

**ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE**

March 24, 2017

1:03 p.m.

MEMBERS PRESENT

Representative Andy Josephson, Co-Chair
Representative Geran Tarr, Co-Chair
Representative Dean Westlake, Vice Chair
Representative Harriet Drummond
Representative Justin Parish
Representative Chris Birch
Representative DeLena Johnson
Representative George Rauscher
Representative David Talerico

MEMBERS ABSENT

Representative Mike Chenault (alternate)
Representative Chris Tuck (alternate)

OTHER LEGISLATORS PRESENT

Representative Gary Knopp

COMMITTEE CALENDAR

CONFIRMATION HEARING(S) :

Alaska Gasline Development Corporation Board of Directors

David Wight - Anchorage, Alaska

- CONFIRMATION(S) ADVANCED

HOUSE BILL NO. 19

"An Act limiting the application of neonicotinoid pesticides."

- MOVED CSHB 19(RES) OUT OF COMMITTEE

HOUSE BILL NO. 134

"An Act relating to the composition of the Board of Game."

- SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

BILL: HB 19

SHORT TITLE: BAN NEONICOTINOID PESTICIDES

SPONSOR(S): REPRESENTATIVE(S) DRUMMOND

01/18/17	(H)	PREFILE RELEASED 1/9/17
01/18/17	(H)	READ THE FIRST TIME - REFERRALS
01/18/17	(H)	RES
03/17/17	(H)	RES AT 1:00 PM GRUENBERG 120
03/17/17	(H)	Heard & Held
03/17/17	(H)	MINUTE(RES)
03/24/17	(H)	RES AT 1:00 PM BARNES 124

WITNESS REGISTER

DAVID WIGHT, Appointee

Board of Directors

Alaska Gasline Development Corporation (AGDC)

Anchorage, Alaska

POSITION STATEMENT: Testified as appointee to the Alaska Gasline Development Corporation Board of directors.

ROB CARTER, Agronomist

Plant Materials Center

Division of Agriculture

Palmer, Alaska

POSITION STATEMENT: Answered questions related to HB 19.

JOHANNA SCHULTZ, Staff

Representative Harriet Drummond

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Answered questions related to HB 19 on behalf of Representative Drummond, prime sponsor.

ACTION NARRATIVE

[1:03:32 PM](#)

CO-CHAIR GERAN TARR called the House Resources Standing Committee meeting to order at 1:03 p.m. Representatives Tarr, Josephson, Westlake, Parish, Birch, and Talerico were present at the call to order. Representatives Drummond, Johnson, and Rauscher arrived as the meeting was in progress. Also present was Representative Knopp.

CO-CHAIR TARR answered questions from Representatives Birch and Westlake pertaining to the committee process in hearing confirmations. She reminded members that when the committee forwards the name of an appointee, it is not an indication of the committee's support for or opposition to the person's appointment to that board; the committee is simply forwarding the name for consideration by the full body.

Alaska Gasline Development Corporation Board of Directors

[1:09:37 PM](#)

CO-CHAIR TARR announced that the first order of business would be confirmation hearings for appointees to the Alaska Gasline Development Corporation (AGDC) Board of Directors. She stated that several appointees could not attend today's meeting and will instead attend next week. Noting that David Wight is a new appointee to the AGDC board, she requested that he state why he would like to serve on this board.

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DAVID WIGHT, Appointee, Board of Directors, Alaska Gasline Development Corporation (AGDC), testified he has been an Alaska resident since 2000 when he moved to Anchorage. A petroleum engineer by education, he said he has 41 years of working in the energy industry, with about half of that time related to gas, gas development, and gas utilization. He worked for American Oil Company (Amoco) in Denver between 1975 and 1979 where he had some engineering responsibility for Cook Inlet properties, and between 2000 and 2005 he was president and chief executive officer of Alyeska Pipeline Service Company. Now an Alaska registered consultant in the energy area, he said his most pertinent work [as it relates to AGDC] was between 1992 and 2000 when he initiated, negotiated, and built the first liquefied natural gas (LNG) plant in Trinidad and Tobago, and negotiated and started the construction of the second and third LNG facilities in Trinidad and Tobago.

