

## Social Security Numbers in Maine Statutes

July 14, 2010

Citation	Binder page	Section headnote	Description	Treatment
1 §402, sub-§3, ¶N	1/3	(Freedom of Access laws) Definitions - exceptions to “public records”	SSN in possession of DIFW not a public record	Not public - public entity
5 §17059, sub-§4, ¶A	21/21	(State Retirement System) Qualified domestic relations orders	QDRO must contain SSN of member or retiree and each alternate payee	Collect - public entity
5 §3360-M, sub-§3	14/14	(Victims’ Compensation Fund) Payment for forensic examinations for alleged victims of gross sexual assault	Tracking number of forensic exam cannot be victim’s SSN	Do not collect - restriction on public entity
5 §7070, sub-§2, ¶D-1	16/17	(State Civil Service System) Personnel records	Records containing the listed information are confidential, including SSN	Confidential - in possession of public entity
8 §1006, sub-§1, ¶H	32/33	(Gambling Control Board) Confidentiality of records and information	SSN of any individuals	Confidential - in possession of public entity
8 §231, sub-§6, ¶A	25/25	Fireworks technician license qualifications	Application must include SSN	Collect - public entity
8 §416-A, sub-§3, ¶C, sub-¶(3)	27/27	(Tri-State Lotto) Payment of prize to another person	SSN of assignor and SSN of assignee Sub-§9 designates financial, tax and personal records as confidential	Collect - public entity Confidential
10 §1272, 1st ¶	35/35	(Protection of SSN) Prohibition	Business may not display SSN on a credit card, customer service card or debit card	Do not display - restriction on private entity
10 §1272, 2nd ¶	35/35	(Protection of SSN) Prohibition	SSN may be used as identification for medical insurance, health insurance, dental insurance, prescription drug coverage - but must use different number as request of an individual	May use - private/public entity

## Social Security Numbers in Maine Statutes

July 14, 2010

Citation	Binder page	Section headnote	Description	Treatment
10 §1272-B	36/36	(Protection of SSN) Refusal to provide social security number	<p>Person, corporation or other entity may not deny goods or services because individual refuses to provide SSN. Exceptions (sub-§2)</p> <ul style="list-style-type: none"> <li>• Requesting disclosure of SSN to obtain consumer report as permitted under Fair Credit Reporting Act</li> <li>• If SSN used in conjunction with provision of and billing for health care or pharmaceutical services</li> <li>• If SSN used in conjunction with a background check conducted by a landlord, lessor, employer or volunteer service organization</li> <li>• If SSN necessary to verify the identify of the individual to effect, administer or enforce a specific transaction requested or authorized by the individual or to prevent fraud</li> </ul>	Cannot require disclosure by individual, exceptions
10 §1313-C, sub-§3	38/38	(Fair Credit Reporting Act) Security freeze by consumer reporting agency; time in effect	Consumer reporting agency must provide consumer with a personal identification number or password, other than the SSN, to be used by consumer when providing authorization for the release of the consumer report	Do not use - restriction on private entity
10 §1313-D	42/42	(Fair Credit Reporting Act) Duties of consumer reporting agency if security freeze is in place	Consumer reporting agency cannot change any official information, including SSN, without sending written confirmation of the change to the consumer	Do not change - restriction on private entity
10 §1347, sub-§6, ¶A	43/44	(Notice of Risk to Personal Data) Definitions - definition of “personal information”	<p>Personal information means an individual’s first name, or first initial, and last name in combination with any one or more of the following data elements, including SSN</p> <p>Requirements for notice of data breach - §1348</p> <p>Penalties - §1349</p>	Part of data breach - applies to private and public entities

