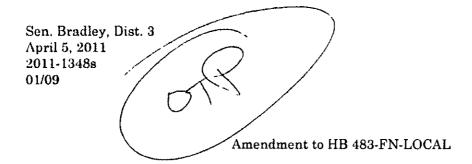
Amendments



Amend the bill by replacing all after the enacting clause with the following:

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

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

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

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

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

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

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

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

5 Effective Date.

I. Sections 3 and 4 of this act shall take effect November 1, 2014.

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

II. The remainder of this act shall take effect 60 days after its passage.

1

Amendment to HB 483-FN-LOCAL - Page 3 -

2011-1348s

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 year under RSA 141-C:25.

Amendment to HB 483-FN-LOCAL

Amend the bill by replacing all after the enacting clause with the following:

1.1

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

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

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

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

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

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

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

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

- 5 Effective Date.
 - I. Sections 3 and 4 of this act shall take effect November 1, 2014.

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

II. The remainder of this act shall take effect 60 days after its passage.

Committee Minutes

AMENDED SENATE CALENDAR NOTICE **HEALTH AND HUMAN SERVICES**

Printed: 03/24/2011 at 10:53 am

Senator Jeb Bradley Chairman Senator Tom De Blois V Chairman Senator Molly Kelly

Thursday

Senator Gary Lambert Senator Andy Sanborn

For Use by Senate Clerk's Office ONLY	
Bill Status	
Docket	
Calendar	
Proof: Calendar Bill Status	_

Date: March 24, 2011

3/31/2011

HEARINGS

HEALTH AND HUMAN SERVICES (Name of Committee)			LOB 102	1:00 PM	
			(Place)	(Time)	
		EXECUTIVE SES	SION MAY FOLLOW		
Commer	nts: Additional	bills scheduled.			
		ation of certain rules of the board	of mental health practice regarding		
1:20 PM	HB642-FN			d administrative services to jointly	
1:40 PM	HB483-FN-L	issue a certain request for information. relative to mosquito control.			
2:00 PM	HB191	relative to the community	mental health system.		
Sponsor	<u>'S:</u>				
HJR3 Rep. Betse	av Patten	Rep. Carol McGuire	Rep. Andrew Manuse	Rep. Maurice Pilotte	
Sen. Tom	-	Sen. Fenton Groen		,	
HB642-					
	ly Rosenwald	Rep. Neal Kurk	Rep. Sharon Nordgren		
HB483-	-				
Rep. Time	othy Copeland	Rep. Patrick Abrami	Rep. Joanne Ward	Rep. Donna Schlachman	
Rep. Mich	hele Peckham				
HB191		_	D 7 - 11-17-17-11	n Alida Millhom	
-	rie Harding	Rep. James Pilliod	Rep. James MacKay	Rep. Alida Millham	
Sen. Matt	hew Houde	Sen. Bob Odell	Sen. Sharon Carson		

Sen. Jeb Bradley

Chairman

Sen. Matthew Houde

Health and Human Services Committee

Hearing Report

TO: Members of the Senate

FROM: Robyn Dangora, Legislative Aide

RE: Hearing report on HB 483-FN - relative to mosquito control.

HEARING DATE: March 31, 2011

MEMBERS OF THE COMMITTEE PRESENT: Senator Bradley,

Senator De Blois, Senator Kelly, Senator Lambert, Senator

Sanborn

MEMBERS OF THE COMMITTEE ABSENT: No one

Sponsor(s): Rep. Copeland, Rock 13; Rep. Abrami, Rock 13; Rep. Ward,

Rock 13; Rep. Schlachman, Rock 13; Rep. Peckham, Rock 13

What the bill does: 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.

