

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

BILL FILING TEMPLATE

Be It Enacted, by the Senate and House of Representatives, etc., as follows:

SECTION 1. Chapter 69 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by inserting the following new section:-

Section 10. School Wellness Implementation Council.

There shall be within the department of education a Massachusetts school wellness implementation council, hereinafter referred to as the council, which shall not be subject to the control of the department except as provided in this section. The purpose of the council shall be to make recommendations for how the state can support and assure the implementation of school wellness plans as required by Section 204 of Public Law 108-265 the Child Nutrition and WIC Reauthorization Act of 2004.

The council shall consist of the chief executive officers or their designees from each of the following agencies or organizations: the department of education and the department of public health, who shall serve as co-chairs of the council; the department of early education and care; the department of public health; and the Boston public health commission. The governor of the commonwealth shall also appoint the following members of the council: a member from a local school board; a member from a parent teacher association; a nutritionist or other healthcare provider, specializing in children's health; a youth leader; a representative from a statewide public health association; and a representative from a physical education organization. The council shall meet from time to time, but not less frequently than monthly. The commissioner of the department of education shall appoint personnel necessary to coordinate the activities of the council and

to provide administrative support to the council, as requested. The council shall: (1) review model programs and recommend baseline standards for Massachusetts school wellness plans; (2) assess health, academic, and monetary costs associated with obesity of children; (3) make recommendations regarding action steps of state agencies and changes to existing statewide policies that will allow schools to meet aforementioned standards; (4) assess costs associated with changing state policies to meet said standards; (5) review and recommend local best practices as well as statewide policy changes to tie health education and wellness activities to current educational and curricular framework; (6) make recommendations regarding enforcement of requirement of school wellness plan implementation and consequences for districts that do not meet state standards or implement plans; and (7) within 12 months of its first meeting, prepare and submit a report to the governor, the joint committee on children and families, the joint committee on public health, the joint committee on health care finance, the joint committee on education, and the joint committee on higher education, concerning its recommendations for the state to promote implementation of school wellness policies.

SECTION 2. Chapter 111 of the General Laws, as so appearing, is hereby amended by inserting the following new section:-

Section 24K. School nutrition and fitness pilot program.

The department of public health shall, subject to appropriation, administer a pilot school nutrition and fitness program to be based on the recommendations developed by the Massachusetts school wellness implementation council. The pilot program shall support efforts by public schools within the commonwealth to improve the nutritional

content of public school lunches, including the amount of fresh fruits and vegetables contained in public school lunches as well as the opportunities for increased physical activity.

SECTION 3. Chapter 128 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by inserting the following new section:-

Section 3A. Food policy and planning council.

There shall be within the department of agricultural resources a Massachusetts food policy and planning council, hereinafter referred to as the council, which shall not be subject to the control of the department except as provided in this section. The purpose of the council shall be to make recommendations regarding action steps to promote improved nutrition and access to fresh, healthy, and locally-produced food in order to reduce obesity and the chronic diseases associated with it for all residents of the commonwealth. The primary focus of the council shall be on what can be done by state government to improve a) nutritional status of all residents, especially in communities with disproportionate burdens of obesity, and b) the promotion and local distribution of Massachusetts-grown food. The council shall consist of the chief executive officers or their designees from each of the following agencies or organizations: the department of agricultural resources and the department of public health, who shall serve as co-chairs of the council; the department of education; the executive office of transportation; the department of social services; the department of environmental protection; the cooperative extension program; and the department of housing and community development. The governor of the commonwealth shall also appoint the following

members of the council: an anti-hunger organization; an organization or individual involved in agriculture or an agricultural organization; a produce wholesaler; a produce retailer; an association of farmer's markets; an urban health department addressing obesity; a state public health association; a representative from a community-based coalition focused on obesity or its associated chronic diseases; a youth leader; a school of nutrition; and a hospital association. The council shall meet from time to time, but not less frequently than monthly. The commissioner of the department of agricultural resources shall appoint personnel necessary to coordinate the activities of the council and to provide administrative support to the council, as requested. The council shall: (1) develop, coordinate and implement a state food system policy linking promotion of good nutrition, access to affordable, healthy, locally grown food, local economic development, environmental protection and preservation with farming and urban issues; (2) make recommendations regarding any state legislation and regulations that would affect the food policy system of the commonwealth in light of the goals of this council; and (3) prepare and submit an annual progress report to the governor, the joint committee on environment, natural resources and agriculture, the joint committee on public health, the joint committee on health care finance; the joint committee on transportation, the joint committee on public safety and homeland security, concerning its activities with any appropriate recommendations concerning food policy. Within nine months of its inception, the council shall present its action plan to the governor and chairs of aforementioned committees.