

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 7 MRSA c. 6-A is enacted to read:

CHAPTER 6-A

CONTROL OF MOSQUITOES

§ 171. Control of mosquitoes for protection of public health; state policy

It is the policy of the State to undertake appropriate activities to reduce disease-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 science-based technology in a manner that minimizes the risks of pesticide use to humans and the environment.

§ 172. Department lead agency; powers of commissioner

The department is the lead agency of the State for carrying out mosquito-control activities as described in this chapter.

The commissioner may use all lawful methods for the control of mosquitoes and the prevention of their breeding, including conducting or contracting for mosquito-control activities and purchasing necessary equipment for the purposes of carrying out this chapter.

§ 173. Rules

The commissioner may adopt rules to carry out the purposes of this chapter. Rules adopted pursuant to this section are routine technical rules as described in Title 5, chapter 375, subchapter 2-A.

§ 174. Duties of commissioner

1. Study; plan; arrange cooperation. The commissioner, in cooperation with appropriate personnel from the Department of Health and Human Services, shall, when sufficient money for such purposes is available in the fund, consider and study mosquito-control problems, including mosquito surveillance; coordinate plans for mosquito-control work that may be conducted by private landowners, groups, organizations, municipalities, counties and mosquito-control districts formed pursuant to section 176; and arrange, so far as possible, cooperation among state departments and with federal agencies in conducting mosquito-control operations within the State.

2. Assist with disseminating information. The commissioner, in cooperation with appropriate personnel from the Department of Health and Human Services, shall, when sufficient money for such purposes is available in the fund, assist private landowners, groups, organizations, municipalities, counties and mosquito-control districts formed pursuant to section 176 with disseminating information to the citizens of the State about ways to reduce mosquito populations, to

control breeding sites and to protect themselves from mosquito-borne diseases as well as other relevant information.

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.

§ 175. Maine Mosquito Control Fund

The Maine Mosquito Control Fund, referred to in this chapter as "the fund," is 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 fund, to be accounted for within the department, must be held separate and apart from all 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 money available in the fund and make grants to private landowners, groups, organizations, municipalities, counties and mosquito-control districts to carry out the purposes of this chapter.

§ 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.

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

CHAPTER 257-B

MOSQUITOES

§ 1446. Mosquito-borne disease public health threat

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.

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.

