

MAINE STATE LEGISLATURE

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R.O.F.S.

L.D. 1368

DATE: 6/3/5

(Filing No. H- 629)

AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 954, L.D. 1368, Bill, "An Act To Protect Small Forest Landowners"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 12 MRSA §8005 is enacted to read:

§8005. Certain information confidential

1. Contact information. Social security numbers, addresses, telephone numbers and electronic mail addresses of landowners owning less than 1,000 acres of forest land statewide and collected by the bureau for the purposes of contacting landowners under section 8611, or received by the bureau in notifications filed under section 8883-B, or in reports received under Title 36, section 581-G are confidential and may be disclosed only in accordance with this section.

2. Forest management plan and information. Social security numbers, forest management plans and supporting documentation of forest management activities on private forest land and held by the bureau for the purposes of administering landowner assistance programs authorized under this chapter and chapter 805 are confidential and may be disclosed only in accordance with this section.

COMMITTEE AMENDMENT

R.efs.

2 3. Disclosure. Except as provided in subsection 4, the
3 director may disclose confidential information in accordance with
4 this subsection. Confidential information disclosed pursuant to
5 this subsection remains the property of the bureau. Recipients of
6 the confidential information may not disclose this information or
7 use this information except as authorized by the director.

8 A. The director may disclose information designated as
9 confidential under this section to a governmental entity
10 that, in the opinion of the director, requires this
11 information.

12 B. The director shall provide names, addresses and
13 electronic mail addresses upon request to a nonprofit
14 corporation that provides educational services to forest
15 landowners regarding sound forest management as long as the
16 information disclosed is used to provide information about
17 forest management.

18 4. Information designated as confidential by state or
19 federal agency. The director may not disclose information
20 furnished to the director that has been designated as
21 confidential by a state or federal agency furnishing the
22 information unless disclosure is authorized by the furnishing
23 agency.

24 5. Penalty. A person who receives confidential information
25 pursuant to subsection 3, paragraph B and uses that information
26 for a purpose other than that authorized by the director commits
27 a civil violation punishable by a fine of not more than \$1,000.

28 **Sec. 2. 12 MRSA §8611, sub-§1,** as amended by PL 2003, c. 346,
29 §1, is further amended to read:

30 **1. Forest management information.** The bureau shall provide
31 a forest management information clearinghouse service with a
32 statewide toll-free number. The information and referral service
33 must include, but is not limited to:

34 **A.** Reporting, notification and management requirements
35 pursuant to this chapter;

36 **B.** Timber and forest management options;

37 **C.** Soil conservation practices;

38 **D.** Insect and disease management practices;

39 **E.** Recreation management options; and

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F. Wildlife management options.

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~~Names,--addresses~~ Addresses, telephone numbers and electronic mail addresses collected by the bureau for the purpose of contacting forest landowners owning less than 1,000 acres statewide to provide them with forest management information are ~~not-a-public record-for-the-purposes-of-Title-1,-section-402,-subsection-3~~ confidential and may be disclosed only in accordance with section 8005. The bureau shall provide copies of forest management information sent to landowners to the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters.

Sec. 3. 12 MRSA §8883-B, sub-§8 is enacted to read:

8. Confidentiality. The addresses, telephone numbers and electronic mail addresses of forest landowners owning less than 1,000 acres statewide contained in notifications filed under this section are confidential and may be disclosed only in accordance with section 8005.

Sec. 4. 36 MRSA §581-E, as enacted by PL 1989, c. 555, §18, is repealed.

Sec. 5. 36 MRSA §581-G is enacted to read:

§581-G. Report to Bureau of Forestry

1. Municipal report. The municipal assessor or chief assessor of a primary assessing area shall report annually to the Department of Conservation, Bureau of Forestry by November 1st or 30 days following the tax commitment date, whichever is sooner, the following information relating to land taxed according to this subchapter:

- A. The names and addresses of forest landowners;
- B. The total number of acres taxed pursuant to this subchapter, including a breakdown of forest type, by softwood, mixed wood and hardwood;
- C. The year each parcel was first accepted for taxation under this subchapter;
- D. The year of the most recent recertification of each parcel; and
- E. The tax map number, plan number and lot number for each parcel listed.

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2. Forms. The Department of Conservation, Bureau of Forestry shall annually provide municipalities with forms for submitting the information required under subsection 1. To the extent that the bureau has the required information, the bureau shall include that information on the forms.

3. Confidentiality. Addresses, telephone numbers and electronic mail addresses of forest landowners owning less than 1,000 acres statewide contained in reports filed under this section are confidential when in possession of the Department of Conservation, Bureau of Forestry and may be disclosed only in accordance with Title 12, section 8005.'

SUMMARY

This amendment replaces the bill. It clarifies confidentiality provisions for information held by the Department of Conservation, Bureau of Forestry. It requires the Director of the Bureau of Forestry to keep addresses and electronic mail addresses confidential for landowners owning less than 1,000 acres of forest land statewide but requires this information to be provided upon request to a nonprofit organization that provides educational services to forest landowners regarding sound forest management for the purpose of distributing information on forest management.

FISCAL NOTE REQUIRED
(See attached)



122nd MAINE LEGISLATURE

LD 1368

LR 0640(02)

An Act To Protect Small Forest Landowners

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Correctional and Judicial Impact Statements:

Establishes a new civil violation.

The collection of additional fines may increase General Fund revenue by minor amounts.