

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1144

H.P. 821

House of Representatives, February 9, 1999

An Act to Make Public Certain Information Regarding Forest Practices.

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative SAMSON of Jay.
Cosponsored by Senator DOUGLASS of Androscoggin and
Representatives: BERRY of Livermore, BRYANT of Dixfield, CLARK of Millinocket,
HATCH of Skowhegan, JABAR of Waterville, McKEE of Wayne, O'NEAL of Limestone,
VOLENIK of Brooklin.

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

2
3 **Sec. 1. 12 MRSA §8884, sub-§3**, as enacted by PL 1989, c. 555,
4 §12 and affected by c. 600, Pt. B, §11, is amended to read:

6 **3. Confidentiality.** Volume information contained in these
7 reports submitted before October 1, 1999 pursuant to this section
8 is confidential and shall may not be made public except that
9 summary reports may be published that use aggregated data which
10 that do not reveal the activities of an individual person or firm.

12 **Sec. 2. 12 MRSA §8884, sub-§4** is enacted to read:

14 **4. Public information.** Notwithstanding Title 1, section
15 402, subsection 3, paragraph B, information contained in reports
16 submitted pursuant to this section on or after October 1, 1999 is
17 public information and must be made available to the public by
18 the Maine Forest Service in an annual report released by March
19 31st of each year.

20 **Sec. 3. 12 MRSA §8885, sub-§2-B** is enacted to read:

22 **2-B. Plantation establishment report.** Owners of more than
23 20,000 acres of forest land on which plantations have been
24 established on more than 25 acres in any year shall report to the
25 director the location of the plantation, the acreage planted, the
26 stand type prior to plantation establishment, the species planted
27 and any other information needed to assess the impact of these
28 practices.

30 **Sec. 4. 12 MRSA §8885, sub-§3**, as amended by PL 1997, c. 720,
31 §17, is further amended to read:

34 **3. Reports.** Reports required under subsection 1 are due
35 January 1st. Reports required under subsections 1 2 and 2 2-A
36 are due during the month of January. If the period of cutting
37 under subsection 1 or 2 extends beyond December 31st of any
38 calendar year, a report shall must be submitted during the month
39 of January for the preceding year. A person filing a harvest
40 notification form pursuant to section 8883 must complete and
41 return to the bureau a harvest report whether or not the
42 landowner has harvested that year.

44 **Sec. 5. 12 MRSA §8885, sub-§4**, as enacted by PL 1989, c. 555,
45 §12 and affected by c. 600, Pt. B, §11, is amended to read:

46 **4. Confidentiality.** Information contained in reports filed
47 under this section shall prior to October 1, 1999 may not be made
48 public, except that summary reports may be published that use
49 aggregated data which that do not reveal the activities of an
50

individual person or firm. Forms submitted pursuant to this section shall ~~shall~~ **must** be available for the use of the State Tax Assessor pursuant to Title 36, chapter 105, subchapter II-A.

Sec. 6. 12 MRSA §8885, sub-§4-A is enacted to read:

4-A. Public information. Except as provided in this subsection and notwithstanding Title 1, section 402, subsection 3, paragraph B, information contained in reports filed under this section on or after October 1, 1999 for forest landowners owning more than 20,000 acres is public information and must be made available to the public by the Maine Forest Service in an annual report released by March 31st of each year. Information on stumpage prices and volumes of species harvested by product type for an individual landowner is confidential and may not be made public.

SUMMARY

This bill makes the following changes to the laws governing reports concerning forest practices activities.

1. It makes annual wood processing reports available to the public, but specifies that volume information in wood processor reports and information in forest landowner reports submitted prior to October 1, 1999 remain confidential.

2. It requires landowners owning more than 20,000 acres to report information regarding the establishment of plantations.

3. It makes harvest reports of landowners owning more than 20,000 acres available to the public but specifies that individual landowner reports regarding stumpage prices and volumes of species harvested by product type remain confidential.

4. It requires the Maine Forest Service to produce an annual report containing the forest practices information made public by this bill.