

HOUSE
COMMITTEE REPORT

(11)

Date referred: 4/22/86

FURTHER REFERRALS:

DATE: 5-6-86

The FINANCE Committee has considered SSHB 608

"An Act relating to spraying and application of pesticides and broadcast chemicals."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CS SS HB 608 (Fin) same title
- new title

and recommends DO PASS

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note
 - new fiscal note
 - zero fiscal note 3/13/86 - same

SIGNING DO PASS:

Arb. G. Lee
Mike Spinali
Don
Donald J. Turner
Pat Fawcett
Rich Webb
Jim

SIGNING OTHER RECOMMENDATIONS:

John (unclear) for REC
Steve King No Recommendation
Donor No Rec

Arb. G. Lee
Chairman

**STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE**

Revision Date : _____

REQUEST

Bill/Resolution No. SS House Bill 608 (FIN)
 Title: An Act relating to spraying and application of pesticides and broadcast chemicals
 Sponsor: Davis/Hurley/Clocks in/Koponen/
 Requestor: Uehling/MM Miller/Goll
 Date of Request: 3/13/86

FISCAL DETAIL

Agency Affected: Environmental Conservation
 BRU: Environmental Health
 Components: Director's office (Pesticide Program)

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING : (Thousands of Dollars)


GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS :

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS : Attach a separate page if necessary

No fiscal impact is anticipated by passage of HB 608

Prepared by: Doug Donegan 
 Division: Environmental Health

Phone: 465-2609
 Date: 3/13/86

Approved by Commissioner: Bill Ross 
 Agency: Environmental Conservation

Date: 3/13/86

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Original sponsors: Davis, Hurley,
Clocksin, et al

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 608 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to spraying and application of
7 pesticides."

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

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

11 (c) The department shall adopt regulations prescribing the wind
12 and other weather conditions during which spraying or application of a
13 pesticide for other than agricultural purposes may be conducted, in
14 order to protect the health and safety of the public and to limit
15 damage to crops and the environment. Regulations adopted under this
16 subsection do not apply to the spraying or application of a chemical
17 fire retardant by the Department of Natural Resources.

18 * Sec. 2. AS 46.03.330(b) is repealed and reenacted to read:

19 (b) The department shall conduct a public hearing on the pro-
20 posed program if a hearing is requested by the governing body of the
21 affected municipality, or by a petition signed by at least 50 resi-
22 dents. The requirement for public hearing may be waived if the com-
23 missioner determines that a public emergency exists.

24 * Sec. 3. AS 46.03 is amended by adding new sections to article 6 to
25 read:

26 Sec. 46.03.340. NOTICE OF PESTICIDE APPLICATION. (a) At least
27 10 days before spraying or applying a pesticide on publicly or pri-
28 vately owned land, the state, a municipality, a utility, a public
29 corporation, or a contractor of any of these, shall publish notice of

1 the proposed spraying or application in a newspaper of general circu-
2 lation serving the area where the affected land is located. Notice
3 shall also be given in any other manner necessary and reasonably
4 calculated to inform persons who lawfully reside on or use (1) land on
5 or over which the pesticide is proposed or likely to be sprayed or
6 applied; and (2) land any portion of the property line of which is
7 within 100 feet of the area on or over which the pesticide is proposed
8 to be sprayed or applied. The requirement for public notice may be
9 waived if the commissioner determines that a public emergency exists.

10 (b) Notice under this section must include

11 (1) the chemical identity and product name of each pesti-
12 cide to be applied;

13 (2) the dates and locations of the spraying or application;

14 (3) the problem or pest sought to be controlled by the
15 spraying or application;

16 (4) the manner of spraying or application;

17 (5) the name, address, and telephone number of the state
18 agency, municipality, utility, public corporation, or contractor of
19 any of these, responsible for the spraying or application;

20 (6) appropriate warnings concerning

21 (A) the known or suspected acute and chronic health
22 effects of exposure to each pesticide to be applied;

23 (B) evacuation of and reentry to an area affected by
24 the spraying or application; and

25 (C) the use or consumption of, or contact with, crops
26 or plants affected by the spraying or application.

