

HOUSE BILL NO. 728

INTRODUCED BY REAM, WATERMAN, S. RICE,
FRITZ, J. BROWN, SQUIRES, WANZENRIED, RUSSELL, COCCHIARELLA,
DARKO, BARNHART, WYATT, BROOKE, HANSEN, STRIZICH, ELLIOTT,
SCHYE, FRANKLIN, DRISCOLL, HARRINGTON, NISBET, O'KEEFE,
BECKER, WILLIAMS, KOEHNKE, ECK

IN THE HOUSE

FEBRUARY 9, 1991 INTRODUCED AND REFERRED TO COMMITTEE
 ON HUMAN SERVICES & AGING.

FEBRUARY 11, 1991 FIRST READING.

FEBRUARY 20, 1991 ON MOTION, ADDITIONAL SPONSORS ADDED.

MARCH 9, 1991 COMMITTEE RECOMMEND BILL
 DO PASS AS AMENDED. REPORT ADOPTED.

MARCH 11, 1991 PRINTING REPORT.

 ON MOTION, TAKEN FROM SECOND READING
 AND REREFERRED TO THE COMMITTEE
 ON APPROPRIATIONS.

MARCH 25, 1991 COMMITTEE RECOMMEND BILL
 DO PASS AS AMENDED. REPORT ADOPTED.

MARCH 26, 1991 PRINTING REPORT.

MARCH 27, 1991 SECOND READING, DO PASS.

MARCH 28, 1991 ENGROSSING REPORT.

 THIRD READING, PASSED.
 AYES, 94; NOES, 5.

 TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 28, 1991 INTRODUCED AND REFERRED TO COMMITTEE
 ON FINANCE & CLAIMS.

 FIRST READING.

APRIL 10, 1991 COMMITTEE RECOMMEND BILL BE
 CONCURRED IN. REPORT ADOPTED.

APRIL 11, 1991 SECOND READING, CONCURRED IN.

APRIL 12, 1991

THIRD READING, CONCURRED IN.
AYES, 44; NOES, 5.

RETURNED TO HOUSE.

IN THE HOUSE

APRIL 13, 1991

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 HOUSE BILL NO. 728
 2 INTRODUCED BY Beau
 3 Michael B. Baumgart
 4 Michael B. Baumgart
 5 ACCESSIBILITY TO FOOD PROGRAMS AND NUTRITIONAL SERVICES;
 6 ESTABLISHING A STATE ADVISORY COUNCIL ON FOOD AND NUTRITION;
 7 CREATING THE POSITION OF PUBLIC HEALTH NUTRITIONIST;
 8 MANDATING THE EXTENSION OF THE WIC PROGRAM TO EVERY COUNTY;
 9 APPROPRIATING MONEY TO THE DEPARTMENT OF HEALTH AND
 10 ENVIRONMENTAL SCIENCES AND THE OFFICE OF PUBLIC INSTRUCTION
 11 FOR FOOD PROGRAMS AND NUTRITIONAL SERVICES; AND PROVIDING AN
 12 EFFECTIVE DATE."

14 WHEREAS, many Montana households are experiencing hunger
 15 and are not participating in food programs; and

16 WHEREAS, food programs are not available in all parts of
 17 the state or in all public schools; and

18 WHEREAS, the state of Montana has no mechanism to
 19 coordinate food programs to assure the most effective and
 20 efficient use of food programs; and

21 WHEREAS, nutrition education and monitoring are not
 22 generally available, and they are valuable services to
 23 improve health and prevent chronic diseases.

25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

1 NEW SECTION. Section 1. Purpose. It is the policy of
 2 the state of Montana that all citizens should have access to
 3 food programs and nutrition services to prevent any needy
 4 citizen from experiencing hunger and poor nutrition and
 5 their impact on physical and mental health.

6 NEW SECTION. Section 2. Short title. This act may be
 7 cited as the "Montana Access to Food and Nutrition Act".

8 NEW SECTION. Section 3. Definitions. For purposes of
 9 [sections 1 through 3 and 5 through 9], unless the context
 10 requires otherwise, the following definitions apply:

11 (1) "Council" means the state advisory council on food
 12 and nutrition established in [section 4].

13 (2) "Department" means the department of health and
 14 environmental sciences as provided in 2-15-2101.

