

Original sponsor: M. Miller,  
Bowman, Bradner, et al

Offered: 4/24/71  
Referred: Judiciary

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR 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 AS 18.33.060 is repealed and re-enacted to read: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, without a permit  
10 issued by the board, store, transport, sell, use, or disseminate into  
11 the atmosphere or water, by any means, dichlorodiphenyltrichloroethane  
12 (DDT), aldrin, endrin, dieldrin, lindane, heptachlor, toxaphene,  
13 arsenical pesticides (inorganic), DDD (TDE), and mercurial pesticides.  
14 The board may ban, restrict or license any other pesticide or broadcast  
15 chemical.

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

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

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

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

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

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