MR. WIGHT stated he is a committed Alaska resident and feels his energy background, particularly in the area of gas and LNG, can bring value to the AGDC board. Given his strong interest in the economy and energy sectors in Alaska, he noted that he was very pleased to be considered for this board and would like to be a part of it because of his continuing interest in the wellbeing of the energy sector in Alaska.

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REPRESENTATIVE BIRCH said he is a long-time acquaintance of Mr. Wight and appreciates where Mr. Wight is going. He asked what Mr. Wight sees as the top three challenges facing AGDC.

MR. WIGHT replied that, to him and to part of the AGDC board, the biggest challenges are: the investment cost structure for this project; the market, which is there but always difficult to capture; and how to commence a project of this magnitude.

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REPRESENTATIVE PARISH, in regard to financing of the project, inquired as to the amount of participation from the state and the amount from other sources that is anticipated by Mr. Wight.

MR. WIGHT responded that obviously the board and the legislature would have to determine that. But, based on his experience in the business he would personally prefer the minimum that the state can invest and still attract investors and financing companies to move the project forward once all the elements are put together. He related that the Republic of Trinidad and Tobago invested in the first plant at a 10 percent level, but did not invest in subsequent plants because it felt that its limited resources were better spent on the country's infrastructure and social responsibility as compared to a commercial development. His exposure in other countries is that a country tries to minimize its investment but raise the level to that necessary to bring a project forward. While he doesn't have a number in mind, Mr. Wight continued, he thinks Alaska will have to invest at some level, but AGDC has yet to get far enough with purchasers and financial providers to offer an idea of what that might be.

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REPRESENTATIVE PARISH asked what Mr. Wight's ultimate and proximate goals are as a member of the Alaska Gasline Development Corporation.

MR. WIGHT answered that he has always worked hard in any place he was located to figure out how to monetize gas, how to bring that value to the people of where he was living, how to create a market, how do create income revenue, and how to get gas supplies to the people who need it. The bottom-line goal shared

by everyone on the AGDC board, he said, is to take a known resource that is huge and figure out how to monetize it.

REPRESENTATIVE PARISH inquired as to what point Mr. Wight would think the project not viable.

MR. WIGHT replied it is the combination of the three critical elements that he talked about in terms of what the economics look like: what the market is, what the volume of the market would be, the pricing and timing that would be associated with it, and the cost structure for both the LNG facilities and the pipeline. The determinant factors, he said, are deciding what size the pipeline will be, how many LNG facilities there will be, and what the market will pay.

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REPRESENTATIVE RAUSCHER asked whether Mr. Wight is currently affiliated with any interests in Alaska.

MR. WIGHT responded he has limited exposure on the energy side. For the past couple of years, he said, he has consulted with people who worked for him and bought gas from him in Trinidad and Tobago. They have an interest in developing a gas-to-liquids (GTL) facility on the North Slope that would convert gas to gasoline and put the product into the Trans-Alaska Pipeline System (TAPS), which would avoid having to build a pipeline to tidewater. He said he thinks it is complementary to utilization of gas and does not see it as being a competitor of LNG. He has told the governor and the AGDC board that if there is a conflict he will remove himself from the AGDC board. From 2006-2011, he continued, he was on the board of directors of a coal bed methane company in the Lower 48. After that he joined the board of directors of Northrim Bank, a community bank that is very involved in the Alaska economy. Over the past 15 years he has typically been involved with between 8 and 12 volunteer boards.

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REPRESENTATIVE BIRCH disclosed that Mr. Wight is a constituent of his and quipped that Mr. Wight is also a first-rate crossing volunteer at his children's school.

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CO-CHAIR TARR noted that as things have moved forward over the past few years there has been interest in having better

communication between AGDC and the legislature. She inquired whether Mr. Wight is aware of this and has ideas for how to make it work better going forward.

MR. WIGHT answered he is definitely aware of it because it's a topic every time the board meets. He said the state's two commissioners sitting on the AGDC board remind the other members of that responsibility all the time and there is discussion about how to do better. He expressed his personal opinion from experience is that the president of the company must visit the legislature and its individual committees from time to time. On anything as big as this, he said, the communication links must be kept working.

