

Regular Session, 2008

SENATE BILL NO. 312

BY SENATORS MOUNT, CASSIDY, CHEEK, ERDEY AND NEVERS

PUBLIC HEALTH. Provides for requirements for water fluoridation. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 40:5.11(B), relative to the water fluoridation program; to provide
3 for funding; to provide for reporting; to provide for exemptions; and to provide for
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:5.11(B) is hereby amended and reenacted to read as follows:

7 §5.11. Water fluoridation program; Fluoridation Advisory Board

8 * * *

9 B.(1) ~~The intent of the program shall be to encourage each~~ **Each** public
10 water system that has at least five thousand service connections ~~to provide~~
11 ~~fluoridation of its water supply by January 1, 2000~~ **and natural levels of fluoride**
12 **that are less than the minimum established in the rules and regulations adopted**
13 **pursuant to this Section shall acquire, install, operate and maintain appropriate**
14 **equipment and material in order to maintain the level of fluoride in its water**
15 **system in the optimum range for the purpose of protecting the dental health of**
16 **citizens of this state, as established in the rules and regulations adopted**
17 **pursuant to this Section.**

1 (2) Each public water system with at least five thousand service
2 connections that has fluoride levels lower than the minimum established in the
3 rules and regulations adopted pursuant to this Section shall provide to the
4 department no later than March 1, 2009, an estimate of the total capital costs
5 to acquire and install fluoridation treatment equipment capable of maintaining
6 fluoride levels within the optimum range for the purpose of protecting the
7 dental health of citizens of this state, as established in the rules and regulations
8 adopted pursuant to this Section.

9 (3) No public water system shall be required to comply with Paragraph
10 B(1) of this Subsection unless sufficient funds have been identified by the state,
11 whether by appropriation, capital outlay, grants or similar, as available to that
12 system for the cost of acquiring and installing fluoridation equipment and the
13 cost of material required to fluoridate said system for at least six months from
14 the date of initial installation.

15 (4) A public water system that has never used fluoridation to adjust
16 fluoride levels in its water and whose water contains fluoride in amounts less
17 than the minimum established in the rules and regulations adopted pursuant to
18 this Section as optimal for the purpose of protecting the dental health of the
19 citizenry shall be exempt from compliance with Paragraph B(1) of this
20 Subsection provided all of the following apply:

21 (a) A petition requesting the exemption has been signed by at least thirty
22 percent of the registered voters in all municipalities served by said water
23 system, as certified by the parish registrar of voters, and has been presented to
24 the governing body of each municipality in whose jurisdiction the system
25 provides service.

26 (b) Each municipal government in whose jurisdiction the water system
27 provides service, after receiving the petition and certification from the parish
28 registrar of voters, has called for a local election on the exemption.

29 (c) Each local election pertaining to the exemption of said water system

compliance with proposed law provided all of the following apply:

- (1) A petition requesting the exemption has been signed by at least thirty percent of the registered voters in all municipalities served by said water system, as certified by the parish registrar of voters, and has been presented to the governing body of each municipality in whose jurisdiction the system provides service.
- (2) Each municipal government in whose jurisdiction the water system provides service, after receiving the petition and certification from the parish registrar of voters, has called for a local election on the exemption.
- (3) Each local election pertaining to the exemption of said water system has been held in accordance with state and local law, and the certified results of each election show that a majority of the registered voters who cast a vote in said election approve exemption.
- (4) No election on the same question in the same municipality took place in the four years immediately prior to the election in which the exemption was approved.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 40:5.11(B))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill.

1. Changes from "up to" to "at least" six months from the date of initial installation in the provision that provides that no public water system shall be required to comply with proposed law unless sufficient funds have been identified by the state as available to that system for the cost of acquiring and installing fluoridation equipment and the cost of material required to fluoridate said system.