

SB

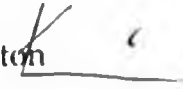
1999

SENATOR KIM ELTON

MEMORANDUM

February 7, 2006

To: Senator Fred Dvson, Chair
Senate Health Education & Social Services Committee

From: Kim Elton 

Re: SB 199

I respectfully request a hearing on Senate Bill 199, providing grants to school districts that commit to selling no junk food during the school day.

In response to comments I received on the bill, I introduced a sponsor substitute last week. I have attached a sponsor statement and several documents in support, including a note one of our House colleagues received after discussing the bill in a Fairbanks classroom last year. I look forward to discussing the bill with the committee.

SENATOR KIM ELTON

SB 199 – School Nutrition Support Grants

Sponsor Statement

SB 199 offers grants to school districts that commit to selling only healthful food during the school day. A growing body of research shows more and more children become overweight at earlier ages and to a greater degree than ever before. That causes myriad problems for individual Alaskans and our state, including diabetes and other health problems, rising health care expenditures, and school and workplace absenteeism.

Alaska schools work hard to teach our students healthy living skills. But an inch of example is worth a yard of advice. And since children spend between four and eight hours each day at school, we can have a real impact on their eating habits by changing what's available on school grounds.

When I introduced SB 199 in May of 2005, I sent letters to nearly 100 school districts, education organizations, and health advocacy groups soliciting their comments. The reaction was overwhelmingly positive. Some pointed out the synergy with new federal rules requiring 'wellness plans' for most school districts, while others discussed steps their districts had already taken to improve student nutrition on campus. Still others commented on the importance of physical education as part of curbing the growing obesity problem among Alaska young people. SB 199 addresses this issue indirectly, by directing the nutrition grants toward student activities.

Most Alaska schools already put vending machine revenues toward student activities. A few use these funds to supplement inadequate federal reimbursement for school lunch/breakfast programs, and so SB 199 allows this use as well.

Research shows schools that replace junk food with healthier choices sometimes see a one-year decline in sales. The grants in SB 199 help bridge that gap. When sales rebound, the grants constitute a significant incentive to keep nutrition decisions in parents' hands by taking unhealthy food out of schools.

I respectfully ask for your support.

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SSSB 199
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Education & Early Development
 Title An act relating to public school funding for a RDU K-12 Support
prohibition on the sale of food and beverages of minimal nutrition Component Foundation Program
 Sponsor Senator Elton
 Requester Health, Education & Social Services Component No. 141

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	843.3	0.0	0.0	0.0	0.0	0.0
Miscellaneous						
TOTAL OPERATING	843.3	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	843.3	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	843.3	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill would increase the Base Student Allocation of \$4,919 by \$4 for FY07, provided the district was eligible to received the nutrition support grant.

The qualifications for this grant requires a district to adopt and enforce a policy that restricts the sale of foods that have minimal nutritional value.

If the district receives the grant but does not comply they will have it deducted from the next year's state funding.

Grant monies are to be utilized for student activities or federal school lunch and nutrition programs.

Prepared by: Eddy Jeans, Director
 Division School Finance
 Approved by: Karen Rehfeld, Deputy Commissioner
 Agency Education & Early Development

Phone 465-8679
 Date/Time 2/27/06 9:05 AM
 Date 2/27/2006

School District	Adjusted ADM	Difference
Alaska Gateway	1,051.79	4,207
Aleutian Region	247.49	990
Aleutians East Borough	812.64	3,251
Anchorage	67,229.26	268,917
Annette Island	579.92	2,320
Bering Strait	5,117.66	20,471
Bristol Bay Borough	423.64	1,695
Chatham	497.37	1,989
Chugach	401.05	1,604
Copper River	1,319.74	5,279
Cordova	808.13	3,233
Craig	995.96	3,984
Delta/Greely	1,901.43	7,606
Denali Borough	1,042.66	4,171
Dillingham	1,101.27	4,405
Fairbanks N. Star Borough	21,751.97	87,008
Galena	3,219.08	12,876
Haines Borough	524.58	2,098
Hoonah	391.08	1,564
Huaburg	163.02	652
Iditarod Area	887.76	3,551
Juneau Borough	7,715.34	30,861
Kake	236.57	946
Kashunamiut	802.15	3,209
Kenai Peninsula Borough	13,925.88	55,704
Ketchikan Gateway Borough	3,480.54	13,922
Klawock	281.78	1,127
Kodiak Island Borough	4,466.71	17,867
Kuspuk	1,319.71	5,279
Lake & Peninsula Borough	1,407.51	5,630
Lower Kuskokwim	10,851.18	43,405
Lower Yukon	5,355.45	21,422
Mat-Su Borough	22,733.02	90,932
Nenana	873.20	3,493
Nome	1,545.44	6,182
North Slope Borough	4,485.99	17,944
Northwest Arctic Borough	5,605.36	22,421
Pelican	61.30	245
Petersburg	998.28	3,993
Pribilof	331.87	1,327
Saint Mary's	410.77	1,643
Sitka Borough	2,292.84	9,171
Skagway	238.91	956
Southeast Island	582.72	2,331
Southwest Region	1,904.82	7,619
Tanana	151.00	604
Unalaska	850.30	3,401
Valdez	1,345.86	5,383
Wrangell	617.68	2,471
Yakutat	247.94	992
Yukon Flats	1,097.88	4,392
Yukon/Koyukuk	2,246.16	8,985
Yupiit	1,315.64	5,263
Mt. Edgecumbe High School	572.54	2,290
Other		
Total	210,819.84	843,279

Thank

You

for

Coming



Dear Mr. Guttenburg,

Thank you for coming!
I don't think we need
to add onto our sugar
intake by vending machines.

Sincerely,
Natasha



Nearly 25 percent of Alaskans obese, new study says

Tuesday, August 23, 2005 - by Seth Linden



Anchorage, Alaska - A new report suggests many Alaskans are out of shape and dangerously so. The report, which was released by the group Trust for America's Health, says last year nearly 25 percent of Alaska adults are obese.

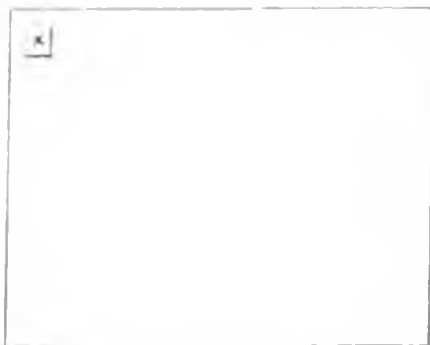
Perhaps it's poor diet, lack of exercise or just a hereditary struggle with weight, but whatever the cause it appears from a report released Tuesday that many

Alaskans weigh too much. Nearly a quarter of Alaskan adults last year suffered from obesity.

"A little over 23 percent of the Alaskan population is obese. That's actually above the national average, and it's certainly not anywhere you would ideally want your population to be," said Shelley Hearne of Trust for America's Health.