Who supports the bill: Rep. Copeland, Rock 13; David Canada, Town of Stratham

Who opposes the bill: Piera Siegert, Dept. of Agriculture, Markets, and Food; Bob Wolff, Dept. of Agriculture, Markets, and Food; Steve Weber, Fish and Game Department; Glenn Normandeau, Fish and Game Department; Carla Skinder

Summary of testimony received:

Hearing opened at 1:40 PM

Representative Timothy Copeland, Rock 13; Stratham Selectman

- •Prime Sponsor, the town of Stratham sprays for mosquitoes every year.
- •Mosquitoes have always been a problem in this area and a few years ago there was a case of a mosquito related illness in the neighboring town of Newfields, so we have been proactive about the issue.
- •Stratham has some Fish and Game salt marshes within the jurisdiction of the town.

•Last year the town applied for the permission to spray these areas and was told we had to wait for a health threat emergency notice from the department of health and human service (DHHS) before Fish and Game would allow the spraying.

•The Governor did announce an emergency in April last year, but the paperwork was misplaced for 30 days either in DHHS or Fish and Game. During which time, some mosquito larva pools hatched and went airborne

during that time.

•This legislation will enable towns to spray for mosquitoes if an emergency health threat has been announced within five years in the town. The town would bear the cost of the spraying.

David Canada, Chair, Stratham Select Board

•In support, in 2008 after 30 years of a successful program, permission was denied to larvacide the hundreds of acres of state-owned land in Stratham despite rising health threats posed by mosquitoes. The Governor responded by creating a statewide law in which a public health threat warning is to be issued by DHHS when a mosquito threat is indicated; it would allow towns to treat mosquito problems on state lands within their borders.

•The policy enacted under RSA 142: A has put towns in a better position than it was in prior to 2008 because DHHS, not Fish and Game, is in charge

of determining the health threat to individuals.

-Fish and Game has a valid need to manage the ecological system of the marshes, but its mission cannot conflict with the health of humans. Though fish feed off mosquitoes and their larva, some mosquitoes harbor deadly illnesses and it is important to minimize the population to minimize the risk.

•Stratham has a problem with the uncertainty of the current law. Last year Stratham was not given permission to treat the marches until May 27, by

which point mosquito larva are already hatching

•Larvaciding is a proven and safe way to control the adult mosquito population by preventing the larva from hatching. Larvacide is environmentally safe natural bacteria applied to specific pool areas to break the life cycle of the bugs at the very beginning.

•When you wait until the mosquitoes are adults and airborne, then chemical pesticides must be sprayed into the greater environment. It is preferable to

treat the larva.

•Triple E and West Nile disease do not go away; they return in lethal cycles. At some point DHHS will decide that there is not a current health emergency in Stratham. There may be two or three years in which no positive pools are found in Stratham. The town will then just hope no one is seriously sickened before the health threat returns. A Stratham employee died in 2005 as a result of mosquito transmitted illness.

•This legislation would simply allow towns that have been identified as breeding grounds to preemptively work to mitigate their future risk for a five

vear period.

•All products used to treat mosquitoes are regulated, controlled, and must be approved by the Department of Agriculture.

- •The town of Stratham spends \$60,000 a year controlling mosquitoes and we ask that you allow us to continue to do so in the most environmentally safe, financially prudent, and successful manner possible.
- •Senator Sanborn asked: Has the Fish and Game Department given facts or challenges of the danger to fish life?
 - -Response: I do not know where they stand on this. There was never a problem until 2008. Their attitude is that if a health threat has not been declared that year then they will not allow larvaciding; last year they did not receive this threat notice until after larva hatched in May.
- •Senator Kelly asked: It seems that last year the system broke down, not a Fish and Game problem, correct?
 - -Response: Last year there was a system breakdown, but the attitude of Fish and Game is that if the threat is not issued, they will not allow us to act which is short-sighted.
- •Senator De Blois asked: To clarify, if this bill is approved, the decision of whether or not to treat for mosquitoes would be up to the town?
- -Response: For five years after the DHHS declares a health threat.

