

Bill as Introduced

HB 483-FN-LOCAL - AS INTRODUCED

2011 SESSION

11-0588

01/04

HOUSE BILL **483-FN-LOCAL**

AN ACT relative to mosquito control.

SPONSORS: Rep. Copeland, Rock 13; Rep. Abrami, Rock 13; Rep. Ward, Rock 13;
Rep. Schlachman, Rock 13; Rep. Peckham, Rock 13

COMMITTEE: Municipal and County Government

ANALYSIS

This bill allows a municipality to commence mosquito control abatement activities on state lands where a public health threat is in effect or was previously in effect at any time under RSA 141-C:25.

Explanation: Matter added to current law appears in **bold italics**.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eleven

AN ACT relative to mosquito control.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Mosquito Control Policy. Amend RSA 142-A:2, VII to read as follows:

2 VII. State agencies managing land shall allow mosquito control and abatement activities to
3 occur in accordance with local mosquito control plans developed pursuant to RSA 141-C when the
4 department has notified the appropriate agency managing state land that a public health threat
5 declaration under RSA 141-C:25 is in effect, ***or has previously been in effect***, for the affected
6 municipality or mosquito control district in accordance with RSA 142-A:3.

7 2 Mosquito Control Policy. Amend RSA 142-A:3, VI to read as follows:

8 VI. State agencies managing land shall allow the use of biological control agents, specifically
9 *Bacillus thuringiensis israelensis* or *Bacillus sphaericus*, to control mosquito larvae in natural
10 wetlands and water bodies on land they administer in accordance with applicable law and rules as
11 long as those wetlands and water bodies are located in municipalities or mosquito control districts
12 where a public health threat is declared, ***or has ever been declared***, by the commissioner pursuant
13 to RSA 141-C and when the application is to be made under a special permit issued by the
14 department of agriculture, markets and food, division of pesticide control.

15 3 Effective Date. This act shall take effect 60 days after its passage.

HB 483-FN-LOCAL - AS INTRODUCED
- Page 2 -

LBAO
11-0588
01/19/11

HB 483-FN-LOCAL - FISCAL NOTE

AN ACT relative to mosquito control.

FISCAL IMPACT:

The Office of Legislative Budget Assistant is unable to complete a fiscal note for this bill as it is awaiting information from the Department of Health and Human Services. When completed, the fiscal note will be forwarded to the House Clerk's Office.

LBAO
11-0588
Revised 02/07/11

HB 483 FISCAL NOTE

AN ACT relative to mosquito control.

FISCAL IMPACT:

The Departments of Health and Human Services and Agriculture state this bill will have no fiscal impact on state, county, or local revenues and expenditures.

METHODOLOGY:

The Department of Health and Human Services indicated the bill allows a municipality to commence mosquito abatement activities on state lands where a public health threat is in effect or was previously in effect at any time. The Department states this bill will not alter its responsibilities.

The Department of Agriculture states this bill will not impact revenue or expenditures.

Amendments

Amendment to HB 483-FN-LOCAL

1 Amend the bill by replacing sections 1 and 2 with the following:

2

3 1 Mosquito Control Policy. Amend RSA 142-A:2, VII to read as follows:

4 VII. State agencies managing land shall allow mosquito control and abatement activities to
5 occur in accordance with local mosquito control plans developed pursuant to RSA 141-C when the
6 department has notified the appropriate agency managing state land that a public health threat
7 declaration under RSA 141-C:25 is in effect, *or has previously been in effect within the last 5*
8 *years*, for the affected municipality or mosquito control district in accordance with RSA 142-A:3.

9 2 Mosquito Control Policy. Amend RSA 142-A:3, VI to read as follows:

10 VI. State agencies managing land shall allow the use of biological control agents, specifically
11 *Bacillus thuringiensis israelensis* or *Bacillus sphaericus*, to control mosquito larvae in natural
12 wetlands and water bodies on land they administer in accordance with applicable law and rules as
13 long as those wetlands and water bodies are located in municipalities or mosquito control districts
14 where a public health threat is declared, *or has been declared within the last 5 years*, by the
15 commissioner pursuant to RSA 141-C and when the application is to be made under a special permit
16 issued by the department of agriculture, markets and food, division of pesticide control.

Amendment to HB 483-FN-LOCAL

- Page 2 -

2011-0467h

AMENDED ANALYSIS

This bill allows a municipality to commence mosquito control abatement activities on state lands where a public health threat is in effect or was in effect within the last 5 years under RSA 141-C:25.

