1	L.D. 1521
2	Date: (Filing No. S-)
3	ENERGY, UTILITIES AND TECHNOLOGY
4	Reproduced and distributed under the direction of the Secretary of the Senate.
5	STATE OF MAINE
6	SENATE
7	125TH LEGISLATURE
8	FIRST REGULAR SESSION
9 10	COMMITTEE AMENDMENT " " to S.P. 482, L.D. 1521, Bill, "An Act To Amend the InforME Public Information Access Act"
11	Amend the bill by striking out all of section 4 and inserting the following:
12	'Sec. 4. 1 MRSA §532, sub-§3-B is enacted to read:
13 14	3-B. Portal fee. "Portal fee" means a fee, authorized in section 534, paid by a user for a transaction.'
15	Amend the bill by striking out all of section 7 and inserting the following:
16	'Sec. 7. 1 MRSA §532, sub-§§6-A and 6-B are enacted to read:
17 18 19 20 21	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.
22 23	6-B. User. "User" means an individual, business or organization that uses electronic services, whether for a fee or at no charge.'
24 25	Amend the bill in section 9 in paragraph G by striking out all of subparagraph (9) and inserting the following:
26 27 28 29 30	'(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;'
31	Amend the bill by striking out all of section 16 and inserting the following:
32 33	'Sec. 16. 1 MRSA §538, sub-§3, as enacted by PL 1997, c. 713, §1, is repealed and the following enacted in its place:

1	3. User records. Information in records of the network manager or collected by
2	InforME relating to the identity of or use by users of electronic services is confidential
3	and may be released only with the express permission of the user or pursuant to court
4	order. This subsection does not affect the public record status of any records of data
5	custodians regarding users.'
6	Amend the bill by relettering or renumbering any nonconsecutive Part letter or
7	section number to read consecutively.
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8 SUMMARY

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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.