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Testimony of Tom Doak

Executive Director

Maine Woodland Owners

In Opposition to

LD 1985

“An Act to Authorize Removal of Requirements of Forest Certification Systems from the State’s Forest Management Plans”

Senator Ingwersen, Representative Pluecker and distinguished members of the Joint Standing Committee on Agriculture, Conservation and Forestry, my name is Tom Doak, Executive Director of Maine Woodland Owners speaking today in opposition to LD 1985, “An Act to Authorize Removal of Requirements of Forest Certification Systems from the State’s Forest Management Plans.”

I would like to speak specifically about Section 2 of the bill regarding disclosure of confidential records in the possession of the Maine Forest Service at the Department of Agriculture, Conservation and Forestry under 12 MRS § 8005(3)(B). Under current law, the Maine Forest Service can disclose the names, addresses and email addresses of landowners to a nonprofit that provides educational services to forest landowners regarding sound forest management as long as the information disclosed is used to provide information about forest management. This bill seeks to strike that provision from law so that disclosure of that contact information would no longer be possible.

As the former director of the Maine Forest Service, I have personal experience with this provision of law. To give you a little background, I drafted this provision when it was first enacted. As part of the enactment process, the provision was not just reviewed by the Agriculture, Conservation and Forestry Committee but also by the Judiciary Committee which reviewed any proposed law that intends to keep information confidential. There were no concerns with this provision at the time.

The reason for the enactment was largely driven by loggers who were obtaining contact information for small landowners from municipal tax records and using that information to directly solicit landowners for various services. As with any industry, there were an unscrupulous few who misused the information by taking advantage of landowners and making promises of services that they didn’t keep. The law was enacted to limit disclosure and prevent easy access to the same information for thousands of landowners in the possession of the Maine Forest Service.

This provision that only allows disclosure of contact information to nonprofit educational organizations was put into place to balance protecting sensitive contact information with the opportunity to provide educational materials to landowners regarding sound forest management principles. These educational materials could cover topics such as “what to expect from your forester” to “managing your woods for wildlife.”

I am not aware that there has been overuse or misuse of this provision since it was enacted. The Maine Forest Service has put into place a protocol where a form must be filled out and approved prior to disclosure that describes the intended use of the information. The Maine Forest Service carefully reviews this form which helps ensure that the information is only used for educational purposes.

I don't see any compelling reason why this Committee should vote to repeal this provision that has worked well over the years. I would urge you to vote ought not to pass on this bill.