



## Seven Islands Land Company

**Testimony in opposition of LD 1724  
An Act To Create a Logging Dispute Resolution Board and To Require Proof of Ownership  
Documents To Be Available within 14 Days of Request**

**March 17, 2022**

**Seven Islands Land Company**

Senator Daughtry, Representative Sylvester and members of the Labor and Housing Committee, my name is Hannah Stevens and I represent Seven Islands Land Company. I am testifying in opposition to LD1724.

Seven Islands manages approximately 820,000 acres of family-owned timberland in northern and western Maine. As we have for decades, we hold dual certification under the Forest Stewardship Council (FSC) and Sustainable Forestry Initiative (SFI), and we continually meet the standards set forth by both parties to remain in good standing under these programs. We have contracted with many dependable and dedicated logging professionals over the years whose professional skill is critical to the sustainable management of Maine's forests.

The purpose of LD1724 is unclear because employees of logging contractors have access to the same laws and protections as other workers, and contract provisions provide the same between contractors and landowners. In section 4., LD1724 stipulates that the board will "hear disputes related to the logging industry," but then what? The bill doesn't specify whether the board is intended to be regulatory or how it would settle disputes that are presented. We are concerned with lack of clarity on this issue and the question of where the board fits in with the authority of other state and federal agencies that have jurisdiction over labor issues.

Section 3 of the bill requires that employers hiring a "bond worker to operate logging equipment...shall certify to the Maine Department of Labor that the employer is not requiring the bond worker to engage in point-to-point hauling of forest products within the State or to otherwise violate federal cabotage laws." In a recent ruling pertaining to a previously passed "cabotage" bill, LD188, a federal judge granted a preliminary injunction to plaintiffs who questioned its constitutionality. A "bond worker" in LD 1724 presumably refers to H-2A visa holders, and as the federal court referenced in the case of LD 188, "Notably, cabotage rules only apply to those with B-1 visa and *not* to those with H-2A visas." And further, "By definition, H-2A visa holders are lawfully employed in the United States and are not prohibited from 'cabotage' because they are not B-1 visa holders." (Case 1:21-cv-00286-JAW Document 26 n29). The courts ruled that LD 188 violates the Equal Protection Clause of the United States Constitution. LD 1724 does the same.

The proposed legislation is unclear, unnecessary, and does not serve to assist either loggers or the industry as a whole at a time where investment and workforce recruitment are so important to the industry. We urge the committee to vote "ought not to pass" and thank you for the opportunity to offer our concerns.