In fairness, Tuesday's report by Trust for America's Health shows Alaska is just slightly above the national average. Nationally, using federal data, the report concludes more than 23 percent of adults were obese in 2004. The problem, the Trust says, is that obesity rates have grown and not enough is being done to combat the problem.

"You've seen Alaskans grow heavier and heavier every year. It's a warning signal that we need to be paying much more attention to this epidemic," said Hearne.



Obesity is linked to health problems such as diabetes, heart disease, stroke and cancer. The Trust says measures need to be taken like improving school nutrition and physical education, providing more information and support and bolstering preventive care. The organization also says communities should promote physical activity by building recreational space and sidewalks.

The Trust says because of limitations in federal data, its study does not account for specific demographic factors like sex, race or culture. But, the Trust also says it knows there is a correlation between lower socio-economic status and obesity.

"The lower your income, the lower your education level, the more likely you are to be obese," said Hearne.

And in turn, you are more likely to be at risk for a shortened lifespan.

Alaska ranks 19th in the country for adult obesity. Mississippi leads the nation and other Southern states like Alabama and West Virginia follow. Colorado ranks at the bottom.





everychild.onevoice.

RESOLUTION

NUTRITIONAL EATING REQUIREMENTS IN OUR SCHOOLS TO COMBAT CHILDHOOD OBESITY

- Whereas, The need to promote healthy eating among young people has intensified in recent years due to the growing national epidemic of obesity; and
- Whereas, Obesity contributes to cardiovascular disease, stroke, high blood pressure, high cholesterol, and type 2 diabetes; and
- Whereas, Type 2 diabetes has risen by 33 percent in children between the ages of 6 and 11; and
- Whereas, School districts are not required to participate in the United States Department of Agriculture (USDA) National School Lunch Program, many schools offer lunch choices that are high in fat, sodium, and/or sugar; and
- Whereas, Foods sold to students in vending machines, school stores, and in the school cafeteria should be attractive and expand the variety of healthy choices available with a limit on calories from total fat, saturated fat, and little or no processing or additives; therefore be it
- Resolved, That the National PTA and its constituent organizations promote the importance of healthy eating among children and youth to combat the growing national epidemic of childhood obesity; and be it further
- Resolved, That the National PTA and its constituent organizations support the inclusion of parents, community and health specialists along with educators and administrators when determining whether or not vending machines should be allowed on the school grounds and, if so, also be involved in deciding the types of products allowed within those machines and the use of proceeds garnered.
- Resolved, That the National PTA and its constituent organizations support the requirement that food and beverage items sold to students in vending machines, school stores, and in the school cafeteria contain at least the minimum nutritional value as determined by the USDA.

Adopted: by the 2004 Convention Delegates



Healthy Foods and Healthy Finances: How Schools Are Making Nutrition Changes That Make Financial Sense

Dozens of schools—large and small, urban and rural—have created more healthful school environments by improving food and beverage options in vending machines, à la carte lines, classroom activities and fundraisers.

Food and beverage contracts and sales have become a revenue source for discretionary spending for many school districts. Recently, schools throughout the U.S. have successfully implemented innovative solutions—maintaining or increasing revenue levels with more healthful options.

- Foodservice in the Folsom Cordova Unified School District in Sacramento, **California**, no longer operates in the red. It upgraded offerings with a focus on healthy eating and now has a \$400,000 reserve; the annual budget increased 105% due to increased food services revenue.
- Iowa City, **Iowa**, schools partnered with Swiss Valley Farms to introduce milk in its water and sports drink vending machines, resulting in an increase in sales of 42% while soda sales dropped 58%. The district's Nutrition Task Force also installed cheese and yogurt vending machines.
- The Vista (San Diego, **California**) Unified School District's Child Nutrition Services program consolidated the district's vending sales and began managing contracts. They offered bagels and cream cheese, yogurt, nuts, cheese and crackers, and fresh fruit. Sodas are offered in only 20% of vending slots compared to the previous 66% of vending slots. The majority of slots offered water, milk, 100% juice drinks and sports drinks. CNS controlled pricing and kept prices lower than local stores. During the first year of this arrangement, Vista High School generated \$200,000 more in sales than in previous years.
- Jefferson County Schools in Louisville, **Kentucky**, are replacing soft drinks and non-nutritious snacks sold in vending machines with lower-fat foods and fruit drinks. They expect that by keeping healthier vending machines on all day the sales will offset any losses of the \$1 million generated annually from vending.
- Madison, **Wisconsin**, was among the first school districts to sign an exclusive soda contract in 1997 and was also among the first to cancel it. They now maintain multiple vendors and offer a variety of 100% juice drinks and milk flavors. Now that the students have choices, school officials report that they struggle to keep up with the demand for milk sold in colorful and resealable bottles.
- Whitefish Central School in **Montana** replaced junk foods and soda with fruit, bagels, 100% juice beverages, water and milk. According to Principal Kim Anderson, profits remained the same.
- Officials at North Community High School in Minneapolis, **Minnesota**, installed vending machines selling bottled water, juices and sports drinks, and limited soft drinks to just one machine. This arrangement resulted in lowered soda sales offset by growth in the sales of water and sports drinks with overall vending profits increasing by \$4,000.
- When Fresno (**California**) Unified School District's Sequoia Middle School eliminated junk food and sodas, sales increased because students were given a choice and were involved in the selection of replacement foods and drinks.

Success stories show that children will buy healthy foods.

- **Students will buy — and consume — healthful foods and beverages** when these options are tasty, easily accessible and priced right.
- **School foodservice and vending programs can continue to make money** while offering healthful food and beverage options to students.
- **Some schools have actually made more money from healthful options than from their usual offerings.**
- **Students, parents and communities support healthy school nutrition environments, and are willing to get involved in making changes.**

ADN 6/17/05

Mat-Su junks the soda, offers healthful choices

■ **SCHOOLS:** Revenues may dip at first as students adjust.

By **BECKY STOPPA**
Anchorage Daily News

PALMER — Chocolate-covered energy bars and sports drinks will replace soda pop and potato chips in vending machines across the Matakuska-Susitna Borough School District in the fall, thanks to a unanimous School Board decision.

MAT-SU FOCUS Food and beverages sold in school vending machines and school stores must meet new, strict nutritional stan-

dards, according to a policy change the board adopted Wednesday.

The measure enjoys wide community support, school district spokeswoman Kim Floyd said. Proponents say it will help combat childhood obesity and send a consistent message to children about the importance of healthy choices.

The revision limits fat and sugar content in any food sold outside federal meal programs. In addition, beverage sales are limited to milk, water, low-sugar sports drinks and juices containing at least 50 percent fruit juice.

Hans Neidig, executive director of the

See Back Page, HEALTHIER

HEALTHIER: *Mat-Su schools transform snacking*

Continued from A-1

Valley Healthy Communities Program, applauded the School District for championing the change.