 Steve Weber, Chief of Wildlife Division, Fish and Game Department

 •In opposition, the Fish and Game Commission voted unanimously to oppose this bill.
- •Fish and Game is very sensitive to the issue of controlling mosquito born diseases. The department participating in the working group that created the existing policy and we work diligently to process applications for mosquito control on state lands in a timely manner.
- •When DHHS issues the public health threat, we allow spraying on state lands, plain and simple.
- •Last year there was a communication problem between DHHS and the Fish and Game Department. The problem resulted in a significant delay in the treatment of some state-owned lands on the seacoast. We have taken the necessary steps to make sure it does not happen again.
- •The current law is based on sound disease management principles that require a public health threat be identified before larvacide and some pesticide treatments are allowed. This policy prevents long-term use of pesticides when there is no need, which can result in unanticipated consequences later.
- •Senator Bradley asked: Once DHHS issues a health risk, how long does it stay in effect?
 - -Response: One year, it is a yearly assessment.
- •Senator Bradley asked: This occurs every year without fail?
 - -Response: They make an evaluation every year, not necessarily declaring a threat. Last year there was a breakdown in communication and a health threat had been issued but the Fish and Game Department did not know about it. We have taken proper measures to ensure that won't happen again. Our staff is instructed that by spring if we have not heard a response on an application, call DHHS and check on the status.

•Senator Bradley asked: If a town finds that it has had a health issue typically, is it likely that DHHS will find in subsequent years that a threat will exist?

-It is my understanding that the criteria that DHHS uses is the historic and current climatic information, the historic and current mosquito population indices and the historic and current mosquito disease surveillance.

•Senator Kelly asked: If a town thinks that there's a problem, they call DHHS and DHHS makes a determination, then what happens?

-Response: DHHS makes this determination each year for every town. The pesticide permit is made to the Dept. of Agriculture. That application is then sent to various agencies, including Fish and Game, for review and comment

- •Senator Kelly asked: How long does that process take?
 - -Response: It does not have to take long. It could take a week or a few days. Fish and Game has processed application in a day when expedited. Last year there was a horrible breakdown of communication so we said 'no' until we knew a health threat existed.
- •Senator Sanborn asked: Agencies involved include the Dept. of Agriculture, Fish and Games, Health and Human Services, Transport Information as well as a town concerned for its citizens. Is there a way to streamline the process? Has this process been reviewed for government efficiency?

-Response: This process actually works well. There is adequate time for it to work if towns start their application process early enough. No one agency can adequately represent the others; each has their own mission. When a threat is declared, the process is predetermined.

Piera Siegert, Department of Agriculture, Markets and Food

- •In opposition, Ms. Siegert is the state entomologist—study and control of insects
- •the existing statute already deals with mosquito abatement where a public health threat has been declared *or* where factors indicate a public health threat may develop. It also designates a process over disputes with the commissioner of DHHS having final say.
- •The factors contributing to the public health threat posed by mosquitoes change each year. They include: climate, density of the bird population, the size of the mosquito vectors.
- •It is not appropriate to have a historical response to current conditions. A more appropriate language would be to direct departments to work "in a timely manner."
- •Senator Bradley asked: If a town has had an outbreak, is it likely to happen again in the following year or is it entirely determined by factors such as weather and birds?
 - -Response: I cannot give a yes or no response. Where there is standing water and certain weather conditions you will have mosquitoes; whether they are infected with Triple E is variable and unpredictable.

•Senator Bradley asked: How do you prevent the possibility of larva hatching before all agencies identify the threat other than allowing the community the right to spray based on the past?

-Under 142: A-3 section IX, they have that right. The commissioner of DHHS, with consultation of the commissioner of the department of agriculture and any other relevant agency, may grant permission.

•Senator Sanborn asked: When did Stratham not have the ability to do this last year?

-Response by Bob Wolff: The application for permits start coming in around January. Last year there was not a statutory problem, it was just a communication issue. They had the right to spray, but did not know it was there. Even when departments contest the DHHS threat recommendation. DHHS can overturn their challenge.