27 (c) This section does not apply to the spraying or application
28 of

29 (1) a chemical fire retardant by the Department of Natural

1 Resources; or

2 (2) a pesticide for agricultural research purposes by the
3 Department of Natural Resources or the University of Alaska.

4 Sec. 46.03.350. CONTAMINATION OF DOMESTIC WATER SUPPLIES PROHI-
5 BITED. A pesticide may not be sprayed or applied in a location or
6 manner that contaminates water used for domestic consumption and
7 thereby jeopardizes the health of persons consuming the water.

8 * Sec. 4. AS 46.03.330(c) is repealed.
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**STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE**

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 Requestor: Uehling/MM Miller/Goll
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REVENUE	0	0	0	0	0	0
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FUNDING : (Thousands of Dollars)

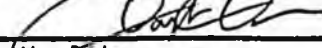
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ANALYSIS : Attach a separate page if necessary

No fiscal impact is anticipated by passage of HB 608

Prepared by: Doug Donegan 
 Division: Environmental Health

Phone: 465-2609
 Date: 3/13/86

Approved by Commissioner: Bill Ross 
 Agency: Environmental Conservation

Date: 3/13/86

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Submitted by: Chairman of the Assembly
at the request of the Mayor
Prepared by: Department of Law
For reading:

ANCHORAGE, ALASKA
AO No. 86-_____

AN ORDINANCE AMENDING TITLE 15 OF THE ANCHORAGE MUNICIPAL CODE
PERTAINING TO PESTICIDE CONTROL.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. That Section 15.75.030 is repealed and reenacted
as follows:

15.75.030 Permits Required.

- A. A person who engages in the business of applying pesticides or broadcast chemicals must have a valid permit issued pursuant to this chapter.
- B. A person who engages in the business of applying pesticides or broadcast chemicals may not use any pesticide, broadcast chemical or method of application of any pesticide or broadcast chemical unless such pesticide, broadcast chemical or method of application is set forth in a valid permit.

Section 2. That Section 15.75.040 is repealed and reenacted
as follows:

15.75.040 Permits.

- A. An application for a permit must state the name, address and phone number of the applicant, each type of equipment to be used by the applicant, a complete list of every pesticide, broadcast chemical and method of application which the applicant intends to use, a description of the area in which the applicant wishes to conduct business, and such other information as the director reasonably requires.

- G. A permit may not be transferred.
- H. The director shall issue permits on an annual basis and all permits shall expire on December 31 of the year of issuance.
- I. There is an annual permit fee of \$10.00.

Section 3. That Section 15.75.050 is repealed and reenacted as follows:

15.75.050 Wind Speed Limitation.

A person who engages in the business of applying pesticides or broadcast chemicals may not apply by spraying any pesticide or broadcast chemicals out of doors if the wind speed exceeds five knots per hour at the site of application.

Section 4. That Section 15.75.060 is repealed and reenacted as follows:

15.75.060 Private Individuals Required to Give Notice.

- A. A person who engages in the business of applying pesticides or broadcast chemicals must give written notice as provided by this section every time that the person is going to apply by spraying a pesticide or broadcast chemical out of doors.
- B. Notice must be given at least 24 hours before application and not more than 96 hours before application.
- C. The person must post one or more copies of the notice on the property to be sprayed and at least one copy of the notice on each residence or commercial building located on property which is contiguous to the property to be sprayed.

- C. The Municipality must post at least one copy of the notice in a manner which is reasonably calculated to provide actual notice to persons using the public parks.

- D. The notice must include the trade name of the each pesticide or broadcast chemical, the chemical name of the principal active ingredients in each pesticide or broadcast chemical, the exact date and approximate time that the pesticide or broadcast chemical will be applied, the name, address and telephone number of the municipal department in charge of application, a warning that the pesticide or broadcast chemical is or may be harmful, and a statement of recommended precautions.

