

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 379

S.P. 138

In Senate, February 4, 2025

An Act Regarding Confidential Information Gathered for Forest Fire Emergency Response and Planning

Submitted by the Department of Agriculture, Conservation and Forestry 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 BLACK of Franklin.

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

2 **Sec. 1. 12 MRSA §8904, sub-§1** is enacted to read:

3 **1. Confidentiality.** Emergency plans of action that contain any of the following
4 information are confidential and exempt from public records requirements pursuant to Title
5 1, chapter 13:

6 A. Personal contact information;

7 B. Information related to gaining access to gates, locks or roads;

8 C. Proprietary information of a landowner; or

9 D. Emergency response information acquired by the director through forest fire
10 preparedness and planning activities.

11 **Sec. 2. 12 MRSA §8904, sub-§2** is enacted to read:

12 **2. Disclosure of confidential information.** The director may disclose information
13 that is considered confidential under subsection 1 to another state agency for the purposes
14 of emergency incident response and planning.

15 **SUMMARY**

16 This bill modifies the provisions of law governing forest fire control to clarify that
17 certain emergency plans of action formulated by the Department of Agriculture,
18 Conservation and Forestry, Bureau of Forestry are considered confidential and are exempt
19 from public records requests under the Freedom of Access Act if they contain any of the
20 following: personal contact information; information related to gaining access to gates,
21 locks or roads; proprietary information of a landowner; and emergency response
22 information acquired by the Director of the Bureau of Forestry. The director may disclose
23 confidential information to another state agency for the purposes of emergency incident
24 response and planning.