

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

SECOND SPECIAL SESSION

July 29, 2005

SECOND REGULAR SESSION

January 4, 2006 to May 24, 2006

THE GENERAL EFFECTIVE DATE FOR

SECOND SPECIAL SESSION

NON-EMERGENCY LAWS IS

OCTOBER 28, 2005

THE GENERAL EFFECTIVE DATE FOR

SECOND REGULAR SESSION

NON-EMERGENCY LAWS IS

AUGUST 23, 2006

**PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.**

Penmor Lithographers

Lewiston, Maine

2006

**PRIVATE AND SPECIAL LAWS OF THE STATE OF MAINE
AS PASSED AT
THE SECOND REGULAR SESSION OF THE
ONE HUNDRED AND TWENTY-SECOND
LEGISLATURE
2005**

CHAPTER 29

H.P. 1332 - L.D. 1891

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

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

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

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

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

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

Whereas, it is essential to the health and safety of the elderly, the disabled and the most vulnerable in our State that the State provide funds to help fill the gap between the need and the available federal resources; 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. Payments or assistance not considered income or resources for any purpose under state law. Notwithstanding any other provision of law unless enacted in express limitation of this section, the amount of any home energy

assistance payments or allowances provided directly to, or indirectly for the benefit of, an eligible household under this Act may not be considered income or resources of that household or any member of that household for any purpose under any state law, including any law relating to taxation, food stamps, public assistance or welfare programs.

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

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

MAINE STATE HOUSING AUTHORITY

Low Income Home Energy Assistance - MSHA 0708

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

GENERAL FUND	2005-06	2006-07
All Other	\$5,000,000	\$0
GENERAL FUND TOTAL	\$5,000,000	\$0

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

Effective January 5, 2006.

CHAPTER 30

H.P. 1289 - L.D. 1849

**An Act To Update the Charter of the
Lewiston and Auburn Railroad
Company**

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

Sec. 1. Corporate name; remedies at law; authorized to locate, construct and keep in repair a railroad; point and line of road; powers, privileges. The Lewiston and Auburn Railroad Company, as established under Private and Special Law 1872, chapter 88, as amended, continues