Rep. Copeland, Rock. 13
February 23, 2011
2011-0467h
01/09

Amendment to HB 483-FN-LOCAL

1 Amend the bill by replacing sections 1 and 2 with the following:

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Amendment to HB 483-FN-LOCAL
- Page 2 -

2011-0467h

AMENDED ANALYSIS

This bill allows a municipality to commence mosquito control abatement activities on state lands where a public health threat is in effect or was in effect within the last 5 years under RSA 141-C:25.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

PUBLIC HEARING ON HB 483-FN-LOCAL

BILL TITLE: relative to mosquito control.

DATE: February 22, 2011

LOB ROOM: 301 **Time Public Hearing Called to Order:** 10:15 am

Time Adjourned: 10:32 am

(please circle if present)

Committee Members: Reps. Ferrante, Sterling, B. Patten, Lockwood, Accornero, Belanger, Burt, Coffey, Copeland, Moore, Munch, Shackel, Stroud, DeStefano, Roberts, Hooper and Tatro.

Bill Sponsors: Rep. Copeland, Rock 13; Rep. Abrami, Rock 13; Rep. Ward, Rock 13; Rep. Schlachman, Rock 13; Rep. Peckham, Rock 13

TESTIMONY

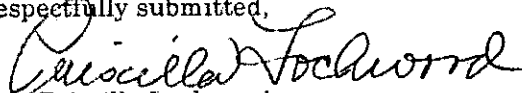
* Use asterisk if written testimony and/or amendments are submitted.

Rep. Copeland: sponsor – This bill gives municipalities more control – Process has been difficult and this will make it more efficient for towns to begin mosquito control.

***David Canada:** Represents Stratham – support – Town was denied permission to spray state land and it took a long time to straighten out the permission process - This bill would take care of the problem - submitted written testimony.

***Steve Weber:** Fish and Game – opposed – Spreading pesticides needs state oversight on state lands. Lat years problem isn't one that should occur again – Sound science and a need to treat are criteria.

Respectfully submitted,


Rep. Priscilla Lockwood
Acting Clerk

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

PUBLIC HEARING ON HB 483-FN-LOCAL

BILL TITLE: relative to mosquito control.

DATE:

2/22/11

LOB ROOM:

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Bill Sponsors: Rep. Copeland, Rock 13; Rep. Abrami, Rock 13; Rep. Ward, Rock 13; Rep. Schlachman, Rock 13; Rep. Peckham, Rock 13

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Copeland

This bill gives municipalities more control. Process has been difficult and this will make it more efficient for towns to begin mosquito control.

David Canada - Represents Stratham

Town was denied permission to spray state land and it took a long time to straighten out the permission process. This bill would take care of the problem. Has written material.

Steve Weber - Fish & Game

Opposes this bill. Spreading pesticides needs state oversight on state lands. Last year's problem is one that should occur again. Sound science and a need to treat are criteria.

Testimony



TOWN OF STRATHAM

INCORPORATED 1716

10 BUNKER HILL AVENUE • STRATHAM NH 03885

VOICE (603) 772-7391 • FAX (603) 775-0517

New Hampshire House
Municipal and County Government Committee
February 22, 2011
Testimony of David Canada on House Bill 483

Good morning. I am David Canada and I am here representing the people of Stratham as Chair of their Board of Selectmen. In 2008 Stratham, for the first time in memory, and after a successful program of more than 30 years duration, was denied permission to treat the hundreds acres of marshes within town that are managed by the Fish and Game Department. At the same time arboviruses were once again developing into a major health threat in many southern areas of the state. The Governor responded to the threat by establishing a committee to formulate a state wide policy regarding mosquito control. This policy was codified later that year with the passage of RSA 142:A. The law essentially gives communities the right to larvicide state lands when the Commissioner of Health and Human Services has declared a public health emergency in that area. This policy and law has put Stratham and other affected towns in far better position than they were in prior to 2008. Now, the ultimate decision is made by people people, HHS, and not fish people, F&G. The ecological system of the marshes is vitally important and F&G has a valid need to manage that system. However, F&G's mission can conflict with what is best for humans. Part of nature's plan is to feed fish with mosquitos and their larva. Unfortunately, those mosquitos harbor deadly illnesses for humans. It is important to minimize the mosquito population to minimize the risk. We don't need to worry too much about the fish. We will never get all the mosquitoes. We do need to reduce the risk to the fullest extent we can.

