

LEGISLATIVE BILL 245

Approved by the Governor April 21, 1975

Introduced by Dickinson, 31

AN ACT to amend section 71-3305, Revised Statutes Supplement, 1974, relating to public health and welfare; to provide when a fluoridation ordinance may not be adopted; to provide certain powers to contract for the sale and purchase of water; to provide certain uses of a water supply; to repeal the original section; and to declare an emergency.

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

Section 1. (1) A metropolitan utilities district may contract to sell water to a natural resources district at such rates, for such charges, and upon such other terms and conditions, as may be agreed upon in the contract.

(2) Such water shall be used by the natural resources district in a special improvement project supplying water for any beneficial use. With the consent of the metropolitan utilities district, such water may be used by the natural resources district in a special improvement project to supply the municipal waterworks and distribution system of a city of any class or village outside the boundaries of the metropolitan utilities district.

(3) Such municipalities are hereby empowered to contract with a natural resources district to purchase water, at such rates, for such charges, and upon such terms and conditions as may be agreed upon in the contract.

Sec. 2. That section 71-3305, Revised Statutes Supplement, 1974, be amended to read as follows:

71-3305. (1) Except as provided in subsection (2) of this section, any political subdivision as defined in section 23-2102, that provides the water supply of any city or village for human consumption shall add fluoride to such water supply in the amount and manner prescribed by the rules and regulations of the Department of Health.

(2) Fluoride shall not be added to the water supply of any city or village in which the voters have, after September 2, 1973, adopted an ordinance by initiative prohibiting the adding of fluoride to its

water supply. The procedure for the adoption of any such ordinance shall be that provided in Chapter 18, article 1, sections 19-427 to 19-430, or sections 19-638 to 19-644. No such ordinance may be adopted in a city or village receiving, or which has contracted to receive, its water supply, or any part thereof, from another political subdivision, or public or private entity, which adds fluoride to its water supply in compliance with subsection (1) of this section, or section 71-3306, or which has available only purchased fluoridated water with which to supply such city or village.

Sec. 3. That original section 71-3305, Revised Statutes Supplement, 1974, is repealed.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.