-This amendment would allow things to occur without all this bureaucracy, but there is only a threat when specific conditions occur.

- •Senator Lambert asked: Did the department have an entomologist last year?
 - -Response: Yes, he retired.
- •Senator Lambert asked: What if this was a 2-year plan, not 5-years in case there was another breakdown, it would only be for one extra year.
 - -Response: Health is critical and the emphasis is on looking at the most timely data. A task force also exists regarding this issue.
- •Senator De Blois asked: Is Stratham the only place where this breakdown occurred?
 - -Response: It is the only issue that came to the surface and broad legislation seems extreme. Prior to this statute there was another issue, but that is what created the policy we now have as legislation.

Glenn Normandeau, Director, Fish and Game Department

- •In opposition, the commissioner had a policy for many years that there would be no pesticides on state lands unless the Governor declared a health emergency.
- •Current policy allowed DHHS to make the threat determination in all towns throughout the state.
- •Permission is generally granted for treating by late March/early April. Last year, I received that letter the Thursday before Memorial Day weekend, yet it was dated April 29.
- •The first I saw of this issue was a quote I read in the *Portsmouth Herald* from the town manager. The same day I searched for the letter and made sure the spraying occurred.
- •This past winter I called the Stratham town manager and asked if I could attend the selectman meeting. At that meeting I passed out my information and asked them to call me if anything like this occurs again.
- •There was a lot of work that went into the current policy and there were no issues for the first few years. This was a lapse in communication that I think we have cured.
- •I worry about giving towns open-access to state-owned property.

•Senator Bradley asked: We know that many executive departments will shrink as a result of this budget and here we have a town that knows there is a problem and has had a remediation issue for 30 years and we know that there was a bureaucratic snafu last year. Should we take some action to mitigate against the long-term harm, but ensures that this doesn't slip through the cracks again?

-Response: I do not know what DHHS does for testing and I think we would need to look at whether that process may be cut based on the budget. I know the shoreline is full with mosquitoes in the summer, but I see this legislation as the best compromise.

•Senator Kelly asked: Is there some way to address this issue without changing policy?

-Response: This is what I attempted by going to the town selectman meeting.

Carla Skinder

•In opposition, it is time for us to campaign for wearing proper clothing, staying away from swamps at night, emptying our tires of water, and taking other provisions that would keep us in balance with nature.

Re-direct: David Canada

- •To clarify, we have been discussing larvacides, not pesticides. It is much healthier for the environment to throw these pellets into the water than waiting for the mosquitoes to be airborne and spraying pesticides to treat them.
- •Senator Bradley asked: Would you support a two-year window, rather than a five-year window?
 - -We would be grateful for any addition time.
- •Senator De Blois asked: The program in Stratham has been going on for 30 years, so you have been spraying consistently for 30 years?
 - -Response: Yes, spraying or treating with larvacide for 30 years without interruption.

Re-direct: Bob Wolff

- •We issue between 50-60 mosquito control permits each year, and only one has there been a problem.
- •The 30 years that Stratham and other towns have been spraying has been for nuisance, not mosquitoes posing a health threat. The threat of West Wile has not been around for 30 years. The issue we are discussing today is the health threat posed y mosquitoes.

Hearing closed at 2:39 PM

Funding: 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.

Action: Pending

RMD

[file: HB 483-FN report]

Date: 4/4/11

Speakers

Senate Health and Human Services Committee: Sign-In Sheet

Date: March 31, 2011 Time: 1:40 PM Public Hearing on HB 483-FN-L

HB 483-FN-L relative to mosquito control.

