MAINE STATE LEGISLATURE

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L.D. 872

2	DATE: 5-24-0/ (Filing No. H-606)
4	MATORITY
6	MAJORITY JUDICIARY
8	
10	Reproduced and distributed under the direction of the Clerk of the House.
12	STATE OF MAINE
14	HOUSE OF REPRESENTATIVES 120TH LEGISLATURE
16	FIRST REGULAR SESSION
18	COMMITTEE AMENDMENT " \mathcal{H} " to H.P. 672, L.D. 872, "Resolve, to
20	Create the Commission to Study Privacy Laws"
22	Amend the resolve by striking out all of sections 2 to 7 and inserting in their place the following:
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26	'Sec. 2. Commission membership. Resolved: That the commission consists of the following 7 members:
28	 Two Senators, appointed by the President of the Senate; and
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32	Five members of the House of Representatives, appointed by the Speaker of the House.
34	In making the appointments, the President of the Senate and the Speaker of the House shall give preference to members of the
36	Joint Standing Committee on Judiciary, the Joint Standing
38	Committee on Criminal Justice, the Joint Standing Committee on Health and Human Services, the Joint Standing Committee on
	Banking and Insurance, the Joint Standing Committee on Education
40	and Cultural Affairs and the Joint Standing Committee on State and Local Government. The commission may establish subcommittees
42	with or without participation by interested parties; and be it further
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16	Sec. 3. Chairs. Resolved: That the first named Senate member
46	is the Senate chair of the commission and the first named member of the House of Representatives is the House chair of the
48	commission; and be it further

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	COMMITTEE AMENDMENT "//" to H.P. 672, L.D. 872
2	Sec. 4. Appointments; meetings. Resolved: That all
	appointments must be made no later than 30 days following the
4	effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council upon
6	making their appointments. When the appointment of all members is complete, the chairs shall call and convene the first meeting
8	of the commission no later than 30 days after all appointments have been made; and be it further
10	Sec. 5. Duties. Resolved: That the commission shall:
12	1. Review the common law and Constitutional sources of
14	privacy rights;
16	Review current practices regarding collection, use, disclosure and misuse of personal information in the public and

- disclosure and misuse of personal information in the public and
 private sectors, including the collection and use of Social
 Security numbers, collection of information through the Internet
 and the recording of private conversations;
- 3. Review state and federal civil and criminal laws relating to privacy of personal information and the relationship between state and federal law on that issue;
- 26 4. Develop a comprehensive information practices and privacy law applicable to governmental activities including collection of information through the Internet;
- 5. Identify any privacy issues not adequately addressed by existing state and federal laws;

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- 6. Review the interaction between privacy laws and the freedom of access laws in Title 1, chapter 13, subchapter I;
- 7. Review studies and legislative initiatives in other states and on the federal level to protect privacy; and
 - 8. Solicit input from, and consult with, experts and representatives of interested parties, including: the Office of the Attorney General, national experts, research and educational institutions, health care and financial institutions and clients, the Maine State Bar Association, the Maine Civil Liberties Union, the Secretary of State, the Informer Board, private investigators, law enforcement agencies and other experts in criminal law and any other public and private entities as are interested in the issue; and be it further
 - Sec. 6. Staff assistance. Resolved: That the commission may request staffing and clerical assistance from the Legislative Council: and be it further

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50	2001-02
48	'FISCAL NOTE
46	Further amend the bill by inserting at the end before the summary the following:
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42	LEGISLATURE TOTAL \$3,740'
40	Privacy Laws and to print the required report.
38	Provides funds for the per diem and expenses of members of the Commission to Study
36	All Other 2,200
34	Personal Services \$1,540
32	Commission to Study Privacy Laws
30	LEGISLATURE
28	2001-02
26	are appropriated from the General Fund to carry out the purposes of this resolve.
24	'Sec. 10. Appropriation. Resolved: That the following funds
22	Further amend the resolve by inserting after section 9 the following:
20	inserting in its place the following: '; and be it further'
16 18	Further amend the resolve in section 9 in the last line (page 3, line 2 in L.D.) by striking out the following: "." and
14	2, line 50 in L.D.) by striking out the following: "chair" and inserting in its place the following: 'chairs'
12	Further amend the resolve in section 9 in the 9th line (page
10	chair" and inserting in its place the following: '. Resolved: That the chairs'
8	Further amend the resolve in section 9 in the first line (page 2, line 42 in L.D.) by striking out the following: ". The
6	of the commission; and be it further'
4	the Maine Revised Statutes, Title 3, section 2, and reimbursement of necessary expenses for their attendance at authorized meetings
2	are entitled to receive the legislative per diem, as defined by

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COMMITTEE AMENDMENT

APPROPRIATIONS/ALLOCATIONS

4 General Fund \$3,740

The Legislature will require an additional General Fund appropriation of \$3,740 in fiscal year 2001-02 for the per diem and expenses of members of the Commission to Study Privacy Laws and to print the required report.

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The additional costs associated with providing staffing assistance to the commission during the interim between legislative sessions can be absorbed by the Legislature utilizing existing budgeted resources. If an extension of the reporting deadline is granted and the commission requires staffing assistance during the legislative session, the Legislature may require an additional General Fund appropriation to contract for staff services.'

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SUMMARY

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This amendment changes the membership and expands the duties of the proposed Commission to Study Privacy Laws. It provides for a commission with 7 members: 2 Senators and 5 members of the House of Representatives. It expands the duties of the commission to include the study of issues recommended by the Blue Ribbon Commission to Establish a Comprehensive Internet Policy, such as development of a comprehensive information practices law for state and local governments. The amendment also adds an appropriation section and a fiscal note to the bill.

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