The problem Stratham has had with the current law is with the uncertainty of continuity of our program. Last year we finally got the okay to treat on May 27. By then, mosquito larva are already hatching. Larviciding is a proven, safe means of

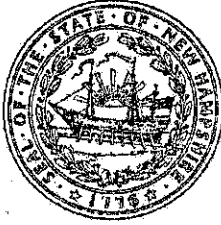
controlling the adult population by preventing the hatch. Environmentally safe, natural bacteria is applied to specific pool areas to break the life cycle of the bugs at the very beginning. The alternative to this application is to wait until they are adults and airborne and to then spray chemical pesticides into the greater environment. It is easy to see the advantages and desirability of treating them while in the larval stage.

Triple E and West Nile Disease do not go away. They return in lethal cycles. At some point, HHS will decide that there is not a current health emergency in Stratham. It will have been a year or two or three and no positive samples will have been found. We will not be allowed to treat state lands. But these deadly diseases always return. In the meantime, Stratham will have to hope no one dies before a health threat is again declared. With this bill, we are simply asking that we not be subjected to this game of Russian Roulette. We have an ongoing health emergency. It subsides but does not go away. The simple few words we seek to change in RSA 142A will allow us, at our own cost, to stay vigilant. It simply changes the law to say that that once you have identified a community as a known breeding ground and incubator for these diseases and their hosts, that community may preemptively work to mitigate the risks.

Those who will express concerns that this legislative change will lock the state into permitting actions it may later find contrary to the public good are not acknowledging the several checks and balances that are in place. Should treatments now considered safe be viewed in a different light in the future, remember that this law can be reversed the same way it is created, with a legislative change. Also remember that all products used for the treatment of mosquitos are regulated, controlled, and must be approved by the Department of Agriculture. If new scientific study raises concerns for the safety of their use, they simply will not be allowed.

The citizens of Stratham feel deeply enough about this subject that they spend \$60,000 a year controlling mosquitoes. They ask that you respect their right to do so in the most environmentally safe, financially prudent, and goal successful manner possible.

Thank you.



Larvicides

What are larvicides?

Larvicides are chemicals or natural bacteria that can be applied to kill mosquito larvae.

What are larvae?

Larvae are one of the four stages in a mosquito's development. Adult female mosquitoes lay eggs, which hatch into larvae. Larvae then become pupae, from which the adult mosquitoes emerge. Adult mosquitoes lay their eggs on the surface of standing water and the larvae then develop into pupae in the water.

In what form are larvicides used?

Larvicides can be applied to standing water as liquid, a spray, or granules. Some formulations release a concentrated larvicide slowly over weeks to months and they are useful in catch basins (storm drains) in which standing water has developed. These products will be placed into the storm drains by hand. For other types of standing water, granules or liquid products may be applied either by hand, or sprayed from backpacks or trucks.

Are larvicides any better at killing mosquitoes than pesticides that attack adult mosquitoes (adulticides)?

Larvicides are more effective at controlling mosquitoes because they kill mosquitoes before they become adults and disperse.

What types of larvicides will be used to combat the spread of mosquitoes with the West Nile Virus or Eastern Equine Encephalitis?

Common larvicides include Altosid (*Methoprene*), VECTOLEX (*Bacillus sphaericus*), and VECTOBAC (*Bacillus thuringiensis israelensis*). These products have been approved for mosquito control by the United States Environmental Protection Agency (U.S. EPA). Altosid mimics an insect growth hormone and prevents the development of adult mosquitoes from pupae. VECTOLEX and VECTOBAC contain bacteria that can damage the gut of the mosquito larvae that feed on them, causing the larvae to starve to death. All three have been found to be highly effective in mosquito control.

When will these larvicides be used for mosquito control?

Depending on the location in New Hampshire and conditions that determine the risk for WNV/EEE transmission, initial application of the larvicides will take place during the last two weeks of April and through mid-May of any given year. Follow-up applications will take place

periodically afterward, and after heavy rains. Some areas will not receive persistent larvicide applications to protect sensitive aquatic and wild life.

If we use larvicides for mosquito control now, does that mean the use of pesticides for adult mosquitoes won't be needed later on?

The use of larvicides is part of the first line of defense against mosquitoes carrying WNV and EEE. A preventive approach also includes encouraging residents to eliminate standing water areas around residences where mosquitoes breed and placing fish that eat mosquito larvae in some areas. In the event of a public health threat, reducing the adult population of mosquitoes with EPA-approved pesticides will be done when necessary to prevent or address the potential for illness in humans.