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REPRESENTATIVE DRUMMOND complimented Mr. Wight on his intense involvement in the community, particularly in education. She observed [from Mr. Wight's application] that he is on the Best Beginnings board of directors and is vice president for early childhood development.

MR. WIGHT replied that Best Beginnings started as early to read, early to learn. Having had the benefit of sending his own young children to good pre-schools, he said parents and the state can do a lot more to improve the outcomes of children so that when they become young adults they can take care of themselves. Best Beginnings has been a very important vehicle for doing that, which he appreciates and for which he strongly advocates.

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The committee took a brief at-ease.

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CO-CHAIR TARR opened public testimony on Mr. Wight's nomination to the AGDC board and then closed it after ascertaining no one wished to testify.

[1:28:01 PM](#)

CO-CHAIR JOSEPHSON [moved to advance Mr. Wight's name from committee.] He said the House Resources Standing Committee has reviewed the qualifications of David Wight, the governor's appointee to the Alaska Gasline Development Corporation [Board of Directors] and recommends Mr. Wight's name be forwarded to

the joint session for consideration. He clarified that this does not reflect intent by any of the committee members to vote for or against this individual during any further sessions for the purpose of confirmation. [There being no objection, Mr. Wight's name was advanced from the committee.]

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The committee took an at-ease from 1:28 p.m. to 1:32 p.m.

HB 19-BAN NEONICOTINOID PESTICIDES

[1:32:07 PM](#)

CO-CHAIR TARR announced that the final order of business would be HOUSE BILL NO. 19, "An Act limiting the application of neonicotinoid pesticides." [Before the committee was the proposed committee substitute (CS) for HB 19, Version 30-LS0219\D, Nauman, 3/8/17, adopted as the working draft on 3/17/17.]

CO-CHAIR TARR recalled that during the bill's first hearing the committee heard the sponsor's prepared statement and took public testimony. She invited the sponsor to provide further comment.

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REPRESENTATIVE DRUMMOND, prime sponsor of HB 19, drew attention to the committee packet containing written answers to all the questions asked at the bill's first hearing, copies of communications received from people, and copies of the labels from a standard and widely available [neonicotinoid pesticide] product made by Bayer and sold in retail stores for garden use. The bill's purpose, she advised, is to keep neonicotinoid pesticides from being used in seed treatment or being applied to crops outside a greenhouse, in other words large-scale commercial agriculture. The bill is not meant to prevent individuals from buying and applying these products to ornamental plants on their properties. Personally, she said, she will no longer use these products on her own property as they are unnecessary and are used mostly for convenience.

REPRESENTATIVE DRUMMOND drew attention to the labels and noted it is almost impossible to read the fine print detailing the dangers of neonicotinoid pesticides. The world is watching what Alaska does, she said, because this is an issue of international importance. She brought attention to the letter from a man in

England which states that one teaspoon of these chemicals is enough to give a lethal dose to 1.25 billion honeybees, yet thousands of pounds of these pesticides are routinely applied to farmland and gardens across the U.S. Neonicotinoid pesticides account for 17 percent of worldwide insecticide sales, she noted. The advantage of these chemicals is that their toxicity for mammals, birds, and fish is relatively low, although there is growing concern about their effects on cerebellar neurons, the brain and spinal neurons in mammals. Nearly 75 percent of all flowering plants rely on pollinators for fertilization, she said. People using neonicotinoids on their garden flowers are damaging the bees coming to pollinate those flowers.

REPRESENTATIVE DRUMMOND pointed out that Alaska is unable to ban the use of these retail products because it would interfere with interstate commerce. Until the EPA steps in and bans these products, she explained, all Alaska can do is try to control them any way it can. The way to do that is through the state's commercial agriculture and the pesticide applicators that are called in for various kinds of pests on a larger scale by consumers who do not want to use these products personally given how nasty these products are.

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REPRESENTATIVE BIRCH addressed a link he sent to members regarding the other side to this. He related that government regulators did not see a connection. He asked what the downside would be of banning or not using this pesticide product.

