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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

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A N A C T

RELATING TO HEALTH AND SAFETY -- CONTROL OF MOSQUITOES AND TICKS

Introduced By: Representatives Craven, McEntee, and Caldwell

Date Introduced: February 26, 2020

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 7.2

4 CONTROL OF MOSQUITOES AND TICKS

5 **23-7.2-1. Short title.**

6 This chapter shall be known and may be cited as the "Control of Mosquitoes and Ticks
7 Act."

8 **23-7.2-2. Declaration of policy.**

9 The state supports programs to control the diseases carried by mosquitoes and ticks. These
10 programs are most effective when they adhere to the following principles:

11 (1) Mosquitoes and ticks carry diseases that present serious risks to the public health of
12 those living and visiting Rhode Island.

13 (2) Rhode Island maintains a mosquito control program that appropriately focuses on
14 prevention. This focus on prevention is consistent with federal guidance from the United States
15 Environmental Protection Agency and the Centers for Disease Control and Prevention promoting
16 integrated pest management and integrated mosquito management strategies.

17 (3) Application of pesticides to control adult mosquitoes is best reserved as a control
18 method of last resort. Controlling adult mosquitoes via large scale spraying of insecticides kills
19 beneficial insects, is inconsistent with organic farming/gardening and is less cost-effective than

1 prevention strategies.

2 (4) Tick-borne disease presents a significant health risk in Rhode Island. Compared to the
3 problems of mosquitoes and mosquito-borne disease, little attention is given to the control of ticks
4 and tick-borne disease.

5 (5) Pets are vulnerable to some mosquito-and tick-borne diseases.

6 (6) The state's ad hoc mosquito-borne disease advisory group demonstrates that state
7 agencies are capable of convening scientists to provide credible, accurate advice for the purposes
8 of developing sound, cost-effective policies.

9 (7) Private pest management professionals offer mosquito/tick control services to their
10 clients. These activities are not tightly regulated and their impacts uncertain. Pest management
11 professionals could benefit from specific training on mosquito/tick control and from credible,
12 practical guidance from the Rhode Island departments of health and environmental management.

13 **23-7.2-3. Planning and reporting.**

14 (a) The departments of health and environmental management shall submit an annual
15 report on the status of mosquito-borne disease and its control in Rhode Island. This report shall
16 guide the state's plan for mosquito control activities.

17 (b) The departments of health and environmental management shall submit an annual plan
18 for the control of mosquitoes and the diseases they carry. The plan shall describe prevention
19 activities, such as the application of larvacides by municipalities, the status of the state's mosquito
20 surveillance network and the state's protocols for using these surveillance data to guide responses
21 to increased risk of mosquito-borne disease.

22 (c) The departments of health and environmental management shall submit an annual
23 report and an annual plan on the control of ticks and the diseases they carry. This report and plan
24 can either be separate from or included as part of the mosquito report and plan required in
25 subsections (a) and (b) of this section.

26 (d) All reports required in subsections (a), (b) and (c) of this section shall include an
27 opportunity for public input and provide guidance to individuals and pest management companies
28 regarding mosquito and tick control.

29 (e) Municipalities shall review these department reports to determine opportunities
30 available to reduce these risks.

31 **23-7.2-4. Responding to threats of mosquito- and tick-borne disease.**

32 (a) The mosquito control plans required in § 23-7.2-3(b) shall include protocols regarding
33 emergencies that warrant spraying insecticides over large areas. These protocols shall include
34 methods for determining the effectiveness of the insecticide application and whether it achieved a

1 sustained reduction in the risk of disease.

2 (b) When public funds are used for aerial spraying of pesticides or other emergency
3 response activities, twenty percent (20%) of these funds shall be set aside to expand routine
4 mosquito surveillance capacity to allow assessments to determine whether the emergency action
5 achieved any sustained reduction in mosquito-borne and tick-borne disease risk.

6 **23-7.2-5. Promotion of integrated pest management practices in the private sector.**

7 (a) The department of environmental management shall expand the categories of applicator
8 certification under § 23-25-10 to include a certification for mosquito and tick control.

9 (b) All pesticide control applicators certified pursuant to chapter 25 of title 23 shall add a
10 surcharge of five percent (5%) to all mosquito and tick control services rendered. These surcharges
11 shall be paid to the department of environmental management and shall be distributed to
12 municipalities to support prevention activities related to mosquito and tick control.

13 (c) This section shall not apply to any applicator employed by the state or any of its
14 subdivisions.

15 **23-7.2-6. Emergency powers.**

16 Nothing in this chapter shall prevent the director of health in an extreme emergency to the
17 public health from exercising powers provided in §§ 23-1-20 through 23-1-23.

18 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO HEALTH AND SAFETY -- CONTROL OF MOSQUITOES AND TICKS

1 This act would establish a program to control mosquitoes and ticks by the departments of
2 health (DOH) and environmental management (DEM) to coordinate the state's response to
3 combatting the spread of mosquito-borne and tick-borne diseases.

4 This act would take effect upon passage.

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