"I think this is a good first step toward increasing a healthier lifestyle in our community," Neidig said. "We're really pleased that the School District brought this forward."

In a May 25 letter to Chief School Administrator Bob Doyle, Norman Stephens, chief executive officer for Valley Hospital, commended the district for "taking a risk and a stand for children's health."

The district, he said, has now shifted "the focus of the debate from vending machine revenues for school activities to the health of our community's children."

"I think the physicians and the staff here would applaud the School Board," said Stephens via telephone Thursday.

Earlier attempts to restrict junk-food sales didn't meet with applause, though, School Board member Larry DeVilbiss said.

"I really didn't think I'd live to see this happen. It was always booed down in the past," he said.

Floyd says that's because many schools worried that a restriction on junk-food sales might lead to a loss of revenues. Schools have come to count on money from vending machines to help pay for everything from extra supplies to extracurricular activities, such as athletics.

"Our belief is that when you start selling healthy foods, our revenue will go up."

— Bob Doyle,

Mat-Su chief school administrator

Michelle Egan, communications director for the Anchorage School District, says schools there are aware of the debate over healthful foods. But, like schools in the Mat-Su, Anchorage schools count on the money that junk food in vending machines brings in.

"They provide tremendous revenues that we would have to replace," Egan said.

The new Mat-Su policy addresses those concerns. It gives the School Board authority to reimburse schools any revenues they might lose as a result of the restrictions.

But Doyle said he doesn't think the schools will lose money.

"Our belief is that when you start selling healthy foods, our revenue will go up," he said.

Suellen Appellof, president of the Alaska Parent Teacher Association, says research from California supports Doyle's contention. Several schools there have restricted junk food sales, Appellof said, and though

some reported an initial dip in revenues, most said sales go up.

"A lot of kids have more discretionary money when their parents know they're not going to be spending it on junk food," Appellof said.

Besides, School Board member Sarah Welton said, food that meets the new guidelines is "not all bland."

"There should be plenty out there (that kids won't mind eating). I really believe that," she said.

A basket of food and beverage items that meet the new requirements was on display at the June 1 School Board meeting. A look at its contents suggests Welton might be right. Things like double-chocolate-dipped whole grain energy bars, graham crackers and Sweet and Spicy Chex Mix made the cut, as did Dole 100 percent Orange Juice and Gatorade.

Appellof says the Alaska Parent Teacher Association has advocated for more healthful foods in schools and school vending machines for the past five years.

"I'm really glad Mat-Su took the lead on this. We'd like to see it go statewide," she said.

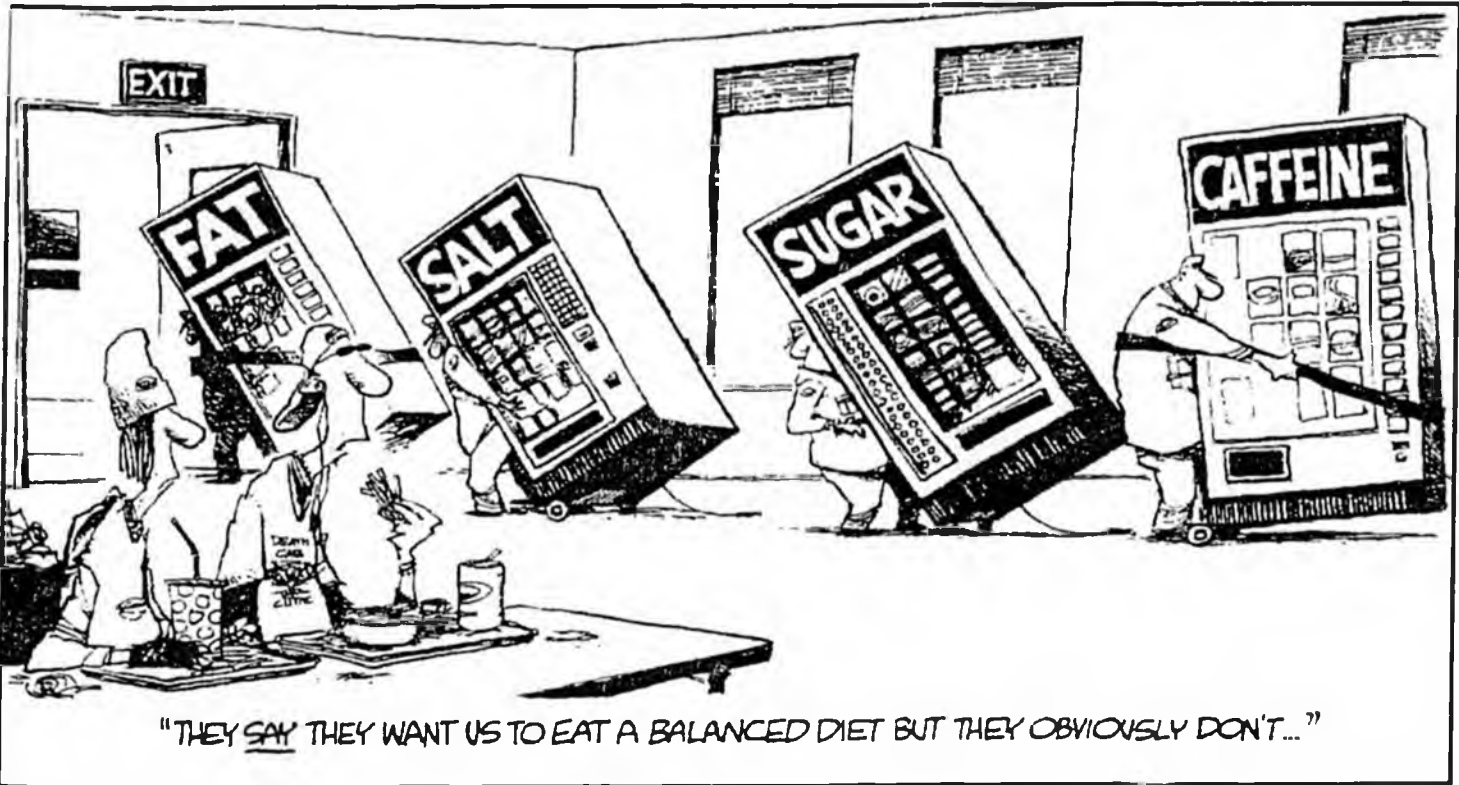
■ Daily News reporter Becky Stoppa can be reached at bstoppa@adn.com or 1-907-352-6708.

Times

LASKANS

WILLIAM J. TOBIN
Senior editor

; ever young; ever summer





**Alaska Native
Tribal Health Consortium**

Administration 4000 Ambassador Drive Anchorage, Alaska 99508 Phone: (907) 729-1900 Fax: (907) 729-1901 www.anthc.org

June 13, 2005

Honorable Kim Elton
Alaska State Senate
State Capitol
Juneau, AK 99801-1182

Dear Senator Elton:

Thank you for the opportunity to review your bill, S.B 199.

