

MAINE STATE LEGISLATURE

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L.D. 1691

MINORITY

Date: 6/11/14

(Filing No. S-263)

AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE

SENATE

129TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "B" to S.P. 556, L.D. 1691, Bill, "An Act To Ban Use of Aerial Herbicide Spraying for the Purpose of Deforestation"

Amend the bill by striking out the title and substituting the following:

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

Amend the bill by striking out everything after the enacting clause and inserting the following:

'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~~ **must** 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

COMMITTEE AMENDMENT

1 outcome-based forestry area. The agreement may not provide an exemption from the
2 prohibition on the aerial application of glyphosate or other synthetic herbicides pursuant
3 to Title 7, section 606, subsection 3.

4 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
5 section number to read consecutively.

6 **SUMMARY**

7 This amendment, which is the minority report of the committee, strikes and replaces
8 the bill. The amendment prohibits the aerial application of glyphosate or other synthetic
9 herbicides for the purpose of silviculture, including reforestation, regeneration or
10 vegetation control after a timber harvest.

FISCAL NOTE REQUIRED
(See Attached)



129th MAINE LEGISLATURE

LD 1691

LR 2266(03)

An Act To Ban Use of Aerial Herbicide Spraying for the Purpose of Deforestation

Fiscal Note for Bill as Amended by Committee Amendment "B" (S-263)
Committee: Agriculture, Conservation and Forestry
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Any additional costs to the Department of Agriculture, Conservation and Forestry as a result of a prohibition on the aerial application of glyphosate or other synthetic herbicides for the purpose of silviculture, including reforestation, regeneration or vegetation control after a timber harvest are anticipated to be minor and can be absorbed within existing budgeted resources.