

LEGISLATURE OF NEBRASKA
ONE HUNDRED SECOND LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 36
Final Reading

Introduced by Harms, 48.

Read first time January 06, 2011

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to public water supplies; to amend section
2 71-3305, Reissue Revised Statutes of Nebraska; to provide
3 for a vote on adding fluoride to the public water supply
4 in certain cities and villages; to harmonize provisions;
5 and to repeal the original section.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-3305, Reissue Revised Statutes of
2 Nebraska, is amended to read:

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

11 ~~(2) In any city or village which is required to add~~
12 ~~fluoride to its water supply under subsection~~ Subsection (1) of this
13 section and in which fluoride is not added to such water supply as of
14 ~~January 1, 2008,~~ does not apply if the voters of the city or village
15 ~~may adopt~~ adopted an ordinance, after April 18, 2008, but before June
16 1, 2010, to prohibit the addition of fluoride to such water supply.
17 ~~The ordinance may be placed on the ballot by a majority vote of the~~
18 ~~governing body of the city or village or by initiative pursuant to~~
19 ~~sections 18-2501 to 18-2538.~~

20 (3) If any city or village reaches a population of one
21 thousand or more inhabitants after June 1, 2010, and is required to
22 add fluoride to its water supply under subsection (1) of this
23 section, the city or village may adopt an ordinance to prohibit the
24 addition of fluoride to such water supply. The ordinance may be
25 placed on the ballot by a majority vote of the governing body of the

1 city or village or by initiative pursuant to sections 18-2501 to
2 18-2538. Such proposed ordinance shall be voted upon at the next
3 statewide general election after the population of the city or
4 village reaches one thousand or more inhabitants.

5 ~~(3)~~(4) Any rural water district organized under sections
6 46-1001 to 46-1020 that supplies water for human consumption to any
7 city or village which is required to add fluoride to such water
8 supply under this section shall not be responsible for any costs,
9 equipment, testing, or maintenance related to such fluoridation
10 unless such district has agreed with the city or village to assume
11 such responsibilities.

12 Sec. 2. Original section 71-3305, Reissue Revised
13 Statutes of Nebraska, is repealed.