	Name	Representing	•		Please	Check	
	Piera Siegert	Dept. Agriculture, Markets & Food	Support	Oppose	Speaking?	Yes \	No
	BOLWOHF	My Dep. AG. Perhade cultur	Support	Oppose	Speaking? 7	Yes	No
V	Star Weber	FAG	Support	Oppose	Speaking?	Yes Æ	No □
Y	Colum Normadan	Fda-	Support	Oppose	Speaking?	Yes	No
	David Cuacha	Town of Stratour	Support	Oppose	Speaking?	Yes	No
	Hon Carlastreac	A	Support	Oppose	Speaking?	Yes	No
	, , , , , , , , , , , , , , , , , , , ,		Support	Oppose	Speaking?	Yes	No □
			Support	Oppose	Speaking?	Yes	N₀ □
			Support	Oppose	Speaking?	Yes	No □
			Support	Oppose	Speaking?	Yes	No .
			Support	Oppose	Speaking?	Yes	No □
			Support	Oppose	Speaking?	Yes	No
			Support	Oppose	Speaking?	Yes	No
			Support	Oppose	Speaking?	Yes	No
			Support	Oppose	Speaking?	Yes	No □
			Support	Oppose	Speaking?	Yes	No
			Support	Oppose	Speaking?	Yes	No □
			Support	Oppose	Speaking?	Yes	No
			Support	Oppose	Speaking?	Yes	No □

Senate Health and Human Services Committee: Sign-In Sheet

Date: March 31, 2011

Time: 1:40 PM Public Hearing on HB 483-FN-L

HB 483-FN-L

relative to mosquito control.

Ņame	Representing			Please	Check	
TIM COPELMED	ST. REP	Support	Oppose	Speaking?	Yes 🔀	
Cata Seranes		Support	Oppose	Speaking?	Yes	N _o
		Support	Oppose	Speaking?	Yes	No □
		Support	Oppose	Speaking?	Yes	N _o
		Support	Oppose	Speaking?	Yes	No
		Support	Oppose	Speaking?	Yes	No
		Support	Oppose	Speaking?	Yes	No
		Support	Oppose	Speaking?	Yes	No
		Support	Oppose	Speaking?	Yes	No
		Support	Oppose	Speaking?	Yes	No
		Support	Oppose	Speaking?	Yes	No □
		Support	Oppose	Speaking?	Yes	No
		Support	Oppose	Speaking?	Yes	No
		Support	Oppose	Speaking?	Yes	No
		Support	Oppose	Speaking?	Yes	No □
		Support	Oppose	Speaking?	Yes	No □
		Support	Oppose	Speaking?	Yes	No
		Support	Oppose	Speaking?	Yes	No □
		Support	Oppose	Speaking?	Yes	No

Testimony



TOWN OF STRATHAM

INCORPORATED 1716

10 Bunker Hill Avenue • Stratham, NH 03885

Town Clerk/Tax Collector 603-772-4741
Selectman's Office/Administration/Assessing 603-772-7391
Code Enforcement/Building Inspection/Planning 603-772-7391
Fax (all offices) 603-775-0517

New Hampshire Senate
Health and Human Services Committee
March 31, 2011
Testimony of David Canada on House Bill 483

Good afternoon. I am David Canada and I am here representing the people of Stratham as Chair of their Board of Selectmen. We are concerned about our ability to treat state owned march lands for mosquitoes. 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 in the future. Stratham had hoped that the extension would be in effect more or less permanently. The House has amended the bill to five years. Stratham would be grateful for five years.

In addition to the sunset provision added by the House, remember that should treatments now considered safe be viewed in a different light in the future, 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.



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.

Senate Health and Human Services Committee March 31, 2011

Mr. Chairman 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 require 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."

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Date: April 7, 2011

THE COMMITTEE ON Health and Human Services

to which was referred House Bill 483-FN-L

AN ACT

relative to mosquito control.

Having considered the same, the committee recommends that the Bill:

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 1375s

Senator Gary E. Lambert For the Committee

Robyn Dangora 271-7585

New Hampshire General Court - Bill Status System

Docket of HB483

Docket Abbreviations

Bill Title: relative to mosquito control.

