

MAINE STATE LEGISLATURE

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M
R. of S.

L.D. 1691

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4 DATE: February 21, 1996

(Filing No. S- 434)

6 AGRICULTURE, CONSERVATION AND FORESTRY

8 Reported by: Senator Cassidy of Washington for the Committee.

10 Reproduced and distributed under the direction of the Secretary
12 of the Senate.

14 STATE OF MAINE
16 SENATE
18 117TH LEGISLATURE
20 SECOND REGULAR SESSION

22 COMMITTEE AMENDMENT " A" to S.P. 649, L.D. 1691, Bill. "An
24 Act to Amend the Law Allowing the Growth and Sale of Cultivated
26 Ginseng in Maine"

28 Amend the bill by striking out all of section 1 and
30 inserting in its place the following:

32 'Sec. 1. 7 MRSA §2226 is enacted to read:

34 §2226. Records not public

36 1. Records. Notwithstanding Title 1, chapter 13, ginseng
38 license applications, the names and addresses of licensees and
40 records required of licensees by the department pertaining to the
42 location of ginseng plantings are confidential and may not be
44 made available for public inspection.

46 2. Termination of confidentiality. Notwithstanding
48 subsection 1, the confidential status of records designated
confidential under subsection 1 terminates when the records are
used by the department as evidence for an enforcement action
pursuant to this chapter or are subpoenaed in any proceeding to
enforce a provision of this chapter, or are used in any
prosecution for a criminal violation.

50 3. Records disclosed by licensee. Notwithstanding
52 subsection 1, a licensee may authorize in writing the disclosure
54 of records designated confidential under subsection 1.'

56 Further amend the bill by inserting at the end before the
58 statement of fact the following:

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FISCAL NOTE

The Department of Agriculture, Food and Rural Resources will incur some minor additional costs to administer certain requirements pertaining to the sale of cultivated ginseng. These costs can be absorbed within the department's existing budgeted resources.'

STATEMENT OF FACT

The amendment clarifies language in the bill by stating that records required of cultivated ginseng licensees by the department pertaining to the location of ginseng plantings may not be made available for public inspection. The amendment also removes from public inspection ginseng license applications and the names and addresses of licensees. This confidential status terminates when the records are used by the department as evidence for an enforcement action pursuant to this chapter or are subpoenaed in any proceeding to enforce a provision of this chapter, or are used in any prosecution for a criminal violation. A licensee may authorize in writing the disclosure of records pertaining to license applications and the names and addresses of licensees.