkport, SHERMAN of Hodgdon, SHIELDS of Auburn, SMITH of Monmouth, SMITH of Van Buren, SOCKALEXIS of the Penobscot Nation, STEDMAN of Hartland, SYKES of Harrison, TARDY of Newport, THOMAS of Ripley, THOMPSON of China, TRAHAN of Waldoboro, TUTTLE of Sanford, TWOMEY of Biddeford, VALENTINO of Saco, VAUGHAN of Durham, WALCOTT of Lewiston, WATSON of Bath, WEBSTER of Freeport, WHEELER of Kittery, WOODBURY of Yarmouth, Senators: ANDREWS of York, BARTLETT of Cumberland, BRENNAN of Cumberland, BROMLEY of Cumberland, BRYANT of Oxford, CLUKEY of Aroostook, COURTNEY of York, COWGER of Kennebec, DAMON of Hancock, DAVIS of Piscataquis, DIAMOND of Cumberland, DOW of Lincoln, GAGNON of Kennebec, HASTINGS of Oxford, HOBBS of York, MARTIN of Aroostook, MAYO of Sagadahoc, MILLS of Somerset, MITCHELL of Kennebec, NASS of York, NUTTING of Androscoggin, PERRY of Penobscot, PLOWMAN of Penobscot, RAYE of Washington, ROSEN of Hancock, ROTUNDO of Androscoggin, SAVAGE of Knox, SCHNEIDER of Penobscot, SNOWE-MELLO of Androscoggin, STRIMLING of Cumberland, SULLIVAN of York, TURNER of Cumberland, WESTON of Waldo, WOODCOCK of Franklin.

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

3 **Whereas,** the United States Energy Information Administration projects that heating
4 fuels will cost between 15% and 38% more than last winter and that costs could be
5 significantly higher if our winter is colder than normal; and

6 **Whereas,** projected funding of the Low Income Home Energy Assistance Program,
7 or "LIHEAP," is not expected to increase sufficiently to offset the increased cost of
8 heating fuel; and

9 **Whereas,** the average benefit under LIHEAP will be inadequate to fill a recipient's
10 fuel tank even one time; and

11 **Whereas,** in an average winter a fuel tank would need to be filled 3 to 5 times
12 during the heating season; and

13 **Whereas,** it is essential to the health and safety of the elderly, the disabled and the
14 most vulnerable in our State that the State provide funds to help fill the gap between the
15 need and the available federal resources; and

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

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

21 **Sec. 1. Payments or assistance not considered income or resources for**
22 **any purpose under state law.** Notwithstanding any other provision of law unless
23 enacted in express limitation of this section, the amount of any home energy assistance
24 payments or allowances provided directly to, or indirectly for the benefit of, an eligible
25 household under this Act may not be considered income or resources of that household or
26 any member of that household for any purpose under any state law, including any law
27 relating to taxation, food stamps, public assistance or welfare programs.

28 **Sec. 2. Use of funds; limitation.** The Maine State Housing Authority shall
29 expend funds provided pursuant to section 3 exclusively for fuel purchases and may not
30 use those funds to support administrative expenses.

31 **Sec. 3. Appropriations and allocations.** The following appropriations and
32 allocations are made.

33 **MAINE STATE HOUSING AUTHORITY**

34 **Low Income Home Energy Assistance - MSHA 0708**

35 Initiative: Provides funding for the Low Income Home Energy Assistance Program.

36

37 GENERAL FUND	2005-06	2006-07
38 All Other	\$5,000,000	\$0
39	<hr/>	<hr/>



122nd MAINE LEGISLATURE

LD 1891

LR 3064(01)

An Act To Provide Funding for the Low Income Home Energy Assistance Program

Fiscal Note for Original Bill

Sponsor: Speaker Richardson of Brunswick

Committee: Appropriations and Financial Affairs

Fiscal Note Required: Yes

Fiscal Note

	2005-06	2006-07	Projections 2007-08	Projections 2008-09
Net Cost (Savings)				
General Fund	\$5,000,000	\$0	\$0	\$0
Appropriations/Allocations				
General Fund	\$5,000,000	\$0	\$0	\$0

Fiscal Detail and Notes

The bill includes a General Fund appropriation of \$5,000,000 in fiscal year 2005-06 to the Maine State Housing Authority for the purchase of additional heating fuel for households eligible under the Low Income Home Energy Assistance Program (LIHEAP).