

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 507 Session of
1989

INTRODUCED BY HALUSKA, FEE, ITKIN, GODSHALL, CAPPABIANCA,
KOSINSKI, TRELLO, GRUPPO, TIGUE, CORRIGAN, DALEY, MELIO,
STISH, COLAIZZO, HARPER, NAHILL, DISTLER, JOHNSON,
YANDRISEVITS, LEVDANSKY, BELARDI, JOSEPHS, MERRY, MAIALE,
McVERRY, STABACK, HERMAN, GLADECK, PETRONE, FREEMAN,
O'DONNELL, COY, VAN HORNE, RIEGER, BURNS, VROON, OLIVER,
KENNEY, EVANS, BATTISTO, COLAFELLA, LESCOVITZ, LANGTRY, FOX,
PRESTON, COWELL AND KAISER, FEBRUARY 15, 1989

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 28, 1989

AN ACT

1 Concerning the fluoridation of public water.

2 The General Assembly of the Commonwealth of Pennsylvania
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Fluoridation
6 Act.

7 Section 2. Purpose.

8 It is the purpose of this act to prevent dental disease as a
9 health care cost-containment measure.

10 Section 3. Fluoride content of water.

11 Whenever the fluoride content of water served by public water
12 suppliers to 250 domestic water connections or more is less than
13 eight-tenths of a milligram per liter of fluoride, the person,
14 association, firm, corporation, authority or municipality having

1 jurisdiction over the supply shall add a measured amount of
2 fluoride to the water so as to maintain a fluoride content of
3 between eight-tenths of a milligram per liter and one and two-
4 tenths milligrams per liter, in accord with regulations adopted
5 by the Department of Environmental Resources in consultation
6 with the Department of Health, and recommended levels as
7 established by the United States Public Health Service and the
8 Environmental Protection Agency, such adjustment of fluoride to
9 start within one year after the effective date of this act.

10 Section 4. Fluoridation implementation assistance grants.

11 (a) Authorization.--The Pennsylvania Infrastructure
12 Investment Authority shall award grants for assistance in the
13 implementation of fluoridation programs, upon application from
14 any publicly owned water company which meets the requirements of
15 this section. The grant provided by this section shall be for
16 the purpose of paying the interest charge on any loan or the
17 portion of any loan incurred to finance the eligible costs
18 associated with the purchase and installation of new equipment
19 and machinery or the upgrade of existing equipment and machinery
20 necessary to implement a fluoridation program. The application
21 shall be on a form prepared and furnished by the Pennsylvania
22 Infrastructure Investment Authority and shall contain
23 information as deemed necessary to carry out the provisions and
24 purposes of this act.

25 (b) Prerequisites.--ANY PERSON, ASSOCIATION, FIRM, <—
26 CORPORATION, AUTHORITY OR MUNICIPALITY REQUIRED TO ADD FLUORIDE
27 UNDER SECTION 3, SHALL MAKE APPLICATION FOR AN ASSISTANCE GRANT
28 WITHIN ONE YEAR FROM THE EFFECTIVE DATE OF THIS ACT. The
29 Pennsylvania Infrastructure Investment Authority shall not award
30 any grant under this section unless the application is complete

1 and accurate, and the fluoridation program has been implemented
2 on or after the effective date of this act.

3 (c) Priority.--Each publicly owned water company which
4 submits an application shall be considered for a grant under
5 this section so that the public water company which has incurred
6 the greatest cost per customer served will be given priority.
7 Any application not approved for a grant in any year due to the
8 unavailability of funds shall be reconsidered in each subsequent
9 year that grant moneys are available.

10 (d) Limit on grant.--No grant under this section shall
11 exceed \$15,000 to any publicly owned water company.

12 (e) Limit on allocation.--No more than \$100,000 shall be
13 made available by the Pennsylvania Infrastructure Investment
14 Authority in any fiscal year for the grants authorized in this
15 section.

16 Section 5. Enforcement.

17 The Department of Environmental Resources shall enforce this
18 act. Such enforcement shall include the following:

19 (1) The Department of Environmental Resources shall
20 annually inspect each public water supplier affected by this
21 act to determine compliance with the act and forward a copy
22 of a report on the same to the municipality in which the
23 water supplier is located.

24 (2) The Department of Environmental Resources shall
25 annually prepare and submit to the General Assembly a
26 comprehensive report on the number of water systems in
27 Pennsylvania affected by the provisions of this act,
28 including customers served, and any problems arising out of
29 the implementation of this act.

30 Section 6. Immunity.

1 No public water supplier shall be liable for any civil
2 damages as a result of any act or omission relating solely to
3 the good faith performance of his duties under this act.

4 Section 7. Effective date.

5 This act shall take effect in six months.