



The Commonwealth of Massachusetts
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Rep. Smola supports bill to help coordinate state's response to EEE public health threat

BOSTON – Representative Todd M. Smola (R-Warren, Ranking Member, Committee on Ways & Means) recently joined with his House colleagues to support legislation designed to help coordinate an enhanced statewide response to the public health threat posed by Eastern Equine Encephalitis (EEE).

House Bill 4843, *An Act to mitigate arbovirus in the Commonwealth*, was engrossed by the House of Representatives on a vote of 158-0 on July 9. The bill authorizes the State Reclamation and Mosquito Control Board to “engage in preventive, management and eradication methods” whenever the Commissioner of Public Health determines that an elevated risk of arbovirus exists or may exist for the current or upcoming year.

EEE is an arbovirus that is generally transmitted to humans through the bite of an infected mosquito. Although it is rare, EEE can cause severe neurological problems and in some instances can be fatal.

Massachusetts recorded 12 human cases of EEE in 2019, including six deaths. There were also nine cases last year involving domestic animals.

State officials recently confirmed that mosquitoes tested positive for EEE in the towns of Orange on July 1 and Wendell on July 5, which marks the earliest EEE has been detected in the state in the last 20 years. So far, no humans or animals have tested positive this year, but the Department of Public Health (DPH) is advising residents to take precautions.

Representative Smola said House Bill 4843 requires the mosquito control board to provide at least 48 hours advance notice prior to conducting any aerial spraying. The board must notify

local and regional boards and commissions, including boards of health, along with any property owner who has opted out of spraying, as well as agricultural entities such as beekeepers, cranberry growers, certified organic farms and aquaculture facilities. The board must also provide a form on its website that individuals can use to request notifications.

House Bill 4843 requires the mosquito control board to post a report on its website within 30 days of any aerial spraying detailing the specific preventative, management, and eradication methods used, areas sprayed, number of applications, and products used. The bill further stipulates that any actions taken by the board must be done in a way that protects public health while minimizing any adverse impact to the environment.

House Bill 4843 also requires the board to allow property owners to opt out of aerial spraying and directs the Executive Office of Energy and Environmental Affairs to develop a process for the board to allow cities and towns to opt out of spraying, provided they have an alternative mosquito management plan in place that has been approved by DPH.

In addition, the bill establishes a Mosquito Control for the Twenty-First Century Task Force, which will commission an independent research organization with expertise in pest management and mosquito control to perform an evaluation of the 2020 mosquito control process. The task force will also file a report by October 31, 2021 with its recommendations on:

- facilitating the use of integrated pest management;
- promoting public participation in mosquito management decisions;
- providing for local options regarding the use of pesticides;
- protecting organic agriculture from pesticide use;
- assessing the need to update the composition of the mosquito control board;
- developing procedures to protect human and ecological health and minimize the impact of mosquito pesticides;
- promoting the use of minimum risk pesticides, including avoiding the use of pesticides containing per- and polyfluoroalkyl substances (PFAS);
- identifying known ingredients in pesticide products used for mosquito control and analyzing the ability, or lack of ability, to identify such ingredients;
- providing for comprehensive annual evaluations of each season's mosquito control process, including its effectiveness in controlling arbovirus and the effects of spraying on the environment, agriculture and wildlife; and
- identifying the challenges, including financial barriers, facing municipalities in joining a regional mosquito control project or district.

The Senate previously approved its own version of the EEE bill, Senate Bill 2757. The House and Senate will now work to reconcile the differences between the two bills to produce a compromise that can be sent to Governor Charlie Baker for his signature. For additional information please contact Representative Smola at Todd.Smola@mahouse.gov or (617)722-2100.

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