Section 6. That this ordinance shall become effective upon passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day
of _____, 1986.

Chairman of the Assembly

ATTEST:

Municipal Clerk



Alaska State Legislature

Representative Mike Davis

Pouch V
Juneau, Alaska 99811
(907) 465-4930/4941

Interim Office:
P.O. Box 81435
Fairbanks, Alaska 99708

MEMORANDUM

TO: House Finance Committee Members

FROM: Rep. Mike Davis *Mike*

DATE: May 6, 1986

RE: HB 608 - Application of Pesticides

In communities throughout the state, citizens are becoming increasingly concerned about the health risks associated with the application of certain pesticides. Talkeetna residents are worried about the spraying of herbicides along the Alaska Railroad, residents in Fairbanks are concerned about the proposed spraying of herbicides along Golden Valley Electric Association's right-of-way, and residents in Anchorage have been vocal about private pesticide companies spraying trees or foliage in neighborhoods.

Many states and communities have developed laws and ordinances requiring prior notification of pesticide application, including New Jersey, New York, Connecticut, Maryland, Wisconsin, Illinois, Ohio and several other states.

HB 608 would establish a system of prior notification for pesticide application. The legislation would require local and state agencies, public utilities and public corporations to notify tenants and land owners of pesticide applications along or on their property. Prior notification allows agencies to continue using pesticides, while also providing protection from health risks and from contamination of gardens, children's play areas and other property.

HB 608 also directs the Department of Environmental Conservation to develop regulations regarding wind speed and other weather conditions at which pesticides can be applied.



Alaska State Legislature

Representative Mike Davis

Room V
Juneau, Alaska 99811
(907) 465-4930/4941

Interim Office:
P.O. Box 81435
Fairbanks, Alaska 99708

MEMORANDUM

TO: House Resources Committee Members
FROM: Rep. Mike Davis
DATE: April 2, 1986
RE: HB 608 - Application of Pesticides

In communities throughout the state, citizens are becoming increasingly concerned about the health risks associated with the application of certain pesticides. Talkeetna residents are worried about the spraying of herbicides along the Alaska Railroad, residents in Fairbanks are concerned about the proposed spraying of herbicides along Golden Valley Electric Association's right-of-way, and residents in Anchorage have been vocal about private pesticide companies spraying trees or foliage in neighborhoods.

Many states and communities have developed laws and ordinances requiring prior notification of pesticide application, including New Jersey, New York, Connecticut, Maryland, Wisconsin, Illinois, Ohio and several other states.

HB 608 would establish a system of prior notification for pesticide application. The legislation would require local and state agencies, public utilities and public corporations to notify tenants and land owners, by mail, of pesticide applications along or on their property. Prior notification allows agencies to continue using pesticides, while also providing protection from health risks and from contamination of gardens, children's play areas and other property.

HB 608 also directs the Department of Environmental Conservation to develop regulations regarding wind speeds and other weather conditions at which pesticides can be applied.

Existing law

6.03.310

§ 46.03.311

WATER, ETC., CONSERVATION

§ 46.03.320

Department of Environmental Conservation in consultation with the Department of Health and Social Services."

Sec. 46.03.311. Public records. (a) Permits, permit applications, records, reports, and information and documentation obtained under AS 46.03.302 — 46.03.308 are available to the public for inspection and copying. However, upon a showing satisfactory to the commissioner that a record, report, permit, application, or information would, if made public, divulge methods or processes entitled to protection as trade secrets, the commissioner shall treat the record, report, permit, application, or information as confidential.

(b) Information that is confidential may be transmitted under a continuing restriction of confidentiality to other officers, employees, or authorized representatives of the state or of the United States if

(1) the person responsible for furnishing the record, report, permit, application, or information to which such information pertains is informed at least two weeks before the transmittal; and

(2) the information has been acquired by the department under the provisions of AS 46.03.296 — 46.03.311.