Am I likely to be exposed to these larvicides?

No. The larvicides are being applied in storm drains, catch basins, and other areas to which the general public does not have access. Larvicides will not be applied in areas that drain into waters consumed by humans.

What problems could I have if I am exposed to these larvicides?

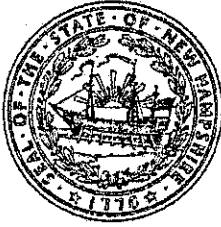
Altosid, as well as VECTOLEX and VECTOBAC, can cause mild eye and skin irritation, but mostly through direct contact with highly concentrated forms of these agents. The application of these products is done in areas inaccessible to the public and at low concentrations.

What should I do if I am exposed to these larvicides?

If you experience eye or skin irritation as a result of exposure to a larvicide, rinse your eyes with tap water for 20 minutes and wash your skin thoroughly with soap and water. If the symptoms persist, first contact your local doctor or emergency department, then contact the New Hampshire Poison Control Center at 1-800-222-1222.

For more information about potential health effects from exposure to larvicides, such as Altosid, VECTOBAC and VECTOLEX, please call the NH Department of Environmental Services, at 1-800-852-3345, ext. 4664.

For more information about WNV/EEE, call the New Hampshire Department of Health and Human Services, WNV/EEE information line, at 1-866-273-NILE (6453).



Pyrethroid Insecticides for Mosquito Control

What pesticides could be used for mosquito spraying?

Licensed pesticide applicators may use one of several different pesticide products for mosquito spraying. The specific agent will depend on a number of factors including application environment, immediate availability of the product, and cost. However, the pesticides of choice that are currently registered for this type of use in New Hampshire are primarily pyrethroid-based products. Pyrethroids are a group of synthetic pesticides similar to the natural pesticide pyrethrum (pyrethrins) produced by chrysanthemum flowers. Pyrethroids are more effective than the natural pyrethrins and they are effective against adult mosquitoes that transmit West Nile virus (WNV) and Eastern Equine Encephalitis (EEE) virus. The pyrethroid insecticide active ingredients sumithrin (e.g., in the product Anvil), resmethrin (e.g., in the product Scourge), and permethrin (e.g., in the product Biomist) are the agents most likely to be used for spraying in New Hampshire. These pesticides are approved by the United States Environmental Protection Agency for control of adult mosquitoes in both urban and rural residential environments.

Humans (and other mammals) have the ability to rapidly break down (i.e., detoxify) pyrethroids and remove them from their bodies. Insects are less capable of detoxifying pyrethroids and are therefore more sensitive to these agents. To further increase effectiveness against insects, pyrethroid-based pesticides commonly contain piperonyl butoxide (PBO). PBO is not a pesticide; rather it enhances the insecticidal activity of the pyrethroid by further decreasing the insect's ability to detoxify the pesticide. Anvil, Scourge, and various other pyrethroid-containing insecticides contain PBO.

Are pyrethroid insecticides harmful to human beings?

In general, at the concentrations used, most people would not be expected to experience any symptoms. Upon direct contact with pyrethroid-containing products, some people may develop temporary skin irritations, stuffy or runny nose, or mild respiratory, throat, or eye irritation. Based on experience from past applications of pyrethroid-containing products for nuisance control of mosquitoes using ultra-low volume (ULV) sprayers mounted on trucks, state officials in New Hampshire have received very few complaints of symptoms from citizens in the areas where applications occurred. People with existing respiratory conditions, such as asthma, are encouraged to stay indoors during spraying since these products may aggravate those conditions.

What precautions should be taken to protect against pesticide exposure during spraying?

If spraying were to occur, the New Hampshire Department of Health and Human Services recommends that all individuals take the following precautions to avoid direct exposure to pesticides and reduce the risk of any reactions to pesticides:

- Some individuals are sensitive to pesticides. Persons with asthma or other respiratory conditions are especially encouraged to stay inside during spraying since there is a possibility that spraying could worsen those conditions.
- Whenever possible, stay indoors during spraying.
- Close windows and doors and turn off air conditioning units.
- Remove children's toys, outdoor equipment, and clothes from outdoor areas. (If toys are left outside, wash with soap and water before using again.)
- Prevent children from accessing the immediate spray area for approximately 1 hour after spraying to allow drying of any pesticide residue.
- Wash skin and clothing exposed to pesticides with soap and water.
- Wash any fruit and vegetables exposed to the spray before eating them.
- Anyone experiencing adverse reactions to pesticides should call their doctor or the Poison Control Center at 1-800-222-1222.

