

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, KAISER AND SCRIMENTI, FEBRUARY 15, 1989

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, APRIL 3, 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. Enforcement.

11 The Department of Environmental Resources shall enforce this
12 act. SUCH ENFORCEMENT SHALL INCLUDE THE FOLLOWING: <—

13 (1) THE DEPARTMENT OF ENVIRONMENTAL RESOURCES SHALL
14 ANNUALLY INSPECT EACH PUBLIC WATER SUPPLIER AFFECTED BY THIS
15 ACT TO DETERMINE COMPLIANCE WITH THE ACT AND FORWARD A COPY
16 OF A REPORT ON THE SAME TO THE MUNICIPALITY IN WHICH THE
17 WATER SUPPLIER IS LOCATED.

18 (2) THE DEPARTMENT OF ENVIRONMENTAL RESOURCES SHALL
19 ANNUALLY PREPARE AND SUBMIT TO THE GENERAL ASSEMBLY A
20 COMPREHENSIVE REPORT ON THE NUMBER OF WATER SYSTEMS IN
21 PENNSYLVANIA AFFECTED BY THE PROVISIONS OF THIS ACT,
22 INCLUDING CUSTOMERS SERVED, AND ANY PROBLEMS ARISING OUT OF
23 THE IMPLEMENTATION OF THIS ACT.

24 SECTION 5. IMMUNITY.

25 NO PUBLIC WATER SUPPLIER SHALL BE LIABLE FOR ANY CIVIL
26 DAMAGES AS A RESULT OF ANY ACT OR OMISSION RELATING SOLELY TO
27 THE GOOD FAITH PERFORMANCE OF HIS DUTIES UNDER THIS ACT.

28 Section ~~5~~ 6. Effective date. <—

29 This act shall take effect in six months.