

1 H.195

2 Introduced by Representatives Wood of Waterbury, McFaun of Barre Town,
3 and Till of Jericho

4 Referred to Committee on

5 Date:

6 Subject: Health; nutrition; children's meals; sugar-sweetened beverages; bike
7 and pedestrian initiatives

8 Statement of purpose of bill as introduced: This bill proposes to implement
9 miscellaneous provisions related to Vermonters' health and wellness. It would
10 require restaurants licensed by the Department of Health to serve only
11 children's meals that meet certain nutritional standards. It would also establish
12 a legislative Sugar-Sweetened Beverage Working Group. The bill would
13 appropriate funds for community bicycle and pedestrian initiatives.

14 An act relating to miscellaneous public health provisions

15 It is hereby enacted by the General Assembly of the State of Vermont:

16 * * * Children's Meals * * *

17 Sec. 1. FINDINGS

18 The General Assembly finds that:

19 (1) Over the past 30 years, the obesity rate in the United States has more
20 than doubled. According to the Centers for Disease Control and Prevention, in

1 2011, 69 percent of American adults were overweight or obese. In 2014,
2 nearly 25 percent of adult Vermont residents were overweight or obese. With
3 regard to children, approximately one-third were deemed overweight or obese
4 nationwide in 2011, while in Vermont one-fourth of children were overweight
5 or obese. Obese children are at least twice as likely as nonobese children to
6 become obese adults.

7 (2) Obese children and adults are at greater risk for numerous adverse
8 health consequences, including type 2 diabetes, heart disease, stroke, high
9 blood pressure, high cholesterol, certain cancers, asthma, low self-esteem,
10 depression, and other debilitating diseases.

11 (3) Obesity-related health conditions have serious economic costs. The
12 medical burden of obesity in the United States is approximately \$147 billion
13 annually, or almost 10 percent of all medical spending. Roughly one-half of
14 these costs are paid through Medicare and Medicaid, which means that
15 taxpayers are responsible for much of the bill. Medicare and Medicaid
16 spending would be reduced by 8.5 percent and 11.8 percent, respectively, in
17 the absence of obesity-related spending. Obesity-related annual medical
18 expenditures in Vermont are estimated at \$291 million.

19 (4) Families in Vermont have limited time to obtain and prepare healthy
20 food, making dining out an appealing and often necessary option. Nationwide,
21 American children eat 19 percent of their calories at fast food and other

1 restaurants. Children eat almost twice as many calories when they eat a meal
2 at a restaurant as they do when they eat at home. A 2013 study that examined
3 the nutritional quality of children's meals sold at 18 of the most profitable fast
4 food restaurant chains in the United States found that only three percent of the
5 3,494 meal combinations assessed met the expert nutrition standards for
6 children's meals.

7 (5) The General Assembly supports parents' efforts to feed their
8 children healthfully by ensuring healthy meals are readily available to children
9 in restaurants.

10 Sec. 2. 18 V.S.A. § 4359 is added to read:

11 § 4359. NUTRITION REQUIRMENTS FOR CHILDREN'S MEALS

12 (a) A licensed restaurant shall only sell a children's meal that meets the
13 following nutritional requirements:

14 (1) It contains not more than:

15 (A) 600 calories;

16 (B) 770 milligrams of sodium;

17 (C) 35 percent of calories from total sugars;

18 (D) 35 percent of calories from fat;

19 (E) 10 percent of calories from saturated fat; and

20 (F) 0.5 grams of trans fat.

1 (2) It includes at least 0.5 cups of unfried fruit or unfried vegetables,
2 excluding white potatoes, and at least one of the following:

3 (A) a whole grain product that contains not less than 51 percent by
4 weight in whole grain ingredients or lists whole grains as the first ingredient;

5 (B) a lean protein, consisting of at least two ounces of meat; one
6 ounce of nuts, seeds, dry beans, or peas; or one egg; or

7 (3) at least 0.5 cups of nonfat or one percent milk or low-fat yogurt, or
8 one ounce of reduced-fat cheese.

9 (b) For the purposes of this section, juices, condiments, and spreads shall
10 not be considered fruits or vegetables.

11 (c) If a children's meal includes a beverage, that beverage shall be:

12 (1) water, sparkling water, or flavored water with no added natural or
13 artificial sweeteners;

14 (2) nonfat or one percent milk or a nondairy milk alternative containing
15 no more than 130 calories per container or serving as offered for sale; or

16 (3) 100 percent juice with no added sweeteners in a serving size of not
17 more than eight ounces.

18 (d) As used in this section:

19 (1) "Children's meal" means a combination of food items or food and
20 beverage items that are sold together at a single price and primarily intended
21 for consumption by children.

1 (2) “Lean protein” means a food containing less than 10 grams of fat,
2 4.5 grams or less of saturated fat, and less than 95 milligrams of cholesterol per
3 100 grams and per labeled serving.

4 * * * Sugar-Sweetened Beverage Working Group * * *

5 Sec. 3. SUGAR-SWEETENED BEVERAGE WORKING GROUP

6 (a) Creation. There is created the Sugar-Sweetened Beverage Working
7 Group for the purpose of:

8 (1) assessing the health impacts and expenditures in Vermont related to
9 the consumption of sugar-sweetened beverages; and

10 (2) incentivizing reduced consumption of sugar-sweetened beverages
11 by Vermonters.

