

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 251

S.P. 118

In Senate, January 21, 2025

**An Act to Protect the Confidentiality of Information of Individual
Customers of a Public Utility**

Submitted by the Public Utilities Commission pursuant to Joint Rule 204.
Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator LAWRENCE of York.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 1 MRSA §402, sub-§3, ¶U**, as amended by PL 2023, c. 618, §1, is further
3 amended to read:

4 U. Records provided by a railroad company pursuant to Title 23, section 7311,
5 subsection 5 and records describing hazardous materials transported by the railroad
6 company in this State, the routes of hazardous materials shipments and the frequency
7 of hazardous materials operations on those routes that are in the possession of a state
8 or local emergency management entity or law enforcement agency, fire department or
9 other first responder, except that records related to a train carrying hazardous materials
10 that has derailed at any point from a main line train track or related to a discharge of
11 hazardous materials transported by a railroad company that poses a threat to public
12 health, safety and welfare are subject to public disclosure after that discharge. For the
13 purposes of this paragraph, "hazardous material" has the same meaning as set forth in
14 49 Code of Federal Regulations, Section 105.5; ~~and~~

15 **Sec. 2. 1 MRSA §402, sub-§3, ¶V**, as enacted by PL 2017, c. 118, §3, is amended
16 to read:

17 V. Participant application materials and other personal information obtained or
18 maintained by a municipality or other public entity in administering a community well-
19 being check program, except that a participant's personal information, including health
20 information, may be made available to first responders only as necessary to implement
21 the program. For the purposes of this paragraph, "community well-being check
22 program" means a voluntary program that involves daily, or regular, contact with a
23 participant and, when contact cannot be established, sends first responders to the
24 participant's residence to check on the participant's well-being; and

25 **Sec. 3. 1 MRSA §402, sub-§3, ¶W** is enacted to read:

26 W. Information pertaining to an individual customer of a public utility as defined in
27 Title 35-A, section 102, subsection 13 that is designated by rule as confidential by the
28 Public Utilities Commission pursuant to Title 35-A, section 111.

29 **SUMMARY**

30 This bill excludes from the definition of "public records" in the Freedom of Access Act
31 information pertaining to an individual customer of a public utility that is designated as
32 confidential in rules adopted by the Public Utilities Commission.