15 (3) "Food programs and nutrition services" means public
 16 or private programs to provide food and nutrition assistance
 17 to persons who have need. The term includes but is not
 18 limited to the food stamp program, food programs for the
 19 elderly, and supplemental food programs for women, infants,
 20 and children.

21 NEW SECTION. Section 4. State advisory council on food
 22 and nutrition. (1) There is a state advisory council on food
 23 and nutrition.

24 (2) The council is composed of seven members appointed
 25 by the governor as follows:

INTRODUCED BILL
 HB 728



1 (a) one person from the department of social and
2 rehabilitation services who supervises or administers
3 services under the food stamp program;

4 (b) one person from the department of health and
5 environmental sciences who supervises or administers
6 supplemental food programs for women, infants, and children;

7 (c) one person from the office of public instruction
8 who is responsible for administration of school food
9 programs under the National School Lunch Act;

10 (d) one person from a statewide organization active in
11 food, nutrition, and hunger issues;

12 (e) one person representing local food bank programs;

13 (f) one person from among local, private operators of
14 food and nutrition programs for the elderly; and

15 (g) one person representing the general public who is
16 knowledgeable and active in food, nutrition, and hunger
17 issues.

18 (3) The council is allocated to the department of
19 health and environmental sciences for administrative
20 purposes only as provided in 2-15-121.

21 (4) The provisions of 2-15-122(5) through (8) apply to
22 the council and its members.

23 NEW SECTION. Section 5. Terms -- vacancies. (1)
24 Members of the council shall serve staggered terms of 3
25 years.

1 (2) A vacancy on the council must be filled in the same
2 manner as the original appointment.

3 NEW SECTION. Section 6. Powers and duties. The duties
4 of the council are to:

5 (1) advise all state agencies on policies to coordinate
6 the operation of public and private food assistance
7 programs;

8 (2) annually report to the governor on the state of
9 access to food and nutrition in Montana;

10 (3) provide a forum for review and discussion of state
11 policies affecting hunger, food programs, and the status of
12 nutrition for the population at risk;

13 (4) promote food assistance programs within the private
14 and agricultural sectors of Montana's economy;

15 (5) recognize public and private acts and individuals
16 who significantly contribute to the reduction of hunger in
17 Montana; and

18 (6) educate the public as to problems and needs of
19 hungry citizens.

20 NEW SECTION. Section 7. Gifts and grants. The council
21 may accept contributions, gifts, and grants to fund its
22 activities.

23 NEW SECTION. Section 8. Public health nutritionist --
24 appointment and duties. The director of the department shall
25 appoint a registered dietician as a public health

1 nutritionist. The public health nutritionist shall:

2 (1) establish a program of public education and
3 technical assistance for programs that provide food
4 assistance;

5 (2) provide staff assistance to the council;

6 (3) provide technical assistance to the governor's
7 advisory council on aging; and

8 (4) provide technical assistance to health care and
9 public health agencies.

10 NEW SECTION. Section 9. Women, infants and children
11 food supplement program to be available in all counties. The
12 women, infants and children (WIC) food supplement program,
13 authorized in 42 U.S.C. 1786 and administered by the
14 department, must be made available in every county in the
15 state.

16 NEW SECTION. Section 10. Appropriations. (1) There is
17 appropriated from the general fund to the office of public
18 instruction \$10,000 for the biennium ending June 30, 1993,
19 to promote the school food programs with nonparticipating
20 schools.

21 (2) There is appropriated from the general fund to the
22 department of health and environmental sciences \$115,075 for
23 the fiscal year beginning July 1, 1991, and \$110,882 for the
24 fiscal year beginning July 1, 1992, to fund the expansion of
25 the WIC program and to fund the position of public health

1 nutritionist.

2 (3) There is appropriated from the federal special
3 revenue fund to the department of health and environmental
4 sciences \$7,000 for the biennium ending June 30, 1993, to
5 fund the state advisory council on food and nutrition.

