

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1985

S.P. 814

In Senate, May 22, 2023

**An Act to Authorize Removal of Requirements of Forest
Certification Systems from the State's Forest Management Plans**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by President JACKSON of Aroostook.

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

2 **Sec. 1. 12 MRSA §1847, sub-§2,** as amended by PL 2013, c. 405, Pt. C, §9, is
3 further amended by enacting a new 2nd blocked paragraph to read:

4 If a forest certification system is part of a comprehensive management plan and the
5 commissioner determines that the forest certification system does not maintain or enhance
6 the long-term social and economic well-being of forest workers and local communities, the
7 commissioner shall amend the comprehensive management plan by removing the forest
8 certification system from the comprehensive management plan.

9 **Sec. 2. 12 MRSA §1847, sub-§2,** as amended by PL 2013, c. 405, Pt. C, §9, is
10 further amended by enacting a new 3rd blocked paragraph to read:

11 For purposes of this section, "forest certification system" means a voluntary, 3rd-party
12 annual monitoring process that considers ecological and socioeconomic effects of forest
13 management activities.

14 **Sec. 3. Forest Stewardship Council certification.** The Commissioner of
15 Agriculture, Conservation and Forestry shall examine the Forest Stewardship Council
16 certification system to make a determination whether the Forest Stewardship Council is
17 complying with its own principles relating to maintaining or enhancing the long-term social
18 and economic well-being of forest workers and local communities. Principles relating to
19 forest workers and local communities include:

20 1. The communities within, or adjacent to, the forest management area must be given
21 opportunities for employment, training and other services;

22 2. Forest management must meet or exceed all applicable laws and regulations
23 covering health and safety of employees and their families;

24 3. The rights of workers to organize and voluntarily negotiate with their employers
25 must be guaranteed;

26 4. Forest management planning and operations must incorporate the results of
27 evaluations of social impact. Consultations must be maintained with people and groups
28 directly affected by forest management operations; and

29 5. Appropriate mechanisms must be employed for resolving grievances and for
30 providing fair compensation in the case of loss or damage affecting the legal or customary
31 rights, property, resources or livelihoods of local people. Measures must be taken to avoid
32 such loss or damage.

33 If the commissioner finds or the Legislature finds and instructs the commissioner that
34 the Forest Stewardship Council is not complying with its own principles under this section,
35 the commissioner shall remove the Forest Stewardship Council certification system from
36 the comprehensive management plan for public lands.

37 **SUMMARY**

38 This bill provides that if a forest certification system is part of a comprehensive
39 management plan for public lands and the Commissioner of Agriculture, Conservation and
40 Forestry determines that the forest certification system does not maintain or enhance the
41 long-term social and economic well-being of forest workers and local communities, the

1 commissioner is required to amend the management plan by removing the forest
2 certification system from the comprehensive management plan.

3 The bill also requires the Commissioner of Agriculture, Conservation and Forestry to
4 examine the Forest Stewardship Council certification system to make a determination
5 whether the Forest Stewardship Council is complying with its own principles relating to
6 maintaining or enhancing the long-term social and economic well-being of forest workers
7 and local communities. If the commissioner finds or the Legislature finds and instructs the
8 commission that the council is not complying with its own principles, the commissioner is
9 required to remove the Forest Stewardship Council certification system from the
10 comprehensive management plan for public lands.