

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 849

H.P. 649

House of Representatives, February 15, 2001

An Act Regarding Social Security Numbers Used for Identification Purposes.

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative TRACY of Rome.
Cosponsored by Representative KASPRZAK of Newport, President Pro Tem BENNETT of Oxford and
Representatives: CLOUGH of Scarborough, MENDROS of Lewiston, MUSE of Fryeburg,
PERKINS of Penobscot, TRAHAN of Waldoboro, WATERHOUSE of Bridgton, WHEELER of Bridgewater, Senator: SAVAGE of Knox.

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

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repealed and the following enacted in its place: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
9 entity operating in this State may not request, collect, sell,
10 use or store on any system, paper or electronic, a person's
11 social security number unless it is necessary for collecting or
12 dispensing social security funds or federal law otherwise
13 requires the Federal Government to collect the person's social
14 security number from the business, organization, governmental
15 entity or any other entity.

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

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

22 **§1273. Administrative enforcement**

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

38 **SUMMARY**

40 **40**
42 This bill expands the prohibition under current law on use
43 of social security numbers to prohibit all businesses,
44 organizations, governmental entities and all other entities
45 operating in the State from requesting a person's social security
46 number for any purpose, with exceptions. Businesses and the
47 other specified entities may request a person's social security
48 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 these limitations.

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