6 NEW SECTION. Section 11. Effective date. [This act] is
7 effective July 1, 1991.

-End-

APPROVED BY COMM. ON HUMAN SERVICES AND AGING

HOUSE BILL NO. 728

INTRODUCED BY REAM, WATERMAN, S. RICE,

FRITZ, J. BROWN, SQUIRES, WANZENRIED, RUSSELL, COCCHIARELLA,

DARKO, BARNHART, WYATT, BROOKE, HANSEN, STRIZICH, ELLIOTT,

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BECKER, WILLIAMS, KOEHNKE, ECK

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR ACCESSIBILITY TO FOOD PROGRAMS AND NUTRITIONAL SERVICES; ESTABLISHING A STATE ADVISORY COUNCIL ON FOOD AND NUTRITION; CREATING THE POSITION OF PUBLIC HEALTH NUTRITIONIST; MANDATING THE EXTENSION OF THE WIC PROGRAM TO EVERY COUNTY; APPROPRIATING MONEY TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES AND THE OFFICE OF PUBLIC INSTRUCTION FOR FOOD PROGRAMS AND NUTRITIONAL SERVICES; AND PROVIDING AN EFFECTIVE DATE."

WHEREAS, many Montana households are experiencing hunger and are not participating in food programs; and

WHEREAS, food programs are not available in all parts of the state or in all public schools; and

WHEREAS, the state of Montana has no mechanism to coordinate food programs to assure the most effective and efficient use of food programs; and

WHEREAS, nutrition education and monitoring are not

generally available, and they are valuable services to improve health and prevent chronic diseases.

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

NEW SECTION. Section 1. Purpose. It is the policy of the state of Montana that all citizens should have access to food programs and nutrition services to prevent any needy citizen from experiencing hunger and poor nutrition and their impact on physical and mental health.

NEW SECTION. Section 2. Short title. This act may be cited as the "Montana Access to Food and Nutrition Act".

NEW SECTION. Section 3. Definitions. For purposes of [sections 1 through 3 and 5 through 9], unless the context requires otherwise, the following definitions apply:

(1) "Council" means the state advisory council on food and nutrition established in [section 4].

(2) "Department" means the department of health and environmental sciences as provided in 2-15-2101.

(3) "Food programs and nutrition services" means public or private programs to provide food and nutrition assistance to persons who have need. The term includes but is not limited to the food stamp program, food programs for the elderly, and supplemental food programs for women, infants, and children.

NEW SECTION. Section 4. State advisory council on food



1 and nutrition. (1) There is a state advisory council on food
2 and nutrition.

3 (2) The council is composed of ~~seven~~ ELEVEN members
4 appointed by the governor as follows:

5 (a) one person from the department of social and
6 rehabilitation services who supervises or administers
7 services under the food stamp program;

8 (b) one person from the department of health and
9 environmental sciences who supervises or administers
10 supplemental food programs for women, infants, and children;

11 (c) one person from the office of public instruction
12 who is responsible for administration of school food
13 programs under the National School Lunch Act;

14 (d) one person from a statewide organization active in
15 food, nutrition, and hunger issues;

16 (e) one person representing local food bank programs;

17 (f) one person from among local, private operators of
18 food and nutrition programs for the elderly; and

19 (g) one person representing the general public who is
20 knowledgeable and active in food, nutrition, and hunger
21 issues-i

22 (H) ONE PERSON WHO IS AN AGENT IN THE MONTANA
23 COOPERATIVE EXTENSION SERVICE;

24 (I) ONE NATIVE AMERICAN; AND

25 (J) ONE MEMBER OF THE HOUSE OF REPRESENTATIVES AND ONE

1 MEMBER OF THE SENATE, WHO MUST BE PAID THEIR COMPENSATION
2 AND EXPENSES AS PROVIDED IN 5-2-302 WHILE ENGAGED IN
3 ADVISORY COUNCIL BUSINESS.

4 (3) The council is allocated to the department of
5 health and environmental sciences for administrative
6 purposes only as provided in 2-15-121.

7 (4) The provisions of 2-15-122(5) through (8) apply to
8 the council and its members.

9 NEW SECTION. Section 5. Terms -- vacancies. (1)
10 Members of the council shall serve staggered terms of 3
11 years.

12 (2) A vacancy on the council must be filled in the same
13 manner as the original appointment.

14 NEW SECTION. Section 6. Powers and duties. The duties
15 of the council are to:

16 (1) advise all state agencies on policies to coordinate
17 the operation of public and private food assistance
18 programs;

19 (2) annually report to the governor on the state of
20 access to food and nutrition in Montana;

21 (3) provide a forum for review and discussion of state
22 policies affecting hunger, food programs, and the status of
23 nutrition for the population at risk;

24 (4) promote food assistance programs within the private
25 and agricultural sectors of Montana's economy;

1 (5) recognize public and private acts and individuals
2 who significantly contribute to the reduction of hunger in
3 Montana; and

4 (6) educate the public as to problems and needs of
5 hungry citizens.

