

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

H. P. 647 House of Representatives, February 27, 1979 Referred to the Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Kany of Waterville.

Cosponsors: Mr. McMahon of Kennebunk, Miss Aloupis of Bangor and Mr. Howe of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED SEVENTY-NINE

AN ACT to Establish the Privacy Study Commission.

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

Sec. 1. Privacy Study Commission; establishment. There is established a Privacy Study Commission for the purpose of conducting a study of infringement upon personal privacy, and of reporting and recommending to the Governor and the Legislature.

Sec. 2. Membership; vacancies.

A. The commission shall be composed of 25 members. Two members shall be members of the Senate appointed by the President of the Senate. Two members shall be members of the House of Representatives, appointed by the Speaker of the House.

Twenty-one members shall be appointed by the Governor and shall be qualified by reason of knowledge, experience and interest in personal privacy. Among the gubernatorial appointees will be persons knowledgeable and experienced in the following fields: Banking, insurance, automatic data processing, credit research, personnel records, education, medicine, law and law enforcement.

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B. In the event of death, incapacity or resignation of any member, the vacancy shall be filled in the same way as the original appointment.

Sec. 3. Duties. It shall be the duty of the commission:

A. To study the collection, maintenance, access to and dissemination of information on persons resident in Maine by public and private persons and organizations, including governments;

B. To identify illegal and inappropriate practices in the handling of that information and to recommend statutory and other measures to correct those practices; and

C. To submit to the Governor and Legislature not later than January 15, 1981 a report which, at a minimum, describes the commission's study and recommendations.

Sec. 4. Organization; staff; experts.

A. The Governor shall notify all members of the time and place of the first meeting. At that time the commission shall organize, elect a chairman, vice-chairman and secretary-treasurer and adopt rules as to the administration of the commission and its affairs. The Commission shall maintain such financial records as may be required by the State Auditor.

B. Within the limits of its budget, the commission shall be authorized to employ staff members and consultants to assist with the duties of the commission.

C. The commission may seek the advice of experts, including representatives of the office of the Attorney General and the executive departments, in fields related to its duties. The representatives shall provide to the commission whatever assistance is requested. Public hearings shall be held to seek the advice of the general public.

Sec. 5. Reimbursement of expenses. The members of the commission shall serve without compensation, but shall be reimbursed for their expenses at the same rate as members of the Legislature.

Sec. 6. Federal funds. The commission shall be authorized on behalf of the State to accept federal funds to assist in carrying out its duties.

Sec. 7. Appropriation. The following funds shall be appropriated from the General Fund to carry out the purposes of this Act.

	1979-80	1980-81
LEGISLATIVE		
Privacy Study Commission		
Position	(1)	(1)
Personal Services	\$ 8,998	\$12,016

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All Other		4,390	8,835
Total		\$13,388	\$20,851

STATEMENT OF FACT

This bill established a Privacy Study Commission consisting of 25 members to study the collection and use of information on persons by public and private persons and organizations, and to recommend statutory and other measures to correct abuses. The results of the study and recommendations are to be given to the Governor and Legislature not later than January 15, 1981.

An appropriation is included for commission members' expenses as they are not to be paid any compensation and staff assistance.