Are pyrethroids safe for the environment?

Pyrethroids have a relatively low persistence in the environment and break down very quickly in sunlight. They readily bind to soils and thus are not expected to contaminate groundwater. Pyrethroids are toxic to bees, fish, and other aquatic life forms and are not to be applied to bodies of water. Beehives should be covered with burlap and kept moist during the spraying and for two to three hours after the spraying has occurred.

**For more information about WNV or EEE call the
New Hampshire Department of Health and Human Services,
WNV/EEE information line
1-866-273-NILE (6453)**

**For general information on pesticides,
please call the NH Department of Agriculture, Pesticides Division at 271-3550.**

**For more information about potential health effects of pesticide exposure,
please call the NH Department of Environmental Services
1-800-852-3345, extension 4664, or 1-603-271-4664.**



New Hampshire Fish and Game Department

11 Hazen Drive, Concord, NH 03301-6500
Headquarters: (603) 271-3421
Web site: www.WildNH.com

TDD Access: Relay NH 1-800-735-2964
FAX (603) 271-1438
E-mail: info@wildlife.nh.gov

New Hampshire Fish and Game Department

Testimony in opposition to HB 483-FN An Act relative to mosquito control.

House Municipal and County Government Committee

February 22, 2011

Madam Chair and members of the Committee, for the record my name is Steve Weber. I'm Chief of the Wildlife Division for the New Hampshire Fish and Game Department. I'm representing the Department in opposition to HB 483-FN, an act relative to mosquito control. The Fish and Game Commission voted unanimously to oppose this bill.

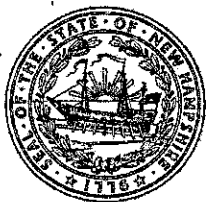
First, we would like to make it clear, the Fish and Game Department is very sensitive to the issue of controlling mosquito born infectious diseases. We willingly participated in the working group Chaired by Senator Hassan that created the existing state policy and law on mosquito control, and work diligently to process any applications we receive for mosquito control on state lands in a timely manner.

We understand that last year there was a communication problem between the Department of Health and Human Services (DHHS), who is responsible for establishing a Public Health Threat when there is a known threat to human health and safety, and the Fish and Game Department, who reviews and comments on applications to apply pesticides. We understand that the problem resulted in a significant delay in treatment of some state-owned lands in the seacoast area. We have taken the necessary steps to make sure that does not happen again.

The current law is based on sound disease management principles that requires a public health threat to have been identified before treatment with a larvacide is automatically approved. It also allows for treatment of adult mosquitoes in areas where it is reasonable and prudent to do so. This check and balance policy prevents the long-term use of pesticides when there is no need, and which could result in unanticipated effects at a later date.

We believe the appropriate use of pesticides must be based off a demonstrated need as identified by qualified professionals, as is currently required under existing law. Therefore, this bill is unnecessary, and would set a bad precedent regarding the effective and responsible use of pesticides.

The Fish and Game Department urges you to vote HB483-FN "Inexpedient to Legislate."



State of New Hampshire

HOUSE OF REPRESENTATIVES

CONCORD

February 22, 2011

Dear Honorable Colleagues of Municipal and County Government,

I am pleased to be a co-sponsor of **HB 483-FN-L**, and apologize for not appearing before you in person today.

As you will hear from the sponsor, Rep. Tim Copeland, **HB 483-FN-L** is a bill that arose from a situation that occurred in one of our communities last year during the mosquito season. This bill is a minor fix to our current statutes, **RSA 142-A:2**, that can have a major impact on a community's ability to protect the public health.

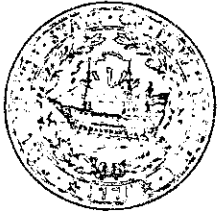
HB 483-FN-L enables municipalities enact their previously approved mosquito control measures in a timely manner on state lands.

I ask you to join me in **supporting HB 483-FN-L** and letting the people of New Hampshire know that expediting a municipality's ability to act in the best interest of public health is important.

Sincerely,

A handwritten signature in cursive script, appearing to read "Donna Schlachman".

