

AERIAL SPRAYING OF A PESTICIDE

Phone: (517) 373-8080
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House Bill 5125 as introduced
Sponsor: Rep. Brad Paquette
Committee: Health Policy
Complete to 11-6-19

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5125 would amend Part 22 (State Department of Public Health) of the Public Health Code to allow aerial spraying of a pesticide, with notice to the public, if that action is necessary to prevent and control a disease or environmental health hazard.

Section 2221 of the code charges the Michigan Department of Health and Human Services (DHHS) with continually and diligently endeavoring to prevent disease, prolong life, and promote the public health through organized programs. It requires that DHHS implement and enforce health-related laws, and investigate the causes of disease and epidemics, among other tasks.

Under the bill, if, after conducting such an investigation or inquiry, DHHS determined that aerial spraying of a pesticide was necessary to prevent and control a disease or environmental health hazard, it would have to notify the public and local health departments and provide opt-out information if that option was available. This notice would have to be provided at least five days before the scheduled aerial spraying.

MCL 333.2221

BACKGROUND:

This bill is understood to address a recent uptick in cases of Eastern equine encephalitis (EEE) and the aerial spraying conducted in the fall of 2019 to combat the spread. EEE is carried by certain types of mosquitos, and children and people over age 60 are more susceptible to contracting the more severe form of EEE. In its latest update on the outbreak from November 4, 2019,¹ DHHS reported that 17 Michigan counties had reported EEE activity, 46 animals tested positive, and there were 21 human cases of EEE and other arboviruses reported.

Reportedly, aerial spraying was stopped in Kalamazoo County in late September due to a high number of residential opt-out requests.² The opt-out time frame in that case was 48 hours; the bill would increase that time frame to five days.

¹https://www.michigan.gov/documents/emergingdiseases/Weekly_Arbovirus_Summary_2019_10_25_19_669861_7.pdf

²<https://www.mlive.com/news/kalamazoo/2019/09/kalamazoo-portage-no-longer-among-areas-to-be-sprayed-for-mosquitoes.html>

FISCAL IMPACT:

Although House Bill 5125 would have modest fiscal implications for DHHS, costs for any increase in notifications should be able to be absorbed within the existing funding for the department's public outreach and communications or other notification system.

Legislative Analyst: Jenny McInerney
Fiscal Analyst: Susan Frey

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.