

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 245

FINAL READING

Introduced by Johnson, 37

Read first time January 10, 2007

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to public health and welfare; to amend section
2 71-3305, Revised Statutes Supplement, 2007; to change
3 provisions relating to fluoridation of drinking water; to
4 repeal the original section; and to declare an emergency.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-3305, Revised Statutes Supplement,
2 2007, is amended to read:

3 71-3305 (1) Except as otherwise provided in subsection
4 (2) of this section, ~~any political subdivision as defined in~~
5 ~~section 13-702,~~ that provides the water supply of any city or
6 village ~~for human consumption~~ having a population of one thousand
7 or more inhabitants shall, no later than June 1, 2010, add fluoride
8 to such the water supply in the amount and manner prescribed by for
9 human consumption for such city or village as provided in the rules
10 and regulations of the Department of Health and Human Services
11 unless such water supply has sufficient amounts of naturally
12 occurring fluoride as provided in such rules and regulations.

13 (2) Fluoride shall not be added to the water supply of
14 any city or village in which the voters have, after September 2,
15 1973, adopted an ordinance by initiative prohibiting the adding of
16 fluoride to its water supply. The procedure for the adoption of
17 any such ordinance shall be that provided in sections 18-2501 to
18 18-2536. No such ordinance may be adopted in a city or village
19 receiving, or which has contracted to receive, its water supply,
20 or any part thereof, from another political subdivision, or public
21 or private entity, which adds fluoride to its water supply in
22 compliance with subsection (1) of this section, or section 71-3306,
23 or which has available only purchased fluoridated water with which
24 to supply such city or village. In any city or village which is
25 required to add fluoride to its water supply under subsection (1)

1 of this section and in which fluoride is not added to such water
2 supply as of January 1, 2008, the voters of the city or village
3 may adopt an ordinance, after the effective date of this act,
4 but before June 1, 2010, to prohibit the addition of fluoride to
5 such water supply. The ordinance may be placed on the ballot by a
6 majority vote of the governing body of the city or village or by
7 initiative pursuant to sections 18-2501 to 18-2538.

8 (3) Any rural water district organized under sections
9 46-1001 to 46-1020 that supplies water for human consumption to any
10 city or village which is required to add fluoride to such water
11 supply under this section shall not be responsible for any costs,
12 equipment, testing, or maintenance related to such fluoridation
13 unless such district has agreed with the city or village to assume
14 such responsibilities.

15 Sec. 2. Original section 71-3305, Revised Statutes
16 Supplement, 2007, is repealed.

17 Sec. 3. Since an emergency exists, this act takes effect
18 when passed and approved according to law.