
Local Government Committee

SSB 5002

Brief Description: Concerning mosquito control districts.

Sponsors: Senate Committee on Governmental Operations (originally sponsored by Senators Honeyford, Fraser and Ericksen).

Brief Summary of Substitute Bill

- Authorizes mosquito control districts to enter without hindrance upon lands adjacent to lands within the district in carrying out certain powers and duties, and to cut or remove shrubbery or undergrowth to carry out pest control objectives.
- Establishes that mosquito control districts may treat places where mosquitos are found or likely to exist using integrated pest management methods, a process requiring use of the most appropriate pest control methods and strategy in an environmentally and economically sound manner to meet pest management objectives.

Hearing Date: 3/14/13

Staff: Michaela Murdock (786-7289).

Background:

Mosquito control districts.

Mosquito control districts (districts) are special purpose districts created to protect public health, safety, and welfare by abating or exterminating mosquitoes within the district. Districts may be comprised of all or a portion of one or more counties. They are governed by a board of trustees.

Districts have powers enumerated in statute, including the power to: (1) take all necessary or proper steps for the extermination of mosquitoes; (2) abate as nuisances all stagnant pools of water and other breeding places for mosquitoes; (3) build, construct, repair, and maintain necessary dikes, levees, cuts, canals, or ditches upon any land, and acquire any lands, rights-of-

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way, easements, property, or other necessary material to carry out its duties; and (4) enter upon any lands within the district to ascertain whether mosquito breeding places exist upon the land, to abate public nuisances, to ascertain if notices to abate mosquito breeding places have been complied with, or to treat with oil or other larvicidal material any mosquito breeding places.

Statute declares any mosquito breeding place that exists by reason of any use of land or any artificial change in the natural condition of land to be a public nuisance. However, conditions or usage of land that are beyond the control of the landowner or are not contrary to normal, accepted practices of water usage in the district are not considered a public nuisance. Any public nuisance may be subject to abatement as provided by law.

It is a misdemeanor for any person to obstruct, hinder, or interfere with entry of a district officer or employee upon land within the district to perform official duties; or to obstruct, interfere with, molest, or damage any work performed by the district. Misdemeanors are punishable under law by a maximum penalty of 90 days in jail and a \$1,000 fine.

Integrated Pest Management.

Integrated pest management is a coordinated decision-making and action process that requires use of the most appropriate pest control methods and strategy in an environmentally and economically sound manner to meet pest management objectives. Integrated pest management includes:

- preventing and monitoring the presence of pests and pest damage;
- establishing pest population densities that can be tolerated or that warrant treatment based on health, public safety, economic, or aesthetic thresholds;
- reducing pest populations using treatment strategies that may include biological, cultural, mechanical, and chemical control methods and that must consider human health, ecological impact, feasibility, and cost-effectiveness; and
- evaluating the effects and efficacy of pest treatments.

State agencies or institutions, including for example, the Department of Agriculture, the Department of Ecology, and the Department of Fish and Wildlife, are currently required to implement integrated pest management practices when carrying out duties related to pest control.

Summary of Bill:

Districts are authorized to enter without hindrance upon lands adjacent to lands within the district to ascertain whether there are mosquito breeding places located on those lands, to abate public nuisances, to ascertain whether notices to abate mosquito breeding places have been complied with, or to treat mosquito breeding places.

Instead of using oil or other larvicidal material in treating mosquito breeding places, districts are authorized to use integrated pest management as that term is defined in current law.

Districts are authorized to cut or remove shrubbery or undergrowth, in consultation with the landowner, as necessary or proper in carrying out their duties.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.