Rep. Donna Schlachman
Commerce and Consumer Affairs Committee
Rockingham District #13
Exeter, No. Hampton, Stratham



STATE OF NEW HAMPSHIRE
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT
DIVISION OF FORESTS AND LANDS
172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856

603-271-2214
FAX: 603-271-6488
www.nhdfi.org

February 22, 2011

The Honorable Beverly Ferrante, Chairperson
New Hampshire House of Representatives
Municipal and County Government Committee
Legislative Office Building, Room 301
Concord, NH 03301

Re: HB 483 – relative to mosquito control

Dear Chairperson Ferrante and Members of the Committee:

Thank you for the opportunity to comment on HB 483, relative to mosquito control. The Division of Forests and Lands, Department of Resources and Economic Development opposes this bill as written.

This bill allows a municipality to commence mosquito control abatement activities on state lands where a public health threat is in effect or was previously in effect at any time. The Division believes that the addition of “**or has previously been in effect**” to RSA 142-A:2, VII and RSA142-A:3, VI would potentially subject publicly managed state lands to pesticide treatments beyond any scientifically supported timeframe that could reasonably reduce arbovirus risk. While public health declarations from years past may give some indication of potential arbovirus activity in an area, in no way can they be any indication of the real risk of infection in the current year.

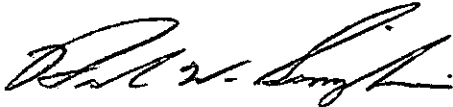
The Arbovirus taskforce chaired by Senator Hassan from 2006 through 2007 explored the issues surrounding treatments of state lands and the scientific merits related to types of pesticides and application methods. A subcommittee to explore all options was created and all interested parties worked together to create the State lands policy which is now law under RSA 142. This law went into effect in 2008 and has all the needed elements to maintain good balance between public health risk and environmental damage. Senator Hassan’s taskforce also created an Arbovirus Illness Taskforce (AITF) still in existence today and charged with “*reviewing current knowledge and addressing future needs of mosquito-borne disease ecology, prevention, and control in New Hampshire so that accurate and timely information can be used to guide personal, local, and state responses to these diseases*”.



DRED supports the AITF and its charge and would suggest that this issue related to relevance of past health threat declarations and current pesticide applications be referred to them for guidance.

Thank you for the opportunity to testify. If we can provide any additional information, please let us know.

Respectfully,



Brad W. Simpkins
Interim Director

cc: George M. Bald, Commissioner, DRED
Kyle Lombard, Forest Health Program Coordinator, DRED

Voting Sheets

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on HB 483-FN-LOCAL

BILL TITLE: relative to mosquito control.

DATE: February 22, 2011

LOB ROOM: 301

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: RECONSIDERED

Moved by Rep. Copeland

Seconded by Rep. Shackett

Vote: 9-6 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: NO

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Philip Munck, Clerk

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on HB 483-FN-LOCAL

BILL TITLE: relative to mosquito control.

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Amendments:

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Sponsor: Rep.	OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. *Copeland*

Seconded by Rep. *Shacht*

Vote: *9-6* (Please attach record of roll call vote.)

reconsidered

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: YES NO (Please circle)

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Philip Munck, Clerk

MUNICIPAL AND COUNTY GOVERNMENT

Bill #: ^{AB} 483-FN Title: Relative to Mosquito Control

PH Date: 2/22/11

Exec Session Date: 2/22/11

Motion: OT P

Amendment #: _____

MEMBER	YEAS	NAYS
Ferrante, Beverly A, Chairman	✓	
Sterling, Franklin W, V Chairman	✓	
Patten, Betsey L		✓
Lockwood, Priscilla P		✓
Accornero, Harry	✓	
Belanger, James P	✓	
Burt, John A	absent	
Coffey, James E	✓	
Copeland, Timothy D	✓	
Moore, Robert W	✓	
Munck, Philip L	absent	
Shackett, Jeffrey S	✓	
Stroud, Kathleen M	✓	
DeStefano, Stephen T		✓
Roberts, Kris E		✓
Hooper, Dorothea D		✓
Tatro, Bruce L		✓
TOTAL VOTE:	9	6

Printed: 1/4/2011

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on HB 483-FN-LOCAL

BILL TITLE: relative to mosquito control.

DATE: February 24, 2011

LOB ROOM: 301

Amendments:

Sponsor: Rep. Copeland OLS Document #: 2011 0467h

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTR/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Copeland

Seconded by Rep. Burt

Vote: 15-0 (Please attach record of roll call vote.)

