

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)



114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2265

S.P. 889

In Senate, February 1, 1990

Submitted by the Department of Human Services pursuant to Joint Rule 24.

Reference to the Committee on Human Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator WEBSTER of Franklin.

Cosponsored by Senator BERUBE of Androscoggin, Representative AIKMAN of Poland and Representative O'GARA of Westbrook.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Require Disclosure of Parents' Social Security Numbers at the Time of a Child's Birth and to Amend the Provisions of the Law Concerning Disclosure of Information.



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

4 Sec. 1. 22 MRSA §2761, sub-§6 is enacted to read:

6 6. Disclosure of social security number. In connection
8 with the preparation and issuance of a birth certificate pursuant
10 to this section, section 2764 or section 2765, each parent shall
12 be required to furnish the social security account number, or
14 numbers if the parent has more than one number, issued to the
16 parent unless the State Registrar of Vital Statistics, in
18 accordance with regulations as may from time to time be
20 prescribed by the Secretary of the United States Department of
22 Health and Human Services, finds good cause for not requiring the
24 furnishing of those numbers. The state registrar shall make
numbers furnished under this subsection available to the
department in its capacity as the state agency administering the
State's plan under the United States Social Security Act, Title
IV, Part D. Those numbers may not be recorded on the birth
certificate. The department shall not use any social security
number, obtained with respect to the issuance of a birth
certificate, for any purpose other than for the administration of
the State's plan under the United States Social Security Act,
Title IV, Part D. The department shall promulgate rules for the
implementation of this subsection.

26 Sec. 2. 22 MRSA §3755-A, sub-§6, as enacted by PL 1989, c.
28 255, is amended to read:

30 6. Immunity from liability. Any person may disclose to the
32 department any of the information described in subsection 2 or 3
34 that is sought in a request or demand by the department, ~~to the~~
36 ~~extent--it~~ the disclosure of which is not confidential--or
38 prohibited by federal law or which is not privileged under the
40 Maine Rules of Evidence, without incurring any liability to any
42 other person because of the disclosure.

36 Sec. 3. 22 MRSA §3755-A, sub-§9, as enacted by PL 1989, c.
38 255, is repealed.

40 Sec. 4. 22 MRSA §3755-A, sub-§10, as enacted by PL 1989, c.
42 255, is repealed and the following enacted to read:

44 10. Penalty for knowing failure to respond or for knowing
46 failure or refusal to disclose. Penalty for knowing failure to
48 respond or for knowing failure or refusal to disclose is governed
50 as follows:

52 A. Knowing failure to respond to a demand for information
54 within 10 days following the date of service of the demand
is a civil violation for which a forfeiture not to exceed
\$1,000 may be adjudged; and

B. Refusal or knowing failure to disclose to the department
any of the information described in subsection 2 or 3 that

2 is sought in a demand for information by the department, the
3 disclosure of which is not prohibited by federal law, or
4 which is not privileged under the Maine Rules of Evidence,
5 is a civil violation for which a forfeiture not to exceed
6 \$1,000 may be adjudged.

8 **STATEMENT OF FACT**

10 The first purpose of this bill is to bring the State into
11 compliance with the United States Social Security Act, Section
12 205(c)(2)(C) which, as amended by the federal Family Support Act
13 of 1988, Section 125, requires that states have in effect by
14 November 1, 1990, the requirements set forth in the Maine Revised
15 Statutes, Title 22, section 2761, subsection 6.

16 The 2nd purpose of this bill is to clarify the provisions
17 and facilitate the implementation of the Maine Revised Statutes,
18 Title 22, section 3755-A.
19
20