



General Assembly

February Session, 2016

***Raised Bill No. 385***

LCO No. 2108



Referred to Committee on ENVIRONMENT

Introduced by:  
(ENV)

***AN ACT CONCERNING NOTICE OF PESTICIDE APPLICATIONS  
MADE TO ANY RAILROAD RIGHTS-OF-WAY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsections (i) to (k), inclusive, of section 22a-66a of the  
2 general statutes are repealed and the following is substituted in lieu  
3 thereof (*Effective October 1, 2016*):

4 (i) Notwithstanding the provisions of this section, neither the state  
5 nor any municipality nor any pesticide application business [ ] or  
6 public service company [or railroad company] shall be required to  
7 provide notice of any pesticide application made to rights-of-way,  
8 distribution lines and roadsides, including guardrails, except that an  
9 electric public service company shall be required to comply with  
10 regulations adopted pursuant to subsection (b) of section 22a-66k  
11 concerning the on-site posting of a notice of pesticide application.

12 (j) Any railroad company that makes any pesticide application to  
13 any rights-of-way shall: (1) Not later than twenty-one days prior to  
14 such pesticide application, provide notice of such pesticide application

15 to the Department of Energy and Environmental Protection and the  
16 chief elected official or board of selectmen of each municipality in  
17 which such application will be made, and (2) not later than seven days  
18 prior to such pesticide application, publish such notice of such  
19 pesticide application in a newspaper that has a general circulation in  
20 each municipality in which such pesticide application will be made.  
21 Not less than once every five years, each railroad company that makes  
22 any pesticide application to any rights-of-way shall file a vegetation  
23 management plan with the Department of Energy and Environmental  
24 Protection that identifies target vegetation and management methods  
25 for the forthcoming five-year period.

26 [(j)] (k) The Commissioner of Public Health, prior to spraying a  
27 seasonal larvicide for mosquito control, shall cause to be published in a  
28 newspaper of general circulation in the area of the spraying notice of  
29 such spraying. The Commissioner of Public Health or any municipal  
30 or district health department, prior to adulticide spraying for mosquito  
31 control, shall post a sign in the area of such spraying notifying the  
32 public of the spraying.

33 [(k)] (l) Notwithstanding the provisions of section 22a-63, any  
34 person who violates any provision of this section shall be fined not  
35 more than ninety dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2016	22a-66a(i) to (k)

**Statement of Purpose:**

To require advance notice of pesticide applications made by railroad companies to any rights-of-way.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*