Motions: OTP, OTR/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Copeland

Seconded by Rep. Burt

Vote: 14-1 (Please attach record of roll call vote.)

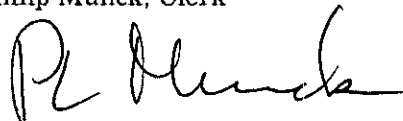
CONSENT CALENDAR VOTE: NO

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Philip Munck, Clerk



HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on HB 483 FN

BILL TITLE: *Rel. to mosp. control*

DATE: *2/24/11*

LOB ROOM: *301*

Amendments:

Sponsor: Rep. *Copeland*

OLS Document #: *0467h*

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. *Copeland*

Seconded by Rep. *Burt*

Vote: *15-0* (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. *Copeland*

Seconded by Rep. *Burt*

Vote: *14-1* (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Philip Munck, Clerk

MUNICIPAL AND COUNTY GOVERNMENT

Bill #: HB 483 Title: mosquito control

PH Date: 2, 22, 11 Exec Session Date: 2, 24, 11

Motion: OTP Amendment #: 0467h

MEMBER	YEAS	NAYS
Ferrante, Beverly A, Chairman	✓	
Sterling, Franklin W, V Chairman	✓	
Patten, Betsey L	✓	
Lockwood, Priscilla P	✓	
Accornero, Harry	✓	
Belanger, James P	✓	
Burt, John A	✓	
Coffey, James E	✓	
Copeland, Timothy D	✓	
Moore, Robert W	✓	
Munck, Philip L	<i>absent</i>	
Shackett, Jeffrey S	✓	
Stroud, Kathleen M	✓	
DeStefano, Stephen T	✓	
Roberts, Kris E	<i>absent</i>	
Hooper, Dorothea D	✓	
Tatro, Bruce L	✓	
TOTAL VOTE:	15	0

MUNICIPAL AND COUNTY GOVERNMENT

Bill #: HB 493 Title: Mosquito control

PH Date: 2, 22, 11 Exec Session Date: 2, 24, 11

Motion: OTP-A Amendment #: 0467h

MEMBER	YEAS	NAYS
Ferrante, Beverly A, Chairman	✓	
Sterling, Franklin W, V Chairman	✓	
Patten, Betsey L	✓	
Lockwood, Priscilla P		✓
Accornero, Harry	✓	
Belanger, James P	✓	
Burt, John A	✓	
Coffey, James E	✓	
Copeland, Timothy D	✓	
Moore, Robert W	✓	
Munck, Philip L	<i>absent</i>	
Shackett, Jeffrey S	✓	
Stroud, Kathleen M	✓	
DeStefano, Stephen T	✓	
Roberts, Kris E	<i>absent</i>	
Hooper, Dorothea D	✓	
Tatro, Bruce L	✓	
TOTAL VOTE:	14	1

Committee Report

REGULAR CALENDAR

March 2, 2011

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on MUNICIPAL AND COUNTY
GOVERNMENT to which was referred HB483-FN-L,**

**AN ACT relative to mosquito control. Having
considered the same, report the same with the following
amendment, and the recommendation that the bill
OUGHT TO PASS WITH AMENDMENT.**

Rep. Timothy D Copeland

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	MUNICIPAL AND COUNTY GOVERNMENT
Bill Number:	HB483-FN-L
Title:	relative to mosquito control.
Date:	March 2, 2011
Consent Calendar:	NO
Recommendation:	OUGHT TO PASS WITH AMENDMENT

STATEMENT OF INTENT

This bill as amended modifies existing legislation RSA 142: A making it enabling, giving local control to towns when mosquito borne health threat of disease re: triple e and west nile which may exist and doesn't go away. The new language states "A threat has been in effect, or has been declared within the last 5 years." This legislation involves larviciding (which is a proven safe means of controlling the adult population by preventing the hatching of mosquitoes) on state land owned by fish and game that exist within the municipalities boundaries. This larviciding is an environmentally safe, natural bacteria which is applied to specific pool areas to break the life cycle of the mosquito at the very beginning. The alternative to this larviciding is to wait until they are adults and airborne, then spray chemical pesticides into the greater environment. It's easy to see the advantages and desirability of treating mosquitoes while in the larva stage.

This legislation is the result of the state declaring a health threat for a municipality last year, then delaying that notification to that municipality who had made an application to larvacide on fish and game property – 30 days lapsed from that delay or notification from the state resulting in pools of mosquitoes hatching in that municipality. This is simply enabling legislation and gives municipalities local control over the health threats that may exist within their boundaries.

