

# 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)



DATE: 5-24-01

(Filing No. H-606)

MAJORITY  
JUDICIARY

2  
4  
6  
8  
10  
12  
14  
16  
18  
20  
22  
24  
26  
28  
30  
32  
34  
36  
38  
40  
42  
44  
46  
48

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
120TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 672, L.D. 872, "Resolve, to Create the Commission to Study Privacy Laws"

Amend the resolve by striking out all of sections 2 to 7 and inserting in their place the following:

**Sec. 2. Commission membership. Resolved:** That the commission consists of the following 7 members:

- 1. Two Senators, appointed by the President of the Senate; and
- 2. Five members of the House of Representatives, appointed by the Speaker of the House.

In making the appointments, the President of the Senate and the Speaker of the House shall give preference to members of the Joint Standing Committee on Judiciary, the Joint Standing 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 and Cultural Affairs and the Joint Standing Committee on State and Local Government. The commission may establish subcommittees with or without participation by interested parties; and be it further

**Sec. 3. Chairs. Resolved:** That the first named Senate member is the Senate chair of the commission and the first named member of the House of Representatives is the House chair of the commission; and be it further

**COMMITTEE AMENDMENT**

2           **Sec. 4. Appointments; meetings. Resolved:** That all  
4 appointments must be made no later than 30 days following the  
6 effective date of this resolve. The appointing authorities shall  
8 notify the Executive Director of the Legislative Council upon  
10 making their appointments. When the appointment of all members  
12 is complete, the chairs shall call and convene the first meeting  
14 of the commission no later than 30 days after all appointments  
16 have been made; and be it further

12           **Sec. 5. Duties. Resolved:** That the commission shall:

14           1. Review the common law and Constitutional sources of  
16 privacy rights;

18           2. Review current practices regarding collection, use,  
20 disclosure and misuse of personal information in the public and  
22 private sectors, including the collection and use of Social  
24 Security numbers, collection of information through the Internet  
26 and the recording of private conversations;

28           3. Review state and federal civil and criminal laws  
30 relating to privacy of personal information and the relationship  
32 between state and federal law on that issue;

34           4. Develop a comprehensive information practices and  
36 privacy law applicable to governmental activities including  
38 collection of information through the Internet;

40           5. Identify any privacy issues not adequately addressed by  
42 existing state and federal laws;

44           6. Review the interaction between privacy laws and the  
46 freedom of access laws in Title 1, chapter 13, subchapter I;

48           7. Review studies and legislative initiatives in other  
50 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 InforME 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