REPRESENTATIVE DRUMMOND replied she does not know that there would be a downside because it is possible to do agriculture on both a large scale and in a garden in such a way that it discourages [pests]. She read from a letter by Michelle Wilber, Organic Gardening Coordinator, Alaska Community Action on Toxics (ACAT), which states: "I have firsthand proof that growing food plants does not necessitate the use of pesticides, and can instead be helped by bee-friendly organic methods and techniques. I run a backyard gardening program in Anchorage called Yarcucopia. We grow a wide variety of vegetables organically on over 2000 sf [square feet] of land a year. We rely on interplanting to confuse and repel harmful insects while attracting beneficial ones, observation and early intervention, providing sufficient nutrients and water for strong plants, and other organic methods to successfully deter pests."

REPRESENTATIVE DRUMMOND recalled the spruce bark beetle kill of millions of spruce trees across Alaska several years ago. She said she prevented beetle kill of her spruce trees by watering them, which is one example of how organic farmers work. Interplanting, such as planting basil with tomatoes, confuses and repels harmful insects, she continued, so there are ways to not need to use these pesticide products. Commercial large-scale agriculture relies heavily on chemicals. She reiterated she doesn't think there is a downside to banning these products.

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REPRESENTATIVE RAUSCHER drew attention to page 1, lines 8-9, of the proposed CS, which state: "This subsection does not apply to a pesticide applicator licensed under AS 46.03.320(b)." He surmised this means the bill would not cut out those who are licensed to apply.

REPRESENTATIVE DRUMMOND confirmed the proposed CS would not cut out those who are licensed to apply. She drew attention to a question-and-answer paper in the committee packet by Mr. Bob Blankenburg, PE, Solid Wastes and Pesticides Program Manager, Department of Environmental Conservation (DEC), entitled, "HB019 Supporting Document - Response to Committee Questions by DEC 3.24.17". She read from the answer to Question 3, which states: "DEC does not license applicators, rather, we issue a certification. I would say that the certification process is fairly rigorous - new applicators are required to pass a comprehensive examination, which includes specific questions depending on which category or categories that the applicator is certified under. Applicators are also subject to continuing education requirements." Representative Drummond then read from the answer to Question 2 in Mr. Blankenburg's paper, which states: "We use an Enforcement Response Policy in dealing with pesticide violations, with ramifications depending on the gravity of the violation ... Among the most significant administrative actions we could take is revoking certification from an applicator for significant non-compliance." Therefore, she concluded, DEC "is on it."

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REPRESENTATIVE RAUSCHER referred to the answer to Question 1 in Mr. Blankenburg's aforementioned paper, which states in part, "... in the case of soybeans, A Minnesota document indicates that neonicotinoid concentrations in plants that germinated from

neonicotinoid treated seeds decrease rapidly as the plant grows". He inquired what this means.

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The committee took a brief at-ease.

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REPRESENTATIVE RAUSCHER reiterated his question.

CO-CHAIR TARR read aloud Question 1, which asks: "What is the lifespan of contaminated seeds and soil? So, once the plant/seed has been treated, does it stay in the plant for its lifespan?" She asked Mr. Carter of the Division of Agriculture to interpret the meaning of the answer referred to by Representative Rauscher.

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ROBERT CARTER, Agronomist, Plant Materials Center, Division of Agriculture, replied that soybeans in canola oil are not the only plants treated with these types of insecticides. In Alaska, other such plants are potatoes, barley, wheat, and rye. When a seed is treated either in-furrow or in the planting equipment itself, he said, that systemic insecticide degrades as the seed germinates and grows throughout that season. In potatoes, for example, it's about 65-80 days before the insecticide within that plant systemically is almost unviable.

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REPRESENTATIVE RAUSCHER inquired as to the particular stage in a plant's life that this insecticide would generally be applied.

MR. CARTER responded that that is a very open-ended question. He explained that each chemical has a very specific label that is the law that states when the chemical is best applied based on the specific target pest. In the majority of the cases the chemical is either put in the soil at planting, the seed is treated before planting, or the chemical is applied in-season to the mature plant.

