

Supreme Court eyes Port Angeles fluoride initiatives

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PORT ANGELES -- The long debate over whether Port Angeles residents should be able to vote on fluoride in their drinking water -- an additive first used in 2006 -- is being decided by the state Supreme Court.

The justices, meeting last week in Skagit County, heard arguments for and against two 2006 petitions filed to put the question on the ballot.

Saying that the City Council decision was administrative rather than legislative in nature, the council spurned the petitions, prompting fluoride opponents' court actions.

Acting on the urging of the city's dentists, City Hall began adding between 0.7 parts per million and 1.2 parts per million of fluoride to drinking water in May 2006.

Dentists said the compound in the water prevents tooth decay, especially in children.

But the opponents said the additive constitutes nothing more than a "drug" and threatens water users who have medical sensitivities to the compound.

Last April, the state Supreme Court announced that it would review two lower court decisions that threw out the two initiatives, which were submitted with about 4,250 signatures.

The environmental group Protect the Peninsula's Future sought the high court review.

The nine justices on the state's highest court heard oral arguments in the case of City of Port Angeles v. Our Water-Our Choice on Feb. 23 at Skagit Valley College in one of their regular sessions outside of Olympia.

No further arguments will be made before the court renders its ruling.

Bill Bloor, city attorney, said he expects a decision in about three months.

Attorney Gerald Steel of Olympia -- who represents the anti-fluoride groups Our Water-Our Choice!, Protect our Waters and Protect the Peninsula's Future -- could not be reached for comment Monday.

Steel argued in court that the citizens of Port Angeles should have the right to bring an initiative on the ballot against the fluoridation of their water, the Skagit Valley Herald reported.

A Kitsap County Superior Court judge and the state Court of Appeals earlier ruled the proposed initiatives ineligible to be placed on the city ballot because they dealt with administrative instead of legislative matters.

"The city's position hasn't changed," Bloor said. "This case has to do with the extent, or the scope, of the initiative power and cities."

The court is expected to decide whether local initiatives are subject to pre-election review.

State initiative measures are not subject to such reviews.

Fluoridation in Port Angeles was the result of a March 2005 contract signed with the Washington Dental Service Foundation.

The city used a \$260,000 grant from the Washington Dental Service Foundation to help pay for the fluoridation system. Fluoridation costs the city about \$10,000 annually.