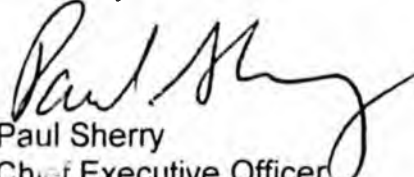
The Alaska Native Tribal Health Consortium (ANTHC) is very concerned about the trend in obesity in childhood, with the associated health impacts. Your bill helps to focus attention on an important aspect of this issue, namely, the role of schools.

The bill needs to carefully consider traditional foods in rural schools, in defining "minimal nutritional value." In Section 1. (g) (2) (A) and (B), for instance, dried salmon strips derive more than 30% of their calories from fat, but the fats are high in omega-3 fatty acids, and beneficial for health, in (C), the standard of "35% by weight" of sugars is confusing, as it is the only place weight is used. It would be worth considering using percent of calories, or another national standard, in all references to amounts of carbohydrates and fat calories.

In summary, the bill is a carefully constructed effort to deal with a critical public health issue.

Thank you, again, for the chance to review this bill.

Sincerely,


Paul Sherry
Chief Executive Officer



THE LAKE AND PENINSULA SCHOOL DISTRICT

101 Jensen Drive
P. O. Box 498
King Salmon, Alaska 99613
Phone (907) 246-4280 / Fax (907) 246-4473



June 24, 2005

Senator Kim Elton
State Capital
Juneau, AK 99801-1182

Dear Senator Elton,

I am writing in response to your letter seeking input on Senate Bill 199. I appreciate your goal of helping our state students lead a healthier life. In our region of the state we too are struggling with the effects of poor dietary choices. I concur that it is imperative that we do all that we can to promote healthy lifestyles for our children.

The Lake and Peninsula School District is actively working to improve its students' health. With the assistance of a Carol White Physical Education Program Grant, we have begun to overhaul our physical education classes and to also offer activities outside of the classroom such as kayaking. Our PE program now includes nutritional guidance as well as monitoring our students' body fat.

Although many of our schools already do not allow the sale of pop or candy during the school day, I support your efforts to ban these sales during the school day. I do feel however, that our students should be allowed to sell soda during evening activities, such as a carnival or dance, when the general public is in attendance.

In sum, you have my support for SB 199. I look forward to tracking its progress during next year's legislative session.

Sincerely,

A handwritten signature in black ink that reads "Steve Atwater".

Steve Atwater
Superintendent

SKAGWAY CITY SCHOOL

P.O. Box 497

• Skagway, Alaska 99840

• (907) 983-2960

June 25, 2005

The Honorable Senator Kim Elton
Alaska Senate
State Capitol
Juneau, Alaska 99801-1182

Jesse

Re: Senate Bill 199

Dear Senator Elton:

I am very pleased that you are concerned about the severe health concerns facing the children in Alaska particularly in the increased risk overweight children face in areas of obesity, diabetes, heart disease, and self-esteem!

Your idea about curtailing the use of vending machines dispensing junk foods and drinks by giving school districts a viable way to replace the lost income from this source is really dealing directly with the problem and finding a solution that will work for students, parents, and school districts. I strongly support SB 199 and if I can be of any assistance in helping you in getting such a valuable idea approved by our state legislature, please let me know.

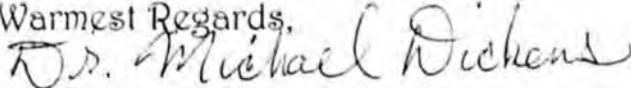
Our district was awarded a Carol White PEP (Physical Education Program) Grant this year for a grant I wrote specifically dealing with the problem of obesity in the children in Alaska and throughout our nation. I approached the problem in our district by addressing the continuing problem for our students to stay physically active in a rural community with Alaska's weather issues. My grant has provided a certified K-12 PE teacher to work with all of our students in our school.

All of our pupils now have a daily physical education program. Our teacher is being trained this summer in the SPARK curriculum developed by San Diego State University which combines motivational, fun, non-competitive PE activities for our students while increasing their daily levels of exercise. This curriculum is designed to get every student involved so the increased energy levels help to mitigate some of the health problems derived from being kept indoors, playing too many video games, watching too much television or spending too much time on the internet and cell phones. We have also looked at improving our already excellent food service program by adjusting food offerings to students that will include more nutritional choices.

But your approach at helping to alleviate the health problem of obesity in our children is really dealing with one of the biggest aspects impacting the continued issue of vending machines in our schools in our country- making money! Giving school districts grants to offset their loss of income by restricting the use of vending machines and insisting that they dispense healthier, albeit, possibly less popular food and beverage items you are helping school districts do what is right for our kids. I know the schools are aware of the problem and would like to help correct it, but a loss of income in today's increasingly difficult financial situation makes the decision to stop selling junk foods in our schools especially complicated for school boards, administrators, teachers, and parents in our communities. Providing schools with an alternate funding source seems to be a win-win situation for our children!

Senate Bill 199 actually finds a workable solution to using vending machines in our schools! Thank you for thinking of such a creative, innovative way to correct this situation. I believe this will work!

Again, any assistance I may be to you in getting your bill approved by our legislature, please just let me know! Thank you for eliciting my opinion in this matter. I appreciate your consideration.

Warmest Regards,

Dr. Michael Dickens
Superintendent



GALENA CITY SCHOOL DISTRICT

GALENA, ALASKA 99741
PHONE (907) 656-1205
FAX (907) 656-2238

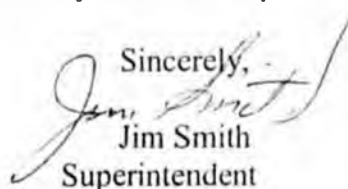
SUPERINTENDENT
Jim Smith

June 13, 2005

Senator Kim Elton
State Capital
Juneau, AK. 99801-1182

Dear Senator Elton,

The Galena City School District pulled all vending machines from district facilities six years ago. We certainly had to make a conscious choice between supplemental funds to support activities programs and the general health of our whole school population. All the issues you note are and will continue to surface as contentious. School activity programs are a special contribution to the school program for many students and shouldn't be diminished. However, they shouldn't be funded on the back of the general welfare of the entire school population. You are right on the mark presenting growing concern for all our young people relating to their "junk-food" intake. Some might challenge that school's like ours who made this proper choice years ago had other resources that allowed it to be affordable. We say "the issue, as you've stated, is clear enough, school districts have no right to hold the health needs of the general school population hostage to the extra activities of some". Senator, you've offered a financial advantage which might be used to replace that lost funding and I suppose you could consider increasing the amount? There's a growing problem for Alaska's peoples understanding healthy life styles at all ages. If we don't demonstrate the corrective actions in the schools, there's little hope for improvement. Our district will support SB199 in word and deed. Thank you for your leadership.

