MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1676

H.P. 1229

House of Representatives, March 15, 2001

Millient M. Mac Failand

An Act to Establish the Maine Forest Certification Council.

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

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.

Serior 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 members to the council. Members must be chosen based upon their expertise in at least one of the following areas: fores: management, silviculture, timber harvesting, forest mensuration forest protection, forest ecology, soil science, wildlift biology, inland fisheries biology, plant ecology, forest economics and forest-based recreation. Members serve 3-year terms.	<u>ie Forest (</u>	'ertifical	. • -		
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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

participation and coordinating additional research efforts that

may be necessary to carry out the purpose of the council.

management to the Governor, the Legislature and the joint standing committee of the Legislature having jurisdiction over forestry matters. In conducting its review and generating its 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.

5. Meetings. The council shall meet at least 3 times per year and as often as it considers necessary to perform its duties. The members shall hold an initial meeting at which they shall elect a chair, vice-chair and secretary and assign their 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.

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

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SUMMARY

This bill establishes the Maine Forest Certification Council, consisting of members appointed by the Governor, the President of the Senate and the Speaker of the House of Representatives, to review and report upon the value of the use of 3rd-party certification in achieving forest sustainability as established by the Maine Council on Sustainable The council in conducting its review and generating Management. 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.