

# FOREST PRODUCTS NEWS

## MFPC Gubernatorial Forum A Success!

*By James Cote*

*MFPC Communications Director*



Members can be very confident this election season that the Maine Forest Products Council is actively engaging with gubernatorial candidates of all political stripes in an effort to foster a better relationship with Maine's next governor.

As you know, Maine voters will have the opportunity to choose a Democrat and Republican candidate in the June primary election, and finally to choose a new governor in November.

Patrick and I enjoyed many briefings with the candidates for

governor during January, February, and



*(Democrat candidates for governor . From the left: John Richardson, Rosa Scarcelli, Patrick McGowan, and Steve Rowe)*

March. These meetings were organized to help the candidates better understand our positions on issues dealing with taxation, energy costs, labor, land use, and other natural resource policy. The slate of candidates is impressive, and the experience and political views ranges, as you might expect, from the very progressive, to the ultra conservative. I've also visited with the candidates at many campaign events, in the halls of the

*(Continued on page 4)*

## Bonded Labor Legislation Finally Resolved

After several weeks of negotiation with sponsors and Governor Baldacci's office, two bills aimed at the elimination of Canadian labor in the Maine woods have finally been resolved.

As you will remember, Representative John Martin's LD 1552, which would have ejected landowners from the Tree Growth Tax Program for hiring contractors who employ bonded workers, passed in the House and Senate two weeks ago today. The bill was then sent to the Governor's desk for his consideration. Because of the timing of the passage of LD 1552, the Governor only had ten days to act or the bill would have

become law without his signature. Wednesday at midnight was the deadline for this action.

Senator Troy Jackson's LD 1545, a bill that was directed at stiffening the penalties and provisions of the Equipment Ownership Laws, sat on the Senate calendar during these ten days, in an effort for Jackson and Martin to maintain a legislative vehicle for the negotiated compromise language.

The Maine Forest Products Council decided to focus most intensely on LD 1552, which if it became law, would have made it almost impossible to hire any bonded workers at all. MFPC also

*(Continued on page 5)*

## **IN THE NEWS**



- Presidents Message..... Page 2
- MFPC Awards..... Page 3
- Maine Forest Service..... Page 6
- White Tailed Deer..... Page 7
- MFPC Golf Tournament..... Page 9

## President's Message:

### My Choice for Our Next Governor- By Doug Denico

My thoughts turned recently to the Governor's race. How could they not with all the maneuvering going on as a prelude to the June primaries. Given these circumstances, I thought a wish list as to the qualifications of our next Governor would be rather fun to develop.

First off, the ability and courage to show leadership is a top priority. Leadership will be based on promoting what people need not what they want which is the political approach to governing. Leadership will be exhibited from day one rather than in the latter part of the Governor's tenure. The Governor will understand Maine people well enough so that decisions will be made without the benefit of constant polling. The Governor will enter office unencumbered with obligations to folks that provide significant financial assistance through "soft money" channels.

Party obligations will not result in cronyism. Such characteristics as intelligence, work ethic, experience and so on aren't the sole domain of any particular political party. The Governor will promote candidates based on their ability regardless of their political affiliation. A survey of appointed positions will show a good cross section of the different political parties. The people of Maine deserve the best possible public servants and the Governor will strive to achieve that obligation. Given the challenges this state has, Maine people deserve the best help available.



**Doug Denico**

Some folks have become confused about the role of government in business. The Governor won't be. The Governor will know that government isn't a form of business. The Governor will work to create an environment in Maine that allows business to succeed with minimal help from government.

The Governor's top priority will be jobs creation with a special emphasis on Northern, Eastern and Western Maine. Most of these Jobs will be in the private sector and actually make tangible products like paper and tools and provide more than the state average wage. While conservation has been the great cry for years, it's time now to focus on jobs so Maine people can afford to enjoy this great State. The Governor will focus on bringing a much needed balance to the conservation (preservation?)/jobs discussion. The Governor will require state agencies like DEP, DOC, IF&W, Agriculture the BEP and LURC to specifically conduct their business so that jobs will be created in the private sector (or at least not jeopardized). Job creation will be a big part of their mission - maybe some quotas will be assigned!

We hear a lot about bi-partisan efforts but sadly don't see it often in real life. Bi-partisan efforts will be the hallmark of the Governor's administration. The Governor will spend

*(Continued on page 3)*

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**Pres. Message...** (Cont. from page 2)

equal time with leadership in the major parties.