Sincerely,

Jim Smith
Superintendent

>-----Original Message-----

>From: Jim Nygaard [mailto:jnygaard@sisd.org]

>Sent: Monday, June 13, 2005 12:25 PM

>To: Sen. Kim Elton

>Cc: Julie Isom

>Subject: SB 199 Response

>

>

>Dear Senator Elton,

>

>Thanks for allowing me the opportunity to respond to SB 199. I have a
>handful of responses, but still lack specific support for SB 199 until
>I can get more information clarifying portions of it.
>Southeast Island School District implemented a "food services program"
>midway through school year 2004 and continued it through the entire
>school year of 2005. Efforts to learn more of our students needs were
>surveyed to allow us to plan for their learning environment.
>Interesting results...Returned surveys indicated that the main reason
>students could not maintain their focus/attention was the simple fact
>that many of them were hungry. The board later concluded that the
>number one challenge in our district's (student's) learning needs was to
>be satisfying their primary need via the school lunch program. Even
>providing a basic meal as referenced has been a huge tax on our general
>fund. Delivery of food, labor, waste disposal...remote sites makes
>this quite a challenge. As you may be aware, reimbursements for such
>meals falls considerably short to breaking even.

>

>Your SB 199 is intended to complement the nutritional needs of our
>students. Please consider, that a hungry student will not discriminate
>when his/her stomach is making the final determination. Our sites do
>not have vending machines for food or beverages, but I am aware that
>when they do travel to visiting sites (especially if they are hungry)
>vending machines are available to "meet their needs". Such food/drink
>is only available during a student activity such as a basketball game
>or volleyball match. Our student clubs then are responsible for
>selling of candy, juice/soft drinks etc. During some matches, the
>activities do occur during school hours. This will conflict with your
>proposal. I do like your commitment to utilize such added revenues to
>complement student activities however.

>

>Education of our youth is critical. I appreciate your efforts to
>complement their nutritional needs. However, such efforts need to be
>balanced into the food services already "available" in each district
>that will allow for quality meals to be provided during breakfast and
>lunch.

>Success with the food services program would, in itself, be a great

>competitor with the vending machines that have become so readily
>available.

>
>I do appreciate your efforts and look forward to revisiting SB 199 at
>your leisure.

>
>Sincerely,

>
>Jim Nygaard
>Superintendent of Schools
>Southeast Island School District

>
>
>
>
>
>



Jesse

Yukon Koyukuk School District
Administrative & Support Offices
4762 Old Airport Way
Fairbanks, Alaska 99709

Christopher Simon
Superintendent

Telephone: (907) 374-9400
Fax: (907) 374-9440

July 21, 2005

The Honorable Kim Elton
Alaska Senate
Alaska State Capitol
Juneau, AK 99801

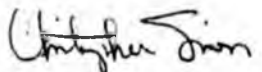
Dear Senator Elton:

Thank you for the opportunity to provide input for your piece of legislation regarding the sale of healthful snacks in the state. I am in support of your bill as written and believe it will assist with the diabetes problem across rural Alaska. My immediate family comes from the village of Huslia and I see firsthand the diabetes problem in the community.

You are correct in stating that the funds from vending machines go toward student activities. However, when I served as a principal in Huslia I would turn off the "sugar" machines during the day. I strongly support the grant funding in lieu of the revenue generated from vending machines.

Good luck with this legislation during the next legislative session.

Sincerely,


Christopher Simon
Superintendent

-----Original Message-----

From: Bob Harcharek [mailto:Bob.Harcharek@north-slope.org]
Sent: Wednesday, July 06, 2005 4:40 PM
To: garym@asaa.org; Sen. Kim Elton
Cc: susan.hope@nsbsd.org
Subject: Senate Bill No.199
Importance: High

Good afternoon Kim and Gary,

I received a Fax from Gray a little less than a month ago with a copy of your letter to him, Kim, as well as a copy of Senate Bill No.199, "An Act relating to public school funding for a prohibition on the sale of food and beverages of minimal nutritional value in schools and for placing restrictions on the use of vending machines in public schools."

I apologize for not having answered or commented sooner, but the months of June and July are hectic here in the Arctic with our numerous whaling festival celebrations plus closing out of the NSB operating and Capital Improvement Budgets.

I totally concur with your perceptions and concerns in your letter, Kim, and I personally endorse and support your pending legislation. I plan on having this issue placed on the agenda for consideration, discussion and possible action at the September NSB Board of Education meeting. I will keep you posted on the reaction and disposition of my colleagues on the Board.

Good luck and thanks for your concern about kids.

Sincerely,

Bob Harcharek

Jesse Kiehl

From: Sen. Kim Elton
Sent: Thursday, June 16, 2005 2:19 PM
To: Jesse Kiehl
Subject: FW: Senate Bill No. 199

For the files.

From: Jones David T LTC ALCOM/J1 [mailto:David.Jones@ELMENDORF.af.mil]
Sent: Thursday, June 16, 2005 1:56 PM
To: Sen. Kim Elton
Subject: RE: Senate Bill No. 199

Senator Elton,

Amen!

This past week I also received a packet from an organization called "Action for Healthy Kids". It contained a 2004 Alaska Nutrition and Physical Activity school district survey report. Looks like an organization that is working in tandem with your goals. If you have not been in contact with them, their Chair is Mary Grisco who can be reached at mary.grisco@elmendorf.af.mil. There is also a website at www.actionforhealthykids.org

I hope this information is helpful to your efforts to promote better health for our kids. I also represent the military on the Anchorage School Board so if I can be of any assistance to you in that role, please let me know.

Dave

-----Original Message-----

From: Sen. Kim Elton [mailto:Senator_Kim_Elton@legis.state.ak.us]
Sent: Thursday, 16 June, 2005 13:31
To: Jones David T LTC ALCOM/J1
Subject: RE: Senate Bill No. 199

David--

Thanks for the quick reply. You are right that this cannot be the only approach--parents and children need the knowledge to make good choices. I do hope that this can spark the kind of discussion that we need to have and that it can be a part of a more universal approach.

Kim

From: Jones David T LTC ALCOM/J1 [mailto:David.Jones@ELMENDORF.af.mil]
Sent: Monday, June 13, 2005 5:23 PM
To: Sen. Kim Elton
Subject: Senate Bill No. 199

Senator Elton,

Thank you for the opportunity to comment on your proposed bill regarding the sale of minimal nutrition foods in our schools. This is indeed a serious issue which challenges the health and well-being of our children.

I applaud your efforts to curb the flow of "fat-producing" foods to our children. However, it is my personal opinion that this bill will likely not produce the desired effects. I base my opinion on the premise that it is treating the symptom, not the cause. While it is an admirable quest to reduce the availability of low-quality foods at the schools, I believe the only way to defeat the overweight epidemic is to alter the lifestyles and attitudes of our children AND their parents. Children whose parents allow (or even encourage) them to eat poorly will still eat poorly regardless of the availability of the foods at school. Most students, if deprived of the opportunity to purchase junk food at school, will simply bring it with them to school. Most of these types of foods are non-perishable and easily transportable.

