

Senator L. Steven Poulton proposes to substitute the following bill:

**TASK FORCE ON IMPLEMENTATION OF
WATER FLUORIDATION**

2001 GENERAL SESSION

STATE OF UTAH

Sponsor: L. Steven Poulton

This act creates the Task Force on Implementation of Water Fluoridation. The act provides for task force membership, task force chairs, and compensation of task force members. The act outlines the duties of the task force and reporting requirements. The act provides for staff support to the task force. The act appropriates a total of \$22,000 from the General Fund for fiscal year 2000-01 to the Senate, House of Representatives, and the Office of Legislative Research and General Counsel to fund the task force. § The act clarifies the effect of the task force on counties and local health departments. § This act is repealed November 30, 2001.

This act enacts uncodified material.

Be it enacted by the Legislature of the state of Utah:

Section 1. Task Force on Implementation of Water Fluoridation -- Creation -- Membership -- Quorum -- Compensation -- Staff.

(1) There is created the Task Force on Implementation of Water Fluoridation consisting of the following 15 members:

(a) three members of the Senate appointed by the president of the Senate, no more than two of whom may be from the same political party;

(b) three members of the House of Representatives appointed by the speaker of the House of Representatives, no more than two of whom may be from the same political party;

(c) the executive director of the Department of Environmental Quality or the director's designee;

(d) the executive director of the Department of Health or the director's designee;



26 (e) the chair of the Drinking Water Board created in Section 19-1-106 or the chair's
27 designee; and

28 (f) the following six members, appointed by the speaker of the House of Representatives
29 and the president of the Senate:

30 (i) one dentist practicing in this state recommended by the Utah Dental Association;

31 (ii) two directors of local health districts;

32 (iii) one representative of a public water system which primarily uses surface water;

33 (iv) one representative of a public water system which primarily uses ground water; and

34 (v) one representative of a small public water system.

35 (2) (a) The president of the Senate shall designate a member of the Senate appointed under
36 Subsection (1)(a) as a cochair of the task force.

37 (b) The speaker of the House of Representatives shall designate a member of the House
38 of Representatives appointed under Subsection (1)(b) as a cochair of the task force.

39 (3) A majority of the members of the task force constitute a quorum. The action of a
40 majority of a quorum constitutes the action of the task force.

41 (4) (a) Salaries and expenses of the members of the task force who are legislators shall be
42 paid in accordance with Section 36-2-2 and Legislative Joint Rule 15.03.

43 (b) A member of the task force who is not a legislator may not receive compensation for
44 their work associated with the task force, but may receive per diem and reimbursement for travel
45 expenses incurred as a member of the task force at the rates established by the Division of Finance
46 under Sections 63A-3-106 and 63A-3-107.

47 (5) The Office of Legislative Research and General Counsel shall provide staff support to
48 the task force.

49 **Section 2. Duties -- Interim report.**

50 (1) The task force shall review and make recommendations on the following issues:

51 (a) statewide standards for the fluoridation of public water supplies, including standards
52 for treated water and well water and safety standards for the public and the operators of the water
53 system;

54 (b) the cost of fluoridating public water supplies;

55 (c) funding sources for the fluoridation of public water supplies;

56 (d) liability issues associated with the fluoridation of public water supplies, including

57 governmental immunity;

58 (e) possible exemptions from a countywide fluoridation mandate, including functionally
 59 separate systems and systems which cross county lines;

60 (f) variances for standards, if any, for different types of sources and seasonal variations;

61 (g) monitoring, compliance, and enforcement issues;

62 (h) the regulatory process for the review and approval of fluoridation construction or
 63 equipment installation;

64 (i) definition of chemical standards, including the NSF approval process;

65 **§ ~~(f)~~ (j) § clarifying the relationships between the state Department of Environmental Quality,**
 66 **installation of fluoride equipment, training of operators, and operational dates;**

67 ~~——(k)] (i) § clarifying the relationships between the state Department of Environmental Quality,~~
 68 the state Department of Health, the county Boards of Health, and the operators of the public water
 69 systems; and

70 **§ ~~(f)] (k) § regulatory authorization for the Drinking Water Board to regulate fluoridation of~~**
 70a public
 71 water systems.

72 (2) An interim report regarding the task force recommendations on the items listed in
 73 Subsections (1)(a), (e), (f), (g), (h), § AND § (i) § ~~, and (j) § shall be submitted to the Drinking~~
 73a Water Board by
 74 July 1, 2001.

75 (3) A final report, including any proposed legislation shall be presented to the Natural
 76 Resources, Agriculture, and Environment Interim Committee before November 30, 2001.

77 **Section 3. Appropriation.**

78 There is appropriated from the General Fund for fiscal year 2000-01:

79 (1) \$3,500 to the Senate to pay for the compensation and expenses of senators on the task
 80 force;

81 (2) \$3,500 to the House of Representatives to pay for the compensation and expenses of
 82 representatives on the task force; and

83 (3) \$15,000 to the Office of Legislative Research and General Counsel to pay for staffing
 84 the task force.

84a **§ Section 4. Effect on counties and local health departments.**

84b **NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT, COUNTIES AND LOCAL HEALTH**
 84c **DEPARTMENTS WHICH ARE REQUIRED BY SUBSECTION 19-4-111(2) TO FLUORIDATE PUBLIC**
 84d **WATER SUPPLIES MAY PROCEED WITH THE PROCESS OF FLUORIDATION BEFORE THE TASK**
 84e **FORCE MAKES ANY REPORT OR RECOMMENDATION. §**

85 Section § ~~[4] 5 § . Repeal date.~~

86 This act is repealed November 30, 2001.