The Governor will not be a career politician and will come from a business background. The Governor will have just enough political experience to have patience and the ability to work through the bureaucratic process and enough energy and staying power to make State government more responsive.

The Governor will not entertain projects unless they are meant to be carried forward well after the press release becomes stale. The Governor will be very circumspect about which political or environmental initiatives to pursue. Just because a project gets tagged "green" doesn't mean it is right for Maine. We won't be asked to be national leaders for every cause and involvement in regional state projects must clearly benefit Maine!

The Governor will have a history of hard work that involved intense cold, hot weather, black flies, mud, snow, rain and the like. A few years working on a farm, in the fishing industry or in the woods would be just right for character building.

The Governor will have a passion for such activities as hunting, fishing and snowmobiling. Brook trout and deer head mounts will be prominently displayed in the Governor's office – ones caught and shot by the Governor right here in Maine. The Governor will be an active member in such groups as MSA, SAM, ATV Maine and SWOAM and owns a 100 acre woodlot to work and recreate in on weekends. While the Governor has his or her residence in Augusta, vacation escapes into Northern,

Eastern and Western Maine are frequent occurrences.

*I showed this letter to a political pragmatist and he called me an "idealist." I certainly hope not. I'm looking forward to "my" Governor already! I will even share one or two of my favorite fishing spots if all goes well.*

I showed this letter to a political pragmatist and he called me an "idealist." I certainly hope not. I'm looking forward to "my" Governor already! I will even share one or two of my favorite fishing spots if all goes well.

**MFPC Annual Awards**  
**50th YEAR**  
**CELEBRATION**

Each year, the Maine Forest Products Council asks its members to select outstanding individuals from the forest products community who excel in their professions:

- Outstanding Logger
- Outstanding Trucker
- Outstanding Manufacturer
- Outstanding Forester

Please take the time to consider those people in the forest products community who have done an exemplary job in these areas and deserve recognition for their positive impact on our industry. It is an important opportunity for us to look

within our industry and provide recognition and public attention where it is due. A separate email will be sent out this week with the application and criteria's. **Notice new category - Outstanding Forester.**

Email:  
Sue McCarthy  
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Comm. Director. . . . . (Cont. from page 1)



(Members of the Maine news media, MFPC members, and members of the Natural Resources Network listen to gubernatorial candidates.)

Legislature, and at other forums set up by various organizations.

The Maine Forest Products Council’s interaction with the candidates thus far led to an enlightening event



(Independent Candidate Eliot Cutler)

with ten of the candidates on Thursday, March 11 during the regularly schedule MFPC Board of Directors meeting.

The event was organized by the Maine Forest Products Council and many members of the Natural Resources Network as an opportunity to dig into the details of the candidate’s vision for Maine’s working landscapes and their position on many policy issues, like Tree Growth Tax, energy, and LURC, which are so vital to the forest prod-

ucts industry. Prior to this event, there was no other forum specifically designed to prompt discussion with the candidate about Maine’s traditional natural resource industries.

Members of the audience said afterward that they were impressed with the content of the forum. Member Ron Lovaglio was quoted in the Bangor Daily News the following day:

“This has been the best candidate forum I’ve been to,” said Ron Lovaglio, who was the state’s conservation commissioner for eight years under Gov. Angus King. “A forum like this is hugely important to get to know the candidates.”

For those who were not able to attend, the video of this event will soon be posted on the MFPC website. MFPC is developing plans to continue to stay involved in the election process. Those members wishing to get involved in the Forest Legacy PAC should contact James Cote.



(Republican candidates above from the left: Paul LePage, Bill Beardsley, Matt Jacobson below from the left, Les Otten, and Steve Abbott)



## Bonded Labor . . . . . (Cont. from page 1)

focused on fixing leasing and trucking and road construction equipment provisions in LD 1545.

MFPC, with support from FRA and others, worked diligently in the final days to develop a proposal that would satisfy the wishes of Governor Baldacci so that he would feel comfortable not allowing LD 1552 to become law. On Wednesday afternoon, the proposal was agreed to by the sponsors and Governor's office. However, as part of the deal, most of Senator Jackson's LD 1545 had to be maintained, with a few minor changes.

At 11:25 p.m. on Wednesday night, 35 minutes before LD 1552 became law, the Legislature passed LD 1545. Here are the highlights:

- Increased financial penalties for landowners who knowingly hire contractors using illegal bonds.
- Contractors who use bonds must be certified by ME DOL.
- Bona fide leases are acceptable, close family relation leases will not be allowed.
- Trucks and road building equipment are now included in equipment ownership laws.
- Recruitment Clearinghouse proposal is now law.

In exchange for this, LD 1552 was recalled from the Governor's desk, and was killed in the House and Senate. This was a big victory for the forest products industry.

The Recruitment Clearinghouse concept involves coordinated communication between Maine DOL and an industry recruitment clearing house which will provide service to contractors to ensure standardized and documented recruitment and processing of US loggers seeking employment in the H2A recruitment process. This level of service to applicants will provide fair and documented processing that will reinforce the integrity of the program and assure that willing qualified US workers have an opportunity for employment.

The process will produce an objective documentation of employee and employer interactions that will be reviewed by USDOL and MEDOL. ME DOL is able to take action (as they can in current law) on identified violations. Landowners who enter into contracts to harvest wood shall include a provision that allows them to terminate the contract if the logging employer is found in violation.

Official language of the law that was finally enacted will be distributed in the very near future.

Although this legislation will not take effect until 90 days after the end of the session and that there are issues that need to be clarified in the language, it is important that industry members conduct their business consistent with the spirit and intent of this law.

The application and recruitment process for the coming season should not be delayed.

More information on this will be shared in coming weeks by MFPC and FRA. Developing the Recruitment Clearinghouse will require diligence and participation on behalf of the entire industry. We are planning a training session on the new legislation for landowners and contractors in early May.

If you have questions, please contact Patrick Strauch at MFPC or Joel Swanton at FRA.

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## From the Maine Forest Service: An overview of the Maine Forest Service budget for 2009

In 2009, the Maine Forest Service (MFS) brought in more funding from outside sources and provided more in the way of specific financial benefits to Maine's citizens than it cost the State of Maine's general fund. This was done through many aggressive and successful grant proposals. Other programs in the past decade such as the 1998 ice storm funding (\$27 million) and the Forest Legacy Program (\$34 million) have created similar "spikes" in federal grants. Although this is only a "snapshot" in time, it shows that the MFS continues to meet its mission of protecting and enhancing Maine's forest resources in a fiscally responsible manner.

Figure 1. In 2009, the Maine Forest Service administered a budget of 14.7 million, which is 3 million dollars higher than the general fund costs from the State of Maine.

The Wood to Energy Program is a key component of this achievement and is made up of \$11.4 million in federal recovery funds that will be used to convert at least 15 public buildings to wood or dual-fuel heating. The funding, which will end in 2011, originated from the American Reinvestment and Recovery Act (ARRA) of 2009. It has been made available through a competitive grant process to all Maine communities, with a preference to rural, economically depressed counties. The intent of the ARRA funding is to create jobs for solid wood fuel professionals, contracting and engineering. The use of the ARRA funds also is expected to benefit loggers and other forest-product professionals. When awarding the grants, preference was also given to communities who could use the cost savings from the wood heating systems to save jobs threatened by the struggling economy. The first round of grant funds was awarded February 18, 2010. If you are interested in learning more about the program, please contact Joe Boucher, MFS Senior Planner, at (207) 287-3920.

In 2009, over twenty federal grants totaling 2.9 million helped the MFS continue to function during these difficult economic times. These grants were used for programs such as the Wildland Urban Interface

Program and Firewise Communities USA. The annual costs of the MFS's core statutory responsibilities to conduct an annual forest inventory and to provide a forest pest management program are heavily underwritten by grants to the MFS's Forest Health & Monitoring Division. The USDA Forest Service's Cooperative Forestry Assistance Program provides financial assistance to help the Forest Policy & Management Division deliver its land-owner assistance and community forestry programs. Other federal partners provide financial assistance to help the division and partner agencies protect water quality during timber harvest operations. Of particular note, the US Environmental Protection Agency funds the Direct Link Loan program, which provided ten loans totaling \$2.45 million to qualifying loggers. This allowed them to buy new equipment to help protect water quality during harvesting operations. Without federal funding, these programs would not exist.

Another means of offsetting the operating costs of the MFS involves payments for services. In 2009, Maine's Forest Rangers were reimbursed for \$229,000 for their expertise in managing large wildfires in other states and provinces. In previous years, Forest Rangers have been reimbursed for their work on other natural disasters such as floods and hurricanes. Maine's Forest Rangers also help Maine's timberland owners by investigating and prosecuting timber theft cases. Through their efforts in 2009, over \$200,000 in restitution was awarded to timber theft victims. Currently, an additional \$100,000 in restitution is pending in District and Superior courts.

For information on these and additional Maine Forest Service programs, please visit [www.maineforestservice.gov](http://www.maineforestservice.gov) or call (207) 287-2791 or 1-800-367-0223 (within Maine only).



### **SAVE THE DATES!!!**

**MFPC Golf Tournament**  
**Bangor Municipal Golf Course**  
**July 8, 2010**

**MFPC Annual Meeting**  
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**Will be held in Augusta**  
**September 12-13, 2010**



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Maine Forest Products Council President Doug Denico recently received the Maine Snowmobile Association's President's Award from Representative, and former MSA President, Paul Davis of Sangerville. Denico received the award for his service and dedication to better landowner relations here in Maine. Doug is also Vice-Chair of the Governor's Landowner-Sportsmen Relations Advisory Board. Davis told the crowd, "Anyone who has ever spent some time with Doug is better for the experience, and if you recreate on an inch of private land in this state, it is people like Doug that you have to thank for it." Congratulations to Doug for this well deserved recognition!

## Living on the Edge – White-Tailed Deer at the Northern Range Limit

A three part series on white-tailed deer in Maine by the Maine Department of Inland Fisheries and Wildlife. The second and third articles to follow in the June and July issues of SWOAM News and the MFPC Newsletter will be: "What is a Deer Wintering Area?" and "How to Manage Deer Wintering Areas".

### Part 1. How Do Deer Survive Winter?

By Joe Wiley, Certified Wildlife Biologist,  
MDIFW, Augusta

The white-tailed deer has developed a remarkable set of adaptations that enable the species to survive the deep snow and cold temperatures that occur here at the northern limit of their range in North America. The white-tailed deer found in Maine and the Northeast is one of the 3 northernmost of 16 subspecies. It is also the largest of the white-tail subspecies. Deer do not occur in viable numbers north of the St. Lawrence River.

Northern deer have larger body size than deer further south. This is true of all mammals in that body size increases as you progress northward. Large body size conserves energy better because of a lower surface to mass ratio.

Deer molt their hair coat in the spring and fall. The red summer hair has solid shafts and lacks an undercoat, but the gray-brown winter coat has hollow hair shafts and a dense, wool like under fur. This provides insulation and the deer have muscles that can adjust the angle of the hair shafts for maximum effectiveness.

During the fall deer accumulate and store body fat under the skin and around internal organs. This serves both as insulation and energy reserve for the rigors of winter. Fat reserves can be 30% of body mass of adult does in the fall. The natural winter diet is lower in protein and less digestible than the summer diet requiring more energy to digest and resulting in fewer calories. This

*(Continued on page 8)*

**White Tail Deer.** . . . . . (Cont. from page 7)

translates into a “voluntary” reduction of feed intake through the winter, particularly in late winter. The stored fat is burned during winter to partially compensate for the lack of energy in the winter diet. Deer normally lose weight during the winter even when fed a free choice, high protein diet.

These adaptations are designed for the conservation of energy. Deer go into the winter with a full tank of gas (fat reserves) not knowing how long the journey will be. If deep snow and bitter winds start early or persist late into



spring some deer will run out of gas (fat reserves) and die. The greatest mortality is experienced by fawns, followed by adult bucks and then does. Severe winter can significantly deplete the fawn crop resulting in drastically reduced recruitment into the population. These effects can be seen for many years in reduced numbers in the age class data. Consecutive severe winters can reduce recruitment by 90% resulting in drastically reduced summer densities.

Deer behavior also changes in the fall as family groups of deer congregate into larger groups made up of mostly adult does and fawns born the previous June (kin groups). These groups seek protection from wind and reduced snow depths by moving to sheltered areas which comprise 5 to 15% of their summer range. These movements occur in late November through December. Northern deer are known to travel up to 40 miles between their summer range and winter range, but 5 to 10 miles is more typical. Mature bucks seek out these areas after mid-December when testosterone levels start to drop.

This winter habitat provides several benefits such as dense softwood canopies that intercept more snow providing reduced snow depths. Congregating in these areas also allow many deer to share the energetic cost of maintaining a trail network to access cover and food and to escape predation. These and other benefits provided by the critical “deer yard” habitat deer need to survive Maine’s winters explained in next month’s issue.



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