

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out all of section 4 and inserting the following:

‘**Sec. 4. 1 MRSA §532, sub-§3-B** is enacted to read:

**3-B. Portal fee.** "Portal fee" means a fee, authorized in section 534, paid by a user for a transaction.’

Amend the bill by striking out all of section 7 and inserting the following:

‘**Sec. 7. 1 MRSA §532, sub-§§6-A and 6-B** are enacted to read:

**6-A. Transaction.** "Transaction" means a transaction between a user and a data custodian involving electronic services, including but not limited to: the submission by a user of an application, registration or other document; the purchase by a user of a permit, license or other document or service; the payment of a tax, fee, fine or other charge; and the retrieval of records.

**6-B. User.** "User" means an individual, business or organization that uses electronic services, whether for a fee or at no charge.’

Amend the bill in section 9 in paragraph G by striking out all of subparagraph (9) and inserting the following:

(9) The board may establish portal fees to maintain, develop, operate and expand InforME on a continuing basis. A portal fee may not exceed \$6 plus 3% of the total charges for each transaction, except that the board may establish a higher portal fee by major substantive rule as defined in Title 5, chapter 375, subchapter 2-A;

Amend the bill by striking out all of section 16 and inserting the following:

‘**Sec. 16. 1 MRSA §538, sub-§3**, as enacted by PL 1997, c. 713, §1, is repealed and the following enacted in its place:

**3. User records.** Information in records of the network manager or collected by InforME relating to the identity of or use by users of electronic services is confidential and may be released only with the express permission of the user or pursuant to court order. This subsection does not affect the public record status of any records of data custodians regarding users.’

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

## SUMMARY

This amendment modifies the bill by:

1. Adding a definition of "transaction" and modifying the definition of "portal fee" to mean a fee paid by a user for a transaction;
2. Establishing a cap on portal fees of \$6 plus 3% of the total charges for each transaction, with a provision allowing the InforME Board to establish a higher portal fee by major substantive rule; and
3. Clarifying the language in the bill regarding confidentiality of user information.