MAINE STATE LEGISLATURE

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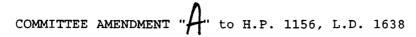


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	L.D. 1638
2	DATE: 5/25/5 (Filing No. H-514)
4	, , , , , , , , , , , , , , , , , , ,
6	INSURANCE AND FINANCIAL SERVICES
8	Minority
10	Reproduced and distributed under the direction of the Clerk of the House.
12	STATE OF MAINE
14	HOUSE OF REPRESENTATIVES 122ND LEGISLATURE
16	FIRST SPECIAL SESSION
18	COMMITTEE AMENDMENT "A" to H.P. 1156, L.D. 1638, Bill, "An
20	Act Concerning the Regulation of Certain Information to Protect Privacy"
22	Amend the bill after the enacting clause (page 1, line 3 in
24	L.D.) by striking out the following: "PART A"
26	Further amend the bill in Part A by striking out all of sections 9, 10, 11 and 12.
28	Further amend the bill in Part A by inserting after section
30	18 the following:
32	'Sec. A-19. 32 MRSA §16411, sub-§9, as enacted by PL 2005, c. 65, Pt. A, §1, is amended to read:
34	9. Privacy provisions. A broker-dealer licensed or
36	required to be licensed under this chapter and an investment adviser licensed or required to be licensed under this chapter
38	shall comply with the privacy provisions of the federal Gramm-Leach-Bliley Act, 15 United States Code, Section 6801 et
40	seq. (1999) and the implementing Regulation S-P, federal Privacy of Consumer Financial Information, 17 Code of Federal
42	Regulations, Part 248 (2001) adopted by the Securities and Exchange Commission. This subsection is not intended to permit
44	the release of health care information except as permitted by Title 22, section 1711-C or Title 24-A, chapter 24.
46	Title 22, Section 1/11-0 of little 24-A, Chapter 24.
	A broker-dealer licensed or required to be licensed under this
48	chapter and an investment adviser licensed or required to be licensed under this chapter may not disclose, directly or through
50	an affiliate, to a nonaffiliated 3rd party any nonpublic personal

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6.9g.	
En.	

	information unless the person to whom the information pertains
2	has affirmatively consented to the disclosure in writing and has
	not withdrawn that consent. This subsection does not prohibit
4	the disclosure of nonpublic personal information by a person
	subject to this chapter to a nonaffiliated 3rd party to the
6	extent such a disclosure is permitted by the federal
	Gramm-Leach-Bliley Act, 15 United States Code, Section 6802,
8	subsection b, paragraph 2 and subsection e. As used in this
	section, unless the context otherwise indicates, the terms
10	"affiliate," "nonaffiliated 3rd party" and "nonpublic personal
	information" have the same meanings as in the federal
12	Gramm-Leach-Bliley Act, 15 United States Code, Section 6801 et
	seq. (1999).'
14	
	Further amend the bill in Part A by inserting after section
16	19 the following:
18	'Sec. A-20. Effective date. That section of this Act that
	amends the Maine Revised Statutes, Title 32, section 16411,
20	subsection 9 takes effect December 31, 2005.'
22	Further amend the bill by striking out all of Part B.
24	Further amend the bill by relettering or renumbering any
	nonconsecutive Part letter or section number to read
26	consecutively.
28	
	SUMMARY
30	
	This amendment is the minority report of the committee. The
32	amendment removes a provision of the bill that eliminates certain
J 2	opt-in requirements for disclosures under the Insurance
34	Information and Privacy Protection Act. The amendment adds a
3 4	provision to account for the enactment of the Maine Uniform
3.6	Securities Act effective December 31, 2005. The amendment also
36	
2.0	removes the provision of the bill that required approval of
38	voters at a statewide referendum before the Act could take effect.

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FISCAL NOTE REQUIRED (See attached)

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122nd MAINE LEGISLATURE

LD 1638

LR 2052(02)

An Act Concerning the Regulation of Certain Information to Protect Privacy

Fiscal Note for Bill as Amended by Committee Amendment 'H'
Committee: Insurance and Financial Services
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

This bill may increase the number of civil suits filed in the court system.

The collection of additional filing fees may increase General Fund revenue by minor amounts.