
OLR Bill Analysis

sSB 116 (File 65, as amended by Senate "A")*

AN ACT CONCERNING NOTIFICATION OF PESTICIDE APPLICATIONS NEAR LAKES AND PONDS.

SUMMARY

This bill eliminates the requirement that pesticide application businesses publish notice in a general circulation newspaper of a pesticide application on a private lake or pond with more than one shoreline property owner. The bill instead requires businesses to notify the shoreline owners and their tenants by telephone, mail, or personal notice or by leaving a conspicuous notice on an entry door of the home on the waterfront property. For determining if a property is waterfront, the bill prohibits considering any setback (i.e., distance from the shore in which certain activity is restricted or prohibited) and requires that notice also go to the setback's owner. Anyone who gives notice of a pesticide application by aircraft according to state regulations is exempt from this provision. Under existing law, unchanged by the bill, if there is a state or municipally owned public access point, newspaper and signpost notice must still be given to the public.

Under the bill, the notice must give the date of the pesticide application. The pesticide application business must make at least two attempts to notify an owner or tenant, as soon as practicable but no less than 24 hours before the application, and the second attempt must occur at least 24 hours after the first attempt.

If attempts to give notice fail, an emergency application is necessary, or best management practices of integrated pest management recommend an immediate pesticide application to reduce how much pesticide would otherwise be necessary, then the bill requires the business to notify each owner or tenant in person immediately before the application occurs. Integrated pest management is a comprehensive pest control strategy that includes judicious pesticide use.

The bill also requires the Department of Energy and Environmental Protection to give a public official all information it knows about a pesticide application scheduled or made to one of these lakes or ponds when the official asks about it.

*Senate Amendment "A" (1) adds the setback provision and notice to tenants, (2) allows the notice to occur by telephone or mail, and (3) requires the second notice attempt to occur at least 24 hours after the first one.

EFFECTIVE DATE: October 1, 2022

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 30 Nay 1 (03/04/2022)