

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
104th LEGISLATURE

HOUSE AMENDMENT "A " to S. P. 475, L. D. 1553, Bill, "AN ACT  
to Require Fluoridation of Water Supplies Used for Public Purposes."

Amend said Bill by striking out everything after the enacting  
clause and inserting in place thereof the following:

'Sec. 1. R. S., T. 22, §2435, repealed and replaced. Section 2435  
of Title 22 of the Revised Statutes is repealed and the following  
enacted in place thereof:

§2435. --authorization

Any person, firm, corporation, municipality or other agency having  
jurisdiction over a water supply system used for public purposes as  
defined by the Commissioner of Health and Welfare, whether publicly  
or privately owned or operated, shall adjust the quantities of fluoride  
ion in the said water system so as to maintain a fluoride ion content as  
required and ordered by the Commissioner of Health and Welfare. The  
maintenance of this fluoride ion content will be referred to as  
fluoridation. Bottled waters shall not be considered to be used for  
public purposes.

The Commissioner of Health and Welfare shall promulgate necessary  
rules and regulations relating to the fluoridation of said water supplies  
which shall include, but not be limited to, the following: The means by  
which the fluoride content is to be controlled; the equipment, installations

*(Filing No. H-418)*

(Over)

and procedures by which fluoridation is to be accomplished and conducted;  
the methods and frequency of testing the fluoride content and the records  
to be kept relating to fluoridation. The commissioner shall order the  
fluoridation of all water systems supplying municipalities not later  
than January 1, 1972 but shall not order such fluoridation before January  
1, 1971. Said orders shall specify the date on which fluoridation is to  
be in effect in each instance, and said order shall also provide at least  
6 months' notice of said date of effectiveness.

The Commissioner of Health and Welfare shall not require the  
fluoridation of a public water supply where such public water supply  
in the state of nature contains a quantity of fluoride ion sufficient  
to conform with the fluoride ion contents as required and ordered by  
the Commissioner of Health and Welfare.

No public water supply system serving under 2,000 customers shall  
be required to adjust the quantities of fluoride ion in its water  
system so as to maintain a fluoride ion content as required and ordered  
by the Commissioner of Health and Welfare if the commissioner shall  
determine that it would not be economically feasible to install and  
maintain fluoridation equipment because of the size of the water supply  
system.

Nothing in this section shall be construed to require the fluoridation  
of a private water system serving less than 5 households, nor shall  
anything in this section be construed to require the fluoridation of  
water supplies sold by bottle or similar container.

Sec. 2. R. S., T. 22, §2435-A, additional. Title 22 of the  
Revised Statutes is amended by adding a new section 2435-A, to read  
as follows:

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§2435-A. Vote on fluoridation

In municipalities which have not voted on the question of fluoridation within 5 years immediately preceding the effective date of this Act fluoridation shall be authorized by a majority vote of the legal voters voting at a regular city election or town meeting. The ballot for each municipality affected shall carry the following question:

"Shall the public water supply in this municipality be fluoridated?"

If a majority of the votes cast in the municipality affected in answer to the question is in the negative, the public water supply for use in the municipality shall not be fluoridated.

If a majority of the votes cast in the municipality affected in answer to the question is in the affirmative, such public water supply shall be fluoridated and the Commissioner of Health and Welfare shall proceed to order the fluoridation of the water supply system.'

Filed by Mr. Vincent of Portland.

Reproduced and distributed under the direction of the Clerk of the House.

(Filing No. H-418)

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