

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 931

H.P. 716

House of Representatives, February 15, 2001

An Act to Provide for the Security of Certain Utility Information.

(EMERGENCY)

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative SAVAGE of Buxton.

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4
6 **Whereas,** it is necessary that state agencies have timely
access to information about the technical operations and
facilities of public utilities in Maine to enable these agencies
8 to carry out their roles in emergency preparedness and response,
law enforcement and public health and safety activities; and

10
12 **Whereas,** the public release of some of that information may
compromise the security of utility infrastructure and operations;
and

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16 **Whereas,** some of that information is needed to support
current planning efforts related to potential energy emergencies
in the State; and

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20 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
22 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

26 **Sec. 1. 35-A MRSA §1311-B** is enacted to read:

28 **§1311-B. Security of utility information**

30 When, after consultation with the Department of Public
32 Safety and the Department of Defense, Veterans and Emergency
34 Management, the commission determines that the public release by
36 the commission of specific information about public utility
38 technical operations in the State could compromise the security
40 of public utility systems to the detriment of the public
42 interest, the commission shall designate such information as
44 confidential. Such information may include, but is not limited
46 to, emergency response plans and network diagrams. The
48 commission may not release information designated as confidential
50 under this section and shall take appropriate steps to protect
 any such information in its possession, except that the
 commission shall provide information designated confidential
 under this section to other state agencies to support emergency
 preparedness and response, law enforcement and public health and
 safety activities. The state agencies may not publicly release
 information designated as confidential under this section unless
 it is determined by the state agencies as necessary for the
 protection of public health and safety.

2 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.

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SUMMARY

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8 This bill allows the Public Utilities Commission to
designate as confidential information about public utility
10 operations and facilities the public release of which may harm
the public interest and to share that information with state
12 agencies such as the Maine Emergency Management Agency in the
Department of Defense, Veterans and Emergency Management, the
Department of Public Safety and the State Planning Office.

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