(c) The provisions of this section do not limit the department's authority to release confidential information during emergency situations. (§ 10 ch 93 SLA 1981)

Article 6. Pesticide Control.

Section

320. Authority

330. Public pesticide programs

Collateral references. — 61A Am. Jur. 2d, Pollution Control, §§ 293-295, 299, 300, 305-406.

39A C.J.S., Health and Environment, § 47.

Constitutionality of statutes for protection of vegetation against disease or infection. 70 ALR2d 852.

Liability for injury caused by spraying or dusting of crops. 37 ALR3d 833.

Sec. 46.03.320. Authority. (a) The department is authorized to

(1) regulate the transportation, testing, inspection, packaging, labeling, handling and advertising of pesticides and broadcast chemicals offered for sale, or placed in commerce for use in the state;

(2) regulate and supervise the distribution, application or use of pesticides and broadcast chemicals in any state project or program, or by a public agency under the jurisdiction of the state;

(3) regulate or prohibit the use of pesticides and broadcast chemicals.

(b) The department may provide by regulation for the licensing of private applicators of restricted-use pesticides and for persons engaged

in the custom, commercial or contract spraying or application of pesticides and broadcast chemicals. A person engaged in the custom, commercial, or contract spraying or application of pesticides and broadcast chemicals may, by regulation, be required to secure a surety bond or liability insurance. (§ 3 ch 120 SLA 1971; am § 1 ch 26 SLA 1977)

Effect of amendments. — The 1977 amendment, in subsection (b), inserted "private applicators of restricted-use pesticides and for" in the first sentence, deleted "including the requirement of a surety bond and liability insurance for the licensee" from the end of that sentence, and added the second sentence.

Sec. 46.03.330. Public pesticide programs. (a) No officer, agent or employee of the state, or of a borough or city of any class, may direct, carry out, or participate in the spraying or application of a pesticide or broadcast chemical in any program or project involving funds, materials or equipment of the state, borough or city, except in accordance with regulations promulgated by the department under AS 46.03.320.

(b) Before a public project that would affect lands owned separately by two or more persons is initiated, the person directing the program shall give public notice of the program in the manner required by regulations of the department. The department shall conduct a public hearing on the proposed program if a hearing is requested by the governing body of the affected borough or city, or by a petition signed by at least 50 residents. The requirement for public notice or public hearing may be waived if the commissioner determines that a public emergency exists.

(c) The provisions of this section apply to home rule municipalities. (§ 3 ch 120 SLA 1971)

Article 7. Prohibited Acts and Penalties.

Section	Section
710. Pollution prohibited	810. Air and land nuisances
720. Construction and operation of certain facilities prohibited	820. Emergency powers
730. Pesticides	822. Strict liability for the discharge of hazardous substances
740. Oil pollution	824. Damages
750. Ballast water discharge	826. Definitions
755. Discharge reporting	828. Other rights of action not affected
758. Civil penalties for discharges of oil	830. Proof of financial responsibility required for petrochemical facility or hazardous waste disposal site operation
760. Civil action for pollution; damages	833. Compliance with financial responsibility requirements
765. Injunctions	840. [Repealed]
770. Detention of vessel without warrant as security for damages	850. Compliance order
780. Liability for restoration	
790. Criminal penalties	
800. Water nuisances	



ALASKA RURAL ELECTRIC COOPERATIVE ASSOCIATION, INC.

237 E. FIREWEED LANE • SUITE 301
ANCHORAGE, ALASKA 99503 • (907) 276-3235

April 11, 1986

Representative Richard Schultz, Chairman
House Resources Committee
Pouch V
Juneau, AK 99811

Dear Mr. Chairman:

At the April 2 hearing of the House Resources Committee on HB 608, relating to the spraying and application of pesticide and broadcast chemicals, member utilities of the Alaska Rural Electric Cooperative Association presented testimony opposing the legislation.

