

By Representative Posey

1                                   A bill to be entitled  
2           An act relating to arthropod control;  
3           establishing a study commission for the purpose  
4           of investigating problems associated with, and  
5           the feasibility of eradication of, the  
6           arthropod diptera bibionibae plecia neartica;  
7           providing membership of the study commission;  
8           providing terms of commission members;  
9           requiring the Department of Agriculture and  
10          Consumer Services to provide assistance,  
11          facilities, and staff to the study commission;  
12          providing for recommendations of the study  
13          commission; providing for a report; providing  
14          an effective date.

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16           WHEREAS, section 388.011, Florida Statutes, defines the  
17          term "arthropod" as "those insects of public health or  
18          nuisance importance, including all mosquitoes, midges, sand  
19          flies, dog flies, yellow flies, and house flies," and

20           WHEREAS, it is the public policy of the state "to  
21          achieve and maintain such levels of arthropod control as will  
22          protect human health and safety and foster the quality of life  
23          of the people, promote the economic development of the state,  
24          and facilitate the enjoyment of its natural attractions by  
25          reducing the number of pestiferous and disease-carrying  
26          arthropods," and

27           WHEREAS, citizens traveling the roadways of Florida  
28          have for years been plagued by the small black flies whose  
29          scientific name is diptera bibionibae plecia neartica, and  
30          which are commonly known and referred to as "love bugs," and

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1           WHEREAS, these pestiferous arthropods account for an  
2 untold amount of cosmetic damage to motor vehicles in this  
3 state every year and, during peak periods of activity,  
4 swarming "love bugs" can create hazardous driving situations,  
5 thus endangering the lives of motorists, and

6           WHEREAS, it is to the benefit of the citizens of the  
7 State of Florida and consistent with the declared public  
8 policy of the state that a study commission be established for  
9 the purpose of investigating problems associated with, and the  
10 feasibility of eradication of, this public nuisance and danger  
11 to the motorists of this state, NOW, THEREFORE,

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13 Be It Enacted by the Legislature of the State of Florida:

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15           Section 1. Study commission to investigate problems  
16 associated with, and feasibility of eradication of, diptera  
17 bibionibae plecia neartica; membership; terms;  
18 recommendations; report.--

19           (1) There is hereby created a study commission for the  
20 purpose of studying problems associated with, and the  
21 feasibility of eradication of, diptera bibionibae plecia  
22 neartica, which shall be composed of 21 members to be  
23 appointed by the Governor as follows:

24           (a) The Commissioner of Agriculture or the  
25 commissioner's designee.

26           (b) The State Epidemiologist.

27           (c) The Secretary of Transportation or the secretary's  
28 designee.

29           (d) The Director of the Division of Motor Vehicles of  
30 the Department of Highway Safety and Motor Vehicles or the  
31 director's designee.

1           (e) The Secretary of Environmental Protection or the  
2 secretary's designee.

3           (f) The Health Officer for Environmental Health of the  
4 Department of Health or the health officer's designee.

5           (g) One member of the Florida Transportation  
6 Commission within the Department of Transportation.

7           (h) Three members representing the John A. Mulrennan,  
8 Sr., Arthropod Research Laboratory of the Florida Agricultural  
9 and Mechanical University.

10           (i) Three members representing the Florida Medical  
11 Entomology Laboratory of the Institute of Food and  
12 Agricultural Sciences at the University of Florida.

13           (j) Three members representing Florida State  
14 University.

15           (k) Two members of the Florida Mosquito Control  
16 Association.

17           (l) Two members of the Florida Coordinating Council on  
18 Mosquito Control.

19           (m) One member of the Pesticide Review Council of the  
20 Department of Agriculture and Consumer Services.

21           (2)(a) Members of the study commission shall be  
22 appointed for 2 years. A vacancy shall be filled for the  
23 unexpired portion of the term. The members of the commission  
24 shall serve without compensation, but shall be reimbursed for  
25 all necessary expenses in the performance of their duties,  
26 including travel expenses, in accordance with s. 112.061, F.S.

27           (b) The Governor may remove or suspend a member for  
28 cause, including, but not limited to, failure to attend at  
29 least 3 meetings of the commission during any 12-month period.