6 NEW SECTION. Section 7. Gifts and grants. The council
7 may accept contributions, gifts, and grants to fund its
8 activities.

9 NEW SECTION. Section 8. Public health nutritionist --
10 appointment and duties. The director of the department shall
11 appoint a registered dietician as a public health
12 nutritionist. The public health nutritionist shall:

13 (1) establish a program of public education and
14 technical assistance for programs that provide food
15 assistance;

16 (2) provide staff assistance to the council;

17 (3) provide technical assistance to the governor's
18 advisory council on aging; and

19 (4) provide technical assistance to health care and
20 public health agencies.

21 NEW SECTION. Section 9. Women, infants and children
22 food supplement program to be available in all counties. The
23 women, infants and children (WIC) food supplement program,
24 authorized in 42 U.S.C. 1786 and administered by the
25 department, must be made available in every county in the

1 state.

2 NEW SECTION. Section 10. Appropriations. (1) There is
3 appropriated from the general fund to the office of public
4 instruction ~~\$107,000~~ \$5,000 for the biennium ending June 30,
5 1993, to promote the school food programs with
6 nonparticipating schools.

7 (2) There is appropriated from the general fund to the
8 department of health and environmental sciences \$115,075 for
9 the fiscal year beginning July 1, 1991, and ~~\$110,000~~ \$62,882
10 for the fiscal year beginning July 1, 1992, to fund the
11 expansion of the WIC program and to fund the position of
12 public health nutritionist.

13 (3) There is appropriated from the federal special
14 revenue fund to the department of health and environmental
15 sciences \$7,000 for the biennium ending June 30, 1993, to
16 fund the state advisory council on food and nutrition.

17 NEW SECTION. Section 11. Effective date. [This act] is
18 effective July 1, 1991.

-End-

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8 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR
9 ACCESSIBILITY TO FOOD PROGRAMS AND NUTRITIONAL SERVICES;
10 ESTABLISHING A STATE ADVISORY COUNCIL ON FOOD AND NUTRITION;
11 CREATING THE POSITION OF PUBLIC HEALTH NUTRITIONIST;
12 MANDATING THAT A PLAN BE SUBMITTED TO THE 1993 LEGISLATURE
13 FOR THE EXTENSION OF THE WIC PROGRAM TO EVERY COUNTY;
14 APPROPRIATING MONEY TO THE DEPARTMENT OF HEALTH AND
15 ENVIRONMENTAL SCIENCES AND ~~THE OFFICE OF PUBLIC INSTRUCTION~~
16 FOR FOOD PROGRAMS AND NUTRITIONAL SERVICES; AND PROVIDING AN
17 EFFECTIVE DATE."
18

19 WHEREAS, many Montana households are experiencing hunger
20 and are not participating in food programs; and

21 WHEREAS, food programs are not available in all parts of
22 the state or in all public schools; and

23 WHEREAS, the state of Montana has no mechanism to
24 coordinate food programs to assure the most effective and
25 efficient use of food programs; and

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2 generally available, and they are valuable services to
3 improve health and prevent chronic diseases.

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5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

6 NEW SECTION. **Section 1.** Purpose. It is the policy of
7 the state of Montana that all citizens should have access to
8 food programs and nutrition services to prevent any needy
9 citizen from experiencing hunger and poor nutrition and
10 their impact on physical and mental health.

11 NEW SECTION. **Section 2.** Short title. This act may be
12 cited as the "Montana Access to Food and Nutrition Act".

13 NEW SECTION. **Section 3.** Definitions. For purposes of
14 [sections 1 through 3 and 5 through 9], unless the context
15 requires otherwise, the following definitions apply:

16 (1) "Council" means the state advisory council on food
17 and nutrition established in [section 4].

18 (2) "Department" means the department of health and
19 environmental sciences as provided in 2-15-2101.

20 (3) "Food programs and nutrition services" means public
21 or private programs to provide food and nutrition assistance
22 to persons who have need. The term includes but is not
23 limited to the food stamp program, food programs for the
24 elderly, and supplemental food programs for women, infants,
25 and children.