Official Docket of HB483:

Date	Body	Description
1/21/2011	Н	Introduced 1/6/2011 and referred to Municipal & County Government; HJ 11, PG. 187
2/15/2011	Н	Public Hearing: 2/22/2011 10:15 AM LOB 301
2/23/2011	H	Executive Session: 2/24/2011 1:00 PM LOB 301
3/2/2011	н	Committee Report: Ought to Pass with Amendment #0467h for Mar 15 (Vote 14-1; RC); HC 22 , PG.564
3/2/2011	H	Proposed Committee Amendment #2011-0467h; HC 23, PG.637
3/16/2011	Н	Amendment #0467h Adopted, VV; HJ 28, PG.923
3/16/2011	Н	Ought to Pass with Amendment #0467h: MA VV; HJ 28, PG.923
3/23/2011	S	Introduced and Referred to Health and Human Services; SJ 11, Pg.193
3/24/2011	S	Hearing: 3/31/11, Room 102, LOB, 1:40 p.m.; SC17
4/8/2011	S	Committee Report: Ought to Pass with Amendment #2011-1375s , 4/20/11; SC20
4/20/2011	S	Committee Amendment 1375s, AA, VV; SJ 13, Pg.266
4/20/2011	S	Ought to Pass with Amendment 1375s, MA, VV; OT3rdg; SJ 13, Pg.266
4/20/2011	S	Passed by Third Reading Resolution; SJ 13, Pg.270
5/18/2011	Ή	House Non-Concurs with Senate AM #1375s and Requests C of C (Rep Ferrante): MA VV; HJ 44 , PG.1531
5/18/2011	H	Speaker Appoints: Reps Sterling, Ferrante, K.Roberts, and Burt; HJ 44 , PG.1531
5/25/2011	S	Sen. Bradley Accedes to House Request for Committee of Conference, MA, VV; SJ 18 , Pg.389
5/25/2011	S	President Appoints: Senators Barnes, Lambert and Kelly; SJ 18, Pg.389
6/7/2011	Н	Conference Committee Meeting: 6/8/2011 9:30 AM LOB 301
6/15/2011	S	Conference Committee Report #2011-2297c ; House Amendment + New Amendment, Filed
6/22/2011	S	Conference Committee Report 2297c; Adopted, VV
6/22/2011	н	Conference Committee Report #2297c Adopted, VV
6/22/2011	S	Enrolled
6/22/2011	H	Enrolled
7/18/2011	Н	Signed By Governor 07/13/2011; Effective 09/11/2011; Chapter 0260

NH House NH Senate

Other Referrals

COMMITTEE REPORT FILE INVENTORY

HB 483 ORIGINAL REFERRAL RE-REFERRAL

1. This inventory is to be signed and dated by the Committee Aide and placed inside the folder as the first item in the Committee File.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED. 3. THE DOCUMENTS WHICH HAVE AN "X" BESIDE THEM ARE CONFIRMED AS BEING IN THE FOLDER.
4. THE COMPLETED FILE IS THEN DELIVERED TO THE CALENDAR CLERK.
DOCKET (Submit only the latest docket found in Bill Status)
COMMITTEE REPORT
CALENDAR NOTICE
✓ HEARING REPORT
HANDOUTS FROM THE PUBLIC HEARING
PREPARED TESTIMONY AND OTHER SUBMISSIONS
✓ SIGN-UP SHEET(S)
ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:
- AMENDMENT # \3465 - AMENDMENT # AMENDMENT # AMENDMENT #
ALL AVAILABLE VERSIONS OF THE BILL:
AS INTRODUCED AS AMENDED BY THE HOUSE SINAL VERSION AS AMENDED BY THE SENATE
OTHER (Anything else deemed important but not listed above, such as amended fiscal notes):
IF YOU HAVE A RE-REFERRED BILL, YOU ARE GOING TO MAKE UP A DUPLICATE FILE FOLDER
DATE DELIVERED TO SENATE CLERK 8/11/11 Rollyn Ly Swan) BY COMMITTEE AIDE