

**SENATE BILL NO. 233**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY SENATOR ELLIS

Introduced: 5/21/03

Referred: Health, Education and Social Services, Resources

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act allowing aerial application of pesticides and broadcast chemicals only when**  
2 **necessary to protect public health; and providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **\* Section 1.** AS 46.03.320 is amended by adding a new subsection to read:

5 (c) The department may not authorize a person or government entity to direct,  
6 conduct, participate in, or allow the use of a pesticide or broadcast chemical through  
7 application by aircraft or helicopter unless the department determines that the  
8 application of the pesticide or broadcast chemical through one or both of those means  
9 is necessary to protect public health and the commissioner of health and social  
10 services concurs in that determination.

11 **\* Sec. 2.** AS 46.03.730 is amended to read:

12 **Sec. 46.03.730. Pesticides.** A person may not spray or apply, or cause to be  
13 sprayed or applied dichloro-diphenyl-trichloro-ethane (DDT), dieldrin, or other  
14 pesticide or broadcast chemical in a manner that may cause damage to or endanger the

1 health, welfare, or property of another person, or in a manner that is likely to pollute  
2 the air, soil, or water of the state without prior authorization of the department. **The**  
3 **department may not authorize a person or government entity to direct, conduct,**  
4 **participate in, or allow the use of a pesticide or broadcast chemical through**  
5 **application by aircraft or helicopter unless the department determines that the**  
6 **application of the pesticide or broadcast chemical through one or both of those**  
7 **means is necessary to protect public health and the commissioner of health and**  
8 **social services concurs in that determination.**

9 \* **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).