
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

SENATOR PETERSON, PUBLIC HEALTH AND WELFARE, IN SENATE, AS
AMENDED, NOVEMBER 12, 1990

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~~ 3,000 domestic water connections or more is <—
13 less than eight-tenths of a milligram per liter of fluoride, the

1 person, association, firm, corporation, authority or
2 municipality having jurisdiction over the supply shall add a
3 measured amount of fluoride to the water so as to maintain a
4 fluoride content of between eight-tenths of a milligram per
5 liter and one and two-tenths milligrams per liter, in accord
6 with regulations adopted by the Department of ~~Environmental~~ <—
7 ~~Resources~~ COMMUNITY AFFAIRS in consultation with the Department <—
8 of Health, and recommended levels as established by the United
9 States Public Health Service and the Environmental Protection
10 Agency, such adjustment of fluoride to start within one year
11 after the effective date of this act. HOWEVER, NO FLUORIDATION <—
12 SHALL BE REQUIRED UNLESS FUNDING IS MADE AVAILABLE BY THE
13 GENERAL ASSEMBLY.

14 Section 4. Fluoridation implementation assistance grants.

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

29 (b) Prerequisites.--Any person, association, firm,
30 corporation, authority or municipality required to add fluoride

1 under section 3, shall make application for an assistance grant
2 within one year from the effective date of this act. The
3 ~~Pennsylvania Infrastructure Investment Authority~~ DEPARTMENT OF <—
4 COMMUNITY AFFAIRS shall not award any grant under this section
5 unless the application is complete and accurate, and the
6 fluoridation program has been implemented on or after the
7 effective date of this act.

8 (c) Priority.--Each publicly owned water company which
9 submits an application shall be considered for a grant under
10 this section ~~so that the public water company which has incurred~~ <—
11 ~~the greatest cost per customer served will be given priority.~~ ON <—
12 THE BASIS OF A PRIORITY LISTING DEVELOPED BY THE DEPARTMENT OF
13 COMMUNITY AFFAIRS. Any application not approved for a grant in
14 any year due to the unavailability of funds shall be
15 reconsidered in each subsequent year that grant moneys are
16 available.

17 ~~(d) Limit on grant. No grant under this section shall~~ <—
18 ~~exceed \$15,000 to any publicly owned water company.~~

19 ~~(e) Limit on allocation. No more than \$100,000 shall be~~
20 ~~made available by the Pennsylvania Infrastructure Investment~~
21 ~~Authority in any fiscal year for the grants authorized in this~~
22 ~~section.~~

23 (D) IMPLEMENTATION.--THE PROVISIONS OF THIS ACT SHALL BE <—
24 IMPLEMENTED AS FUNDS ARE MADE AVAILABLE BY THE GENERAL ASSEMBLY
25 IN ACCORDANCE WITH THE PRIORITY LIST DEVELOPED BY THE DEPARTMENT
26 OF COMMUNITY AFFAIRS.

27 Section 5. Enforcement.

28 The Department of ~~Environmental Resources~~ COMMUNITY AFFAIRS <—
29 shall enforce this act. Such enforcement shall include the
30 following:

1 (1) The Department of ~~Environmental Resources~~ COMMUNITY <—
2 AFFAIRS shall annually inspect each public water supplier
3 affected by this act to determine compliance with the act and
4 forward a copy of a report on the same to the municipality in
5 which the water supplier is located.

6 (2) The Department of ~~Environmental Resources~~ COMMUNITY <—
7 AFFAIRS shall annually prepare and submit to the General
8 Assembly a comprehensive report on the number of water
9 systems in Pennsylvania affected by the provisions of this
10 act, including customers served, and any problems arising out
11 of the implementation of this act.

12 Section 6. Immunity.

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

16 Section 7. Effective date.

17 This act shall take effect in six months.