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No. 125

In Senate, January 21, 2021

An Act To Prohibit the Aerial Spraying of Glyphosate and Other Synthetic Herbicides for the Purpose of Silviculture

Received by the Secretary of the Senate on January 19, 2021. Referred to the Committee on Agriculture, Conservation and Forestry pursuant to Joint Rule 308.2 and ordered printed.

DAREK M. GRANT
Secretary of the Senate

Presented by President JACKSON of Aroostook.
Cosponsored by Speaker FECTEAU of Biddeford and
Senators: BENNETT of Oxford, MAXMIN of Lincoln, Representatives: O'NEIL of Saco,
PLUECKER of Warren.
Be it enacted by the People of the State of Maine as follows:

Sec. 1. 7 MRSA §606, sub-§3 is enacted to read:

3. Aerial spraying of glyphosate and other synthetic herbicides. A person may not conduct an aerial application of glyphosate or other synthetic herbicides for the purpose of silviculture, including reforestation, regeneration or vegetation control after any timber harvest.

Sec. 2. 12 MRSA §8869, sub-§1, as enacted by PL 1989, c. 555, §10, is amended to read:

1. Standards for regeneration after harvests. The commissioner shall adopt rules to ensure adequate regeneration of commercial tree species on a site within 5 years of completion of any timber harvest. Rules to implement this requirement shall include identification of commercial tree species, minimum stocking standards and methods to mitigate inadequate regeneration and a prohibition on the aerial application of glyphosate or other synthetic herbicides pursuant to Title 7, section 606, subsection 3. In developing regeneration standards, the commissioner shall take into consideration regional differences in forest types, tree species and physiographic conditions.

Sec. 3. 12 MRSA §8869, sub-§7-A, as amended by PL 2013, c. 542, §5, is further amended to read:

7-A. Exemption for outcome-based forestry areas. An outcome-based forestry area designated under section 8003, subsection 3, paragraph Q is exempt from the requirements of this section if specifically exempted in the agreement establishing the outcome-based forestry area. The agreement may not provide an exemption from the prohibition on the aerial application of glyphosate or other synthetic herbicides pursuant to Title 7, section 606, subsection 3.

SUMMARY

This bill prohibits the aerial application of glyphosate or other synthetic herbicides for the purpose of silviculture, including reforestation, regeneration or vegetation control after a timber harvest.