



# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 35

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S.P. 43

In Senate, January 13, 2021

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**An Act To Facilitate Interagency Sharing of Information and  
Academic Research by Allowing Disclosure of Certain Confidential  
Information in Wood Processor and Forest Landowner Reports**

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Submitted by the Department of Agriculture, Conservation and Forestry pursuant to Joint Rule 204.

Received by the Secretary of the Senate on January 11, 2021. Referred to the Committee on Agriculture, Conservation and Forestry pursuant to Joint Rule 308.2 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 DILL of Penobscot.

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 a governmental entity or the University of Maine System when  
7 that entity or the system, in the opinion of the director, requires that information.

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

11 A recipient of information pursuant to paragraph A or B may not disclose the information  
12 or use the information except as authorized by the director of the bureau, and the  
13 information remains the property of the bureau.

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 X, §2, is repealed and the following enacted in its place:

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

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

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

22 **Sec. 3. 12 MRSA §8885, sub-§5,** as enacted by PL 1989, c. 555, §12 and affected  
23 by c. 600, Pt. B, §11, is repealed and the following enacted in its place:

24 **5. Disclosure of confidential information.** Notwithstanding subsection 4,  
25 confidential information may be disclosed pursuant to this subsection.

26 A. The director of the bureau may disclose information designated as confidential  
27 under subsection 4 to a governmental entity or the University of Maine System when  
28 that entity or the system, in the opinion of the director, requires that information.

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

32 A recipient of information pursuant to paragraph A or B may not disclose the information  
33 or use the information except as authorized by the director of the bureau, and the  
34 information remains the property of the bureau.

35 This section may not be construed to prevent the disclosure of information to duly  
36 authorized officers of the United States and of other states, districts and territories of the  
37 United States and of the provinces and Dominion of Canada. The information may be  
38 given only on the written request of the duly authorized officer when that officer's  
39 government permits the exchange of similar information with the taxing officials of this  
40 State and when that officer agrees that the information will be used only for tax collection  
41 purposes.

