

MAINE STATE LEGISLATURE

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No. 874

H.P. 663

House of Representatives, February 23, 2007

**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 Representative BRYANT of Windham.
Cosponsored by Senator BRYANT of Oxford and
Representatives: ADAMS of Portland, AUSTIN of Gray, BABBIDGE of Kennebunk,
BARSTOW of Gorham, BEAUDETTE of Biddeford, BEAUDOIN of Biddeford, BEAULIEU
of Auburn, BERRY of Bowdoinham, BLANCHARD of Old Town, BLANCHETTE of
Bangor, BLISS of South Portland, BOLAND of Sanford, BRAUTIGAM of Falmouth,
BROWNE of Vassalboro, BURNS of Berwick, CAIN of Orono, CANAVAN of Waterville,
CARTER of Bethel, CASAVANT of Biddeford, CLARK of Millinocket, CLEARY of
Houlton, CONNOR of Kennebunk, CONOVER of Oakland, CRAVEN of Lewiston, CRAY of
Palmyra, CROCKETT of Augusta, Speaker CUMMINGS of Portland, DILL of Cape
Elizabeth, DRISCOLL of Westbrook, DUCHESNE of Hudson, DUNN of Bangor, EATON of
Sullivan, EBERLE of South Portland, EMERY of Cutler, FAIRCLOTH of Bangor,

FARRINGTON of Gorham, FINCH of Fairfield, FINLEY of Skowhegan, GERZOFSKY of Brunswick, GROSE of Woolwich, HARLOW of Portland, HASKELL of Portland, HAYES of Buckfield, HILL of York, HINCK of Portland, HOGAN of Old Orchard Beach, JACKSON of Allagash, JACOBSEN of Waterboro, KAENRATH of South Portland, KOFFMAN of Bar Harbor, LUNDEEN of Mars Hill, MacDONALD of Boothbay, MAKAS of Lewiston, MARLEY of Portland, MAZUREK of Rockland, MILLER of Somerville, MILLS of Farmington, MIRAMANT of Camden, MUSE of Fryeburg, NORTON of Bangor, PATRICK of Rumford, PEOPLES of Westbrook, PERCY of Phippsburg, PERRY of Calais, PIEH of Bremen, PILON of Saco, PINEAU of Jay, PINGREE of North Haven, PINKHAM of Lexington Township, PIOTTI of Unity, PLUMMER of Windham, PRATT of Eddington, PRIEST of Brunswick, RAND of Portland, RICHARDSON of Greenville, RINES of Wiscasset, ROSEN of Bucksport, SAMSON of Auburn, SCHATZ of Blue Hill, SIMPSON of Auburn, SIROIS of Turner, SMITH of Monmouth, THERIAULT of Madawaska, TREAT of Farmingdale, TRINWARD of Waterville, TUTTLE of Sanford, VALENTINO of Saco, WALCOTT of Lewiston, WATSON of Bath, WEBSTER of Freeport, WHEELER of Kittery, Senators: BARTLETT of Cumberland, BENOIT of Sagadahoc, BOWMAN of York, BRANNIGAN of Cumberland, BROMLEY of Cumberland, COURTNEY of York, DAMON of Hancock, DIAMOND of Cumberland, DOW of Lincoln, President EDMONDS of Cumberland, GOOLEY of Franklin, HASTINGS of Oxford, HOBBS of York, MARRACHÉ of Kennebec, MARTIN of Aroostook, MILLS of Somerset, MITCHELL of Kennebec, NUTTING of Androscoggin, PERRY of Penobscot, RAYE of Washington, ROSEN of Hancock, ROTUNDO of Androscoggin, SAVAGE of Knox, SCHNEIDER of Penobscot, SHERMAN of Aroostook, SNOWE-MELLO of Androscoggin, STRIMLING of Cumberland, SULLIVAN of York, TURNER of Cumberland, WESTON of Waldo.

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

3 **Whereas,** projected funding of the Low-income Home Energy Assistance Program
4 is not expected to increase sufficiently to offset the increased cost of heating fuel; and

5 **Whereas,** the average benefit under the program will be inadequate to fill a
6 recipient's fuel tank even one time; and

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

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

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

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

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

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

27 **Sec. 3. Appropriations and allocations.** The following appropriations and
28 allocations are made.

29 **MAINE STATE HOUSING AUTHORITY**

30 **Low-income Home Energy Assistance - MSHA 0708**

31 Initiative: Provides funding for the Low-income Home Energy Assistance Program.

32			
33	GENERAL FUND	2007-08	2008-09
34	All Other	\$5,000,000	\$0
35			
36	GENERAL FUND TOTAL	\$5,000,000	\$0

1 **Emergency clause.** In view of the emergency cited in the preamble, this Act takes
2 effect when approved.

3

SUMMARY

4 This bill provides \$5,000,000 to the Low-income Home Energy Assistance Program
5 and specifies that the funds may be used only for fuel purchases.