

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

SECOND REGULAR SESSION-1996

Legislative Document

No. 1716

S.P. 656

In Senate, January 16, 1996

**An Act to Allow the Department of Human Services to Release the
Names of Individuals Who Receive Welfare Benefits as a Result of
Serious, False Misrepresentation.**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Reference to the Committee on Human Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator BUSTIN of Kennebec.

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

4 **Sec. 1. 22 MRSA §3825** is enacted to read:

6 **§3825. Release of names**

8 Upon receipt of a request regarding a named obligor, the
10 Department of Human Services may release the name of that obligor
and the amount of any overpayment made to that obligor, under the
following circumstances:

12 **1. Determination.** A determination has been made pursuant
14 to section 3813 that the obligor has received an overpayment that
is the result of serious, false misrepresentation by the obligor;

16 **2. Lack of recovery.** The department has not recouped, has
18 not been repaid or has not otherwise recovered the overpayment;
and

20 **3. Court action.** An action with regard to the overpayment
22 has been filed in court.

24 **Sec. 2. 22 MRSA §4315-B** is enacted to read:

26 **§4315-B. Release of names**

28 Upon receipt of a request regarding a named recipient, a
30 municipality may release the name of that recipient of general
assistance and the amount of any overpayment made to that
recipient under the following circumstances:

32 **1. Determination.** A determination has been made pursuant
34 to section 4315 that the recipient has received an overpayment
that is the result of serious, false misrepresentation by the
36 recipient; and

38 **2. Lack of recovery.** The municipality has not been
reimbursed for the assistance.

40 **STATEMENT OF FACT**

42
44 This bill allows the Department of Human Services, in
46 response to a request, to release the name of an obligor and the
48 amount of any overpayment to that obligor if the obligor has been
50 determined to have received an overpayment under the food stamp
program or the Aid to Families with Dependent Children program,
the overpayment is the result of serious, false misrepresentation
by the obligor and a court action with regard to the overpayment
has been filed.

2 This bill allows municipalities, in response to a request,
to release the name of a recipient of general assistance and the
4 amount of any overpayment to that recipient if it has been
determined that the recipient obtained assistance by serious,
6 false misrepresentation and if a determination has been made that
a recipient is required to reimburse the municipality.
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