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Legislative Document

No. 125

S.P. 58

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.

A handwritten signature in black ink, appearing to read 'D M Grant'.

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.

1 **Be it enacted by the People of the State of Maine as follows:**

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

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

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

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

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

19 **7-A. Exemption for outcome-based forestry areas.** An outcome-based forestry area
20 designated under section 8003, subsection 3, paragraph Q is exempt from the requirements
21 of this section if specifically exempted in the agreement establishing the outcome-based
22 forestry area. ~~The agreement may not provide an exemption from the prohibition on the~~
23 ~~aerial application of glyphosate or other synthetic herbicides pursuant to Title 7, section~~
24 ~~606, subsection 3.~~

25 SUMMARY

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