

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

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.