Changing our children's attitudes about what they eat and what they do is primarily a parental responsibility - not that of the school district. The school is a wonderful source of information about how to develop a healthy lifestyle and I agree with you that "an inch of example is worth a yard of advice" but the example needs to start at home. If we can't alter the availability of junk food and change the health attitudes at home, children will not significantly alter their eating habits - they will simply alter when and where they feed their habit.

While I maintain that the focus of our efforts to produce a healthier generation needs to start at home, I certainly do not refute your point that providing (even sanctioning) junk food at school sets a bad example. And I understand that most schools' rationale for having the vending machines is to raise money for activities which are not funded in their budgets. However, I believe that your proposed bill would require a significant amount of time and energy to enforce and, if enacted as is, would create quite a public outcry from students and parents as being draconian in nature. Like most pieces of legislation, you need public support to make them work - I'm not sure that is present in our society yet.

Perhaps a more effective alternative would be to add money to the schools budgets to fund activities thus reducing their reliance on the vending machines as a source of income. Many schools don't want the vending machines selling junk food but feel they need them to generate the revenue for their activities. If the revenue stream was not an issue, maybe the abundance of vending machines would diminish.

I'm not naive and do understand the carrot and stick philosophy involved here. What truly needs to happen is a grass-roots movement to promote a healthy lifestyle which will get parents to jump on the bandwagon. Until that happens we are applying band-aids to gaping wounds and burdening the education system with another program to manage. I don't think you will get much bang for your buck with this bill.

I would be happy to participate in a forum to discuss better ways to develop healthy lifestyles for Alaskans and I thank you for both your concern in drafting this bill and in soliciting my input.

Respectfully,

David T. Jones

*LTC, USA
Director for Personnel and Administration J1 ALCOM
552-2820*



IDITAROD AREA SCHOOL DISTRICT

P.O. Box 90
McGrath, Alaska 99627

(907) 524-3033x221

FAX (907) 524-3217

June 28, 2005

To: Senator Kim Elton
State Capitol
Juneau, Alaska 99801-1182

Fm: Joe Banghart, Superintendent
Iditarod Area School District

Ref: Senate Bill No. 199

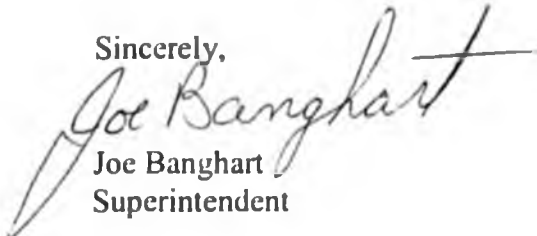
I appreciate your interest in the health of the children in Alaska. The sale of food and beverage of minimal nutritional value on school premises is a good idea on the surface. I would recommend the following ideas for your consideration on this important piece of legislation.

1. To prohibit the use of vending machines in elementary schools would eliminate them in the entire building for all grades because many schools are single building sites. My conservative estimate would place 20% of our rural schools designed under one roof. It would be difficult to exclude such machines unless they were not placed in the building and covered all grades.
2. Schools that have existing machines could possibly be faced with an added expense for changing these machines out and bringing others in. This would cost schools in rural Alaska more money than it is worth.
3. Schools lack adequate funding and to create another mandated and unfunded bill will only add to the lack of funds our students currently suffer from. If such a bill passed and our district did qualify it would only produce about \$4,000.00 for student needs. This would only pay for five(5) students travel to Anchorage or across our district. Current airfare from one side of our district to the other is \$1,200.00 for a plane that can only carry 6 passengers.
4. I recommend you support an increase in teachers salaries across the state so Alaska can be competitive with other states when we recruit new teachers. I just returned from the Alaska Teacher Placement Job Fair in Fairbanks and we

had approximately 20 candidates for over 150 vacant teaching positions in the state. Most school districts still have a long list of positions to fill.

I appreciate the efforts you have made concerning the health of our children. When I can see adequate funding and bills being passed to support our teachers I will then be more than happy to support legislation concerning the health of children.

Sincerely,



Joe Banghart
Superintendent

DISTRICT OFFICE
BERING STRAIT SCHOOL DISTRICT

P.O. BOX 225
UNALAKLEET, ALASKA 99884-0225
(907) 624-3611
(907) 624-3099 FAX
<http://www.bssd.org>

10 June 2005

Senator Kim Elton
State Capitol Bldg
Juneau, AK

Re: SB 199 – Request for input

Dear Mr. Senator Elton:

BREVIK MISSION

DIOMEDE

ELIM

GAMBELL

GOLOVIN

KUYUK

SAINT MICHAEL

SAVOONGA

SHAKTOOLIK

SHISHMAREF

STEBBINS

TELLER

UNALAKLEET

WALES

WHITE MOUNTAIN

You have requested comments on SB 199. I have read your letter and the accompanying bill. You are correct; children and their welfare are of great concern to me as I am sure they are to you. My life's work has focused on educating people both young and not so young. Thank you for serving and for standing for what you believe is right.

Senator, why schools? I would contend that students consume a small portion of their "snack food" intake in school. If snack foods are unhealthy, or have no nutritional value, should we not go directly to the source? Many children watch television daily and are encouraged to consume these products. Maybe it is time to consider regulating these efforts at promoting consumption. Possibly, we should consider the snack food industry in a similar category with tobacco and alcohol given the levels of obesity and diabetes that now exist.

There is evidence we need to be concerned about the eating habits of children and adults. However, why schools? Senator, in fairness I am having a difficult time teaching our students the basics. Why ask schools to help resolve this issue when we are not asking parents or industry. I understand and appreciate your efforts. I too am concerned for the welfare of our children but this is a national issue driven, in large part, by adults. I can live with legislation that prohibits and/or limits snack foods in school but if that is all we do we avoid dealing with the issue. Let us, as a state, go after the snack food industry if these products are problematic.

I would ask you to reconsider SB 199. As I read it, one could make a case that water would not be permitted, as most water bottle labels indicate no nutritional value. I realize this is not your intention. My primary concern is that schools are asked to do something more because we see children daily and frankly, they do not vote.

Please recognize that during school, for the most part, we do not allow students to snack between meals. Students are not sitting sedentary eating ice cream, chips or sipping a soda. Unlike adults, they do not have

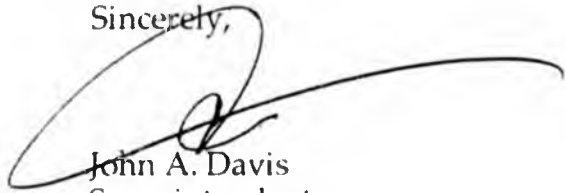
a can of soda on their desks. They consume most of these products outside of the school day. When in school, students are engaged in their work and occasionally take breaks and have lunch. By federal standards, schools are not allowed to sell soda and snack foods during lunch hour.

I would be more comfortable if you wrote a bill that makes this a parent and community responsibility, not only a school responsibility. Let us say children cannot buy a range of snack foods as we currently say they cannot buy tobacco and alcohol. This I could support.

