



126th MAINE LEGISLATURE

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| H.P. 201 | House of Representatives, February 7, 2013 |

An Act To Protect the Public Health from Mosquito-borne Diseases

Submitted by the Department of Agriculture, Conservation and Forestry pursuant to Joint Rule 204.

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

Millicent M. Mac Jailand

MILLICENT M. MacFARLAND Clerk

Presented by Representative GIFFORD of Lincoln. Cosponsored by Senator SHERMAN of Aroostook and Representatives: BLACK of Wilton, CRAY of Palmyra, SAUCIER of Presque Isle.

| | e it enacted by the People of the State of Maine as follows: |
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| | Sec. 1. 7 MRSA c. 6-A is enacted to read: |
| | <u>CHAPTER 6-A</u> |
| | CONTROL OF MOSQUITOES |
| <u>§1</u> | 71. Control of mosquitoes for protection of public health; state policy |
| Tł sc | It is the policy of the State to undertake appropriate activities to reduce sease-carrying mosquito populations that threaten the health of residents of this State. The State shall use a wide array of integrated pest management techniques and other tence-based technology in a manner that minimizes the risks of pesticide use to humans d the environment. |
| <u>§</u> 1 | 72. Department lead agency; powers of commissioner |
| <u>ac</u> | The department is the lead agency of the State for carrying out mosquito-control tivities as described in this chapter. |
| ac | The commissioner may use all lawful methods for the control of mosquitoes and the evention of their breeding, including conducting or contracting for mosquito-control tivities and purchasing necessary equipment for the purposes of carrying out this apter. |
| <u>§1</u> | 73. Rules |
| | The commissioner may adopt rules to carry out the purposes of this chapter. Rules opted pursuant to this section are routine technical rules as described in Title 5, chapter |
| | 5, subchapter 2-A. |
| 81 | |
| <u>81</u> | 74. Duties of commissioner |
| ap su mo or se | 74. Duties of commissioner 1. Study; plan; arrange cooperation. The commissioner, in cooperation with propriate personnel from the Department of Health and Human Services, shall, when fficient money for such purposes is available in the fund, consider and study osquito-control problems, including mosquito surveillance; coordinate plans for osquito-control work that may be conducted by private landowners, groups, ganizations, municipalities, counties and mosquito-control districts formed pursuant to ction 176; and arrange, so far as possible, cooperation among state departments and th federal agencies in conducting mosquito-control operations within the State. |

3. Implement mosquito-control response. In the event that a mosquito-borne
disease public health threat is declared by the Commissioner of Health and Human
Services pursuant to Title 22, section 1446, the Commissioner of Agriculture,
Conservation and Forestry shall consult appropriate state agency plans and personnel and
university and private sector experts to determine and implement an effective control
response, which must include a wide array of integrated pest management techniques.
The availability of funds must also be considered as part of the response planning.

8 §175. Maine Mosquito Control Fund

9 The Maine Mosquito Control Fund, referred to in this chapter as "the fund," is 10 established to carry out the purposes of this chapter. The fund consists of any money received as contributions, grants or appropriations from private and public sources. The 11 12 fund, to be accounted for within the department, must be held separate and apart from all 13 other money, funds and accounts. Any balance remaining in the fund at the end of a fiscal year must be carried forward to the next fiscal year. The department may expend the 14 15 money available in the fund and make grants to private landowners, groups, organizations, municipalities, counties and mosquito-control districts to carry out the 16 17 purposes of this chapter.

18 §176. Mosquito-control districts

For the purposes of preserving and promoting the public health and welfare by
providing for coordinated and effective control of mosquitoes, municipalities may
cooperate through the creation of mosquito-control districts.

- 22 Sec. 2. 22 MRSA c. 257-B is enacted to read:
- 23 CHAPTER 257-B

MOSQUITOES

25 <u>§1446. Mosquito-borne disease public health threat</u>

When available surveillance information indicates the likelihood of a potential human
disease outbreak arising from mosquito-borne pathogens, the commissioner may declare
a mosquito-borne disease public health threat for the purposes of alerting the public and
other state, local and federal agencies about the existence of the threat so that appropriate
actions may be taken.

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SUMMARY

This bill authorizes the Department of Agriculture, Conservation and Forestry to conduct appropriate mosquito-control activities in response to mosquito-borne disease public health threats. In addition, the bill authorizes municipalities to cooperate in controlling mosquitoes through the formation of mosquito-control districts. It establishes the Maine Mosquito Control Fund to provide funding for mosquito-control activities. Finally, the bill authorizes the Commissioner of Health and Human Services to declare a mosquito-borne disease public health threat.