

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 1676

H.P. 1229

House of Representatives, March 15, 2001

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**An Act to Establish the Maine Forest Certification Council.**

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

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Speaker SAXL of Portland.  
Cosponsored by President MICHAUD of Penobscot and  
Representatives: LEMOINE of Old Orchard Beach, McKEE of Wayne, RICHARDSON of  
Brunswick, Senator: DAGGETT of Kennebec.

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

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Sec. 1. 12 MRSA §8876-B is enacted to read:

**§8876-B. Maine Forest Certification Council**

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Forest certification system" means a system that verifies sustainable forest management through independent 3rd-party auditors.

B. "Forest management audit" means the audit report generated by a forest certification system after conducting an audit of forest management of lands in this State.

C. "Goals, criteria and standards of sustainable forest management" means the goals, criteria and standards of sustainable forest management reported by the director pursuant to section 8876-A, subsection 3.

2. Council established. The Maine Forest Certification Council, referred to in this section as the "council," is established to review forest management audits conducted by forest certification systems and to report upon its findings for the purpose of assessing the value of the use of forest certification systems in helping to achieve the goals, criteria and standards of sustainable forest management in this State.

3. Members; terms; staff. The council consists of 12 appointed members. The Governor, the President of the Senate and the Speaker of the House of Representatives shall each appoint 4 members to the council. Members must be chosen based upon their expertise in at least one of the following areas: forest management, silviculture, timber harvesting, forest mensuration, forest protection, forest ecology, soil science, wildlife biology, inland fisheries biology, plant ecology, forest economics and forest-based recreation. Members serve 3-year terms.

The Department of Conservation shall provide one employee to assist and to staff the council. The department staff person is responsible for coordinating meetings, encouraging public participation and coordinating additional research efforts that may be necessary to carry out the purpose of the council.

4. Duties. The members of the council shall review forest management audits and annually report their findings regarding the value of forest certification systems in helping to achieve the goals, criteria and standards of sustainable forest

2 management to the Governor, the Legislature and the joint  
4 standing committee of the Legislature having jurisdiction over  
6 forestry matters. In conducting its review and generating its  
8 report, the council may consider in addition to the forest  
management audits any public, nonconfidential records it  
considers useful. In conducting its review and generating its  
report, the council may not substitute its own or any other  
goals, criteria and standards of sustainable forest management.

10 5. Meetings. The council shall meet at least 3 times per  
12 year and as often as it considers necessary to perform its  
14 duties. The members shall hold an initial meeting at which they  
16 shall elect a chair, vice-chair and secretary and assign their  
18 duties and duties to other members as appropriate. Meetings must  
be open to the public and allow for public participation. Notice  
of all meetings must be mailed at least 10 days before each  
meeting to those interested parties who have requested notice.  
The public must be notified by a newspaper of general circulation  
at least 14 days before all meetings.

20 **Sec. 2. Staggered terms.** Notwithstanding the Maine Revised  
22 Statutes, Title 12, section 8876-B, subsection 3, members of the  
24 Maine Forest Certification Council serve staggered 3-year terms.  
26 In order to implement the staggering of terms, the Governor, the  
28 President of the Senate and the Speaker of the House of  
30 Representatives shall each initially appoint one member for a  
32 2-year term, 2 members for 3-year terms and one member for a  
34 4-year term. Thereafter, all members, whether newly appointed or  
36 renewed, are appointed for a term of 3 years.

## 32 SUMMARY

34 This bill establishes the Maine Forest Certification  
36 Council, consisting of members appointed by the Governor, the  
38 President of the Senate and the Speaker of the House of  
40 Representatives, to review and report upon the value of the use  
42 of 3rd-party certification in achieving forest sustainability as  
44 established by the Maine Council on Sustainable Forest  
46 Management. The council in conducting its review and generating  
its report must rely solely upon 3rd-party certification audits  
and other existing and available information. The council has no  
authority to establish sustainability standards of its own.  
Instead, it must rely exclusively on the goals, criteria and  
standards previously established by the Maine Council on  
Sustainable Forest Management. The council must report its  
findings annually to the Governor and to the Legislature.