## Social Security Numbers in Maine Statutes

July 14, 2010

Citation	Binder page	Section headnote	Description	Treatment
10 §8003, sub-§4-A	46/48	(Department of Professional and Financial Regulation) Departmental organization; duties	An individual who applies for a license shall provide SSN on the application, which must be recorded	Collect - public entity
12 §8005, sub-§1	64/64	(Bureau of Forestry) Certain information confidential	SSN collected by bureau for purposes of contacting forest landowners under §8611, in notifications under §8883-B or in reports under 36 MRSA §581-G are confidential	Collect - public entity Confidential
12 §8005, sub-§2	64/64	(Bureau of Forestry) Certain information confidential	SSN collected by bureau as part of forest management plan and held to administer landowner assistance programs are confidential	Collect - public entity Confidential
16 §53-B, sub-§1, ¶A-1	66/66	Privileged communications to victim advocate; family violence; definition of “confidential communications”	“confidential communications” includes SSN and other information that personally identifies victim	Confidential - in possession of private/public entity
17-A §905-A, sub-§4	68/68	Crime of Misuse of Identification	Definition of “legal identification” includes SSN - misuse of identification to obtain SSN	Protected - private/public entity
19-A §1509, sub-§1	74/74	(Child support information) Locator information; presumption concerning notice	Parties to paternity action or proceeding involving child support must provide SSN	Collect - public entity
19-A §1565, sub-§4	75/75	(Uniform Act on Paternity) Judgment	Individual who is party to a paternity action must disclose SSN; SSN must be included in record SSN is confidential and is not open to the public Court shall disclose SSN to DHHS for child support enforcement purposes	Collect - public entity Confidential Limited disclosure
19-A §2006, sub-§10	77/81	(Child Support) Support guidelines	Person who is party to an action to establish or modify a support order must disclose SSN; SSN must be included in record SSN is confidential and is not open to the public Court shall disclose SSN to DHHS for child support enforcement purposes	Collect - public entity Confidential Limited disclosure

## Social Security Numbers in Maine Statutes

July 14, 2010

Citation	Binder page	Section headnote	Description	Treatment
19-A §2104, sub-§1	85/85	(Support enforcement) State registry of support orders	DHHS must maintain record of each support order established or modified in this State; must include SSN Use data for matching	Maintain - by public entity
19-A §2152, sub-§2, ¶A	86/86	(Support enforcement) Disclosure of information in medical support recoupment and child support cases	DHHS may request of any person information needed to establish, modify or enforce a support order, including SSN Sub-§11: info confidential	Collect - public entity (Confidential)
19-A §2152, sub-§5, ¶D	86/86	(Support enforcement) Disclosure of information in medical support recoupment and child support cases	DHHS may request information of putative father if paternity not established, including SSN Sub-§11: info confidential	Collect - public entity (Confidential)
19-A §2154, sub-§4	90/90	(Support enforcement) Employment information	Employer new hire reporting, including employee's SSN Data match	Collect - private/public, report to public entity
19-A §2154, sub-§4-A	90/91	(Support enforcement) Employment information	Employer new hire reporting, including independent contractor's SSN Data match	Collect - private/public, report to public entity
19-A §2158, sub-§1, ¶B	93/93	(Support enforcement) Access to wireless service provider's records of individuals who owe child support	Definition of data match to include SSN Sub-§6: list of obligors is confidential	Use of SSN - release to private entity
19-A §2158, sub-§3, ¶c	93/93	(Support enforcement) Access to wireless service provider's records of individuals who owe child support	Compilation of matched list, including SSN Sub-§6: list of obligors is confidential	Use of SSN - release to private entity
19-A §2201, sub-§13	95/99	(Support enforcement) Notice to licensing boards and obligor; judicial review	Notice by DHHS to licensing entity of delinquent child support obligor, includes SSN	Use of SSN - release by public to public

## Social Security Numbers in Maine Statutes

July 14, 2010

Citation	Binder page	Section headnote	Description	Treatment
19-A §2306, sub-§6, ¶A	101/103	(Support enforcement) Immediate withholding of earnings	Payor must notify DHHS when payor-payee relationship terminates, including SSN	Collect-private/public, report to public entity
19-A §2360-A	105/105	(Support enforcement) Lump-sum settlement; workers' compensation claims	DHHS notify Workers' Compensation Board of names and SSN of all persons who owe DHHS child support debts - compare for lump-sum settlements	Use SSN - release by public to public
19-A §2366	106/106	(Support enforcement) Employer or holder responsibility and liability	Order to withhold and deliver issued by DHHS to employer or holder - must include obligor's SSN	Use SSN - release by public to private entity
19-A §2661, sub-§1	108/108	(Support enforcement) Notice of termination	When payor of income unable to continue to withhold because relationship between payor and obligor ends, payor send DHHS notice of termination, including SSN	Use SSN - release by private to public
19-A §3011, sub-§1	109/109	(Uniform Interstate Family Support Act) Pleadings and accompanying documents	Petitioner must include SSN of obligor and obligee and SSN of each child	Collect - public entity
19-A §3151, sub-§1, ¶D	111/111	(Uniform Interstate Family Support Act) Procedure to register order for enforcement	DHHS may register a support order or income withholding order by forwarding to the appropriate court, records and information, including SSN of obligor	Use SSN - release by public to public
19-A §651, sub-§2	71/71	(Marriage) Recording of intentions	Application for recording notice of intention to marry must include SSN of the parties The record of the SSN is confidential and not open for public inspection	Collect -public entity Confidential
19-A §908	73/73	(Divorce) Disclosure and recording of social security numbers	Individual who is party to a divorce must disclose SSN; SSN must be included in record SSN is confidential and is not open to the public Court shall disclose SSN to DHHS for child support enforcement purposes	Collect - public entity Confidential Limited disclosure

