

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

Senate Bill 709 (Senators Pinsky and Exum)

Economic and Environmental Affairs

Mosquito-Borne Diseases - Pesticides - Public Health

This bill establishes an “integrated pest management” program in the Maryland Department of Agriculture (MDA) to control mosquitos that present a public health threat. It requires MDA, the Department of Health and Mental Hygiene (DHMH), and the Maryland Department of the Environment (MDE) through a surveillance system with recorded data to: (1) document a “mosquito-borne health threat;” (2) identify the vector of the disease; and (3) identify the infected mosquito population. The bill also provides actions that must be taken once a public health threat has been documented.

The bill takes effect July 1, 2000, and sunsets on December 31, 2002.

Fiscal Summary

State Effect: General fund expenditure increase of \$70,400 in FY 2001, \$90,100 in FY 2002, and \$46,100 in FY 2003 for DHMH and MDE to perform surveillance activities required by the bill. The Governor’s proposed 2001 budget for MDA includes \$1.3 million in general funds and \$600,000 in special funds for mosquito control. Potential impact on general fund expenditures if a public health threat is documented. Potential decrease in special fund revenues and expenditures if a public health threat is documented.

Local Effect: Potential meaningful.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary: Once a health threat has been documented, MDA, DHMH, and MDE must identify the range of materials, devices, and appropriate integrated pest management practices that can be used for mosquito prevention and control with the least amount of risk to public health. Larviciding and, if necessary, ground spraying must be used in all areas accessible by land in order to minimize unnecessary exposure to the public from aerial applications. MDA must provide notice to the public at least 48 hours before any pesticide application for a mosquito-borne public health threat. DHMH and MDA must publish notice by means of local newspapers, radio announcements, and television announcements. The notice must contain: (1) the location of pesticide application; (2) the date the pesticide will be applied; (3) the product name of the pesticide; (4) a statement that the pesticide may have adverse effects and that the public can receive information on those effects by contacting DHMH; and (5) specific precautions that should be taken to minimize exposure to the pesticide. MDA must renotify the public at least 48 hours in advance if the date of application is changed. MDA must establish procedures exempting organic farms from pesticides sprayed to reduce the mosquito populations that jeopardize the farm's organic status.

Current Law: The Secretary of Agriculture may make inspections, investigations, studies, and determinations as the Secretary deems advisable in order to ascertain the effect of mosquitoes and methods for their control or elimination in any part of the State. If funds are available, the Secretary may construct and maintain ditches, dikes, dams, and other facilities and may place or spread insecticides or other substances that the Secretary determines desirable or necessary to control or eliminate mosquitoes in any part of the State.

The Secretary may contract with any county, municipality, or special taxing district with respect to the construction or maintenance of the facilities and other work authorized by law to control or eliminate mosquitoes in or adjacent to the county, municipality, or special taxing district. The Secretary may receive funds from any county, municipality, or special taxing district in the State for the purpose of mosquito control. All expenses for mosquito control on State-owned land must be paid from the general funds of the State.

Background: The Mosquito Control Section of MDA works in cooperation with 22 counties and Baltimore City in over 1,700 communities to prevent the occurrence of mosquito-borne diseases in humans, pets, and livestock. The program relies on surveys and monitoring of mosquito populations to coordinate control activities including breeding source reduction, public education, biological control, and insecticide applications from aircraft and ground equipment. Annually, MDA currently spends approximately \$780,000 on ground spraying, \$390,000 on aerial spraying, \$300,000 on surveillance, \$194,000 on source

reduction activities, \$97,500 on public education, and \$200,000 for program administration.

State Fiscal Effect: The Governor's proposed fiscal 2001 budget includes \$1.36 million in general funds and \$600,000 in special funds for mosquito control for MDA. MDA's current program uses proactive methods to prevent or greatly reduce large populations of mosquitoes and the potential for occurrence of mosquito-borne diseases. MDA uses surveillance systems and integrated pest management practices and provides public notice prior to aerial spraying. MDA's current program generally focuses on controlling mosquitoes at their source. It is assumed that, in the absence of a public health threat, MDA would continue its current program. As a result of the bill, MDA would work with DHMH and MDE to document a mosquito-borne health threat, identify the vector of the disease, and identify the infected mosquito population. If a public health threat is identified, MDA would be required to control the flying adult mosquito, as only that life stage is capable of acquiring and transmitting a disease-causing agent. MDA currently controls nuisance populations of adult mosquitoes. Legislative Services advises that because MDA already has a fairly comprehensive mosquito control program, in the absence of a documented mosquito-borne health threat, it is assumed that MDA could comply with the bill's requirements using existing budgeted resources.

General fund expenditures could increase by an estimated \$70,200 in fiscal 2001, which accounts for a 90-day start-up delay. This estimate reflects the cost of hiring one contractual entomologist in DHMH and one contractual toxicologist in MDE to coordinate with MDA to perform surveillance with recorded data to document a mosquito-borne health threat, identify the vector of the disease, and identify the infected mosquito population. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Salaries and Fringe Benefits	\$60,900
Equipment	4,000
Operating Expenses	<u>5,500</u>
Total FY 2001 State Expenditures	\$70,400

Future year expenditures reflect (1) full contractual salaries with 2.4% annual increases; and (2) 1% annual increases in ongoing operating expenses through December 31, 2002, the bill's sunset date.

A mosquito-borne health threat, as defined by the bill, has not occurred in Maryland in over ten years. MDA advises that a documented mosquito-borne health threat is unlikely. However, the Center for Disease Control confirmed a mosquito-borne virus as the cause of an encephalitis outbreak in New York in 1999. Should a mosquito-borne health threat be

documented in Maryland, the bill could result in an increase in expenditures related to identifying and implementing appropriate control techniques and providing notice to the public by means of local newspapers, radio announcements, and television announcements.

MDA currently receives approximately \$600,000 annually in special funds from local cost-share revenues for mosquito control services. It is assumed that the bill would not preclude MDA from continuing to provide those services in the absence of a public health threat. However, should a mosquito-borne public health threat be documented, it is possible that the bill could decrease those services to the extent that those services rely on pesticide applications not meeting the bill's definition of "integrated pest management." Legislative Services advises that because it is impossible to predict the timing or extent of any future public health threat, any decrease in special fund revenues and associated expenditures cannot be estimated at this time. Accordingly, any net change in State expenditures cannot be reliably estimated at this time.

Local Fiscal Effect: Assuming that MDA would continue to support local mosquito control programs, the bill is not anticipated to have a significant impact on local jurisdictions. However, to the extent that the bill results in a decrease in those services, local governments could incur increased expenditures to contract with certified pesticide applicators in order to control mosquito populations within their jurisdictions.

Small Business Effect: Most pest control firms are small businesses. To the extent that the bill results in an increase in contractual services to control mosquito populations, those firms could benefit from an increase in the demand for their services.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of Agriculture, Maryland Department of the Environment, Department of Health and Mental Hygiene, Department of Legislative Services

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