Senator, at the heart of this, as with so many issues, is money. I realize you and your colleagues believe you have continued to fund schools but in fairness, our students are selling these products just so they can participate extra curricular programs. The financial incentive outlined in the bill does not compensate for the current sales of our schools. These dollars are used for student programs long ago cut from the regular budget.

Thank you for your efforts.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Davis", with a long, sweeping horizontal line extending to the right.

John A. Davis
Superintendent



Action for Healthy Kids

June 30, 2005

Senator Kim Elton
State Capitol
Juneau, AK 99801

Dear Senator Elton,

Our team noticed your sponsorship of SB 199, school nutrition support grants. I've enclosed a copy of our two year report THE LEARNING CONNECTION and a copy of the state snapshot survey we did.

Our state team is a coalition of those who work for and care about school policies that promote healthful eating and regular, available physical activity. The web site, www.actionforhealthykids.org is rich with updates and successes from our many partners and other state teams. We are focused on policy changes that address instruction in health education and physical education, changes that ensure all food and beverages are consistent with Dietary Guidelines for Americans and changes to encourage the use of school facilities for physical activity programs outside of school hours.

We are available to assist with your efforts; please contact me.

Sincerely,

Mary Grisco, Chair

580-3180 mary.grisco@elmendorf.af.mil

ACTION FOR HEALTHY KIDS PARTNER STEERING COMMITTEE

- American Academy of Family Physicians
- American Academy of Pediatrics
- American Association of School Administrators
- American Diabetes Association
- American Dietetic Association
- American Federation of Teachers
- American Public Health Association
- American School Food Service Association
- American School Health Association
- Association for Supervision and Curriculum Development
- Association of School Business Officials International
- Association of State & Territorial Chronic Disease Program Directors
- Association of State & Territorial Health Officials
- Association of State & Territorial Public Health Nutrition Directors
- Council of Chief State School Officers
- Family Career & Community Leaders of America
- Food Research and Action Center
- National Association for Sport and Physical Education
- National Association of Elementary School Principals
- National Association of Pediatric Nurse Practitioners
- National Association of School Nurses
- National Association of Secondary School Principals
- National Association of State Boards of Education
- National Association of Student Councils
- National Coalition for Parent Involvement in Education
- National Coalition for Promoting Physical Activity
- National Dairy Council
- National Education Association -- Health Information Network
- National Medical Association
- National Middle School Association
- National PTA
- National School Boards Association
- The Robert Wood Johnson Foundation
- Society for Nutrition Education
- Society of State Directors of Health Physical Education and Recreation
- U.S. Department of Agriculture -- Food and Nutrition Service
- U.S. Department of Education -- Office of Safe and Drug-Free Schools
- U.S. Department of Health and Human Services -- Office of Disease Prevention and Health Promotion, Centers for Disease Control and Prevention and National Institute of Child Health and Human Development



**WRANGELL
PUBLIC SCHOOLS
DISTRICT OFFICE**

GATEWAY TO THE STIKINE

P.O. BOX 2319
WRANGELL, ALASKA 99929
Telephone (907) 874-2347
Fax # (907) 874-3137

June 13, 2005

Honorable Senator Kim Elton
Alaska Senate
State Capitol
Juneau, AK 99801-1182

RE: Senate Bill No. 199

Dear Senator Elton:

Thank you for introducing Senate Bill No. 199, initiating a Nutrition Support Grant for schools.

Although, the idea of the Nutrition Support Grant is a good one, I am concerned about adding this money into the base student allocation. It would be difficult to restrict the use of the additional money if it is added into the base student allocation. If the funding is going to have restrictions, it should be separate from the base student allocation. If the funding is included in the base student allocation, each school district should have the autonomy on how the money is used. I prefer this second option and feel that it would be better for small schools, especially those that do not have student activities in their budget.

Again, thank you for making our student's health a priority.

Sincerely,

Susan J. Sciabbarrasi
Superintendent

SJS: kp

Kake City School District

*P.O. Box 450
Kake, Alaska 99830
(907) 785-3741*

June 23, 2005

Senator Kim Elton
State Capitol
Juneau, AK 99801-1182

Re: Response to SB 199

Dear Senator Elton,

Thank you for your interest in the health of our school kids. I appreciate the intent of SB 199, but wonder whether \$4 per student will be sufficient enticement to make much difference. We have one vending machine in our school. We only sell Power-Ade, juice, and water.

Our city water is not the best, so our kids requested that we get a vending machine and sell other drinks. Studies show that proper hydration increases student performance and attention in the academic setting. Our school board, administration, staff, and kids all decided that we needed something besides city water to drink, but we also know "pop" DOES NOT hydrate the body and causes other health problems such as you mentioned. That is why we have gone the direction we have. Shipping the products we do sell to Kake is also expensive, so our vending machine actually does not make money. I would support SB 199 as being beneficial to us.

However, I don't think it goes far enough to address the problems you present. The other aspect of the "growing body of research showing our children becoming overweight at earlier ages and to a greater degree than ever before" is related to exercise and the development of healthy exercise habits and knowledge.

I began my education career as a physical education teacher. I entered a school district in Missouri that had no organized elementary physical education program and by the end of the first year had one established. Our classroom teachers do their best, but without time and expertise our "hard work at teaching our students healthy living skills" is not successful in the comprehensive manner required to educate and train our kids. Proper diet and exercise is a habit that can be taught and developed. For the reasons you state, this should be a priority interest of the legislature along with proper instruction and testing in reading, writing, and math.

Perhaps a companion bill might include funding for personnel and development of proper health and physical education programming for students. Maybe this issue could be

Kake City School District is an Equal Opportunity Employer

Kake City School District

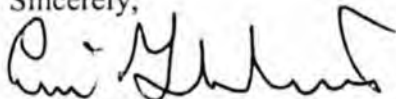
*P.O. Box 450
Kake, Alaska 99830
(907) 785-3741*

successfully addressed outside the formula in a joint venture involving the Department of Education and the Department of Health and Human Services so it can be tracked and evaluated. In this way, the health and physical education "expert" could be involved in the school and the community as a promoter and organizer of healthy exercise and eating habits. Since I have successfully done so in the past, I would be willing to participate in a pilot program that would help to develop a duplicatable program for rural schools and communities. This would take a commitment of funding for personnel, but it would certainly be an investment that would help curb some of the alarming statistics you have referred to.

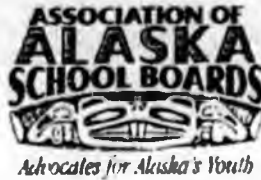
I am also enclosing an interesting article from the Minneapolis Star Tribune entitled, "Phy ed moves to the Web (sweating included)" that I think could be tailored to the needs of Alaska high school students. I see this as a plus for high school schedules, high school students, and for the development of healthy life-long physical activity since students would be able to choose exercise that is of interest and available to them.

