

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 1994 to June 30, 1995**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 29, 1995**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

**5. Reimbursement.** The department may establish by rule a fee to reimburse birthing centers for each voluntary acknowledgement of paternity form completed.

**6. Rulemaking.** The department shall adopt rules to implement this section that comply with all applicable federal regulations.

**Sec. 30. 36 MRSA §191, sub-§2, ¶P,** as amended by PL 1995, c. 178, §2, is amended to read:

P. The public disclosure by the State Tax Assessor of the name, last known business address and title of the professional license or certificate of any person whose license or certificate of authority to conduct a profession, trade or business in this State has not been renewed, reissued or otherwise extended by order of the assessor pursuant to section 175. This disclosure may be made only after no further administrative or judicial review of the order is available under section 151 or the Maine Administrative Procedure Act; ~~and~~

**Sec. 31. 36 MRSA §191, sub-§2, ¶Q,** as enacted by PL 1995, c. 178, §3, is amended to read:

Q. The listing of special fuel suppliers possessing certificates under section 3204-; and

**Sec. 32. 36 MRSA §191, sub-§2, ¶R** is enacted to read:

R. The disclosure to an authorized representative of the Department of Human Services of information in the possession of the bureau identifying the location of an interest-bearing account in the name and social security number of a delinquent payor of child support as requested by the Department of Human Services.

**Sec. 33. 36 MRSA §191, sub-§3,** as enacted by PL 1977, c. 668, §2, is amended to read:

**3. Additional restrictions for information provided by Internal Revenue Service.** Federal returns and federal return information provided to the State by the Internal Revenue Service ~~shall~~ may not be disclosed to other states, districts and territories of the United States or provinces of Canada, to legislative committees or the agents of the committees, to any person retained on an independent contract basis or the employee of that person, or to the Attorney General for the purpose of criminal investigations and prosecutions unrelated to this Title. These restrictions are in addition to those imposed by subsection 1. Upon request by the Department of Human Services under Title 22, section 3755-A, information provided by the Internal Revenue Service concerning the location of interest-bearing accounts in the names and

social security numbers of delinquent payors of child support may be disclosed to an authorized representative of the Department of Human Services in the form of a list or automated computer match list.

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

Effective July 3, 1995.

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## CHAPTER 420

H.P. 1116 - L.D. 1561

### An Act to Exempt Food Banks from Sales Tax

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

**Sec. 1. 36 MRSA §1760, sub-§47,** as enacted by PL 1983, c. 855, §7, is amended to read:

**47. Emergency shelters, feeding organizations and emergency food supply programs.** Sales of household and sanitary supplies and food items otherwise subject to tax to incorporated nonprofit organizations ~~which~~ that provide free temporary emergency shelter or food for underprivileged individuals in this State-;

See title page for effective date.

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## CHAPTER 421

H.P. 1058 - L.D. 1487

### An Act Relating to Criminal Forfeitures

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

**Whereas,** the constitutional legitimacy of civil asset forfeitures has been challenged and the absence of an alternative criminal forfeiture procedure would significantly undermine the drug enforcement effort in the State; and

**Whereas,** the existing practice in many cases of instituting 2 actions, one criminal against individuals who violate the Maine Revised Statutes, Title 17-A, chapter 45 and one civil against property as a consequence of such violations or intended violations, often results in an unnecessary duplication of effort and a drain on scarce judicial, prosecutorial and law enforcement resources when both actions are actually