

Testimony to Environment Committee, S.B 1016 regarding Running Bamboo, March 15, 2013

My name is Mary Wilson and I am the Chairman of the Newtown Conservation Commission. I am here this morning to support Raised Bill No. 1016, “An Act Regulating the Planting and Sale of Running Bamboo.”

Like most towns in Connecticut, Newtown has experienced problems with residents who have planted running bamboo on their property. The spreading of this bamboo to neighboring yards has created much ill will, frustration and even neighborhood disputes. In addition to this unrest, our elected officials and town staff have spent their time and energy trying to solve a problem that is not really within the jurisdiction of town government. That is why I am very pleased to see that our state legislature has chosen to address this issue.

I support all the provisions of Raised Bill No. 1016, with the following comments/questions:

Sub-section [b] makes anyone planting running bamboo liable for damages to abutting properties. This is making the planter the responsible party which is appropriate. However, from the wording it appears that even after October 1, 2013, any existing situation (planting done prior to that date) may be covered under this section. Is this the correct interpretation? If so, I would support such a provision only if the homeowner is given a reasonable amount of time to accomplish such removal.

Sub-section [c] requires a 100-foot buffer and requires that the plantings be contained such that the new plants do not come into contact with surrounding soil. I support this concept but I wonder if homeowners are going to know how to do this. There is information available (on the internet) but you have to “dig” for it and it is not always consistent. Perhaps a state agency or state university could write a publication on exactly how to do this. This sub-section also provides for a fining program which is reasonable. I am wondering where those funds obtained through this process will go.

Sub-section [d] requires information at the point of sale which is appropriate. I feel that information is the key to this problem, in that most people who have planted running bamboo were not aware of its aggressive behavior. However, in terms of enforcement, it will be difficult to know if this is being done. Maybe a provision to keep a log of sales or a signed statement by the buyer that they have received such information might be required. Another option would be to attach the information to the plant itself to ensure that proper information is being disseminated.

Sub-section [e] provides for enforcement of sub-sections [c] and [d]. I am wondering who then enforces sub-section [b], liability for damages caused by the spread of running bamboo onto adjacent properties.

Thank you for this opportunity to speak to you this morning. I do hope that this bill or some form of it will be passed by your committee and ultimately by the General Assembly. It would be a great help to the communities of this state.

Mary Wilson
Chairman, Newtown Conservation Commission