

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 196

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H.P. 152

House of Representatives, January 24, 2017

### **An Act To Protect Personal Information of Participants in a Community Well-being Check Program**

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Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative MALABY of Hancock.

Cosponsored by Representatives: CHACE of Durham, HARVELL of Farmington, HEAD of Bethel, HYMANSON of York, NADEAU of Winslow.

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

**Sec. 1. 1 MRSA §402, sub-§3, ¶T**, as amended by PL 2015, c. 161, §2, is further amended to read:

T. Records describing research for the development of processing techniques for fisheries, aquaculture and seafood processing or the design and operation of a depuration plant in the possession of the Department of Marine Resources; and

**Sec. 2. 1 MRSA §402, sub-§3, ¶U**, as enacted by PL 2015, c. 161, §3, is amended to read:

U. Records provided by a railroad company describing hazardous materials transported by the railroad company in this State, the routes of hazardous materials shipments and the frequency of hazardous materials operations on those routes that are in the possession of a state or local emergency management entity or law enforcement agency, a fire department or other first responder. For the purposes of this paragraph, "hazardous material" has the same meaning as set forth in 49 Code of Federal Regulations, Section 105.5; and

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

V. Participant application materials and other personal information obtained or maintained by a municipality or other public entity in administering a community well-being check program, except that a participant's personal information, including health information, may be made available to local law enforcement or other designated first responders as necessary to administer the program. For the purposes of this paragraph, "community well-being check program" means a voluntary program that involves daily, or regular, telephone contact with a participant and when telephone contact cannot be established, sends local law enforcement or other designated first responders to the participant's residence to check on the participant's well-being.

## SUMMARY

This bill creates a public records exception under the Freedom of Access Act to protect the confidentiality of personal information of participants in community well-being check programs. A community well-being check program, sometimes known as a "Good Morning Program," is a voluntary program that involves daily, or regular, telephone contact with participants and, when telephone contact cannot be made, sends local law enforcement or other designated first responders to check on the well-being of the participant at the participant's residence. The bill makes an exception to the confidentiality provision to allow for the sharing of a participant's personal information, including health information, with local law enforcement or other designated first responders as necessary to administer the program.