

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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**SENATE BILL 582*
Health & Human Resources Committee Substitute Adopted 4/30/03**

Short Title: Establish Commission on Childhood Obesity.

(Public)

Sponsors:

Referred to:

March 31, 2003

A BILL TO BE ENTITLED

1 AN ACT TO ESTABLISH THE COMMISSION ON CHILDHOOD OBESITY.

2
3 Whereas, the four leading causes of death in North Carolina are stroke, heart
4 disease, cancer, and diabetes, all of which are associated with overweight and obesity;
5 and

6 Whereas, the prevalence of obesity has doubled in children and tripled in
7 adolescents in the last two decades, bringing with it increased risk for future disease, as
8 well as pediatric diagnoses of sleep apnea, orthopedic problems, psychological stress,
9 and type 2 diabetes (formerly termed adult onset diabetes as it was rarely seen in
10 persons under 30); and

11 Whereas, overweight teens have a 70% chance of becoming overweight or
12 obese adults, making the next generation likely to have more adults with chronic
13 diseases related to obesity at earlier ages than past generations; and

14 Whereas, the cost attributed to obesity and associated chronic diseases in the
15 United States is more than \$100 billion and these costs are spiraling upward; and

16 Whereas, children and adolescents are not meeting the recommendations of
17 the Dietary Guidelines for Americans, including fruits and vegetables, but are
18 consuming increasing amounts of foods high in fat and sugar; and

19 Whereas, standards were adopted in 1995 for meals served in the National
20 School Lunch and School Breakfast Programs, but no standards exist for foods and
21 beverages served a la carte in the cafeteria or in other venues during the school day; and

22 Whereas, regular physical activity substantially reduces the risk of dying of
23 coronary heart disease and decreases the risk for stroke, colon cancer, diabetes, and high
24 blood pressure. It also helps to control weight; contributes to healthy bones, muscles,
25 and joints; reduces symptoms of anxiety and depression; and is associated with fewer
26 hospitalizations, physician visits, and medications; Now, therefore,

27 The General Assembly of North Carolina enacts:

28 **SECTION 1.** There is established the Commission on Childhood Obesity.

1 **SECTION 2.** The Commission on Childhood Obesity shall be composed of
2 27 members who have knowledge and interest in reversing the epidemic of childhood
3 obesity and taking steps to prevent obesity. The members shall be appointed as follows:

- 4 (1) The Superintendent of Public Instruction or his or her designee.
- 5 (2) One member of the Health and Wellness Trust Fund appointed by the
6 chair of the Health and Wellness Trust Fund.
- 7 (3) Two parents of public school children and one public high school
8 student appointed by the Governor after receiving recommendations
9 from the North Carolina State Parent Teacher Association.
- 10 (4) Two members of the Senate appointed by the President Pro Tempore
11 of the Senate.
- 12 (5) Two members of the House of Representatives appointed by the
13 Speaker of the House of Representatives.
- 14 (6) Two members of a local board of education appointed by the
15 Governor, after receiving recommendations from the North Carolina
16 School Boards Association.
- 17 (7) One public school child nutrition director appointed by the Governor,
18 after receiving recommendations from the Superintendent of Public
19 Instruction.
- 20 (8) One public school nutrition education specialist appointed by the
21 Governor, after receiving recommendations from the Superintendent
22 of Public Instruction.
- 23 (9) One at-large member appointed by the Governor.
- 24 (10) Five members appointed by the President Pro Tempore of the Senate.
25 In making these appointments, the President Pro Tempore shall
26 appoint the following:
 - 27 a. One public school health education teacher.
 - 28 b. One representative from the Smart Start Program.
 - 29 c. One pediatrician.
 - 30 d. One psychiatrist, specializing in obesity.
 - 31 e. One school administrator.
- 32 Professional associations representing teachers, school administrators,
33 and the medical community may recommend appointees to the
34 President Pro Tempore of the Senate.
- 35 (11) Five members appointed by the Speaker of the House of
36 Representatives. In making these appointments, the Speaker of the
37 House of Representatives shall appoint the following:
 - 38 a. One public school physical education specialist.
 - 39 b. One representative from the More At Four Program.
 - 40 c. One dentist.
 - 41 d. One member of the research community addressing the obesity
42 epidemic.
 - 43 e. One school administrator.

1 Professional associations representing teachers, school administrators,
2 and dentists may recommend appointees to the Speaker of the House
3 of Representatives.

4 (12) One representative of the vending machine industry, who is appointed
5 by the Health and Wellness Trust Fund Commission, after receiving
6 recommendations from the North Carolina Citizens for Business and
7 Industry.

8 (13) One nutritionist, who is appointed by the Health and Wellness Trust
9 Fund Commission, after receiving recommendations from professional
10 associations.

11 (14) One economist, with expertise in the socioeconomic issues associated
12 with obesity, who is appointed by the Health and Wellness Trust Fund
13 Commission, after receiving recommendations from the research
14 community.

15 Each of the following organizations or agencies may select a representative
16 from its organization or agency to advise the Commission. These members shall provide
17 information to the Commission about the obesity epidemic in North Carolina: North
18 Carolina Department of Health and Human Services, Division of Public Health; North
19 Carolina Department of Public Instruction, Child Nutrition Services; Be Active North
20 Carolina, Inc., Prevention Partners; American Cancer Society; American Heart
21 Association; Action for Healthy Kids NC; Healthy Weight Initiative; and the Office of
22 the Governor.

23 **SECTION 3.** The member of the Health and Wellness Trust Fund
24 Commission appointed by the chair of the Health and Wellness Trust Fund Commission
25 shall serve as the chair of the Commission. Vacancies on the Commission shall be
26 filled by the same appointing authority as made the initial appointment.

27 **SECTION 4.** The study shall include the following:

- 28 (1) The causes of obesity in North Carolina's children.
- 29 (2) The socioeconomic issues associated with childhood obesity.
- 30 (3) How the State should deal with childhood obesity.
- 31 (4) The steps that should be taken to prevent obesity in North Carolina.

32 **SECTION 5.** The Commission shall make recommendations that include the
33 following:

- 34 (1) Nutritional guidelines for food served in public schools outside of the
35 National School Lunch and School Breakfast Programs.
- 36 (2) Physical education in public schools.
- 37 (3) Physical activities in public schools.
- 38 (4) Healthy and nutritional behavior by North Carolina students and, when
39 possible, their families.

40 The Commission is encouraged to explore different settings for its
41 recommendations, including families, schools/child care, communities, health care,
42 media/communication/social marketing, and surveillance/research.

43 **SECTION 6.** The Commission shall submit a final written report of its
44 findings and recommendations to the Joint Legislative Health Care Oversight

1 Committee, the Joint Legislative Education Oversight Committee, and the Health and
2 Wellness Trust Fund Commission no later than Friday, May 7, 2004. The final report
3 may contain a summary of recommendations for changes to any law, rule, and policy
4 that would lower or eradicate the obesity rates in North Carolina and our schools. Upon
5 filing its final report, the Commission shall terminate.

6 **SECTION 7.** Members of the Commission shall be paid per diem,
7 subsistence, and travel allowances in accordance with G.S. 120-3.1, 138-5, and 138-6,
8 as appropriate.

9 **SECTION 8.** Federal funds, private funds, and existing State funds may be
10 used to support the Commission. No new State funds shall be used to support the
11 Commission.

12 **SECTION 9.** This act is effective when it becomes law.