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Substituted by the House as recommended by the committee on Bills in the Third Reading, and as amended by the House, for a bill with the same title (printed in House, No. 3902, App. B). June 12.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Sixty-Eight.

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AN ACT AUTHORIZING LOCAL HEALTH AUTHORITIES TO ORDER THE FLUORIDATION OF PUBLIC WATER SUPPLIES ON ADVICE OF THE COMMISSIONER OF PUBLIC HEALTH.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 111 of the General Laws is hereby  
2 amended by adding after section 5H the following sec-  
3 tion:—

4 *Section 5I.* The department in taking cognizance of dental  
5 health of the people in the commonwealth shall recommend  
6 such methods as in its opinion are advisable in reducing or  
7 limiting the prevalence of dental caries and other dental  
8 diseases and defects. If the commissioner determines that the  
9 fluoride content of the public water supply for domestic use  
10 in any city, town or district is not at optimum level for sound  
11 dental health, he shall so notify the local boards of health of  
12 his findings. Each such board of health, after making such  
13 inquiry and other use of the consulting services of the  
14 department or elsewhere as it chooses, shall, if it considers  
15 doing so in the best interest of the inhabitants of the city,  
16 town or district within its jurisdiction, order the upward  
17 adjustment of the fluoride content of the water supply  
18 available for domestic use in that city, town or district.

19 The provisions of this section shall not apply in those  
20 situations where two or more cities or towns are supplied  
21 water from the same source and such supply to each city or  
22 town cannot be treated independently and if the majority of

23 the boards of health representing such cities and towns have  
24 voted not to accept such recommendation, provided, how-  
25 ever, that any such city or town desiring to adjust upward  
26 the fluoride content of the water consumed within its own  
27 jurisdiction may comply with the order by the installation of  
28 proper equipment that will comply therewith and not inter-  
29 fere with the water supply of the other cities or towns.

1 SECTION 1A. In any city, town or district where the board  
2 of health has ordered the upward adjustment of the fluoride  
3 content of the water supply under the provisions of this  
4 section, upon petition of five per cent of the registered voters  
5 of said city, town or district, the following question shall be  
6 placed upon the official ballot to be used at the next regular  
7 municipal election or for the election of town officers at the  
8 next annual town meeting or meetings:—"Shall the fluorida-  
9 tion of the public water supply for domestic use in (this city)  
10 (this town) be continued?", or in such district the following  
11 question shall be placed before the next annual meeting of  
12 the inhabitants of the district:—"Shall the fluoridation of the  
13 public water supply for domestic use in this district be  
14 continued?" If the majority of votes in answer to said  
15 question is in the negative the fluoridation of the water  
16 supply of such city, town or district shall be discontinued.

1 SECTION 2. Sections forty-one B and forty-one C of chapter  
2 forty of the General Laws are hereby repealed.