

MAINE STATE LEGISLATURE

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INSURANCE AND FINANCIAL SERVICES

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STATE OF MAINE

SENATE

128TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 85, L.D. 239, Bill, "An Act To Require National Banks To Cooperate in the Administration of the General Assistance Program"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 22 MRSA §4314, sub-§2, as amended by PL 1997, c. 455, §§8 and 32 and PL 2003, c. 689, Pt. B, §§6 and 7, is further amended to read:

2. **Financial institutions.** ~~A treasurer~~ An officer of any bank, federally or state-chartered credit union, trust company, benefit association, insurance company, safe deposit company or any corporation or association receiving deposits of money, ~~except national banks,~~ shall, ~~on~~ upon receipt of a written release signed by a depositor and a written request in writing signed by the overseer of any municipality or its agents, or by the Commissioner of Health and Human Services or the commissioner's agents or by the Commissioner of Defense, Veterans and Emergency Management or the commissioner's agents, ~~inform~~ disclose to that overseer or the Department of Health and Human Services or the Bureau of Maine Veterans' Services of the amount deposited in the corporation or association to the credit of the person named in the request depositor granting the release, who is a charge upon the municipality or the State, or who has applied for support to the municipality or the State. When the named depositor who is a charge upon the municipality is deceased and the municipality or its agents are acting in accordance with section 4313, subsection 2, the officer shall disclose the amount deposited in the corporation or association upon receipt of a written request from the municipality or its agents and a notarized affidavit signed by the overseer of the municipality or its agents stating that the named depositor is deceased.'

SUMMARY

This amendment replaces the bill. Like the bill, the amendment removes the exemption provided to national banks from the law requiring financial institutions to provide account balance information to the State or to a municipality for persons who have applied for or are receiving financial assistance from the State or the municipality.

COMMITTEE AMENDMENT

1 The amendment also requires that a signed release form from a depositor be obtained
2 before deposit or balance information can be released by the financial institution and, if
3 the depositor is deceased, a written request from the municipality and a notarized
4 affidavit of death must be provided. The amendment does not grant any authority for the
5 release of any funds by a financial institution.

6

FISCAL NOTE REQUIRED

7

(See attached)



128th MAINE LEGISLATURE

LD 239

LR 1091(02)

An Act To Require National Banks To Cooperate in the Administration of the General Assistance Program

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Insurance and Financial Services

Fiscal Note Required: Yes

(S-24)

Fiscal Note

Minor savings - General Fund

Fiscal Detail and Notes

This bill removes the exemption provided to national banks from the law requiring financial institutions to provide account balance information to the State or to a municipality for persons who have applied for or are receiving financial assistance from the State or a municipality. The bill also requires a release form be obtained before information is released and that a notarized affidavit be used when the depositor is deceased. The savings to the Department of Health and Human Services are not expected to be significant because numerous financial institutions already had to comply with this rule. Also, recipients typically do not stay in the program, having to reapply each month they seek help. A more precise estimate of the fiscal impact is not possible because recipient data related to number of months on assistance, amounts paid to each recipient, number of recipients who return and the frequency of an account balance check denying a benefit resides at the municipal level and varies over time.