

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 312 By Senator Mount

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

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

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Changes reference in proposed law from minimum levels of fluoride to levels of fluoride that are within or outside the optimal range, as established in rules and regulations.
2. Stipulates that the petition requesting an exemption from compliance with proposed law must be signed by at least 15% of the registered voters in all precincts served by the water system, instead of 30%.
3. Provides that a water system shall be exempt by either (a) the governing authority approving the exemption by a majority vote after a public hearing, or (b) local election after receipt of petition.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

Mount

SB No. 312

Present law provides that the intent of the water fluoridation program shall be to encourage each public water system with at least 5,000 service connections to provide fluoridation of its water supply by January 1, 2000.

Proposed law provides that each public water system that has at least 5,000 service connections and natural levels of fluoride that are outside the optimal range established in the rules and regulations adopted pursuant to present law shall acquire, install, operate and maintain appropriate equipment and material in order to maintain the level of fluoride in its water system in the optimal range for the purpose of protecting the dental health of citizens of this state, as established in the rules and regulations adopted pursuant to present law.

Proposed law provides that such public water system which is not exempted from proposed law shall provide to the department no later than March 1, 2009, an estimate of the total capital costs to acquire and install fluoridation treatment equipment capable of maintaining fluoride levels within the optimal range for the purpose of protecting the dental health of citizens of this state, as established in the rules and regulations adopted pursuant to present law.

Proposed law provides that no public water system shall be required to comply with proposed law unless sufficient funds have been identified by the state, whether by appropriation, capital outlay, grants or similar means or source of funds, as available to that system for the cost of acquiring and installing fluoridation equipment and the cost of material required to fluoridate said system for at least six months from the date of initial installation.

Proposed law further provides that a public water system shall be exempt from compliance with proposed law provided either of the following apply:

(1) The members of the governing authority of each municipality and parish in whose jurisdiction the water system provides service has, by majority vote, approved the exemption, provided that a public hearing has been conducted by the governing authority of each municipality and parish and notice has been given to the Department of Health and Hospitals and the Fluoridation Advisory Board regarding the hearing.

(2) A local election has been called on the exemption by each governing authority in whose jurisdiction the water system provides service in accordance with the following:

- (a) Prior to a local election being called, a petition requesting the exemption has been signed by at least 15% of the registered voters who reside in the precincts served by said water system, as certified by the parish registrar of voters, and has been presented to the governing authority of each municipality or parish in whose jurisdiction the system provides service.
 - (b) Following receipt of the petition, a local election shall be called and conducted by the governing authority of each municipality or unincorporated area in whose jurisdiction the water system provides service if the water system has been created or franchised by a municipality. The local election shall be limited to precincts in those municipalities and unincorporated areas which are served by the municipal water system. Alternately, following receipt of the petition, a local election shall be called and conducted by the governing authority of each parish in whose jurisdiction the water system provides service if the water system has been created or franchised by a parish.
- (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 the exemption.
- (4) No election on the same question in the same jurisdiction took place in the four years immediately prior to the election in which the exemption was approved.

Proposed law authorizes the office of public health to promulgate regulations in accordance with the APA related to maintaining levels of fluoride in public water systems within the optimal range for the purpose of protecting the oral health of the citizens of the state.

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

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

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