

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

HOUSE BILL 1583

5 By: Representatives Bradford, Biggs, Cleveland, Milligan
6
7

For An Act To Be Entitled

9 AN ACT TO CREATE A CHILD HEALTH ADVISORY
10 COMMITTEE; TO COORDINATE STATEWIDE EFFORTS TO
11 COMBAT CHILDHOOD OBESITY AND RELATED ILLNESSES;
12 TO IMPROVE THE HEALTH OF THE NEXT GENERATION OF
13 ARKANSANS; AND FOR OTHER PURPOSES.
14

Subtitle

15 AN ACT TO CREATE A CHILD HEALTH ADVISORY
16 COMMITTEE.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code Title 20, Chapter 7, Subchapter 1 is amended
23 to add three (3) additional sections to read as follows:

24 6-7-117. Committee - Creation.

25 (a) There is created a Child Health Advisory Committee to consist of
26 fourteen (14) members.

27 (b)(1) The Director of the Department of Health shall appoint:

28 (A) One (1) member to represent the Department of Health;

29 (B) One (1) member to represent the Arkansas Dietetic
30 Association;

31 (C) One (1) member to represent the Arkansas Academy of
32 Pediatrics;

33 (D) One (1) member to represent the Arkansas Academy of
34 Family Practice;

35 (E) One (1) member to represent the Arkansas Association
36 for Health, Physical Education, Recreation, and Dance;



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1 (F) One (1) member to represent jointly the Arkansas Heart
 2 Association, the American Cancer Society, and the American Lung Association;

3 (G) One (1) member to represent the Arkansas School of
 4 Public Health of the University of Arkansas for Medical Sciences;

5 (H) One (1) member to represent the Arkansas Center for
 6 Health Improvement; and

7 (I) One (1) member to represent the Arkansas Advocates for
 8 Children and Family.

9 (2) The Director of the Department of Education shall appoint:

10 (A) One (1) member to represent the Department of
 11 Education;

12 (B) One (1) member to represent the Arkansas School Food
 13 Service Association;

14 (C) One (1) member to represent the Arkansas School Nurses
 15 Association;

16 (D) One (1) member to represent the Arkansas Association
 17 of Education Administrators; and

18 (E) One (1) member to represent the Arkansas Parent
 19 Teacher Association.

20 (c) Terms of committee members shall be three (3) years except for the
 21 initial members whose terms shall be determined by lot so as to stagger terms
 22 to equalize as nearly as possible the number of members to be appointed each
 23 year.

24 (d) If a vacancy occurs, the officer who made the original appointment
 25 shall appoint a person who represents the same constituency as the member
 26 being replaced.

27 (e) The committee shall elect one (1) of its members to act as chair
 28 for a term of one (1) year.

29 (f) A majority of the members shall constitute a quorum for the
 30 transaction of business.

31 (g) The committee shall meet at least monthly.

32 (h) The Department of Health shall provide office space and staff for
 33 the committee.

34 (i) Members of the committee shall serve without pay but may receive
 35 expense reimbursement in accordance with § 25-16-902, if funds are available.

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1 6-7-118. Powers and duties.

2 (a) The Child Health Advisory Committee shall meet at least once per
 3 month and make recommendations to the State Board of Education and the State
 4 Board of Health consistent with the intent and purpose of §§ 6-7-117 through
 5 6-7-119.

6 (b) The Committee shall develop nutrition and physical activity
 7 standards and policy recommendations with consideration of the following:

8 (1) Foods sold individually in school cafeterias but outside the
 9 regulated National School Lunch Program;

10 (2) Competitive foods as defined by the United States Department
 11 of Agriculture, as in existence on January 1, 2003, and offered at schools
 12 typically through vending machines, student stores, school fundraisers, food
 13 carts, or food concessions;

14 (3) The continuing professional development of food service
 15 staff;

16 (4) The expenditure of funds derived from competitive food and
 17 beverage contracts;

18 (5) Physical education and activity;

19 (6) Systems to ensure the implementation of nutrition and
 20 physical activity standards; and

21 (7) The monitoring and evaluating or results and reporting of
 22 outcomes.

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 24 6-17-119. Nutrition and physical activity standards - Implementation.

25 (a) The State Board of Education, after having consulted the committee
 26 and the State Board of Health, shall promulgate appropriate rules and
 27 regulations to ensure that nutrition and physical activity standards are
 28 implemented to provide students with the skills, opportunities, and
 29 encouragement to adopt healthy lifestyles.

