

ASSEMBLY BILL NO. 689—COMMITTEE ON JUDICIARY

(ON BEHALF OF LEGISLATIVE COUNSEL)

MAY 20, 1999

Referred to Committee on Judiciary

SUMMARY—Amends Assembly Bill No. 284 and Senate Bill No. 471 of 1999 Legislative Session. (BDR S-1760)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~for omitted material~~ is material to be omitted.

AN ACT relating to legislative measures; amending Assembly Bill No. 284 of the 1999 Legislative Session to clarify that provisions apply to public water systems that serve a population of 100,000 or more, but only in a county whose population is 400,000 or more; amending Senate Bill No. 471 of the 1999 Legislative Session to delay the date upon which legislative measures of local governments must set forth certain disclosures regarding unfunded mandates; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Sections 3 and 4 of Assembly Bill No. 284 of this session are hereby amended to read as follows:

Sec. 3. 1. The state board of health shall adopt regulations requiring the fluoridation of each public water system that serves a population of 100,000 or more in a county whose population is 400,000 or more.

2. The regulations must include, without limitation:

(a) The minimum and maximum permissible concentrations of fluoride to be maintained in such public water systems, except that:

(1) The minimum permissible concentration of fluoride must not be less than 0.7 parts per million; and

1 (2) The maximum permissible concentration of fluoride
2 must not exceed 1.2 parts per million;

3 (b) The requirements and procedures for maintaining proper
4 concentrations of fluoride, including any necessary equipment,
5 testing, recordkeeping and reporting;

6 (c) Requirements for the addition of fluoride to such a public
7 water system if the natural concentration of fluorides in that
8 system is lower than the minimum permissible concentration
9 established pursuant to paragraph (a); and

10 (d) Criteria pursuant to which the state board of health may
11 exempt a public water system from the requirement of
12 fluoridation upon the request of the public water system.

13 3. The state board of health shall not require the fluoridation
14 of:

15 (a) The wells of a public water system if:

16 (1) The ground water production of the public water system
17 is less than 15 percent of the total average annual water
18 production of the system for the years in which drought
19 conditions are not prevalent; and

20 (2) The wells are part of a combined regional and local
21 system for the distribution of water that is served by a fluoridated
22 source.

23 (b) A public water system:

24 (1) During an emergency or period of routine maintenance,
25 if the wells of the system are exempt from fluoridation pursuant to
26 paragraph (a) and the supplier of water determines that it is
27 necessary to change the production of the system from surface
28 water to ground water because of an emergency or for purposes
29 of routine maintenance; or

30 (2) If the natural water supply of the system contains
31 fluoride in a concentration that is at least equal to the minimum
32 permissible concentration established pursuant to paragraph (a)
33 of subsection 2.

34 4. The state board of health may make an exception to the
35 minimum permissible concentration of fluoride to be maintained
36 in a public water system based on:

37 (a) The climate of the regulated area;

38 (b) The amount of processed water purchased by the residents
39 of the regulated area; and

40 (c) Any other factor that influences the amount of public water
41 that is consumed by the residents of the regulated area.

42 5. The health division of the department of human resources
43 shall make reasonable efforts to secure any available sources of

1 *financial support, including, without limitation, grants from the*
2 *Federal Government, for the enforcement of the standards*
3 *established pursuant to this section and any related capital*
4 *improvements.*

5 *6. A public water system may submit to the health division a*
6 *claim for payment of the initial costs of the public water system to*
7 *begin complying with the provisions of this section. The*
8 *administrator of the health division may approve such claims to*
9 *the extent of legislative appropriations and any other money*
10 *available for that purpose. Approved claims must be paid as other*
11 *claims against the state are paid. The ongoing operational*
12 *expenses of a public water system in complying with the*
13 *provisions of this section are not compensable pursuant to this*
14 *subsection.*

15 *7. As used in this section, "supplier of water" has the*
16 *meaning ascribed to it in NRS 445A.845.*

17 **Sec. 4.** NRS 445A.050 is hereby amended to read as follows:
18 445A.050 The provisions of NRS 445A.025 to ~~445A.045,~~
19 ~~445A.050,~~ inclusive, do not apply ~~to:~~

20 ~~1. To purveyors~~ to:

21 *1. A public water system that serves a population of 100,000*
22 *or more in a county whose population is 400,000 or more.*

23 *2. Purveyors* of bottled water who label their containers to
24 inform the purchaser that the naturally occurring fluoride
25 concentration of the water has been adjusted to recommended
26 levels.

27 ~~2. To any~~

28 *3. A* supplier of water who supplies water to less than 500
29 users.

30 **Sec. 2.** Section 3 of Senate Bill No. 471 of this session is hereby
31 repealed.

32 **Sec. 3.** This act becomes effective upon passage and approval.