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REPRESENTATIVE JOHNSON recalled Mr. Carter stating that the plants used in Alaska include potatoes, wheat, barley, and rye.

She asked how much [neonicotinoid pesticide] is already being used on Alaska grown products.

MR. CARTER confirmed the aforementioned plants are a few known to have this type of pesticide sprayed on them. He said he cannot speak to any direct numbers of how much one individual farmer sprays or applies over another because [the division] does not manage any business to that level. However, when people inquire about recommendations for in-season management of insects, [the division] takes that approach as an integrator approach. Pesticides are not always the first answer, he said, there are other options in the farmer's toolbox. Outside of the aforementioned food crops there is use on ornamentals that are for sale.

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REPRESENTATIVE JOHNSON inquired whether other pesticides are available that would get the same result but be less harmful.

MR. CARTER replied that a multitude of insecticides, pesticides, and fungicides exist that are used to stop a pest. [The division] doesn't like to call a chemical toxic or harmful when used by the label, he said, because the label is the research that is provided that is the least toxic to the end user, the product, and the environment. The term "replacement" cannot be used, he continued, because there was a reason this class of chemical was built, and that reason is that it replaced one that is extremely harmful to humans, and while it may be less harmful to humans it may be harmful to other things. It is a tool that agricultural producers like to have in their toolbox when damage to a crop reaches an economic threshold and producers must choose between making a profit and continuing their farming operation or losing a crop that could be detrimental to their farming operation.

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REPRESENTATIVE JOHNSON asked which pests in Alaska are being targeted with the neonicotinoid pesticides. She surmised that neonicotinoids are not sprayed for mosquito control.

MR. CARTER responded that there is a multitude of insects. Neonicotinoids are nonselective, he explained, and do not choose aphids over leafhoppers or spruce bark beetles. Any insect that consumes this product from inside or outside a plant will die. The majority of folks utilize neonicotinoids in their integrated

pest management plan. For example, the potato industry would use it to stop leafhoppers and aphids from being a vector of virus and disease within a potato seed field or a table stock field. The cut flower industry may use them to stop thrips from causing bud damage so that a plant's aesthetic value is there to keep the market value up.

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REPRESENTATIVE JOHNSON inquired whether neonicotinoids are used for widespread bark beetle problems like Alaska has had.

REPRESENTATIVE DRUMMOND clarified that she brought up the spruce bark beetle as something that could have been treated with massive amounts of water, but a whole forest cannot be watered, and Alaska suffered through many dry seasons. The spruce bark beetle is not on the Bayer label as being an insect that would be impacted by this pesticide.

MR. CARTER added that there are numerous quantities of chemical brand names, but only a few active ingredients fall within the neonicotinoid class of pesticides. Each label is very specific for the pest, the type, the crop, and the application site. He said he doesn't have any current information on maps for use of neonicotinoids to control the bark beetle. He presumed the question is looking to when there is another large impact to a native plant in Alaska and whether this chemical would be necessary to stop that to protect the natural resource. Drawing attention to the ending line of the proposed CS, he noted that the language does not remove the product from use as a tool by a certified pesticide applicator, which he appreciates.

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REPRESENTATIVE JOHNSON asked Mr. Carter whether he has any sense that disallowing the use of [neonicotinoid pesticides] in Alaska would cause an economic impact to any type of industry.

MR. CARTER answered he cannot speak to the direct revenue loss or gain to the use of this type of pesticide. There should not be any loss of revenue generated on a farm, he said, because any agricultural producing area that is utilizing one of these chemicals could go through the DEC process to get trained and to retain an applicator's license within the state and then be able to responsibly utilize these products.

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REPRESENTATIVE JOHNSON inquired whether the aforementioned would be hard to do.

MR. CARTER replied he personally has been certified in the state since he was 18 years old, so he has taken the test multiple times and participated in the many continuing education units to maintain his license. A multitude of training opportunities are provided through the University of Alaska Fairbanks [Cooperative Extension Service (CES)] and through the DEC, he said. Given the training materials out there, the opportunity for the common individual who may not be familiar with agricultural industries has a very good chance of passing and becoming a certified applicator in the state of Alaska. Responding further to Representative Johnson, he said that to the best of his knowledge multiple training opportunities are put on by DEC in conjunction with the University of Alaska Fairbanks CES. There is a 3-day training class prior to taking the exam, he explained, but he believes DEC is willing to do self-study. The test is extensive, taking about four hours between the core and the category, so it can be done in a day.

