

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 784

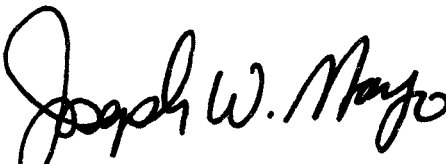
H.P. 563

House of Representatives, January 28, 1999

**An Act to Prohibit the Use of Social Security Numbers for Identification Purposes.**

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Reference to the Committee on Business and Economic Development suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative TRACY of Rome.

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

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4       Sec. 1. 10 MRSA §1272, as amended by PL 1995, c. 134, §1, is repealed and the following enacted in its place:

6       §1272. Prohibition

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

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

28       Sec. 2. 10 MRSA §1273, as amended by PL 1995, c. 309, §27, is further amended to read:

30       §1273. Administrative enforcement

32       The Director-of-Consumer-Credit-Regulation Attorney General  
34 may take appropriate action to ensure compliance with this  
36 chapter, including, without limitation, to: receive and act on  
38 complaints; negotiate an assurance in writing that a violator  
40 will not engage in the same or similar conduct in the future;  
42 conduct hearings in accordance with the Maine Administrative  
44 Procedure Act and issue a cease and desist order for violation of  
46 this chapter; refer cases to the Attorney General, who may and  
48 bring a civil action against a person for 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.

SUMMARY

40       This bill expands the prohibition under current law on use  
42 of social security numbers to prohibit all businesses,  
44 organizations, governmental entities and all other entities  
46 operating in the State from requesting a person's social security  
48 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  
funds and when federal law requires the Federal Government to  
obtain a person's social security number from the business.

2       Employers are permitted to request an employee's social security  
number without the these limitations.

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