If you would like to discuss any of this further, please let me know. Thank you once again for your interest in the health and education of kids.

Sincerely,



Eric Gebhart
Superintendent



The Honorable Kim Elton
Alaska State Senate
State Capitol
Juneau, Alaska 99801

Aug. 5, 2005

Dear Senator Elton,

Thank you for your letter of June 6 asking for feedback on Senate Bill 199, offering grants to school districts that commit to selling only healthful food during the school day. As a general principle, AASB would never discourage the Legislature from offering grants to school districts to improve the health or education of Alaska's school children. The carrot of a small grant is much preferable to the stick of an unfunded mandate from the state.

Nevertheless, as you may know, our member districts often resist efforts by the state and federal government to dictate specific operating or budgetary decisions in local schools. That doesn't stop the dictates from coming down, of course.

A pertinent example is the Child Nutrition and WIC Reauthorization Act of 2004, which requires school districts to establish a local school wellness policy, including nutrition guidelines for foods available on school campuses, by the beginning of the 2006-07 school year. The federal law is quite specific in terms of goals for nutrition and the healthy development of children across the nation. After all, nutritional needs of kids don't really vary much from one state to the other.

But the new federal law differs from many other mandates in the premium placed on flexibility for local districts to formulate policies that are appropriate to their communities.

In reviewing SB 199, I identified some language that approaches the line of resistance some districts have established in regards to federal and state mandates. Namely, the nutrition standards listed in section (g) on page 2. While these appear to mirror the commonly accepted standards for unhealthy, or "junk", food, the question of placing them in statute for Alaska's 130,000 school children and 53 school districts to follow is an entirely different question.

1111 West 9th Street, Juneau, AK 99801

(907) 586-1083

(907) 586-2995

aasb@aasb.org

<http://www.aasb.org>

Senator Elton – Page 2

As introduced, your bill offers districts \$4 per student if they adopt policies banning vending machines in elementary schools and limiting machines in other schools only to healthful food items. In our smaller communities, where students across many grades are housed in one building, I am not sure how such a law would be implemented. And in our larger towns, would \$4 per student be enough? In Juneau, with an ADM of 5,339, the total grant would amount to just \$24,356 a year.

Better nutrition is very important to the health of America's kids. That's why restrictions on junk food sales in public schools have been debated in many states this year. In Alaska, that debate is currently underway among school boards and others regarding a more holistic approach to student wellness. Our association is engaging our member districts, community groups, parents and others in a proactive process to improve student physical and mental health through better eating habits, physical activity and access to adequate housing and health care.

Thank you for your interest in this issue. I would be pleased to discuss this in more detail with you.

Sincerely,



Carl Rose
Executive Director

Economic Costs of Obesity

United States

- **\$75 billion in annual direct medical expenditures**
- **\$18 billion financed by Medicare**
- **\$21 billion financed by Medicaid**

Alaska

- **\$195 million in annual direct medical expenditures**
- **\$17 million financed by Medicare**
- **\$29 million financed by Medicaid**

Source: State-Level Estimates of Annual Medical Expenditures Attributable to Obesity. Obesity Research. 2004

13

Source: Finkelstein, EA, Fiebelkorn IC, Wang G. State-Level Estimates of Annual Medical Expenditures Attributable to Obesity. Obesity Research. 2004; 12(1):18-24.

For the United States, 6% of total medical expenditures, 7% of Medicare expenditures, and 11% of Medicaid expenditures are estimated to be due to overweight and obesity

For Alaska, 7% of all medical expenditures, 8% of all Medicare expenditures, and 8% of all Medicaid expenditures are estimated to be due to overweight and obesity

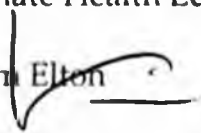
Numbers are likely to be conservative underestimates

SENATOR KIM ELTON

MEMORANDUM

March 14, 2006

To: Senator Fred Dyson, Chair
Senate Health Education & Social Services Committee

From: Kim Elton 

Re: Proposed CS for SB 199

I respectfully request a second hearing on Senate Bill 199, providing grants to school districts that commit to selling no junk food during the school day. I have prepared a committee substitute that addresses the concerns I heard raised in the committee.

In response to the concerns raised about the "physical activity" that could be depicted on a vending machine, the legislative drafter recommended using "athletic activity" instead. This phrase should effectively bar lewdness while promoting healthful endeavors.

In response to the Department of Education & Early Development's concerns over confusion with the federally defined phrase "minimal nutritional value," the proposed CS replaces it with "poor nutritional value." This phrase was suggested by staff in the Department of Education & Early Development and the Division of Public Health.

I appreciate your thoughtful comments when the bill was first heard. I look forward to bringing the amended version before the committee.

24-LS0979S
Mischel
3/13/06

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 199()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATOR ELTON

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 poor nutritional value in schools and for placing restrictions on the use of**
3 **vending machines in public schools; and providing for an effective date."**

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 component
7 of public school funding, a district is eligible to receive a nutrition support grant in the
8 amount of \$4 added to the base student allocation under AS 14.17.470 for the district
9 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 poor
13 nutritional value and food of poor nutritional value during the school day and at least
14 one hour before and after the school day, except for a beverage or food that is funded

1 under the federal school lunch and nutrition programs under 42 U.S.C. 1751 - 1770;

2 (2) prohibits the use of vending machines by elementary students; in
3 this paragraph, "elementary student" means a student who is enrolled in a public
4 school in a grade that is grade kindergarten through five; and

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

6 (A) sell only foods and beverages that are not a food of poor
7 nutritional value or a beverage of poor nutritional value;

8 (B) depict only athletic activities or foods and beverages that
9 are not a food or beverage of poor nutritional value; and

10 (C) display no message, or display a health promotion message
11 only.

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

16 (d) Notwithstanding the minimum instructional expenditure required under
17 AS 14.17.520, a district that receives a nutrition support grant shall distribute the grant
18 proceeds to support student activities or the federal school lunch and nutrition program
19 provided under 42 U.S.C. 1751 - 1770.

20 (e) The department shall establish standards for poor nutritional value, in
21 consultation with the commissioner of health and social services, and adopt other
22 regulations necessary to implement this section.

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

26 (g) In this section,

27 (1) "beverage of poor nutritional value" means a drink, other than
28 water or milk if the milk is served in containers of 16 ounces or less, that contains

29 (A) less than 100 percent vegetable or fruit juice unless the
30 drink has no calories without added sweeteners;

31 (B) fruit juice and is sold in a serving container that is more

1 than 12 ounces;

2 (C) added sweeteners;

3 (D) caffeine; or

4 (E) additional ingredients and quantities identified by the
5 department in regulation;

6 (2) "food of poor nutritional value" means a food intended for human
7 consumption that

8 (A) derives more than 30 percent of the food's calories from
9 fat, except legumes, nuts, subsistence foods, or seeds;

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

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

14 (D) contains more than 250 calories for a serving; or

15 (E) meets additional standards established by the department in
16 regulation.

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