30 (b) Beginning with the 2003-2004 school year, the Department of
 31 Health, in consultation with the Department of Education, shall:

32 (1) Employ one (1) person as community health promotion
 33 specialist to support schools and communities in nutrition and physical
 34 activity in:

35 (A) Fifteen (15) distinct geographical areas of the state
 36 as defined by the State Board of Education; and

1 (B) Pulaski County; and

2 (2) Employ one (1) statewide health promotion consultant to be
3 housed within the Department of Education.

4 (d) Beginning with the 2003-2004 school year, every school district
5 shall:

6 (1) Prohibit, for elementary school students, in-school access
7 to vending machines offering food and beverages;

8 (2) Prohibit, for intermediate and secondary school students,
9 in-school access to vending machines, school stores, and fundraising events
10 offering food and beverages until one half (1/2) hour after the last lunch
11 period each day;

12 (3) Ensure in-school seated time during meals of:

13 (A) Fifteen (15) minutes from the time the last student is
14 served breakfast; and

15 (B) Twenty (20) minutes from the time the last student is
16 served lunch;

17 (4) Require elementary schools to schedule recess before the
18 lunch period;

19 (5) Require elementary, intermediate, and secondary schools to
20 furnish to the Department of Education copies of all existing, new, and
21 amended competitive food and beverage contracts that include projected
22 expenditures;

23 (6) Require any new or amended competitive contract initiated by
24 an elementary, intermediate, or secondary school during or after the 2003-
25 2004 school year to:

26 (A) Be renegotiated after two (2) years;

27 (B) Comply with the requirements of this section;

28 (C) Limit carbonated beverages in vending machines, school
29 stores and fundraising events, to fifty percent (50%) of the stock, the
30 remaining fifty percent (50%) to include:

31 (i) Milk with one percent (1%) fat or less;

32 (ii) One hundred percent (100%) fruit juices, or
33 fruit-based drinks composed of no less than fifty (50%) percent fruit juice
34 with no added sweeteners; and

35 (iii) Plain water, unflavored, unsweetened, and with
36 no herbal additives; and

1 (D) Ensure that plain water, that is unflavored,
 2 unsweetened, and with no herbal additive, is available at each location where
 3 carbonated beverages are sold from vending machines, school stores, and
 4 fundraising events; and

5 (8) Require schools to include as part of the annual report to
 6 parents and the community the amounts and specific sources of funds received
 7 and expenditures made from competitive food and beverage contracts.

8 (e) Beginning with the 2004-2005 school year, the Department of
 9 Education shall:

10 (1) Begin the implementation of standards developed by the
 11 committee and approved by the Department of Education; and

12 (2) Annually monitor and evaluate the implementation and
 13 effectiveness of the nutrition and physical education standards.

14 (f) Beginning with the 2004-2005 school year, every school district
 15 shall:

16 (1) Convene a school nutrition and physical activity advisory
 17 committee that shall include members from school district governing boards,
 18 school administrators, food service personnel, teacher organizations,
 19 parents, students, and professional groups such as nurses and community
 20 members, to:

21 (A) Help raise awareness of the importance of nutrition
 22 and physical activity; and

23 (B) Assist in the development of local policies that
 24 address issues and goals, including, but not limited to, the following:

25 (i) Assisting with the implementation of nutrition
 26 and physical activity standards developed by the committee with the approval
 27 of the Department of Education and the State Board of Health;

28 (ii) Integrating nutrition and physical activity
 29 into the overall curriculum;

30 (iii) Ensuring that professional development for
 31 staff includes nutrition and physical activity issues;

32 (iv) Ensuring that students receive nutrition
 33 education and engage in healthful levels of vigorous physical activity;

34 (v) Improving the quality of physical education
 35 curricula and increasing training of physical education teachers;

36 (vi) Enforcing existing physical education

1 requirements; and

2 (vii) Pursuing contracts that both encourage healthy
3 eating by students and reduce school dependence on profits from the sale of
4 unhealthy foods;

5 (2) Begin the implementation of standards developed by the
6 committee with the approval of the Department of Education and the State
7 Board of Health; and

8 (3) Require that goals and objectives for nutrition and physical
9 activity be incorporated into the annual school planning and reporting
10 process.

11 (g) The Department of Education and the Department of Health shall
12 report annually on progress in implementing nutrition and physical education
13 standards to the cochairs of the House and Senate Interim Committees on
14 Public Health, Welfare, and Labor.

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