

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 This act is repealed November 30, 2001.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;

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

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

- (i) one dentist practicing in this state recommended by the Utah Dental Association;
- (ii) two directors of local health districts;
- (iii) one representative of a public water system which primarily uses surface water;
- (iv) one representative of a public water system which primarily uses ground water; and
- (v) one representative of a small public water system.

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

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

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

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

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

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

Section 2. Duties -- Interim report.

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

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

(b) the cost of fluoridating public water supplies;

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

(d) liability issues associated with the fluoridation of public water supplies, including governmental immunity;

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

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

(g) monitoring, compliance, and enforcement issues;

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

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

(j) clarifying the relationships between the state Department of Environmental Quality, the state Department of Health, the county Boards of Health, and the operators of the public water systems; and

(k) regulatory authorization for the Drinking Water Board to regulate fluoridation of public water systems.

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

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

Section 3. Appropriation.

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

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

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

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

Section 4. Effect on counties and local health departments.

Notwithstanding any other provision of this act, counties and local health departments which are required by Subsection 19-4-111(2) to fluoridate public water supplies may proceed with the

process of fluoridation before the task force makes any report or recommendation.

Section 5. **Repeal date.**

This act is repealed November 30, 2001.