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REPRESENTATIVE JOHNSON stated that she is trying to get a sense of how widespread the use of this is commercially. She asked whether the dahlia and ornamental plant industries in general do very much with their crops.

MR. CARTER responded that without a specific site or a specific pest problem it would be hard to say that one industry utilizes these more than the others. Knowing that the opportunity for someone who is certified or someone who could become certified to still make an application when absolutely necessary of one of these classes of pesticides, he said he doesn't see that one group is under-utilized over the other.

[2:00:46 PM](#)

REPRESENTATIVE JOHNSON inquired how the bee population in Alaska is doing.

MR. CARTER answered that, to the best of his knowledge, at this time Alaska's bee population is quite healthy, both the native bees as well as the bees that are imported or overwintered by the beekeepers around the state. He said he cannot speak to whether the populations are healthy because of Alaska's distance

to isolation and the lack of the use of these chemicals, but it very well could be looked at either way. Is it the lack of widespread use because of Alaska's isolation distances between large agricultural lands? Is it the lack of use of this insecticide class in general? But, he continued, to his knowledge from the folks that he works with who deal with bees the hives are quite healthy in the state.

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REPRESENTATIVE DRUMMOND noted that her legislative aide for this issue communicated with every commercial grower who had contact information and none of them were using products containing neonicotinoids. The aide also made visits during every Alaska Farm Bureau meeting. While this is not scientific, she allowed, the point is to not wait until there is damage to the bee populations. These products have been already banned in Europe by the European Union, which grows amazing amounts of food. California's crops are suffering because of the collapse of bee colonies, she said. The bee industry is huge in the Lower 48 - billions and billions of bee populations are transported all across the country to be there just in time to pollinate flowering plants.

REPRESENTATIVE DRUMMOND further said it is rumored that the Chinese are having people take paintbrushes and climb into the trees to pollinate the plants. That is an absurd way of pollinating something after destroying the natural pollinators that do this just in the course of their work, she opined. Bees don't know that they are pollinating this is how they operate. Bees are an amazing social construct that happens to pollinate a large percentage of food that goes into the mouths of humans and sustains human lives. Since [neonicotinoids] are not already widely used in Alaska, except at a small level in local, personal gardens, she said she wants to stop the injury that may occur to bees and natural pollinators, of which there are many in Alaska and for which there are no statistics.

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CO-CHAIR TARR displayed DEC's web site that provides information on its Pesticide Control Program and certified applicators. She observed that the web site states who must be licensed, and this includes people using pesticides for commercial purposes other than on their own property, providing consulting information, applying pesticides on any school or public place, and applying a restricted-use pesticide. She offered her understanding that

the change [in who needs to be certified] would be for farmers themselves because they would be using it for commercial purposes on their own properties, whereas the current regulation is that certification is needed if it is on someone else's property. Showing another page on the web site, she noted that participating in the certified applicator training and paying the \$25 fee would not be onerous. Representative Tarr asked whether Mr. Carter's understanding is also that that category would be added to the people who would need to be certified.

MR. CARTER offered his belief the aforementioned is correct and said those are definitely DEC regulations. From his many years working in the industry as a certified applicator, he can say that many of Alaska's agricultural producers are certified at this time. They self-police and want to understand the laws, regulations, and guidelines to make sure they are being safe when they have to access one of these tools.

[2:06:47 PM](#)

CO-CHAIR TARR said the aforementioned is her understanding as well. She posited that the concern and need for restricting use of [neonicotinoids] to certified applicators is because the general population tends to treat in the wrong conditions and to over-apply the amount of pesticide necessary to achieve the desired intervention; whereas folks who are certified follow the label closely, wear the protective gear, look at the conditions, and do proper application. She asked whether Mr. Carter agrees with how she sees the concern.

