

ASSEMBLY, No. 857

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen COTTRELL and MALONE

1 AN ACT concerning the control of Lyme disease, and amending and
2 supplementing P.L.1991, c.277.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 1 of P.L.1991, c.277 (C.26:2P-1) is amended to read as
8 follows:

9 1. The Legislature finds and declares that:

10 a. Lyme disease is a bacterial infection which is spread by certain
11 arthropods, primarily ticks, and is one of the fastest growing public
12 health problems in New Jersey;

13 b. [There is evidence that the disease may be transmitted through
14 blood products, shared needles, raw milk and blood-sucking insects]
15 Studies of Lyme disease treatment have shown that costs associated
16 with long-term treatment of infected persons have often exceeded
17 \$100,000 per case and have a significant negative social impact ;

18 c. Lyme disease, which is the most common tick-borne disease in
19 this country, is present in 48 states and five continents and is
20 spreading, with New Jersey being one of the states in which the
21 disease is most prevalent, New Jersey experienced the largest
22 percentage increase in reported cases of Lyme disease of any state
23 between 1992 and 1993 ;

24 d. Lyme disease was not widely recognized in the United States
25 until 1975 and was first identified in New Jersey in Monmouth county
26 in 1978;

27 e. [Because Lyme disease is still relatively unknown] Even though
28 Lyme disease is receiving increased public attention among both the
29 medical community and the general public, it is often misdiagnosed or
30 not diagnosed, which results in more serious health problems for the
31 affected person; [and]

32 f. If untreated, Lyme disease, in its later stages, can result in

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 neurological disorders, including, but not limited to, chronic and
2 severe fatigue, encephalitis, meningitis, memory loss, dementia and
3 seizures; severe arthritis; cardiac dysfunction; vision loss,
4 gastrointestinal disorders, paralysis, strokes and death ; and
5 g. County mosquito control agencies throughout the State are
6 currently staffed and equipped to control nuisance and vector species
7 of mosquitoes. These commissions or agencies provide a central
8 operational unit within each county with the capability to advise and
9 assist a State Lyme Disease Vector Control Board in the development
10 and implementation of an integrated approach to the control of tick
11 populations on public lands within each county .
12 (cf: P.L.1991, c.277, s.1)

13
14 2. (New section) a. There is established in the Department of
15 Health a Lyme Disease Vector Control Board consisting of seven
16 members, four of whom shall be public members appointed by the
17 Governor with the advice and consent of the Senate, and three of
18 whom shall be the Commissioner of Health, the Commissioner of
19 Environmental Protection and the Director of the New Jersey
20 Agricultural Experiment Station, or their designees, who shall serve ex
21 officio.

22 b. Of the four public members to be appointed by the Governor,
23 one shall be a physician or a veterinarian, one shall be a representative
24 of a county mosquito or Lyme disease vector control agency, one shall
25 be a representative of the New Jersey Pest Control Association and
26 one shall be chosen from the public members of the Governor's Lyme
27 Disease Advisory Council.

28 c. Public members of the board shall serve four year terms, except
29 that of the first public members appointed one shall be appointed for
30 a term of one year, one shall be appointed for a term of two years, one
31 shall be appointed for a term of three years and one shall be appointed
32 for a term of four years. Members whose terms have expired shall
33 continue to serve until their successors have been appointed and
34 qualified. One of the public members first appointed shall be the
35 current chairperson of the Governor's Lyme Disease Advisory Council.
36 Vacancies occurring other than by expiration of a term shall be filled
37 for the remainder of the unexpired term.

38 d. The board shall organize at the call of the Commissioner of
39 Health within thirty days following the appointment of the four public
40 members, and shall select a chairperson from among the appointed
41 public members and a secretary, who need not be a member. Members
42 shall serve without compensation.

43 e. The board may call to its assistance and avail itself of the service
44 of any State, county or municipal department, board, bureau,
45 commission or agency as it may require for the purposes of this act.
46 The board shall have appropriate offices and staffing within the

1 Department of Health and that department shall supply the
2 professional and clerical assistance necessary for the board to perform
3 its duties. The board may incur miscellaneous expenses to perform its
4 duties, within the limits of funds appropriated or otherwise made
5 available to it for those purposes.

