

1/19/79

HUMAN SERVICES COMMITTEE PROCEEDINGS:

A Human Services Committee meeting was held January 19, 1979, in Capitol Annex room #20. The meeting was called to order at 1:30 p.m. by Vice-Chairman Gene Frates, and all members were present except for Rep. Holmes, who was excused.

HOUSE BILL # 115--SPONSOR: Rep. Steve Waldron, District #97 read the bill stating that it would ban sale of low nutritional foods from the school grounds, and allows local trustees to set up criteria and designate the foods. Specific foods to be banned would be candy, ice bars, pop, and gum containing sugar. The Council on Montana Dental Health Association made a statement saying they are concerned because vending machines on school premises are stocked with foods containing high sugar. It makes these items readily available, and they do not improve health, on the contrary aid in its deterioration. Such vending machines should be removed from schools and replaced with good foods. There lies a hypocrisy in that you can't teach good nutrition while allowing such junk foods to be sold in schools. The high sugar foods raise blood sugar level giving "instant energy", but then this heightened level drops again rapidly, causing withdrawal, fatigue, dizziness, obesity, and tooth decay. Junk food is low in vitamins, minerals, and perpetrates Vitamin B deficiency. Also, "Junk food can give indigestion, and has been connected with anemia, cancer, heart disease, and diabetes," says Dr. Yerd of Oxford University. Sugar leads to an imbalance in the calcium-phosphate relationship of the human body. PROPONENTS: Dr. J. Terrell, from the Bureau of Dental Health, is running a dental program which instructs over 56,000 Montana children a year in the art of proper dental care. They give them each a tooth brush, instruct them in their proper use, give a dental lecture, and types of foods to avoid. "I find it extremely disturbing to complete the program and see children walk across the hall and buy a candy bar and ruin everything you have taught them. The school boards, by allowing such foods to be sold, are advocating consumption of junk foods. The only way you can possibly get rid of dental decay is to get rid of sugar in your diet," explains Dr. Terrell. Ms. Helen Magnuson-Gerig, Nutrition Coordinator for the Maternal and Child Health Bureau in the Department of Health and Environmental Sciences, requested that the committee give this legislation a do pass recommendation. Mr. Wayne Buchanan of the Montana School Board Association, showed general support for the concept of the bill, but claimed there are problems with it. "What's the definition of a low nutritional food? What about coffee, cookies, brownies, etc., which are sold at various bake sales. Will they be considered in this realm too? What will the effects of such legislation be? Who will control the School Board? By taking this candy out of our schools, it will tend to drive them out to other outlets to get their junk food."

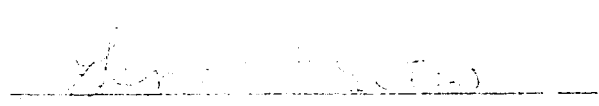
OPPONENTS: Mr. Tom Maddox, with the Mt. Assoc. of Candy and Tobacco Distributors said that regarding correspondence he has had with the Assistant Agriculture Secretary, Carol Tucker Foreman; the Agriculture Department proposed a similar bill to U.S. Congress, and because of the uproar made over this legislation, the Secretary of Agriculture says that the decision will be held off because certain issues raised need special attention. There have been three national hearings proposed, and the closest one to Montana is being held in Seattle, February 13. Maddox felt that an issue such as this should be dealt with at local school board levels. The attached information shows the increase in school lunch participation since vending machines have been placed in lunch rooms. Custer county principal says that if this bill were passed that the school would loose \$2,500 per year; this revenue is used in students programs. Baucus feels that such a bill passed would be unnecessary federal control and that such decisions should be made by individual school systems. Mr. John Wilkerson, from Beaverhead County High School feels that we should focus attention on derivation of funds by sale of candy across the counter. All funds derived from these sales are directly used to fund school activities, etc. If these funds are taken away, then they will have to be replaced with grants from other areas. Schools are already in financial trouble, and this added burden would make it worse. Mr. John Brown, President of the National Honor Society and Vice-President of Beaverhead County High School claimed that you won't save anyone's life or teeth by passing such legislation. He has consumed various types of foods and is not sickly and has no cavities. If the funds that are generated from such sales are lost, would have devastating effects on students' activities as a whole. Mr. Bris Skiles, Office of Public Instruction felt that we would run into difficulties in implementing provisions of bill. West Virginia tried to do the same thing, but had to drop legislation, because of problem of definition of nutritious and non-nutritious foods. The Board of Trustees currently regulate sales on premises. This legislation could tend to take away local decision making. Rather than mandate a law, teach children to use wise decisions with what they put into their mouths. This bill tends to take away a very fundamental right we have, that being the freedom of personal choice for students. Mr. Mike Parker, representative of Penningtons from Great Falls had a copy of a letter from EK Johnson, Dean of Women at C.M. Russell, stating that the absence of funding leaves students with two alternatives; forego these activities, or apply for educational funds. Currently there are too many people chasing after too few dollars. Ms. Barbara Robertson teacher and advisor for the Decca program at Helena High School stated that she is very concerned about nutrition, but that by removing the sale of junk food from schools, her students will be losing an important learning device. Her students are learning marketing, buying, housekeeping, promotions, inventory, advertising, selling, etc. She felt that no job in the business world could better train a person than her Decca program. She feels that parents should take more of an active part in instructing children in what types of foods to eat and what ones to stay away from. Mr. Dan Carpita, representative

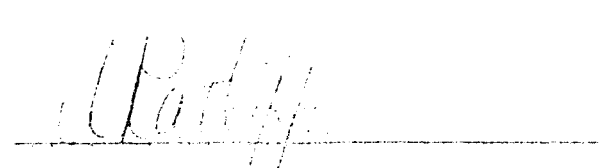
of Beaverhead Bar Supply claimed that if these candies were taken off the school ground, it would drive children elsewhere on lunch periods, and he personally would like to have his own children on the school grounds. Regarding the fund raised, the Beaverhead High School was able to purchase three water coolers in 1977, which otherwise would have come out of tax dollars. Mr. Al Dougherty representative of the Montana Coin Machines Operators, said that you can't legislate good public health. He wants to see these student have personal choice. As of April, 1979, a decision will be made by the Federal Government and we should wait on our decision to make sure that ours is in line with theirs. A letter was introduced from Congressman Ron Marlinnee making his comment on this national bill saying that "I feel that this decision should be made by our individual school systems rather than by our government." Rep. Waldron in closing said that there is a definite trade-off between the vending machines and student organizations, and rather than abolish these sales, sell other more nutritious goodies in their place. He felt that the problem with national bill was the political pressure being placed on them by food and beverage processors. Waldron asked that the bill be tabled so decision could be reached at a later date.

The following action was taken:

Rep. O'Connell made a motion that HB-115 do not pass and was voted unanimously to carry such a motion.

The meeting was adjourned at 3:00 by Acting Chairman, Gene Frates.


Chairman


Secretary