1 NEW SECTION. Section 4. State advisory council on food
 2 and nutrition. (1) There is a state advisory council on food
 3 and nutrition.

4 (2) The council is composed of seven ELEVEN members
 5 appointed by the governor as follows:

6 (a) one person from the department of social and
 7 rehabilitation services who supervises or administers
 8 services under the food stamp program;

9 (b) one person from the department of health and
 10 environmental sciences who supervises or administers
 11 supplemental food programs for women, infants, and children;

12 (c) one person from the office of public instruction
 13 who is responsible for administration of school food
 14 programs under the National School Lunch Act;

15 (d) one person from a statewide organization active in
 16 food, nutrition, and hunger issues;

17 (e) one person representing local food bank programs;

18 (f) one person from among local, private operators of
 19 food and nutrition programs for the elderly; and

20 (g) one person representing the general public who is
 21 knowledgeable and active in food, nutrition, and hunger
 22 issues;

23 (H) ONE PERSON WHO IS AN AGENT IN THE MONTANA
 24 COOPERATIVE EXTENSION SERVICE;

25 (I) ONE NATIVE AMERICAN; AND

1 (J) ONE MEMBER OF THE HOUSE OF REPRESENTATIVES AND ONE
 2 MEMBER OF THE SENATE, WHO MUST BE PAID THEIR COMPENSATION
 3 AND EXPENSES AS PROVIDED IN 5-2-302 WHILE ENGAGED IN
 4 ADVISORY COUNCIL BUSINESS.

5 (3) The council is allocated to the department of
 6 health and environmental sciences for administrative
 7 purposes only as provided in 2-15-121.

8 (4) The provisions of 2-15-122(5) through (8) apply to
 9 the council and its members.

10 NEW SECTION. Section 5. Terms -- vacancies. (1)
 11 Members of the council shall serve staggered terms of 3
 12 years.

13 (2) A vacancy on the council must be filled in the same
 14 manner as the original appointment.

15 NEW SECTION. Section 6. Powers and duties. The duties
 16 of the council are to:

17 (1) advise all state agencies on policies to coordinate
 18 the operation of public and private food assistance
 19 programs;

20 (2) annually report to the governor on the state of
 21 access to food and nutrition in Montana;

22 (3) provide a forum for review and discussion of state
 23 policies affecting hunger, food programs, and the status of
 24 nutrition for the population at risk;

25 (4) promote food assistance programs within the private

1 and agricultural sectors of Montana's economy;

2 (5) recognize public and private acts and individuals
3 who significantly contribute to the reduction of hunger in
4 Montana; and

5 (6) educate the public as to problems and needs of
6 hungry citizens.

7 NEW SECTION. Section 7. Gifts and grants. The council
8 may accept contributions, gifts, and grants to fund its
9 activities.

10 NEW SECTION. Section 8. Public health nutritionist --
11 appointment and duties. The director of the department shall
12 appoint a registered dietician as a public health
13 nutritionist. THE APPOINTMENT OF THE PUBLIC HEALTH
14 NUTRITIONIST MAY NOT BE REQUIRED UNLESS FUNDING FOR THE
15 POSITION IS AVAILABLE. The public health nutritionist shall:

16 (1) establish a program of public education and
17 technical assistance for programs that provide food
18 assistance;

19 (2) provide staff assistance to the council;

20 (3) provide technical assistance to the governor's
21 advisory council on aging; and

22 (4) provide technical assistance to health care and
23 public health agencies.

24 NEW SECTION. Section 9. Women, infants and children
25 food supplement program to be available in all counties. The

1 ~~women, infants and children (WIC) food supplement program,~~
2 ~~authorized in 42 U.S.C. 1786 and administered by the~~
3 ~~department, must be made available in every county in the~~
4 ~~state. THE DEPARTMENT SHALL PROVIDE THE 1993 LEGISLATURE~~
5 ~~WITH A PLAN TO PROVIDE THE SERVICES OF THE WOMEN, INFANTS~~
6 ~~AND CHILDREN (WIC) FOOD SUPPLEMENT PROGRAM TO COUNTIES THAT~~
7 ~~ARE CURRENTLY NOT SERVED BY THE PROGRAM.~~