30           (c) The study commission shall be chaired by the  
31 Commissioner of Agriculture or the commissioner's authorized

1 designee. A majority of the membership of the study commission  
2 shall conduct a quorum for the conduct of business. The chair  
3 shall be responsible for recording and distributing to the  
4 members a summary of the proceedings of all study commission  
5 meetings. The study commission shall meet at least five times  
6 during each year of the study commission's existence, or as  
7 needed.

8 (3) The Department of Agriculture and Consumer  
9 Services shall supply such information, assistance, and  
10 facilities as are deemed necessary for the study commission to  
11 carry out its duties under this section and shall provide such  
12 staff assistance as is necessary for the performance of  
13 required clerical and administrative functions of the  
14 commission.

15 (4) The study commission shall analyze those solutions  
16 and programs which could begin to address the state's need for  
17 the elimination of the arthropod diptera bibionibae plecia  
18 neartica, including programs or proposals which provide for:

19 (a) Stimulation of public and private cooperative  
20 efforts at permanent elimination of the arthropod.

21 (b) Expansion or improvement of arthropod control  
22 measures and programs already in existence.

23 (c) Development of such other solutions and programs  
24 as the study commission deems appropriate.

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26 In performing its analysis, the study commission shall  
27 consider the extent to which a proposed plan or program  
28 utilizes or incorporates the use of pesticides, biological  
29 control agents, and new or existing source reduction methods.  
30 The study commission shall also give consideration to the  
31 feasibility and cost of implementation of proposed plans or

1 programs, as well as any unreasonable adverse effects a  
2 proposed plan or program might have on the environment.

3 (5) The study commission shall distribute its meeting  
4 notices to all appropriate state agencies responsible for and  
5 involved in arthropod control and shall provide minutes of  
6 study commission meetings to such state agencies upon request.

7 (6) The study commission shall review, evaluate, and  
8 make recommendations regarding existing and proposed plans or  
9 programs aimed at eradication and control of the arthropod.

10 The study commission shall provide these and any other  
11 recommendations to the Governor, the President of the Senate,  
12 the Speaker of the House of Representatives, the Commissioner  
13 of Agriculture, the State Epidemiologist, the Office of  
14 Environmental Health of the Department of Health, the  
15 Department of Transportation, the Department of Highway Safety  
16 and Motor Vehicles, the Department of Environmental  
17 Protection, and to public agencies throughout the state  
18 responsible for and involved in arthropod control.

19 (7) By July 1, 2000, the study commission shall  
20 prepare and submit to the Governor, the President of the  
21 Senate, and the Speaker of the House of Representatives a  
22 report detailing its findings and making specific program,  
23 legislative, and funding recommendations and any other  
24 recommendations it deems appropriate.

25 (8) The study commission shall recommend studies to be  
26 included within the research performed by the John A.  
27 Mulrennan, Sr., Arthropod Research Laboratory and the Florida  
28 Medical Entomological Laboratory. These recommendations shall  
29 be submitted to the Commissioner of Agriculture, the State  
30 Epidemiologist, the director of the John A. Mulrennan, Sr.,  
31 Arthropod Research Laboratory, and the director of the Florida

1 Medical Entomological Laboratory, in order to assist them in  
2 establishing an appropriate research agenda with respect to  
3 the permanent elimination of diptera bibionibae plecia  
4 neartica.

5 (9) The study commission shall expire on July 1, 2000.

6 Section 2. This act shall take effect July 1, 1998.

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9 HOUSE SUMMARY

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11 Creates a study commission for the purpose of  
12 investigating problems associated with, and the  
13 feasibility of eradication of, the arthropod diptera  
14 bibionibae plecia neartica, commonly known as "love  
15 bugs," as a public nuisance and hazard to motorists on  
16 the highways of the state. Provides for membership and  
17 duties of the study commission. Provides for terms of  
18 commission members. Requires the Department of  
19 Agriculture and Consumer Services to provide assistance,  
20 facilities, and staff to the study commission. Provides  
21 for recommendations of the study commission. Provides for  
22 submission of a report detailing the findings of the  
23 study commission by July 1, 2000. Provides for expiration  
24 of the study commission on July 1, 2000.

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