



Testimony of

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Professional Logging Contractors of the Northeast

**Before the Joint Standing Committee on Agriculture, Conservation and Forestry to
LD 88, An Act Regarding Penalties for Violating the Laws Governing Agriculture
and Animals and the Maine Weights and Measures Law**

Tuesday, January 28, 2025

Senator Talbot Ross, Representative Pluecker, and members of the Joint Standing Committee on Agriculture, Conservation and Forestry, my name is Dana Doran, and I am the Executive Director of the Professional Logging Contractors of the Northeast (PLC). The PLC is a regional non-profit organization that represents logging and associated trucking contractors throughout the Northeast, predominately in the state of Maine.

As background, the PLC was created in 1995 to give logging and associated trucking contractors a voice in a rapidly changing forest products industry. As of 2021, logging and trucking contractors in Maine employed over 3,000 people directly and were indirectly responsible for the creation of an additional 2,500 jobs. This employment and the investments that contractors make contributed \$582 million to the state's economy. Our membership, which includes over 200 contractor members in the state of Maine and an additional 125 associate members, is responsible for more than 80% of Maine's annual timber harvest.

Thank you for providing me the opportunity to testify on behalf of our membership in support of LD 88, "An Act Regarding Penalties for Violating the Laws Governing Agriculture and Animals and the Maine Weights and Measures Law". Our comments will be directed toward the section of the bill regarding the administrative penalties for violations of Title 10, Chapter 501.

The PLC appreciates the sponsor and the Department of Agriculture, Conservation and Forestry (DACF) for introducing LD 88. This legislation will allow the Commissioner of DACF with the ability to assess administrative penalties for violations of Title 10, Chapter 501, the Weights and Measures law, which impacts payments to contractors and those who sell firewood and other commodities. However, if the bill moves forward, we would like to see it amended to also include similar penalty stipulations for violations of Title 10, Chapter 235, Section 1500-Q, Payment for Harvesting Wood, which is similarly related to Title 10, Chapter 501, but is included in a different Chapter of Title 10. If added, this would provide a penalty system for an addition to statute that was added in 2023 to ensure logging contractors who are hired to harvest wood and place the wood roadside are paid for their services in a specific period of time.

As background, about 50% of the timber harvest in Maine is conducted by contractors who work for landowners under service contracts, which includes investor-owned property, family managed land, mill managed land and state-owned land (Bureau of Parks and Lands; Inland Fisheries and Wildlife). In all of these circumstances, contractors provide a service (harvesting or trucking), but do not purchase nor market the wood from the harvest. They provide the service they are hired to provide, but generally, the delivery point or scaling are out of their control. Previous to the statutory change in 2023, service contractors were not paid until wood crossed a weight scale, per Title 10, Chapter 501, Subchapter 2A, Section 2361-2369. This changed in 2023 and created a new section of law for payment of service contractors that harvest wood.

We applaud the Department for recommending the changes proposed in this bill, but would greatly appreciate it if it could be amended to reference one other section of law, Title 10, Chapter 235, Section 1500-Q. Contractors are still having trouble receiving payment for work that has already been completed, and this addition would provide a way for DACF to levy penalties to entities that are habitually in violation of the statute. I urge the committee to vote ought to pass as amended and provide the DACF increased authority to authorize these penalties.

Thank you for your consideration of our opinion and I urge you to keep the logging community in mind when making decisions. I would be happy to answer any questions you might have.