8 NEW SECTION. Section 10. Appropriations. ~~(1) There is~~
9 ~~appropriated from the general fund to the office of public~~
10 ~~instruction \$10,000 \$5,000 for the biennium ending June 30,~~
11 ~~1993, to promote the school food programs with~~
12 ~~nonparticipating schools.~~

13 ~~(2)(1) There is appropriated from the general FEDERAL~~
14 ~~SPECIAL REVENUE fund to the department of health and~~
15 ~~environmental sciences \$15,075 \$67,075 for the fiscal year~~
16 ~~beginning July 1, 1991, and \$10,000 \$62,882 for the fiscal~~
17 ~~year beginning July 1, 1992, to fund the expansion of the~~
18 ~~WIC program and to fund the position of public health~~
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20 ~~(3)(2) There is appropriated from the federal special~~
21 ~~revenue fund to the department of health and environmental~~
22 ~~sciences \$7,000 for the biennium ending June 30, 1993, to~~
23 ~~fund the state advisory council on food and nutrition.~~

24 NEW SECTION. Section 11. Effective date. [This act] is
25 effective July 1, 1991.

-End-

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19 WHEREAS, many Montana households are experiencing hunger
 20 and are not participating in food programs; and

21 WHEREAS, food programs are not available in all parts of
 22 the state or in all public schools; and

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 24 coordinate food programs to assure the most effective and
 25 efficient use of food programs; and

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 2 generally available, and they are valuable services to
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5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

6 NEW SECTION. Section 1. Purpose. It is the policy of
 7 the state of Montana that all citizens should have access to
 8 food programs and nutrition services to prevent any needy
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 14 [sections 1 through 3 and 5 through 9], unless the context
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16 (1) "Council" means the state advisory council on food
 17 and nutrition established in [section 4].

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 19 environmental sciences as provided in 2-15-2101.

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 21 or private programs to provide food and nutrition assistance
 22 to persons who have need. The term includes but is not
 23 limited to the food stamp program, food programs for the
 24 elderly, and supplemental food programs for women, infants,
 25 and children.

1 NEW SECTION. Section 4. State advisory council on food
 2 and nutrition. (1) There is a state advisory council on food
 3 and nutrition.

4 (2) The council is composed of seven ELEVEN members
 5 appointed by the governor as follows:

6 (a) one person from the department of social and
 7 rehabilitation services who supervises or administers
 8 services under the food stamp program;

9 (b) one person from the department of health and
 10 environmental sciences who supervises or administers
 11 supplemental food programs for women, infants, and children;

12 (c) one person from the office of public instruction
 13 who is responsible for administration of school food
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23 (H) ONE PERSON WHO IS AN AGENT IN THE MONTANA
 24 COOPERATIVE EXTENSION SERVICE;

25 (I) ONE NATIVE AMERICAN; AND

1 (J) ONE MEMBER OF THE HOUSE OF REPRESENTATIVES AND ONE
 2 MEMBER OF THE SENATE, WHO MUST BE PAID THEIR COMPENSATION
 3 AND EXPENSES AS PROVIDED IN 5-2-302 WHILE ENGAGED IN
 4 ADVISORY COUNCIL BUSINESS.

5 (3) The council is allocated to the department of
 6 health and environmental sciences for administrative
 7 purposes only as provided in 2-15-121.

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 9 the council and its members.

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 11 Members of the council shall serve staggered terms of 3
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 16 of the council are to:

17 (1) advise all state agencies on policies to coordinate
 18 the operation of public and private food assistance
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 21 access to food and nutrition in Montana;

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 23 policies affecting hunger, food programs, and the status of
 24 nutrition for the population at risk;

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1 and agricultural sectors of Montana's economy;

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13 nutritionist. THE APPOINTMENT OF THE PUBLIC HEALTH
14 NUTRITIONIST MAY NOT BE REQUIRED UNLESS FUNDING FOR THE
15 POSITION IS AVAILABLE. The public health nutritionist shall:

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17 technical assistance for programs that provide food
18 assistance;

19 (2) provide staff assistance to the council;

20 (3) provide technical assistance to the governor's
21 advisory council on aging; and

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23 public health agencies.