## Social Security Numbers in Maine Statutes

July 14, 2010

Citation	Binder page	Section headnote	Description	Treatment
20-A §6001, sub-§2	113/113	(School records, Student records) Dissemination of information	A public school may not publish on the Internet or provide for publication on the Internet any personal information without written permission of parent of student; “personal information” includes SSN	Do not release without permission - public entity
20-A §6101, sub-§2, ¶B, sub-¶(7)	116/117	(School records, Employee and applicant records) Record of directory information	Information in any form relating to an employee or applicant or to employee’s immediate family must be kept confidential if relates to SSN	Confidential - in possession of public entity
20-A §15689-B, sub-§7		Authorization and schedules of payment of state subsidy; appeals	Commissioner may require school administrative units to collect and report individual student SSNs (for purposes of ME Statewide Longitudinal Data System) and may withhold monthly subsidy payments failure to comply	Collect - public entity report to public entity
21-A §112-A, sub-§§2 & 4		Proof of identity for voting purposes	Last 4 digits of SSN or signed social security card are 2 forms of documentation that may be offered by an applicant and considered by a registrar in verifying voter identity	Collect - public entity
21-A §152, sub-§1, ¶M	121/121	(Voter registration) Registration and enrollment procedure	Voter application - include driver’s license number or last four digits of SSN	Collect - public entity
21-A §154, sub-§1, ¶O	125/126	(Voter registration) Registration and enrollment for citizens outside the United States	Voter application for person residing outside the US - include driver’s license number or last four digits of SSN	Collect - public entity
22 §16, sub-§1, ¶B	128/128	(DHHS) Access to financial records of deposit accounts of recipients of public assistance	Compilation of matched list, including SSN Sub-§2: DHHS ensure privacy protected to maximum extent possible	Use SSN - release to private entity
22 §17	130/130	(DHHS) Access to financial records of deposit accounts of individuals who owe overdue child support	Compilation of matched list, including SSN Sub-§7: list of obligors and SSN is confidential	Use SSN - release to private entity
22 §2761, sub-§6	133/134	(DHHS: birth records) Registration of live births	Parents must provide SSN; not recorded on birth certificate; DHHS may not use SSN for any purposes other than IV-D	Collect - public entity Limited disclosure

## Social Security Numbers in Maine Statutes

July 14, 2010

Citation	Binder page	Section headnote	Description	Treatment
22 §3763, sub-§5	137/138	(DHHS: TANF) Program requirements	DHHS home visit program may verify SSN of participants	Collect? - public entity
24 §2986, sub-§2	141/141	(Maine Health Security Act, billing for health care) Performing forensic examinations for alleged victims of gross sexual assault	Tracking number of forensic exam cannot be victim's SSN	Do not collect - restriction on private/public entity
26 §1232, sub-§1	(142B)	(Unemployment Compensation, Employer's contributions and coverage) Licenses	State entity that issues licenses must provide list of licenses or certificates of authority issued in last year, including SSN	Report SSN - by public entity
26 §1311	143/143	(Labor: preference to Maine workers and contractors) Wage and benefit record of contractor	Public authority letting a contract will adopt rules to protect privacy of personal information filed in records with the public authority, such as SSN	Protect SSN - private/public entity
26 §871, sub-§2, ¶B	(142A)	(Employment practices: Aliens) Illegal employment of aliens	SSN card not evidence of US authorization for an alien to accept employment in the US	Use of SSN?
28-A §2519, sub-§7	145/147	(Liquor Liability Act) Approval of alcohol server education courses	Instructor of alcohol server education class must provide liquor enforcement with state ID card or SSN of student who complete the course	Collect - private entity, report to public entity
29-A §1301, sub-§6	153	(Driver's license) Application	SSN must be recorded on application; use number to establish a permanent license number or nondriver ID card	Collect - public entity
29-A §2458, sub-§2, ¶P	157/158	(Major motor vehicle offenses) Suspension or revocation of license, title, registration or fuel use decal	SOS may suspend or revoke certificate of title, certificate of registration, license, fuel use decal or operating authority of person if person failed to provide valid SSN pursuant to §1301	Penalty for no SSN - public entity
29-A §956, sub-§5	151/152	(Motor vehicle dealers, licensing of dealers) Record of transactions	Dealer must maintain record of all sales representatives and full-time employees, including SSN, available for inspection by AG and law enforcement officers	Collect - private entity, report to public

