

MAINE STATE LEGISLATURE

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Date: 3-25-10

(Filing No. S-473)

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STATE OF MAINE
SENATE
124TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to S.P. 616,
L.D. 1651, Bill, "An Act To Clarify and Amend Laws Pertaining to Licenses Issued by
the Department of Inland Fisheries and Wildlife"

Amend the amendment by striking out all of sections 1 to 4 (page 1, lines 14 to 35
and page 2, lines 1 to 10 in amendment) and inserting the following:

'Sec. 1. 12 MRSA §10658 is enacted to read:

§10658. Online customer e-mail addresses

1. Confidentiality of e-mail addresses. E-mail addresses provided to the
department by its customers through its online licensing and registration system are
public records unless a customer indicates at the time of the online transaction that:

A. The customer's e-mail address is confidential and may be used only for the
transaction for which it was provided and may not be retained longer than necessary
to complete the transaction; or

B. The customer's e-mail address is confidential and may be retained but used only
by the department for purposes of communication with that customer or for research
purposes.

The department shall notify its online customers that e-mail addresses are public records
unless the customer providing the e-mail address otherwise indicates as provided in this
subsection. The department shall make the confidentiality options available to an online
customer each time a customer purchases a license, permit, tag, registration or chance in a
lottery.

2. Use of e-mail released pursuant to the freedom of access laws. An e-mail
address provided to the department by a customer through its online licensing and
registration system before April 2, 2010 that was obtained by a person through a request
for information under Title 1, chapter 13 may not be used for solicitation, communication
or notification purposes. This use restriction does not apply to the department. A person
that violates this subsection commits a civil violation for which a fine of not less than
\$500 or more than \$1,000 may be adjudged.'

1 Amend the amendment by striking out all of the 2nd and 3rd indented paragraphs
2 before the summary (page 2, lines 14 to 17 in amendment)

3 **SUMMARY**

4 This amendment provides that e-mail addresses provided to the Department of Inland
5 Fisheries and Wildlife by its customers through its online licensing and registration
6 system are public records unless a customer indicates at the time of the online transaction
7 that the customer's e-mail address is confidential. It also provides that an e-mail address
8 provided to the department by a customer through its online licensing and registration
9 system before April 2, 2010 that was obtained by a person through a request for
10 information may not be used for solicitation, communication or notification purposes and
11 that a violation of this provision is a civil violation for which a fine of not less than \$500
12 or more than \$1,000 may be adjudged.

13 **FISCAL NOTE REQUIRED**

14 (See attached)

15 SPONSORED BY: Bruce Bryant
16 (Senator BRYANT, B.)
17 COUNTY: Oxford



124th MAINE LEGISLATURE

LD 1651

LR 2409(07)

An Act To Clarify and Amend Laws Pertaining to Licenses Issued by the Department of Inland Fisheries and Wildlife

Fiscal Note for Senate Amendment "B" to Committee Amendment "A"

Sponsor: Sen. Bryant of Oxford

Fiscal Note Required: Yes

Fiscal Note

Minor savings - General Fund
Minor revenue decrease - General Fund

Correctional and Judicial Impact Statements

Eliminates Class E crimes.

A reduction in fines will decrease General Fund revenue by minor amounts.