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25 food supplement program to be available in all counties. The

1 ~~women, infants and children (WIC) food supplement program,~~
2 ~~authorized in 42 U.S.C. 1786 and administered by the~~
3 ~~department, must be made available in every county in the~~
4 ~~state. THE DEPARTMENT SHALL PROVIDE THE 1993 LEGISLATURE~~
5 ~~WITH A PLAN TO PROVIDE THE SERVICES OF THE WOMEN, INFANTS~~
6 ~~AND CHILDREN (WIC) FOOD SUPPLEMENT PROGRAM TO COUNTIES THAT~~
7 ~~ARE CURRENTLY NOT SERVED BY THE PROGRAM.~~

8 NEW SECTION. Section 10. Appropriations. ~~(1) There is~~
9 ~~appropriated from the general fund to the office of public~~
10 ~~instruction \$10,000 \$5,000 for the biennium ending June 30,~~
11 ~~1993 to promote the school food programs with~~
12 ~~nonparticipating schools;~~

13 ~~(2) There is appropriated from the general FEDERAL~~
14 ~~SPECIAL REVENUE fund to the department of health and~~
15 ~~environmental sciences \$15,075 \$67,075 for the fiscal year~~
16 ~~beginning July 1, 1991, and \$10,002 \$62,882 for the fiscal~~
17 ~~year beginning July 1, 1992, to fund the expansion of the~~
18 ~~WIC program and to fund the position of public health~~
19 ~~nutritionist.~~

20 ~~(3) (2) There is appropriated from the federal special~~
21 ~~revenue fund to the department of health and environmental~~
22 ~~sciences \$7,000 for the biennium ending June 30, 1993, to~~
23 ~~fund the state advisory council on food and nutrition.~~

24 NEW SECTION. Section 11. Effective date. [This act] is
25 effective July 1, 1991.

-End-

-6-

1 HOUSE BILL NO. 728

2 INTRODUCED BY REAM, WATERMAN, S. RICE,

3 FRITZ, J. BROWN, SQUIRES, WANZENRIED, RUSSELL, COCCHIARELLA,

4 DARKO, BARNHART, WYATT, BROOKE, HANSEN, STRIZICH, ELLIOTT,

5 SCHYE, FRANKLIN, DRISCOLL, HARRINGTON, NISBET, O'KEEFE,

6 BECKER, WILLIAMS, KOEHNKE, ECK

7

8 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR
 9 ACCESSIBILITY TO FOOD PROGRAMS AND NUTRITIONAL SERVICES;
 10 ESTABLISHING A STATE ADVISORY COUNCIL ON FOOD AND NUTRITION;
 11 CREATING THE POSITION OF PUBLIC HEALTH NUTRITIONIST;
 12 MANDATING THAT A PLAN BE SUBMITTED TO THE 1993 LEGISLATURE
 13 FOR THE EXTENSION OF THE WIC PROGRAM TO EVERY COUNTY;
 14 APPROPRIATING MONEY TO THE DEPARTMENT OF HEALTH AND
 15 ENVIRONMENTAL SCIENCES AND ~~THE OFFICE OF PUBLIC INSTRUCTION~~
 16 FOR FOOD PROGRAMS AND NUTRITIONAL SERVICES; AND PROVIDING AN
 17 EFFECTIVE DATE."
 18

19 WHEREAS, many Montana households are experiencing hunger
 20 and are not participating in food programs; and

21 WHEREAS, food programs are not available in all parts of
 22 the state or in all public schools; and

23 WHEREAS, the state of Montana has no mechanism to
 24 coordinate food programs to assure the most effective and
 25 efficient use of food programs; and

1 WHEREAS, nutrition education and monitoring are not
 2 generally available, and they are valuable services to
 3 improve health and prevent chronic diseases.

4

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

6 NEW SECTION. Section 1. Purpose. It is the policy of
 7 the state of Montana that all citizens should have access to
 8 food programs and nutrition services to prevent any needy
 9 citizen from experiencing hunger and poor nutrition and
 10 their impact on physical and mental health.

11 NEW SECTION. Section 2. Short title. This act may be
 12 cited as the "Montana Access to Food and Nutrition Act".

13 NEW SECTION. Section 3. Definitions. For purposes of
 14 [sections 1 through 3 and 5 through 9], unless the context
 15 requires otherwise, the following definitions apply:

16 (1) "Council" means the state advisory council on food
 17 and nutrition established in [section 4].

