



House of Representatives *State of Utah*

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January 22, 2004

Mr. Speaker:

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 181**, FLUORINE COST REQUIREMENTS, by Representative M. Morley, with the following amendments:

1. *Page 1, Lines 13 through 19:*

13 This bill:
14 ▶ requires that local governments obtain estimates about the cost of adding
fluorine to
15 a water system from the petition sponsors and adopt those estimates before
authorizing the election ~~[[is held]]~~ to determine whether or not to add
16 fluorine;
17 ▶ ~~[[requires the local government to allow citizens time to qualify an
initiative petition
18 that revokes authority to add fluorine to the water system]]~~ when the cost of adding
19 fluorine to the water system exceeds the original cost estimate by more than
~~[[10%]]~~ 25% , authorizes the local government to cancel the decision to add
fluorine to the water system, resubmit the question of adding fluorine to the water
system to the voters; or inform the voters of their right to seek an initiative petition
cancelling the decision to add fluorine to the water system ;

2. *Page 2, Lines 42 through 43:*

42 (c) (i) "Total cost estimate" means the estimated one-time and ongoing expenditures
43 that must be made to a water system in order to add fluorine based on available
information .

3. *Page 3, Lines 69 through 79:*

69 (3) (a) Within 20 days after an initiative petition seeking the addition of fluorine to a
70 public water system is declared qualified for the ballot, the sponsors of the initiative
petition
71 shall file a total cost estimate with the governing body.

Bill Number



HB0181

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72 (b) (i) Within ~~[[20]]~~ 30 days after passage of a resolution placing on the
73 ballot the question of
74 whether or not fluorine should be added to the public water supply, the county legislative
75 body,
76 the municipal legislative body, or the special district board that has jurisdiction over the
77 water
78 system shall adopt, by resolution, a total cost estimate estimating the total cost of adding
79 fluorine to the water system.

(ii) If the county legislative body, municipal legislative body, or the special district
board fails to file the cost estimate within ~~[[20]]~~ 30 days, the county clerk,
municipal clerk, or special
district clerk may not place the issue on the ballot.

4. Page 3, Line 88 through Page 4, Line 110:

88 (5) ~~[[a]]~~ If, after the voters approve the addition of fluorine to the water
89 supply, the
90 governing body determines that the total cost of adding fluorine to the water supply will
91 exceed
92 the cost estimate by ~~[[10%]]~~ 25% or more, the governing body ~~[[shall, in a
93 public meeting and by a press
94 release:
95 (i) inform the voters that the estimated actual cost of adding fluorine to the
96 water
97 system has exceeded the total cost estimate;
98 (ii) inform the voters of the new total cost estimate of adding fluorine to the
99 water
100 system; and
101 (iii) inform the voters that they may file an initiative petition to cancel the
102 decision to
103 add fluorine to the water system;
104 (b) If, within six months of the public meeting where the new total cost estimate
105 of
106 adding fluorine to the water system is announced, no initiative petition has qualified
107 for the~~



100 ballot, the governing body may proceed to add fluorine to the water system.]]
may, in a public meeting:
(a) direct that all efforts to add fluorine to the water be ceased immediately
because of the increased cost;
(b) direct that the question of whether or not to add fluorine to the water be
submitted to the voters for a new vote because of the increased cost; or
(c) inform the voters that they may file an initiative petition to cancel the
decision to add fluorine to the water system.

101 [~~3~~] (6) Nothing contained in this section prohibits the addition of chlorine or other
102 water purifying agents.
103 [~~4~~] (7) Any political subdivision which, prior to ~~[[November 2,~~
104 ~~1976]]~~ December 31, 2003 , decided to and
105 was adding fluorine or any of its derivatives or compounds to the drinking water is
106 considered
107 to have complied with Subsection [~~+~~] (2) , (3), and (5) .
108 [~~5~~] (8) ~~[[In]]~~ Notwithstanding subsection (5)(c), in an election held
109 pursuant to Subsections [~~+~~] (2)(b)(i), (ii), or (iii), where a
110 majority of the voters approve the addition to or removal of fluorine from the public water
supplies, no election to consider removing fluorine from or adding fluorine to the public
water
supplies shall be held for a period of four years from the date of approval by the majority
of
voters beginning with elections held in November 2000.

Respectfully,

Kory M. Holdaway
Committee Chair

Voting: 7-2-1

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