

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

SECOND SPECIAL SESSION

November 18, 1983

AND AT THE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

AND AT THE

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
IN ACCORDANCE WITH MAINE REVISED STATUTES
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND ELEVENTH LEGISLATURE
JANUARY 4, 1984 TO APRIL 25, 1984

CHAPTER 784

S.P. 852 - L.D. 2310

AN ACT to Allow Access to Financial Records of Public Assistance Recipients.

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

Sec. 1. 9-B MRSA §161, sub-§2, ¶¶F and G, as enacted by PL 1977, c. 416, are amended to read:

F. The exchange in the regular course of business of credit information between a fiduciary institution and other fiduciary institutions or commercial enterprises, directly or through a consumer reporting agency; ~~or~~

G. Any disclosure of records made pursuant to section 226~~7~~ ;

Sec. 2. 9-B MRSA §161, sub-§2, ¶H, as enacted by PL 1981, c. 706, §1, is amended to read:

H. The making of reports to the State Tax Assessor required under Title 36, section 3851 and the examination of the financial records authorized by Title 36, section 112~~7~~ ; or

Sec. 3. 9-B MRSA §161, sub-§2, ¶I is enacted to read:

I. Any disclosure of records made pursuant to Title 22, section 16. This paragraph is repealed on April 1, 1986.

Sec. 4. 22 MRSA §16 is enacted to read:

§16. Access to financial records of deposit accounts of recipients of public assistance

1. Definitions. For the purposes of this section, unless the context indicates otherwise, the following terms have the following meanings.

A. "Financial institution" means a trust company, savings bank, industrial bank, commercial bank, savings and loan association or credit union organized under the laws of this State or otherwise authorized to do business in this State.

B. "Match" means a comparison by name and social security number of individuals included in any public assistance roll with individuals included in records of deposit accounts in any financial institution.

C. "Public assistance" means aid, assistance or benefits available through:

(1) A program of aid to families with dependent children administered in this State pursuant to chapter 1053;

(2) A program of medical assistance administered in this State pursuant to chapter 855; or

(3) Any other program that is based on need and is conducted or administered by this State.

D. "Public assistance roll" means a list of individuals who are receiving aid, assistance or benefits in this State under one or more public assistance programs. The list may include individuals whose applications for aid, assistance or benefits are pending at the time of the match.

2. Verification procedure. Upon written request from the commissioner and at the expense of the department, each financial institution in this State shall match its records of deposit accounts against public assistance rolls provided to the financial institution by the department and shall compile for the department a list of accounts that, as a result of the match, appear to be owned in whole or in part by recipients of or applicants for public assistance. The list of accounts shall include the name and social security number of each matched applicant or recipient and the type of deposit account, the account number and the account balance that appear in the records of the financial institution. The department shall be responsible for making its computer data compatible with the data of any financial institution with which a match is sought.

The department may not automatically terminate or deny public assistance benefits solely on the basis of information received through a match, nor shall anything in this section be construed to create a lien on or otherwise encumber deposit accounts that are subject to a match. The department shall ensure that the privacy of individuals involved in matching will be protected to the maximum extent possible.

3. Repeal. This section is repealed on April 1, 1986.

Effective July 25, 1984.

CHAPTER 785

S.P. 857 - L.D. 2324

AN ACT to Require an Inventory, Permitting and Monitoring of Underground Tanks Containing Gasoline, Oil and Toxic Materials.

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

Whereas, it is important to begin the planning and survey activities as soon as possible in order to acquire the information necessary for an effective regulatory program in 1985; 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. Findings and purpose. The Legislature finds that significant quantities of flammable, combustible and toxic materials are currently being stored in underground storage facilities and that numerous incidents involving leaks or unlicensed discharges from that underground storage are occurring at a rate so as to pose a significant threat to Maine's ground water resources.

The Legislature further finds that protection of the state's ground water resources is of a high priority in maintaining adequate protection of public health and welfare for Maine's citizens.

The purpose of this Act is to initiate development of a comprehensive plan and strategy designed to improve the quality of underground storage facilities for flammable, combustible and toxic materials; and