



Connecticut Department of  
**ENERGY &  
ENVIRONMENTAL  
PROTECTION**

**STATE OF CONNECTICUT  
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

Public Hearing – February 19, 2014  
Environment Committee

Testimony Submitted by Interim Commissioner Robert J. Klee  
Presented By Deputy Commissioner Susan Whalen

**Raised Senate Bill No. 72 – AN ACT CONCERNING LIABILITY FOR THE GROWING OF RUNNING BAMBOO.**

Thank you for the opportunity to present testimony regarding Raised Senate Bill No. 72 – AN ACT CONCERNING LIABILITY FOR THE GROWING OF RUNNING BAMBOO. The Department of Energy and Environmental Protection (DEEP) offers the following testimony.

This bill would revise the provisions of Public Act 13-82 by extending both the liability assigned to a property owner for allowing running bamboo to grow beyond their property, and the requirement to contain plants within 100 feet of abutting properties to include plantings present prior to October 1, 2013.

We understand the benefits of extending the requirement for a properly constructed and maintained barrier system to include properties where running bamboo was present prior to October 1, 2013. This expansion of the existing law would require anyone with running bamboo on their property to either contain or eliminate it. However, we are concerned about the additional time and effort necessary to enforce this added requirement. Public Act 13-82 placed a disincentive on people considering planting bamboo by adding the cost of purchasing, installing and maintaining a barrier system to the cost of purchasing the plants. As such, the enforcement burden on DEEP was expected to be relatively light. The current proposal seeks to extend this requirement to plantings that were done prior to October 1, 2013, and which have already become a problem. This would likely require DEEP biologists and Environmental Conservation Police getting involved in a significant number of long-running disputes between property owners.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact Robert LaFrance, DEEP's Director of Governmental Affairs, at 860.424.3401 or [Robert.LaFrance@ct.gov](mailto:Robert.LaFrance@ct.gov) (or, Elizabeth McAuliffe, DEEP Legislative Liaison, at 860.424.3458 or [Elizabeth.McAuliffe@ct.gov](mailto:Elizabeth.McAuliffe@ct.gov) ).