## Social Security Numbers in Maine Statutes

July 14, 2010

Citation	Binder page	Section headnote	Description	Treatment
32 §1094-B, sub-§1	164/164	(Dentists) Removable dental prostheses; owner identification	Dentist must mark removable dental prosthesis with owners name and SSN	Mark SSN - "disclosure" by private entity
32 §14507, sub-§1	170/170	(Door-to-door home repair transient sellers) Application	Application for license - include SSN of home repair seller	Collect - public entity
32 §14507, sub-§2	170/170	(Door-to-door home repair transient sellers) Application	Application for license - include SSN of home repair seller's employees	Collect - public entity
32 §16607, sub-§2, ¶E	172/172	(Maine Uniform Securities Act) Public records; confidentiality	Nonpublic records: any SSN	Protect - public entity
32 §2103, sub-§4, ¶E	166/166	(Nurses and nursing) Exceptions	Authorization of practice by nurse licensed in another jurisdiction pending receipt of US SSN	SSN requirement - public entity
32 §2103, sub-§7	166/167	(Nurses and nursing) Exceptions	Authorization of practice by nurse who has passed National Council of State Boards of Nursing examination, pending receipt of US SSN	SSN requirement - public entity
33 §1958, sub-§2, ¶B	176/176	(Uniform Unclaimed Property Act) Report of property presumed abandoned	Property holder must report SSN of owner, if known	Report SSN - by private entity
33 §651-B, sub-§1, ¶A, sub-¶(1)	175/175	(Register of Deeds) Privacy protection	Definition of "personal information" means individual's first name or first initial and last name in combination with any one or more of listed data elements, including SSN Sub-§2: individual may ask that personal information be redacted	Protect - public entity
34-A §1216, sub-§1	179/180	(Corrections) Confidentiality of information	DOC may release SSN of juveniles to DHHS for sole purpose of determining eligibility and billing for services; DHHS must treat as confidential	Limited release by public entity
36 §175, sub-§1	(181A)	(Taxation) Applicants for license or renewal of license	State entity that issues licenses must provide list of licenses or certificates of authority issued in last year, including SSN	Use of SSN - release by public to public

## Social Security Numbers in Maine Statutes

July 14, 2010

Citation	Binder page	Section headnote	Description	Treatment
36, §176-B, sub-§1, 2, 3, 7,		Access to financial records of individuals who owe Maine taxes	Tax assessor may ask financial institutions to perform match using SSNs or tax IDs provided by bureau and compile list for bureau of customers whose #s match; list of customers compiled with SSNs or tax IDs and amount of tax debt provided by the bureau to the financial institution is confidential	Use of SSN – release by public to private
36 §191, sub-§2, ¶O	182/184	Confidentiality of tax records	Exception for disclosure of SSN to DHHS when payor’s SSN provided by DHHS	Use of SSN - release by public to public
36 §191, sub-§2, ¶S	182/184	Confidentiality of tax records	Exception for disclosure of SSN to DHHS of applicants for Maine Residents Property Tax Relief Program; no further disclosure	Use of SSN - release by public to public
36 §191, sub-§2, ¶T	182/184	Confidentiality of tax records	Exception for disclosure of SSN to DHHS of delinquent payor of child support	Use of SSN - release by public to public
36 §4713	(194A)	(Mahogany quahog tax) Dealer application for mahogany quahog certificate	Dealer must file application with State Tax Assessor that includes SSN or tax ID	Collect - public entity
36 §5276-A, sub-§1	195/195	(Income taxes) Setoff of debts against refunds	The assessor shall provide any agency of the State authorized to collect a liquidated debt the SSN of each debtor whose refund is subject to setoff	Use of SSN - release by public to public
36 §5276-A, sub-§8	195/196	(Income taxes) Setoff of debts against refunds	Party shall provide SSN in any civil or criminal action in which a fine, forfeiture, order to pay or money judgment is entered in favor of the State or any agency of department, or in which counsel is appointed for an indigent party	Collect - public entity
38 §490-Z, sub-§14, ¶L	199/207	Performance standards for quarries, blasting	Record of name, signature and SSN of blaster	Collect - public entity
39-A §105-A		(Workers’ Compensation) Construction contractors	“Construction subcontractor” ( a person who performs construction work on a site for a hiring agent) must possess or apply for a federal ID # or a SSN	Use of SSN?

**Social Security Numbers in Maine Statutes**  
**July 14, 2010**

G:\Studies - 2010\Right to Know Advisory Committee\Social Security Numbers\Maine SSN statutes chart updated 7-14-2010.doc (7/20/2010 12:41:00 PM)