



Initiative Measure 322

TO THE PEOPLE

Official Ballot Title:

Shall fluoridation of public water supplies be made unlawful and violations subject to criminal penalties?

The Law as it now exists:

State law presently neither requires nor prohibits the fluoridation of public water supplies. Whether or not to fluoridate any public water supplies is now a decision that is left entirely to local government, and to the voters of such local units of government as cities and water districts. When, however, a unit of local government, or the voters thereof, de-

cide to add fluoride into their public water supplies, they must meet state standards regulating the fluoridation of any such supplies adopted by the state Board of Health. Rules of the state Board of Health applicable to all water supplies, with the exception of those serving not more than one single family residence, now fix quantitative standards, require daily monitoring, and require that equipment installed to add fluoride to a water supply must be approved by the state Department of Social and Health Services prior to being placed into operation.

The effect of Initiative 322, if approved into Law:

This initiative, if approved by the voters, would prohibit either the state or any local government (or the voters thereof) from fluoridating any water supplies used for human consumption or domestic purposes, whether publicly or privately operated, except for water supplies serving not more than one single family residence and water supplied in individual containers. The initiative further provides that any person violating the act shall be subject to criminal sanctions of a fine of not more than \$10,000 plus the costs of prosecution or one year in the county jail, or both, as well as to civil causes of action.

NOTE: The ballot title and explanatory statement were written by the Attorney General as required by state law. The complete text of Initiative Measure 322 appears to the right.

Statement for

Here's What the Experts are Saying:

"... 20,000 to 30,000 EXCESS CANCER DEATHS PER YEAR OCCUR IN U. S. COMMUNITIES EXPOSED TO ARTIFICIALLY FLUORIDATED WATERS." John Yiamouyiannis, Ph.D.; and Dean Burk, Ph.D., retired, U. S. National Cancer Institute (1939-1974). From Federation Proceedings of the American Society of Biological Chemists, 5/15/76.

"ON JULY 21, I RECOMMENDED THE IMMEDIATE SUSPENSION OF ALL ARTIFICIAL FLUORIDATION PENDING FURTHER RESEARCH INTO ITS CARCINOGENICITY (cancer causing abilities). THE SHODDY HANDLING OF THIS ENTIRE MATTER BY THE NATIONAL CANCER INSTITUTE IS PRESENTLY BEFORE TWO SUBCOMMITTEES OF THE HOUSE OF REPRESENTATIVES..." U. S. Congressman James Delaney, Congressional Record, 12/16/75, H12731.

"... FLUORIDATION CREATES AN UNTENABLE SITUATION FOR THOSE INDIVIDUALS WHO ARE INTOLERANT TO FLUORIDES... QUOTE ME AS AGAINST UNIVERSAL FLUORIDATION OF THE WATER SUPPLY." Ben F. Feingold, M.D., Chief Emeritus, Department of Allergy, Kaiser Permanente Medical Center, San Francisco, 6/7/76.

STUDIES INDICATE THAT FLUOSILICIC ACID (FLUORIDATION) INCREASES THE RATE OF PLUMBING CORROSION BY UP TO 150 PERCENT. Kennedy Engineers study 1.3/4 of 7/29/76 for the Seattle Water Department.

Don't Be Confused:

A "yes" vote on Initiative 322 will preserve the civil rights of the people of Washington, allowing them to decide on an INDIVIDUAL LEVEL whether or not they wish to use fluoride.

Keep life-sustaining water free of questionable substances such as fluoride.

Vote "YES" on Initiative 322 and STOP FLUORIDATION.

Rebuttal of Statement against

Public officials have misrepresented the facts concerning fluoridation for over 30 years.

No double-blind studies showing fluoridation effective have ever been performed—Dr. Edward Groth, California Institute of Technology.

Controlling the fluoride level or dosage in water accurately is impossible.

1976 research refutes claims that fluoridation benefits bones.

No community has a fundamental right to force any citizen to take a controversial, potentially harmful drug against his/her will or religious belief.

Vote **Yes 322**.

Voters' Pamphlet Statement Prepared by:

JOHN A. YIAMOUIYIANNIS, Ph.D., Science Director of the National Health Federation, Monrovia, California; JOHN REMINGTON GRAHAM, Esq., Associate Professor of Law, Hamline University Law School, St. Paul, Minnesota; JAMES BUCKNER, D.D.S., Puyallup, Washington.

Advisory Committee:

G. CLIFF ARMSTRONG, JR., Esq., Bellevue, Washington; JEFFREY BLAND, Ph.D., Associate Professor of Chemistry and Environmental Sciences, University of Puget Sound, Tacoma, Washington; D. C. GALYEAN, D.C., N.D., Seattle, Washington; ERNEST T. RHODEFER, D.V.M., Issaquah, Washington; JONATHAN WRIGHT, M.D., Kent, Washington.

Statement against

There is overwhelming evidence that controlled water fluoridation is a safe, economical and effective way to prevent decay and is beneficial for both children and adults. Furthermore, research has provided evidence that fluoride may be helpful in preventing or alleviating bone disease, particularly in our aging population.

