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Referred: Resources and  
Judiciary

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SPECKING AND WHITTAKER

1 IN THE HOUSE

2 HOUSE BILL NO. 229

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to pesticides."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 \* Section 1. AS 18.33.060 is repealed and re-enacted to read:

9 Sec. 18.33.060. PROHIBITIONS. No person may knowingly sell or  
10 offer for sale, use, spray, transfer, give away, distribute, supply,  
11 exchange, obtain outside the state for use in Alaska, or disseminate  
12 into the atmosphere, on land, water or any living thing, by any means,  
13 dichlorodiphenyltrichloroethane (DDT), aldrin, endrin, dieldrin,  
14 lindane, heptachlor, or toxaphene, 2-4-5-T, amitrol, arsenical com-  
15 pounds (inorganic), azodrin, bidrin, DDD (TDE), mercurial compounds,  
16 strobane, thallium sulfate or any substance containing them.

17 \* Sec. 2. AS 18.33 is amended by adding new sections to read:

18 Sec. 18.33.062. EXCEPTION. In a case of grave national or state  
19 emergency in which there is no practical substitute for the pesticides  
20 named in sec. 60 of this chapter a special permit may be issued for  
21 their use by the written consent of the board. The permit shall  
22 prescribe definitely the time, a description of the exact location to  
23 be treated, the type and amount of pesticide to be used, and the  
24 persons involved in the administration of the pesticide, and shall set  
25 out the reasons for its use.

26 Sec. 18.33.064. INJUNCTIVE RELIEF. The Department of Health and  
27 Welfare may bring an action for injunctive relief to prevent a viola-  
28 tion of secs. 10 - 100 of this chapter. The court may proceed in a  
29 summary manner or otherwise and may restrain a person from violating a

1 provision of secs. 10 - 100 of this chapter.

2 Sec. 18.33.066. INVESTIGATORY POWERS OF DEPARTMENT. For the  
3 purpose of secs. 10 - 100 of this chapter, the Department of Health  
4 and Welfare may take samples for analysis, conduct examinations and  
5 investigations, inspect any substance to determine if it is one named  
6 in sec. 60 of this chapter, or enter at reasonable times an estab-  
7 lishment, shop, warehouse, spray or dusting service, which deals in  
8 a pesticide to determine if secs. 10 - 100 of this chapter are being  
9 violated.

10 \* Sec. 3. AS 18.33.100 is amended by adding a new paragraph to read:

11 (4) "spray" means the application of pesticides by a power  
12 driven machine, nonpower machine, or by any device or in any other  
13 manner, including manual application, or by aerosol or pressurized  
14 cans or applicators, used on the ground or in the air to spray or  
15 dust or to provide any other treatment to trees, ornamental shrubbery  
16 and lawns, to crops or other plant life, land, marshes, water, or to  
17 animals, humans, and buildings;