



131st MAINE LEGISLATURE

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H.P. 1325

House of Representatives, December 13, 2023

An Act to Clarify the Laws Governing Disclosure of Wood Processing Data

Submitted by the Department of Agriculture, Conservation and Forestry pursuant to Joint Rule 203.

Received by the Clerk of the House on December 11, 2023. Referred to the Committee on Agriculture, Conservation and Forestry pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

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

ROBERT B. HUNT
Clerk

Presented by Representative PLUECKER of Warren.

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

2 **Sec. 1. 12 MRSA §8884, sub-§3-A** is enacted to read:

3 **3-A. Disclosure of confidential information.** Notwithstanding subsection 3,
4 confidential information may be disclosed pursuant to this subsection.

5 A. The director of the bureau may disclose information designated as confidential
6 under subsection 3 to the United States Department of Agriculture, Forest Service,
7 Northern Research Station when that entity, in the opinion of the director, requires that
8 information and the bureau and that entity have executed a confidentiality agreement
9 that protects against further disclosure of that information except in summary reports
10 that use aggregate data that do not reveal the activities of an individual person or firm.

11 B. The director of the bureau may not disclose information furnished by a state or
12 federal agency when that information has been designated as confidential by the
13 furnishing agency unless the furnishing agency authorizes the disclosure.

14 A recipient of information pursuant to paragraph A or B may not disclose or use the
15 information except as authorized by the director of the bureau, and the information remains
16 confidential and the property of the bureau.

17 **Sec. 2. 12 MRSA §8884, sub-§4**, as enacted by PL 2003, c. 452, Pt. F, §45 and
18 affected by Pt. X, §2, is repealed and the following enacted in its place:

19 **4. Penalties.** A person who:

20 A. Fails to submit a report pursuant to this section commits a civil violation for which
21 a fine of not more than \$1,000 for each failure may be adjudged; or

22 B. Receives confidential information pursuant to subsection 3-A and uses that
23 information for a purpose other than that authorized by the director of the bureau
24 commits a civil violation for which a fine of not more than \$1,000 may be adjudged.

25 **SUMMARY**

26 This bill amends the confidentiality provisions of the laws governing wood processor
27 reports to authorize limited sharing of the information submitted to the Department of
28 Agriculture, Conservation and Forestry, Bureau of Forestry with the United States
29 Department of Agriculture, Forest Service, Northern Research Station, as long as the
30 bureau enters into a confidentiality agreement with that entity. The bill adds penalties to
31 ensure that the information is used only for purposes authorized by the director of the
32 bureau.