12 (b) Membership. The Working Group shall be composed of the following
13 members:

14 (1) three current members of the House of Representatives, not all
15 from the same political party, who shall be appointed by the Speaker of the
16 House to represent the following committees:

17 (A) the House Committee on Health Care;

18 (B) the House Committee on Human Services; and

19 (C) the House Committee on Ways and Means; and

1 (2) three current members of the Senate, not all from the same political
2 party, who shall be appointed by the Committee on Committees to represent
3 the following committees:

4 (A) the Senate Committee on Economic Development, Housing and
5 General Affairs;

6 (B) the Senate Committee on Finance; and

7 (C) the Senate Committee on Health and Welfare.

8 (c) Powers and duties. The Working Group shall study the health impacts
9 and related expenditures of sugar-sweetened beverage consumption by
10 Vermonters. The Working Group shall examine:

11 (1) symptoms of and chronic diseases caused by the consumption of
12 sugar-sweetened beverages;

13 (2) health care costs and other expenditures linked to the treatment of
14 Vermonters with symptoms and chronic diseases related to the consumption
15 of sugar-sweetened beverages; and

16 (3) incentives to reduce the consumption of sugar-sweetened beverages
17 by Vermonters.

18 (d) Assistance. The Working Group shall have the administrative,
19 technical, and legal assistance of the Office of Legislative Council and the
20 Joint Fiscal Office.

1 (e) Report. On or before December 15, 2019, the Working Group shall
2 submit a written report to the House Committees on Health Care, on Human
3 Services, and on Ways and Means and the Senate Committees on Economic
4 Development, Housing and General Affairs, on Finance, and on Health and
5 Welfare with its findings and any recommendations for legislative action.

6 (f) Meetings.

7 (1) The appointee from Senate Health and Welfare shall call the first
8 meeting of the Working Group to occur on or before August 1, 2019.

9 (2) The Committee shall select a chair from among its members at the
10 first meeting.

11 (3) A majority of the membership shall constitute a quorum.

12 (4) The Working Group shall cease to exist on January 1, 2020.

13 (g) Compensation and reimbursement. For attendance at meetings during
14 adjournment of the General Assembly, a legislative member of the Working
15 Group shall be entitled to per diem compensation and reimbursement of
16 expenses pursuant to 2 V.S.A. § 406 for not more than four meetings. These
17 payments shall be made from monies appropriated to the General Assembly.

18 (h) As used in this section:

19 (1) “Sugar-sweetened beverage” means any nonalcoholic beverage,
20 carbonated or noncarbonated, that is intended for human consumption and
21 contains any added sweetener. As used in this subdivision, “nonalcoholic

1 beverage” means any beverage that contains less than one-half of one percent
2 alcohol per volume. However, the term “sugar-sweetened beverage” does
3 not include:

4 (A) a beverage consisting of 100 percent natural fruit juice or natural
5 vegetable juice with no added sweetener. As used in this subdivision (A),
6 “natural fruit juice” and “natural vegetable juice” mean the original liquid
7 resulting from the pressing of fruits or vegetables or the liquid resulting from
8 the dilution of dehydrated natural fruit juice or natural vegetable juice;

9 (B) milk, with or without any added sweetener, which means natural
10 liquid milk regardless of animal source or butterfat content; natural milk
11 concentrate, whether or not reconstituted, regardless of animal source or
12 butterfat content; dehydrated natural milk, whether or not reconstituted and
13 regardless of animal source or butterfat content; or soy, rice, or similar milk
14 substitutes; or

15 (C) infant formula.

16 (2) “Sweetener” means any caloric substance suitable for human
17 consumption that humans perceive as sweet and includes sucrose, fructose,
18 glucose, other sugars, and fruit juice concentrates but does not include any
19 substance that adds fewer than five calories per reference amount customarily
20 consumed or per labeled serving. “Sweetener” does not include maple syrup.

1 * * * Bicycle and Pedestrian Initiatives * * *

2 Sec. 4. BETTER CONNECTIONS GRANT PROGRAM EXPANSION

3 In fiscal year 2020, \$70,000.00 is appropriated to the Better Connections
4 Grant Program from the Transportation Fund for the purpose of expanding
5 Quick Build grants throughout the State. Grants shall be administered in
6 accordance with the 2019–2021 Better Connections Grant Program application
7 guidelines.

8 Sec. 5. DOWNTOWN TRANSPORTATION FUND

9 In fiscal year 2020, \$800,000.00 is appropriated to the Downtown
10 Transportation Fund from the Transportation Fund for the purpose of
11 increasing the number of downtowns and villages served.

12 Sec. 6. BICYCLE AND PEDESTRIAN GRANTS

13 In fiscal year 2020, \$600,000.00 is appropriated to the Agency of
14 Transportation from the Transportation Fund for the purpose of expanding the
15 Agency's bicycle and pedestrian grants.

16 * * * Effective Date * * *

17 Sec. 7. EFFECTIVE DATE

18 This act shall take effect on July 1, 2019.