18 (2) "Department" means the department of health and
 19 environmental sciences as provided in 2-15-2101.

20 (3) "Food programs and nutrition services" means public
 21 or private programs to provide food and nutrition assistance
 22 to persons who have need. The term includes but is not
 23 limited to the food stamp program, food programs for the
 24 elderly, and supplemental food programs for women, infants,
 25 and children.

1 NEW SECTION. Section 4. State advisory council on food
 2 and nutrition. (1) There is a state advisory council on food
 3 and nutrition.

4 (2) The council is composed of seven ELEVEN members
 5 appointed by the governor as follows:

6 (a) one person from the department of social and
 7 rehabilitation services who supervises or administers
 8 services under the food stamp program;

9 (b) one person from the department of health and
 10 environmental sciences who supervises or administers
 11 supplemental food programs for women, infants, and children;

12 (c) one person from the office of public instruction
 13 who is responsible for administration of school food
 14 programs under the National School Lunch Act;

15 (d) one person from a statewide organization active in
 16 food, nutrition, and hunger issues;

17 (e) one person representing local food bank programs;

18 (f) one person from among local, private operators of
 19 food and nutrition programs for the elderly; and

20 (g) one person representing the general public who is
 21 knowledgeable and active in food, nutrition, and hunger
 22 issues;

23 (H) ONE PERSON WHO IS AN AGENT IN THE MONTANA
 24 COOPERATIVE EXTENSION SERVICE;

25 (I) ONE NATIVE AMERICAN; AND

1 (J) ONE MEMBER OF THE HOUSE OF REPRESENTATIVES AND ONE
 2 MEMBER OF THE SENATE, WHO MUST BE PAID THEIR COMPENSATION
 3 AND EXPENSES AS PROVIDED IN 5-2-302 WHILE ENGAGED IN
 4 ADVISORY COUNCIL BUSINESS.

5 (3) The council is allocated to the department of
 6 health and environmental sciences for administrative
 7 purposes only as provided in 2-15-121.

8 (4) The provisions of 2-15-122(5) through (8) apply to
 9 the council and its members.

10 NEW SECTION. Section 5. Terms -- vacancies. (1)
 11 Members of the council shall serve staggered terms of 3
 12 years.

13 (2) A vacancy on the council must be filled in the same
 14 manner as the original appointment.

15 NEW SECTION. Section 6. Powers and duties. The duties
 16 of the council are to:

17 (1) advise all state agencies on policies to coordinate
 18 the operation of public and private food assistance
 19 programs;

20 (2) annually report to the governor on the state of
 21 access to food and nutrition in Montana;

22 (3) provide a forum for review and discussion of state
 23 policies affecting hunger, food programs, and the status of
 24 nutrition for the population at risk;

25 (4) promote food assistance programs within the private

1 and agricultural sectors of Montana's economy;

2 (5) recognize public and private acts and individuals
3 who significantly contribute to the reduction of hunger in
4 Montana; and

5 (6) educate the public as to problems and needs of
6 hungry citizens.

7 NEW SECTION. Section 7. Gifts and grants. The council
8 may accept contributions, gifts, and grants to fund its
9 activities.

10 NEW SECTION. Section 8. Public health nutritionist --
11 appointment and duties. The director of the department shall
12 appoint a registered dietician as a public health
13 nutritionist. THE APPOINTMENT OF THE PUBLIC HEALTH
14 NUTRITIONIST MAY NOT BE REQUIRED UNLESS FUNDING FOR THE
15 POSITION IS AVAILABLE. The public health nutritionist shall:

16 (1) establish a program of public education and
17 technical assistance for programs that provide food
18 assistance;

19 (2) provide staff assistance to the council;

20 (3) provide technical assistance to the governor's
21 advisory council on aging; and

22 (4) provide technical assistance to health care and
23 public health agencies.

24 NEW SECTION. Section 9. Women, infants and children
25 food supplement program to be available in all counties. The

1 women, infants and children (WIC) food supplement program
2 authorized in 42 U.S.C. 1706 and administered by the
3 department, must be made available in every county in the
4 state. THE DEPARTMENT SHALL PROVIDE THE 1993 LEGISLATURE
5 WITH A PLAN TO PROVIDE THE SERVICES OF THE WOMEN, INFANTS
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24 NEW SECTION. Section 11. Effective date. [This act] is
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