6

7 3. (New section) The duties of the board shall include but not be
8 limited to:

9 a. Conducting a continuous study of ticks that transmit Lyme
10 disease, which shall include:

11 (1) Review of available epidemiological information;

12 (2) Surveillance of known tick habitats;

13 (3) Preparation of maps indicating case distribution and significant
14 breeding activity; and

15 (4) Development of a system for prioritizing the geographical areas
16 of the State requiring the implementation of tick control measures;

17 b. Developing tick control measures in the State, including but not
18 limited to:

19 (1) Physical control measures;

20 (2) Biological control measures; and

21 (3) Chemical control measures;

22 c. Conducting an ongoing work program within the Department of
23 Health to develop and promote the following activities:

24 (1) Prevention of, detection of, monitoring the occurrence of, and
25 diagnosis of, Lyme disease;

26 (2) Control of the vectors of the disease in the State;

27 (3) Establishment of a mechanism that will allow municipalities,
28 public health agencies and State and county vector control agencies
29 throughout New Jersey to share information about Lyme disease;

30 (4) Determining the amount of State funding necessary to
31 implement research activities required to develop a Statewide protocol
32 for control of ticks that transmit Lyme disease;

33 (5) Prioritization of areas of the State where State funding should
34 be utilized;

35 (6) Determining the amount of money required to be made
36 available in the form of State aid to counties for implementation of
37 control activities;

38 (7) Development of an education program for local health
39 agencies, vector control agencies and the public at large; and

40 (8) Recommendations to the Legislature concerning the amount of
41 money that the board deems necessary to be appropriated each year by
42 the State for research, monitoring and control of the vectors of Lyme
43 disease and the allocation of funds to be appropriated for State aid to
44 counties in the performance of such work among the various county
45 Boards of Chosen Freeholders; and

46 d. Submitting an annual report to the Governor and Legislature on

1 the progress made toward the prevention of, detection of, monitoring
2 the occurrence of, and diagnosis of, the disease and toward the control
3 of the vectors of the disease, and on the financial impact of the disease
4 on the residents of the State of New Jersey.

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6 4. (New section) a. The Board of Chosen Freeholders of a county
7 may designate any county mosquito control agency or other agency or
8 any combination thereof to undertake Lyme disease control activities
9 in conjunction with the Lyme Disease Vector Control Board
10 established pursuant to section 2 of P.L. , c. (C.) (now before
11 the Legislature as this bill).

12 b. An agency or agencies selected by a county pursuant to
13 subsection a. of this section may establish a separate budget for the
14 performance of Lyme disease control activities.

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16 5. This act shall take effect immediately.

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19 STATEMENT

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21 This bill would establish a Lyme Disease Vector Control Board in
22 the Department of Health. The board would consist of seven
23 members, four of whom would be public members appointed by the
24 Governor with the advice and consent of the Senate, and three of
25 whom would be the Commissioner of Health, the Commissioner of
26 Environmental Protection and the Director of the New Jersey
27 Agricultural Experiment Station, or their designees, who shall serve ex
28 officio.

29 The duties of the board would include:

30 a. Conducting a continuous study of ticks that transmit Lyme
31 disease;

32 b. Developing tick control measures in the State;

33 c. Conducting an ongoing work program within the Department of
34 Health to develop and promote various activities; and

35 d. Submitting an annual report to the Governor and Legislature on
36 the progress made toward the prevention of, detection of, monitoring
37 the occurrence of, and diagnosis of, the disease and toward the control
38 of the vectors of the disease, and on the financial impact of the disease
39 on the residents of the State of New Jersey.

40 The bill would also authorize county boards of chosen freeholders
41 to designate mosquito control agencies or other agencies to conduct
42 Lyme disease control activities.

- 1 _____
- 2
- 3 Establishes Lyme Disease Vector Control Board.