Vote 14-1.

Rep. Timothy D Copeland

Original: House Clerk
Cc: Committee Bill File

FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

MUNICIPAL AND COUNTY GOVERNMENT

HB483-FN-L, relative to mosquito control. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Timothy D Copeland for MUNICIPAL AND COUNTY GOVERNMENT. This bill as amended modifies existing legislation RSA 142: A making it enabling, giving local control to towns when mosquito borne health threat of disease re: triple e and west nile which may exist and doesn't go away. The new language states "A threat has been in effect, or has been declared within the last 5 years." This legislation involves larviciding (which is a proven safe means of controlling the adult population by preventing the hatching of mosquitoes) on state land owned by fish and game that exist within the municipalities boundaries. This larviciding is an environmentally safe, natural bacteria which is applied to specific pool areas to break the life cycle of the mosquito at the very beginning. The alternative to this larviciding is to wait until they are adults and airborne, then spray chemical pesticides into the greater environment. It's easy to see the advantages and desirability of treating mosquitoes while in the larva stage.

This legislation is the result of the state declaring a health threat for a municipality last year, then delaying that notification to that municipality who had made an application to larvacide on fish and game property – 30 days lapsed from that delay or notification from the state resulting in pools of mosquitoes hatching in that municipality. This is simply enabling legislation and gives municipalities local control over the health threats that may exist within their boundaries.

Vote 14-1.

Original: House Clerk

Cc: Committee Bill File

COMMITTEE REPORT

COMMITTEE: Municipal & County Gov't
BILL NUMBER: HB 483-FN-A
TITLE: Relative to Mosquito Control
DATE: 2/24/11 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.
2011-0467H

STATEMENT OF INTENT:

THIS BILL AS AMENDED MODIFIES EXISTING LEGISLATION RSA 142:A MAKING IT ENABLING, GIVING LOCAL CONTROL TO TOWNS WITHIN A MOSQUITO BORNE HEALTH THREAT OF DISEASE RE: TRIPLE & WEST NILE WHICH MAY EXIST AND WHICH DOESN'T GO AWAY. THE NEW LANGUAGE STATES "A THREAT HAS BEEN IN EFFECT, OR HAS BEEN DECLARED WITHIN THE LAST 5 YEARS." THIS LEGISLATION INCLUDES LARVICIDING (WHICH IS A PROVEN, SAFE MEANS OF CONTROLLING THE ADULT POPULATION BY PREVENTING THE HATCHING OF MOSQUITOS) ON STATE LAND OWNED BY FISH & GAME THAT EXIST WITHIN THE MUNICIPALITIES BOUNDARIES. THIS LARVICIDING IS AN ENVIRONMENTALLY SAFE, NATURAL BACTERIA WHICH IS APPLIED TO SPECIFIC POOL AREAS TO BREAK THE LIFE CYCLE OF THE MOSQUITOS AT THE VERY BEGINNING. THE ALTERNATIVE TO THIS LARVICIDING IS TO WAIT UNTIL THEY ARE ADULTS

COMMITTEE VOTE: 9-6 14-7 BAF →

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. TIMOTHY D. COPELAND
For the Committee

AND AIRBORNE, THEN SPRAY CHEMICAL PESTICIDES INTO THE GREATER ENVIRONMENT. IT'S EASY TO SEE THE ADVANTAGES + DESIRABILITY OF TREATING MOSQUITOS WHILE IN THE LARVAL STAGE.

THIS LEGISLATION IS THE RESULT OF THE STATE DECLARING A HEALTH THREAT FOR A MUNICIPALITY LAST YEAR, THEN DELAYING THAT NOTIFICATION TO THAT MUNICIPALITY WHO HAD MADE AN APPLICATION TO LARVICIDE ON FISH & GAME PROPERTY. 30 DAYS LAPSED FROM THAT DELAY OF NOTIFICATION FROM THE STATE RESULTING IN POOLS OF MOSQUITOS HATCHING IN THAT MUNICIPALITY. THIS IS SIMPLY ENABLING LEGISLATION AND GIVES MUNICIPALITIES LOCAL CONTROL OVER THE HEALTH THREATS THAT MAY EXIST WITHIN THEIR BOUNDARIES.

~~THIS LEGISLATION WILL NOT COST THE STATE ANY MONEY.~~
~~BE A FINANCIAL BURDEN TO THE STATE~~