Few health measures have been given greater study than the fluoridation of public water supplies. There have been no proven negative effects of controlled water fluoridation. People living in areas with water fluoridation have up to 65% less decay than people living in areas without fluoridation. In Seattle, since 1969 when the citizens voted for controlled water fluoridation, there has been a 42% reduction of decay in elementary school children and a 3-fold increase in the number of school children with perfect teeth. In communities with controlled water fluoridation, dental costs for children have been reduced more than 50%. Controlled water fluoridation has been endorsed or supported by such organizations as the National Institutes of Health, National Cancer Institute, Public Health Service, American Medical Association, American Dental Association, National Kidney Foundation, American Academy of Allergy, Environmental Protection Agency, American Waterworks Association, Mayo Clinic, American Legion, AFL-CIO and the Parent Teachers Association.

This referendum actually removes the fundamental right of your community to make its own decision about the health care of its citizens. The right to decide whether you wish your water supply fluoridated would be made illegal if this referendum passes.

Rebuttal of Statement for

100,000,000 Americans live in communities with water fluoridation and many have for generations.

THERE HAVE BEEN NO HARMFUL EFFECTS AS A RESULT OF FLUORIDATION.

The dental health of people in fluoridated areas has proven to be significantly better than people in non-fluoridated areas. Your right and that of your community to decide what kind of dental health you want is at stake. Preserve your freedom of choice. Vote NO on Initiative 322.

Voters' Pamphlet Statement Prepared by:

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COMPLETE TEXT OF Initiative Measure 322

AN ACT Relating to the fluoridation of public water supplies; adding a new chapter to Title 70 RCW; prescribing penalties; and making an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON: NEW SECTION. Section 1. FLUORIDATION OF PUBLIC WATER SUPPLIES PROHIBITED—PURPOSE. The purpose of this act is to make unlawful the fluoridation of any public water supply in the state of Washington.

NEW SECTION. Sec. 2. FLUORIDATION OF PUBLIC WATER SUPPLIES PROHIBITED. On the sixtieth day following the effective date of this act and thereafter it shall be unlawful for any purveyor, any party or the board to fluoridate or cause the fluoridation of any public water supply in the state of Washington, whether or not such water supply was fluoridated prior to the effective date of this act.

This act shall be deemed to supersede and invalidate any ordinance, law, regulation or other legislative or administrative enactment authorizing fluoridation of a public water supply or conflicting in any other way with the provisions of this act.

NEW SECTION. Sec. 3. FLUORIDATION OF PUBLIC WATER SUPPLIES PROHIBITED—DEFINITIONS. Unless the context clearly requires otherwise, the definitions contained in this section shall apply throughout sections 1 through 7 of this act.

(1) "Fluoridation" means the intentional addition to a public water supply of any fluoride or fluorine-containing compounds or the intentional increasing or adjusting upward by any means of the fluoride ion content of or concentration of fluoride in a public water supply.

(2) "Public water supply" means any water or waters in the state of Washington which are or may be used or distributed for human consumption or other domestic purposes whether the ownership of or water rights to or permits to appropriate for or facilities and premises associated therewith are publicly or privately held, leased, managed, operated or otherwise controlled; except that any water supply serving not more than one single family residence shall be excluded from this definition and the provisions of sections 1 through 7 of this act; and except that water distributed in individual containers shall be excluded from this definition and the provisions of sections 1 through 7 of this act.

(3) "Party" means one or more persons or any agency or division of the state of Washington or any county, city, town, governmental subdivision, public utility district, water district, water company or any public or private corporation, association, institution, board, partnership, or any combination of the foregoing or any other public or private entity or the agents or employees thereof.

(4) "Purveyor" means any party owning, holding rights to or permits for appropriation of, operating or otherwise controlling a public water supply or the agents or employees thereof.

(5) "Board" means the state board of health. NEW SECTION. Sec. 4. FLUORIDATION OF PUBLIC WATER SUPPLIES PROHIBITED—ADMINISTRATIVE AGENCY. The state board of health is designated as the administrative agency for the purpose of administering and implementing the provisions of this act. The board may adopt rules pursuant to the Administrative Procedure Act chapter 34.04 RCW to carry out the provisions of this act.

NEW SECTION. Sec. 5. FLUORIDATION OF PUBLIC WATER SUPPLIES PROHIBITED—RIGHT TO A CIVIL CAUSE OF ACTION. Any party shall have a civil cause of action against any purveyor, any party or the board for violation of or failure to comply with or negligence regarding any provision of this act.

NEW SECTION. Sec. 6. FLUORIDATION OF PUBLIC WATER SUPPLIES PROHIBITED—PENALTY. Any purveyor, any party or the board if found in violation of any of the provisions of this act shall be guilty of a crime and upon conviction thereof shall be punished by a fine of not more than ten thousand dollars and the costs of prosecution, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment. For each day upon which a willful violation of any of the provisions of this act occurs or continues the offender shall be deemed guilty of a separate and additional violation.

NEW SECTION. Sec. 7. SEVERABILITY. If any provision of this act, or its application to any party or circumstance is held invalid, the remainder of the act, or the application of the provision to other parties or circumstances is not affected.

NEW SECTION. Sec. 8. SECTION HEADINGS. The section headings used in this act are for organizational purposes only and shall not constitute any part of the law.

NEW SECTION. Sec. 9. RCW PLACEMENT. Sections 1 through 7 of this act shall constitute a new chapter in Title 70 RCW.