

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

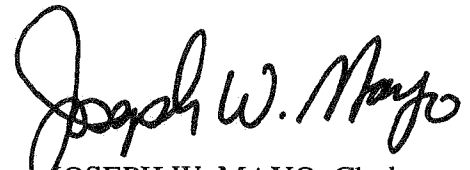
No. 1254

H.P. 911

House of Representatives, February 25, 1997

An Act to Restrict the Use of Social Security Numbers.

Reference to the Committee on Judiciary suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative VEDRAL of Buxton.
Cosponsored by Representatives: BRAGDON of Bangor, JOY of Crystal, KANE of Saco,
MERES of Norridgewock, POWERS of Rockport.

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

4 **Sec. 1. 10 MRSA §1271**, as enacted by PL 1993, c. 115, §1, is repealed.

6 **Sec. 2. 10 MRSA §1272**, as amended by PL 1995, c. 134, §1, is repealed and the following enacted in its place:

8 **§1272. Prohibition**

10 A business organization, government entity or any other
12 entity operating in this State may not request, collect, sell,
14 use or store on any system, paper or electronic, a person's
16 social security number unless it is necessary for collecting or
18 dispensing social security funds or federal law otherwise
requires the Federal Government to collect the person's social
security number from the business, organization, governmental
entity or any other entity.

20 Nothing in this section may be construed to prevent an
22 employer from collecting an employee's social security number.

24 **Sec. 3. 10 MRSA §1273**, as enacted by PL 1993, c. 115, §1, is amended to read:

26 **§1273. Administrative enforcement**

28 The Superintendent--of--the--Bureau--of--Consumer--Credit
30 Protection Attorney General may take appropriate action to ensure
32 compliance with this chapter, including, without limitation, to:
34 receive and act on complaints; negotiate an assurance in writing
that a violator will not engage in the same or similar conduct in
the future; conduct hearings in accordance with the Maine
Administrative Procedure Act and issue a cease and desist order
for violation of this chapter; refer--cases--to--the--Attorney
36 General,--who--may and bring a civil action against a person for
38 knowingly violating a written assurance of discontinuance. If a
court finds a violation of this chapter it may assess a civil
forfeiture of not more than \$1,000.

42 **SUMMARY**

44 This bill expands the prohibition under current law on use
46 of social security numbers to prohibit all businesses,
48 organizations, governmental entities and all other entities
50 operating in the State from requesting a person's social security
number for any purpose, with exceptions. Businesses and the
other specified entities may request a person's social security

number when necessary to collect or disperse social security
2 funds and when federal law requires the Federal Government to
obtain a person's social security number from the business.
4 Employers are permitted to request an employee's social security
number without the above limitations.

6
8 The Attorney General is given the power to enforce the
prohibition including the authority to negotiate an assurance
that the violator will discontinue the practice, issue a cease
10 and desist order and bring a civil action against anyone who
knowingly violates a written assurance of discontinuance.