MR. CARTER offered his agreement by giving the analogy that when people need a plumber or electrician for their homes they look for a certified individual who has the knowledge, content base, and experience to do their trade correctly and legally. He said he stands behind Co-Chair Tarr 100 percent when it comes to pesticides in general because the end user that's certified knows and understands that the application rates, the sites, and the pests identified on that label are the federal law, as opposed to homeowners or unfamiliar users who think that if one ounce is good they might as well use two. He said he agrees that a certified applicator with anything relating to pesticides tends to be the safest applicator.

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REPRESENTATIVE RAUSCHER inquired as to how far away the federal government is on the heels of this legislation.

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JOHANNA SCHULTZ, Staff, Representative Harriet Drummond, Alaska State Legislature, responded that the Environmental Protection Agency (EPA) updated its pollinator health policy in January 2017. Called the Policy to Mitigate the Acute Risk to Bees From Pesticide Products, this updated policy describes additional pesticide label restrictions to protect bees under contract for crop pollination services and prohibits applications of highly toxic pesticides under certain conditions when bees are more likely to be present, such as bloom. Also, she continued, the update provides exceptions for those pesticides that have residue that becomes less toxic to pollinators in a short amount of time, for crops that have longer bloom periods, and allowing pesticide use during hours when bees are less active. She said it is her understanding that the EPA is acting on this and that the five pesticides listed in the proposed CS are up for re-review in 2018.

CO-CHAIR TARR noted that state action sometimes prompts the federal government to take more action. The federal government may in some cases be waiting to see what is happening at the state level, she said, because how it gets worked out in different state-level policies gives a sense for a federal policy, particularly on an agricultural item where the growing conditions are very different from state to state and it can be very hard to do a one-size-fits-all approach. Sometimes the EPA process takes years to work its way through, she explained, because it is a risk management model and the EPA must re-review the science and take public comment. Alaska getting a little ahead on this would not necessarily be a bad thing.

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REPRESENTATIVE JOHNSON stated she supports this legislation in general. She has had bees and understands that at one point it was thought that [the problem] was viral. While this is not currently a concern in Alaska, it might be in the future, so she applauds bringing the bill forward. She said it doesn't sound like the bill would cause commercial growers already using these pesticides to have to change things unless it is just to get permitted. However, she continued, she is concerned that putting a regulation in place will require adding an enforcement position, particularly as it relates to stores selling these products. So, while she is not opposed to the legislation, she

said she does have concerns with adding a position when legislators are working so hard to not grow the budget.

REPRESENTATIVE DRUMMOND agreed that another entire enforcement position is not needed because DEC is already dealing with many of these pesticides. She said when the bill gets to the House Finance Standing Committee the committee would try to argue the department down into less than a full position if that became necessary. She noted that the proposed CS does not restrict retail products, because these are controlled federally, and such a restriction would interfere with interstate commerce; therefore, the state cannot restrict them. She urged members to read the labels if they buy these products. For example, [the Bayer product] says: do not apply near lakes, streams, rivers, or ponds; do not apply to plants grown for food; do not treat plants grown in pots, flower boxes, or other containers; do not apply to soils that are waterlogged or frozen; do not measure this product with measuring utensils, such as measuring cups and measuring spoons, used for food or drinking water. Representative Drummond further noted that the label states for outdoor residential use only and therefore it is not a commercial grade product. The bill looks to control the commercial quantities of this product that might be used in Alaska, she explained.

[2:16:07 PM](#)

MS. SCHULTZ addressed the topic of viral impacts to bees and said studies have shown that exposure to neonicotinoid pesticides lowers the immune system of pollinators and bees, making them more susceptible to virus and mites.

REPRESENTATIVE JOHNSON said she recognizes that the collapse of beehives is a huge concern all over and appreciates the intent of the legislation. She added that she is trying to envision somewhere between greenhouses and licensed applicators and what would actually be regulated by the bill. Passing the bill to make a statement, but not adding a [DEC position], would be a great start.

