RELATING TO SAFE WATER.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that the practice of adding fluoridation chemicals to public drinking water is dangerous for many of the State's residents. The National Toxicology Program recently concluded that fluoride is a "presumed" neurotoxin. The National Research Council called fluoride an endocrine disruptor, and studies show that it lowers thyroid function, particularly in women. Fluoride has been linked to sleep apnea and kidney and liver impairment in adolescents. A large body of government-funded research has also associated fluoride neurotoxicity with lower IQs in children and with attention deficit hyperactivity disorder and related behaviors.

The legislature finds that bottle-fed infants are exposed to the highest doses of fluoride when fluoridated water is used to mix their formula. Studies show that up to fifty-nine percent of formula-fed babies exceed the upper safe limit set by the Institute of Medicine.
The legislature further finds that fluoridated water has largely been rejected as a preventative dental strategy. The Centers for Disease Control and Prevention have found that the primary dental benefits of fluoride are as a topical treatment. Accordingly, the purpose of this Act is to ensure safer water in the State by prohibiting all suppliers of public water from adding fluoridation chemicals.

SECTION 2. Section 340E-7, Hawaii Revised Statutes, is amended to read as follows:

"§340E-7 Prohibited acts. (a) No supplier of water shall violate any rule adopted pursuant to section 340E-2.

(b) No supplier of water shall violate any condition or provision of a variance, exemption, permit, or other written authorization issued under this part.

(c) No supplier of water shall violate any requirement of an emergency plan promulgated pursuant to section 340E-5.

(d) No supplier of water shall violate any rule adopted under section 340E-6 or disseminate any false or misleading information with respect to notices required pursuant to section 340E-6 or with respect to remedial actions undertaken to
achieve compliance with state primary drinking water
regulations.

(e) No person shall violate any order issued by the
director pursuant to this part.

(f) No person shall cause a public water system to violate
the state primary drinking water regulations.

(g) No person shall violate underground injection control
rules adopted pursuant to this part.

(h) No person shall fail or refuse to comply with the
director's authority to inspect the premises of a supplier of
water pursuant to section 340E-4.6.

(i) No person shall install or repair any public water
system or any plumbing in a residential or nonresidential
facility providing water for human consumption which is
connected to a public water system with any pipe, solder, flux,
plumbing fittings, or fixtures that are not lead free. "Lead
free" with respect to solders and flux means containing not more
than 0.2 per cent lead, with respect to pipes and pipe fittings
means containing not more than 8.0 per cent lead and with
respect to plumbing fittings and fixtures means those in
compliance with National Sanitation Foundation Standard 61,
section 9. This subsection shall not apply to leaded joints necessary for the repair of cast iron pipes.

(j) No person shall violate rules on public water system capacity adopted pursuant to this part.

(k) No person or supplier of water shall introduce fluoride to a public water system. Any statutes, executive orders, ordinances, regulations, or rules that regulate the use of fluoride in the State's public water systems are preempted and existing statutes, executive orders, ordinances, regulations, or rules conflicting with this subsection are void."

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY: ___________________________

RICHARD LINGAMANU

JAN 22 2020
Report Title:
Water; Public Water System; Fluoridation; Prohibition

Description:
Prohibits the introduction of fluoride to a public water system. Provides that any conflicting laws or rules are preempted.

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