The primary concern of the electric cooperatives was the exorbitant cost associated with section three of the bill, relating to notice of pesticide application. Member cooperatives are certain their consumer/owners would incur several hundred thousand dollars in costs annually if required to provide notice as specified in the bill (CS for HB 608 dated 4/1/86).

On April 3, Marilyn Heiman, aide to Rep. Mike Davis, organized a meeting with ARECA and various special interest groups to discuss proposed amendments to the bill. Participants in the meeting reached a compromise position on the notification provision which would ensure the public is adequately notified of pesticide use while substantially reducing the cost to cooperative utilities. This compromise is reflected in the most recent version of the bill (CS for HB 608 dated 4/7/86).

Cooperative utilities recognize their responsibility to provide persons living in the affected area with reasonable notice of pesticide application and substantive information on the pesticides being used. Our members believe this can best be accomplished through use of mass media (newspaper, television, and radio), and by posting notice in local public buildings and affected areas. We support amendments to HB 608 requiring these methods of notification be used before a planned program of pesticide application is implemented.

Thank you for the opportunity to present our members concerns to the House Resources Committee.

Respectfully,

Kenneth S. Johnson
Director of Information

DEMOCRACY IN ACTION

**Municipality
of
Anchorage**



P.O. BOX 6650
ANCHORAGE, ALASKA 99502-0650
(907) 264-4111

TONY KNOWLES,
MAYOR

DEPARTMENT OF HEALTH & HUMAN SERVICES

April 25, 1986

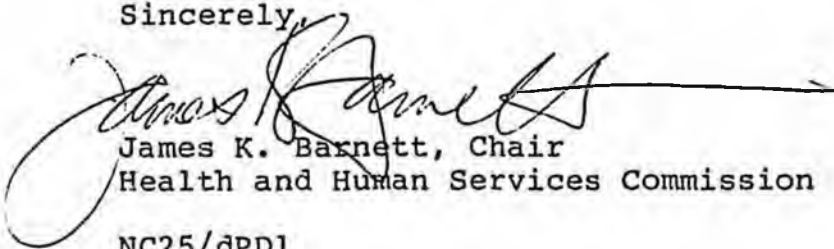
Representative Albert P. Adams, Chairman
House Finance Committee
Alaska Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Representative Adams:

The Anchorage Municipal Health and Human Services Commission is charged with reviewing and making recommendations on "legislation which affects the health and social well-being of the residents" of Anchorage (Anchorage Municipal Code 4.60.060). In accordance with this responsibility, the commission reviewed and supports the passage of HB 608 - An Act Relating to Spraying and Application of Pesticides and Broadcast Chemicals. This legislation is consistent with the recent position the Health and Human Services Commission took on a municipal policy regarding the application of pesticides.

The Health and Human Services Commission is in the process of developing a comprehensive plan for health and human services which will establish priorities among services. The Commission's support for this legislation does not reflect any prioritization of services and needs.

Sincerely,


James K. Barnett, Chair
Health and Human Services Commission

NC25/dPD1

cc: Brad Bradley, Commission Liaison, Anchorage Assembly
Chip Dennerlein, Intergovernmental Affairs, MOA
John F. Franklin, Commissioner of Public Safety, MOA
Jewel Jones, Director, Department of Health and Human
Services
Tony Knowles, Mayor
Dave Walsh, Chair, Anchorage Assembly

Johne Binkley, House Finance Committee
Sam Cotten, House Finance Committee
Jim Duncan, House Finance Committee
Steve Frank, House Finance Committee
Ron Larson, House Finance Committee
Pat Pourchot, House Finance Committee
Steven Rieger, House Finance Committee
John Ringstad, House Finance Committee
Mike Szymanski, House Finance Committee
Rick Uehling, House Finance Committee

Offered: 4/22/86
Referred: Finance

Original sponsors: Davis, Hurley,
Clocksin, et al

1 IN THE HOUSE BY THE RESOURCES COMMITTEE
2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 608 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION
5 A BILL

6 For an Act entitled: "An Act relating to spraying and application of
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12 and other weather conditions during which spraying or application of a
13 pesticide or broadcast chemical for other than agricultural purposes
14 may be conducted, in order to protect the health and safety of the
15 public and to limit damage to crops and the environment. Regulations
16 adopted under this subsection do not apply to the spraying or applica-
17 tion of a chemical fire retardant by the Department of Natural Re-
18 sources.