[2:17:21 PM](#)

REPRESENTATIVE DRUMMOND agreed with Representative Johnson. She noted that managed bees are a huge industry in the Lower 48 and asked Mr. Carter whether any Alaska farmers or growers move bees around for pollinating crops like is done in the Lower 48.

MR. CARTER replied he doesn't currently know of anyone who actually contracts out a bee mover to move a hive from one farm to another. However, he continued, many individuals and small businesses are interested in raising bees in Alaska for their products. Lots of farmers are leasing space on their farms, at a very low rate, to individuals in the small bee business to have those pollinators closer to their crops.

REPRESENTATIVE DRUMMOND surmised that those farmers who lease space treat their environment very carefully in order to attract those beekeepers.

MR. CARTER agreed and said that for most commercial farmers and agricultural producers the land, soil, and crops are their livelihood. In general, those agricultural producers protect that as much as they do a member of their family and that is why those bee groups and small businesses are utilizing that land.

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REPRESENTATIVE PARISH related his personal experience in a pear orchard in China where he held a paintbrush and gently dusted one pear blossom after another to assure adequate pollination. So, he continued, it is true that there are prices to pay when people are incautious with the environment. Colony collapse disorder is happening as close as Washington state and Alaska's environment is fundamentally no different than Washington's with respect to the way that bees will respond to potential poisons in their environment. In the unhappy event that colony collapse disorder comes to Alaska, Alaskans are going to find themselves in the sorry situation of shipping bees from place to place like is being done down south. Moving bees from hither to yon is one way to introduce a lot of pathogens in a hurry to a bee's environment, he opined, and is the way to promote pandemic instead of epidemic amongst the populations and would be a significant threat to Alaska's local strains of non-domestic bees. He said he too has reservations about adding a position and is glad there will be an effort to control costs when the bill moves into the House Finance Standing Committee.

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REPRESENTATIVE TALERICO shared that he is related to a former certified applicator and questions would come up about bodies of water. He offered his understanding that DEC has regulations that require certification as an applicator for work near a body of water or doing bank stabilization. Any application from the

air also requires applicator certification. During talks with this relative it came up that private people might apply more than is necessary, but when paying for application to 400-500 acres the value of money and doing it correctly and carefully is really important. He said he also shares the concern about a fiscal note on the bill given an operational program is already in place.

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REPRESENTATIVE RAUSCHER said it is a good bill, but inquired whether there is proof about the cause of colony collapse disorder. He urged care be taken when talking about colony collapse disorder because [neonicotinoids] have not yet been associated with it.

REPRESENTATIVE PARISH responded that it would be safe to say there is a correlative relationship, although it is much harder to establish a causal relationship.

REPRESENTATIVE JOHNSON remarked that no matter what the cause might be, when a hive is sprayed with a pesticide the hive is not going to be there anymore. She pointed out that cardboard boxes of bees can now be purchased as easily as a box of coffee, and that the bees are then released with no worry about them coming home. She said she supports the bill with amendments for enforcement.

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REPRESENTATIVE DRUMMOND agreed with Representative Johnson and offered her belief that the fiscal note related to the original bill has been made simpler by saying that this does not apply to the licensed pesticide applicators, thereby removing that group of people from the purview of the bill. She said she would go after the fiscal note once the bill is out of committee. She related a personal story about almond trees in California, which are among the crops to which billions of bees are brought from different parts of the country at flowering time every year. Between the cost of those bees and the bee owners losing all those bees for all these various reasons, banning neonicotinoids in Alaska is one of the smallest things that can actually be done. Seeing all the almond trees in California's Central Valley devastated by drought and lack of bees was an awful sight.

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REPRESENTATIVE BIRCH stated that discussion of roving bands of honeybees makes him think about the potential of looking at genetically modified honeybees at some point in time. This is a good bill, he continued, because it points out the problem of unintended consequences from a pesticide that was thought to be a good thing.

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CO-CHAIR JOSEPHSON moved to report the proposed CS for HB 19, Version 30-LS0219\D, Nauman, 3/8/17, out of committee with individual recommendations and the accompanying fiscal note. There being no objection, CSHB 19(RES) was reported from the House Resources Standing Committee.

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ADJOURNMENT

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 2:31 p.m.