

SENATE BILL NO. 199

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY SENATOR ELTON

Introduced: 5/9/05

Referred: Health, Education and Social Services, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to public school funding for a prohibition on the sale of food and**
2 **beverages of minimal nutritional value in schools and for placing restrictions on the use**
3 **of vending machines in public schools."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 *** Section 1.** AS 14.17 is amended by adding a new section to read:

6 **Sec. 14.17.485. Public school nutrition support funding.** (a) As a
7 component of public school funding, a district is eligible to receive a nutrition support
8 grant in the amount of \$4 added to the base student allocation under AS 14.17.470 for
9 the district adjusted ADM.

10 (b) In order to qualify for a nutrition support grant, the governing body of a
11 district must adopt and enforce a policy that

12 (1) prohibits the sale on all school premises of a beverage of minimal
13 nutritional value and food of minimal nutritional value during the school day and at
14 least one hour before and after the school day;

1 (2) prohibits the use of vending machines in elementary schools; and

2 (3) restricts the use of vending machines in schools to machines that

3 (A) sell only foods and beverages that are not a food of
4 minimal nutritional value or a beverage of minimal nutritional value;

5 (B) depict only physical activity or foods and beverages that
6 are not a food or beverage of minimal nutritional value; and

7 (C) display a health promotion message.

8 (c) If a district that qualified for a nutrition support grant under this section
9 subsequently rescinds or otherwise fails to enforce a policy adopted under (b) of this
10 section, the department shall withhold the amount of the nutrition support grant
11 awarded to the district from state funding for the district for the following school year.

12 (d) Notwithstanding the minimum instructional expenditure required under
13 AS 14.17.520, a district that receives a nutrition support grant shall distribute the grant
14 proceeds to support student activities.

15 (e) The department shall establish standards for minimal nutritional value, in
16 consultation with the commissioner of health and social services, and adopt other
17 regulations necessary to implement this section.

18 (f) For purposes of the reduction required under AS 14.17.400(b), funding
19 authorized under this section is treated the same as the state share of public school
20 funding under AS 14.17.410.

21 (g) In this section,

22 (1) "beverage of minimal nutritional value" means a drink, other than
23 water and milk, that contains

24 (A) less than 50 percent vegetable or fruit juice unless the drink
25 has no calories without added sweeteners;

26 (B) added sweeteners;

27 (C) caffeine; or

28 (D) additional ingredients identified by the department in
29 regulation;

30 (2) "food of minimal nutritional value" means a food intended for
31 human consumption that

1 (A) derives more than 30 percent of the food's calories from
2 fat, except legumes, nuts, or seeds;

3 (B) contains a combined saturated and trans fat caloric content
4 of more than 10 percent;

5 (C) has a sugar content of more than 35 percent of total weight,
6 except for sugars that occur naturally in a dairy product, fruit, or vegetable; or

7 (D) meets additional standards established by the department in
8 regulation.

9 * **Sec. 2.** This Act takes effect July 1, 2006.