

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Provide Additional Funding for the Low-income Home Energy Assistance Program**

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

**Whereas,** the price of home heating fuel has increased dramatically over the past year; 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,** 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 5 exclusively for fuel purchases and may not use those funds to support administrative expenses.

**Sec. 3. Maine Budget Stabilization Fund transfer to the General Fund.** Notwithstanding the Maine Revised Statutes, Title 5, chapter 142 and notwithstanding any provision of law to the contrary, the State Controller shall transfer \$5,000,000 by June 30, 2008 from the Maine Budget Stabilization Fund to the unappropriated surplus of the General Fund.

**Sec. 4. Unused funds.** Any balance remaining of the funds provided to the Low-income Home Energy Assistance Program pursuant to section 5 at the end of the fiscal year lapse to the Maine Budget Stabilization Fund.

**Sec. 5. 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.

<b>GENERAL FUND</b>	<b>2007-08</b>
All Other	\$5,000,000
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GENERAL FUND TOTAL	\$5,000,000

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

**SUMMARY**

This bill transfers \$5,000,000 from the Maine Budget Stabilization Fund to the General Fund for the Low-income Home Energy Assistance Program and specifies that the funds may be used only for fuel purchases. Any funds remaining at the end of the fiscal year lapse to the Maine Budget Stabilization Fund.