

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37

Date: (Filing No. H-)

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

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION**

HOUSE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to S.P. 92, L.D. 306, Bill, “An Act To Require State Compliance with Federal REAL ID Guidelines”

Amend the amendment in section 1 in §1260 in the first paragraph in the last line (page 1, line 19 in amendment) by adding after the following: "license." the following: 'The Secretary of State shall provide notice to an applicant at the time of application of the document retention policies of the Secretary of State governing documents provided by an applicant.'

Amend the amendment in section 2 in subsection 2-A in the last line (page 1, line 28 in amendment) by adding after the following: "1964." the following: 'The Secretary of State may not provide a document or a copy of a document collected pursuant to this subsection to a person other than a law enforcement agency. The Secretary of State may not copy, scan or store a document collected pursuant to this subsection except for a document collected in connection with the issuance of a license pursuant to section 1260.'

Amend the amendment by inserting after section 2 the following:

'Sec. 3. 29-A MRSA §1301, sub-§6-A, as enacted by PL 2011, c. 149, §4, is amended to read:

6-A. Confidentiality. Except as authorized under 18 United States Code, Section 2721, the Secretary of State may not disseminate information collected under subsection 6 to any entity ~~without specific authorization from the Legislature.~~ For every willful violation of this subsection, a person commits a civil violation for which a fine of not more than \$500 may be adjudged.

Sec. 4. 29-A MRSA §1301, sub-§11, as enacted by PL 2007, c. 659, §1, is amended to read:

11. Residency requirement. A license may not be issued to a person unless the person presents acceptable documentary evidence of the person's residence or domicile in this State. The Secretary of State may exempt from the requirements of this subsection a person who has established to the satisfaction of the Secretary of State that the person is on active duty in the United States Armed Forces, the spouse or child of a person on active duty in the United States Armed Forces or a student enrolled in a university, college or school within the State.

1 A. Acceptable documentary evidence of a person's residence or domicile in this State
2 must include the applicant's name and the address of the person's residence or
3 domicile in this State. A post office box or other mail drop address is not sufficient.
4 Acceptable documentary evidence includes, but is not limited to:

- 5 (1) A tax return, W-2 form or paycheck stub;
- 6 (2) A utility bill or a letter from a utility company showing application for
7 service;
- 8 (3) A contract to which the applicant is a party; or
- 9 (4) A document issued by a governmental entity.

10 B. A person who is unable to provide acceptable documentary evidence pursuant to
11 paragraph A may meet the requirements of this subsection by:

- 12 (1) Submitting the affidavits of 2 individuals who have a personal or
13 professional relationship with the person and knowledge of the person and the
14 person's residence or domicile, which may include a shelter, in this State. A
15 single affidavit signed by a parent or guardian of a minor making an application
16 is sufficient for the purposes of this paragraph. The Secretary of State may reject
17 any affidavit the Secretary of State determines to be insufficient to meet the
18 requirements of this subsection. The affidavit is a sworn statement and a false
19 statement by the affiant constitutes false swearing, which is a violation of Title
20 17-A, section 452. The Secretary of State shall provide forms for the completion
21 of affidavits. These forms must state: "By signing this statement I verify that the
22 representations herein are true. By making false statements on this document, I
23 realize I am committing a Class D crime punishable under Maine law."; or
- 24 (2) By taking an oath or affirmation before the Secretary of State swearing to the
25 person's residence or domicile, which may include a shelter.

26 An applicant who supplies false information pursuant to this subsection makes a material
27 misstatement of fact described in section 2103 and is subject to the penalties under that
28 section.

29 The Secretary of State may not provide a document or a copy of a document collected
30 pursuant to this subsection to a person other than a law enforcement agency. The
31 Secretary of State may not copy, scan or store a document collected pursuant to this
32 subsection except for a document collected in connection with the issuance of a license
33 pursuant to section 1260.'

34 Amend the amendment in section 3 in subsection 9 in the 3rd line (page 1, line 33 in
35 amendment) by inserting after the following: "card" the following: 'pursuant to section
36 1260'

37 Amend the amendment by inserting after section 5 the following:

38 '**Sec. 6. 29-A MRSA §1410, sub-§1**, as repealed and replaced by PL 2007, c.
39 659, §2, is amended to read:

