



Maine Forest Products Council

The voice of Maine's forest economy

Testimony in Support of LD 236

“An Act to Provide Legislative Oversight of the Rule-making Petition Process”

February 12, 2025

Krysta West, Deputy Director

Good afternoon, Senator Baldacci, Representative Salisbury and members of the State and Local Government Committee. My name is Krysta West. I live in Readfield, and I am the Deputy Director of the Maine Forest Products Council. I am submitting testimony today in support of LD 236, “An Act to Provide Legislative Oversight of the Rule-making Petition Process.”

In 2023, the Maine Department of Environmental Protection was petitioned by 150 citizens to undertake rulemaking requiring Maine to adopt California’s Advanced Clean Truck Rule. Had it been adopted by the six-member Board of Environmental Protection, this rule would have gone directly into effect statewide, severely restricting the availability of non-EV medium and heavy duty trucks that could be sold in the state of Maine by establishing a mandatory zero emissions threshold starting in 2027.

As an industry with immense transportation needs, with much of the 15 million tons of wood moved from the forest to manufacturing facilities annually (an estimated 750,000 loads) originating far from charging infrastructure - or even cell service for that matter - this rule, and the fast track initiated by the petition process, was of great concern to our members.

Notably, others shared our concerns. According to press accounts, during deliberations, “Board chair Sue Lessard said she spent 45 hours reading every word of comment and material given to the board regarding this rule. She also voted against the rule because she had too many lingering questions and felt such a “massive” decision may be better placed in the hands of elected officials.

“I’m not sure we are — given the magnitude of this decision — that we are the right decision makers,” Lessard said of the governor-appointed body, adding that she hopes the Legislature takes it up.”¹ This comment was made in response to a similar proposal to require 82% of new vehicles sold in Maine by 2032 to be electric, but it undoubtedly also applied to the Advanced Clean Truck Rule that was considered in tandem.

While these initiatives ultimately failed due to their scope and far-reaching implications, they highlighted the urgent need for an additional layer of scrutiny for future petitions. Decisions of this scope should ultimately lie in the hands of elected officials that are directly accountable to the people of Maine. The Maine Forest Products Council fully supports LD 236, and we urge the committee to vote ‘Ought to Pass’. Thank you for your consideration.

¹ <https://mainemorningstar.com/2024/03/20/maine-board-of-environmental-protection-rejects-advanced-clean-car-ii-act/>