19 * Sec. 2. AS 46.03.330(b) is repealed and reenacted to read:

20 (b) The department shall conduct a public hearing on the pro-
21 posed program if a hearing is requested by the governing body of the
22 affected municipality, or by a petition signed by at least 50 resi-
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25 * Sec. 3. AS 46.03 is amended by adding new sections to article 6 to
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28 10 days before spraying or applying a pesticide or broadcast chemical
29 on publicly or privately owned land, the state, a municipality, a

1 utility, a public corporation, or a contractor of any of these, shall
2 publish notice of the proposed spraying or application in a newspaper
3 of general circulation serving the area where the affected land is
4 located. Notice shall also be given in any other manner necessary and
5 reasonably calculated to inform persons who lawfully reside on or use
6 (1) land on or over which the pesticide or broadcast chemical is
7 proposed or likely to be sprayed or applied; and (2) land any portion
8 of the property line of which is within 100 feet of the area on or
9 over which the pesticide or broadcast chemical is proposed to be
10 sprayed or applied. The requirement for public notice may be waived
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13 (1) the chemical identity and product name of each pesti-
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19 (5) the name, address, and telephone number of the state
20 agency, municipality, utility, public corporation, or contractor of
21 any of these, responsible for the spraying or application;

22 (6) appropriate warnings concerning

23 (A) the known or suspected acute and chronic health
24 effects of exposure to each pesticide or broadcast chemical to be
25 applied;

26 (B) evacuation of and reentry to an area affected by
27 the spraying or application; and

28 (C) the use or consumption of, or contact with, crops
29 or plants affected by the spraying or application.

1 (c) This section does not apply to the spraying or application
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3 (1) a chemical fire retardant by the Department of Natural
4 Resources; or

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10 applied in a location or manner that contaminates water used for
11 domestic consumption and thereby jeopardizes the health of persons
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13 * Sec. 4. AS 46.03.330(c) is repealed.

Introduced: 3/17/86
Referred: Resources and
Finance

BY DAVIS, HURLEY, CLOCKSIN,
KOPONEN, UEHLING, M.M.MILLER
GOLL AND BOUCHER

1 IN THE HOUSE

2

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 608

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to spraying and application of
pesticides and broadcast chemicals."

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residents. The requirement for public hearing may be waived if the
commissioner determines that a public emergency exists.

24

* Sec. 3. AS 46.03 is amended by adding a new section to read:

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Sec. 46.03.340. NOTICE OF PESTICIDE APPLICATION. (a) At least
10 days before spraying or applying a pesticide or broadcast chemical
on publicly or privately owned land, the state, a municipality, a
utility, or a public corporation, or a contractor of any of these,
shall provide written notice to each person who owns or resides on the

1 land, or land adjoining the land, on or over which the spraying or
2 application is proposed or likely to occur. Notice shall be published
3 in a newspaper of general circulation serving the areas where the
4 affected land is located. Notice also shall be mailed to persons who
5 own or reside on land affected by the spraying or application. The
6 requirement for public notice by mailing may be waived if the com-
7 missioner determines that a public emergency exists.

8 (b) Notice under this section must include

9 (1) the chemical identity and product name of each pesti-
10 cide or broadcast chemical to be applied;

11 (2) the dates and locations of the spraying or application;

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22 (B) evacuation of and reentry to an area affected by
23 the spraying or application; and

24 (C) the use or consumption of, or contact with, crops
25 or plants affected by the spraying or application.

26 (c) This section does not apply to the spraying or application
27 of a chemical fire retardant by the Department of Natural Resources.

28 * Sec. 4. AS 46.03.330(c) is repealed.