



## House Bill 400

### *Agriculture – Mosquito Control – Notification to Municipalities*

MACo Position: **SUPPORT**  
**WITH AMENDMENTS**

To: Environment and Transportation Committee

Date: February 7, 2018

From: Leslie Knapp, Jr.

The Maryland Association of Counties (MACo) **SUPPORTS** HB 400 **WITH AMENDMENTS**. The bill would require the state, a county, or a bi-county agency to provide at least 24 hours notice to a municipality before spraying for mosquitoes within the boundaries of the municipality. The state, county, or bi-county agency must provide the municipality the location of spraying and the planned date and time of the spraying.

MACo supports the bill's 24-hour notice requirement and believes this is current practice for most counties when conducting routine spraying. However, MACo is requesting an amendment that would waive the 24-hour notice when the state or a county or bi-county agency needs to move rapidly to control an outbreak of a virus, contagion, or similar public health threat. A government should not have to wait 24 hours before addressing a potential Zika Virus or West Nile Virus outbreak. In such a circumstance, the state, county, or bi-county agency should provide notice to the municipality as soon as practicable.

HB 400 would require a reasonable notice requirement for mosquito control operations within municipal boundaries. MACo's amendment would address when spraying is needed as part of an emergency response for public health purposes. Accordingly, MACo urges the Committee to give HB 400 a report of **FAVORABLE WITH AMENDMENTS**.

### **MACo Proposed Amendments to HB 400**

On page 1, in line 16, strike "AT" and substitute:

**"(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AT"**.

On page 2, after line 1, insert:

**"(B) IF THE STATE, A COUNTY, OR A BI-COUNTY AGENCY IS SPRAYING TO CONTROL THE OUTBREAK OF A VIRUS, CONTAGION, OR SIMILAR PUBLIC HEALTH THREAT WITHIN A MUNICIPALITY, THE STATE, COUNTY, OR BI-COUNTY AGENCY SHALL PROVIDE NOTIFICATION TO THE MUNICIPALITY AS SOON AS PRACTICABLE."**