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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO HEALTH AND SAFETY

Introduced By: Representative Katherine S.Kazarian

Date Introduced: February 13, 2014

Referred To: House Health, Education & Welfare

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby  
2 amended by adding thereto the following chapter:

3 CHAPTER 93

4 THE HEALTHY STATE EMPLOYEE ACT

5 **23-93-1. Short title. --** This chapter shall be known and may be cited at the "Healthy  
6 State Employee Act of 2014."

7 **23-93-2. Statement of purpose. --** (1) Approximately twenty-five percent (25%) of state  
8 residents are overweight or obese;

9 (2) Obesity costs Rhode Island approximately three hundred million dollars  
10 (\$300,000,000) a year in healthcare costs, contributing to costly and debilitating diseases such as  
11 heart disease, stroke, and diabetes;

12 (3) Obesity is a leading modifiable risk factor contributing to the growing number of  
13 children with type 2 diabetes; and one quarter of children ages five (5) to ten (10) show early  
14 warning signs of heart disease, such as elevated blood cholesterol or high blood pressure;

15 (4) Approximately (nineteen thousand two hundred) 19,200 state residents are employed  
16 by the state government and work on state property. Reducing the impact of diet-related diseases  
17 will support a more productive and valuable workforce that will pay dividends to the state  
18 economy and cultivate national competitiveness for state residents and employees.

1 (5) State properties are visited by many state residents and visitors, and provide care for  
2 dependent adults and children; and

3 (6) Positive changes in the nutritional quality of food sold or provided by the state or on  
4 government property will assist people to make healthier choices.

5 **23-93-3. Development of state food standards. -- (a) Within three (3) months following**  
6 enactment of this act, the director of the department of health shall convene a food standards task  
7 force, to consist of a representative from each state agency that purchases, prepares, serves, or  
8 sells food, at least one dietician or nutritionist, one pediatrician, one dentist, and such other  
9 persons as the secretary may deem appropriate. The food standards task force shall develop state  
10 food standards together with the director. No later than twelve (12) months following enactment  
11 of this act, the department of health, based on the recommendations of task force, shall finalize  
12 the nutrition standards for foods served and sold by state agencies and institutions and on state  
13 property, report them to the legislature, and disseminate them to the heads of all state agencies  
14 that purchase, prepare, or serve food and beverages.

15 (b) The state food standards developed pursuant to this section shall be consistent with or  
16 exceed the nutrition recommendations in the most recent edition of the federal dietary guidelines  
17 for Americans developed by the United States department of agriculture and the United States  
18 department of health and human services. They should support and encourage breastfeeding,  
19 ensuring that employees are provided with appropriate space and adequate time for breastfeeding  
20 or expressing milk for their infants. They also should include recommendations for the use of  
21 locally grown food products to the greatest extent possible.

22 (c) The state food standards shall be reviewed and updated by the department of health as  
23 necessary, but no less often than every five (5) years to ensure that the standards remain current  
24 and science-based.

25 (d) In developing the state food standards, the food standards task force and department  
26 of health shall consider the following:

27 (1) Recommendations for nutrition standards for foods, beverages, or meals made by  
28 authoritative scientific organizations;

29 (2) Both positive and negative contributions of nutrients, ingredients, and foods to the  
30 diets of adults and children (including calories or portion size, saturated fat, trans fat, sodium,  
31 added sugars, and the presence of fruits, vegetables, whole grains, and nutrients of concern in  
32 Americans' diets); and

33 (3) Adaptations of the standards for different venues, such as childcare, correctional  
34 facilities, government meetings, or other settings with unique populations or circumstances.

1           **23-93-4. Applicability of state food standards. -- (a) The state food standards**  
2 developed pursuant to § 23-93-3 shall be applied to all foods and beverages purchased, prepared,  
3 served, and sold by all state agencies and institutions and sold or served on state property,  
4 including but not limited to:

- 5           (1) All government office buildings;
- 6           (2) Meetings and conferences hosted or funded by state agencies;
- 7           (3) Road-side rest stops managed or owned by the state;
- 8           (4) State parks and recreation centers;
- 9           (5) Child-care facilities managed or subsidized by the state or on state property;
- 10          (6) State-supported hospitals;
- 11          (7) Correctional facilities;
- 12          (8) State colleges and universities;
- 13          (9) Homeless shelters; and
- 14          (10) Senior centers.

15           (b) All purchases made by any department or division or any officer or agency on behalf  
16 of the state shall be made in accordance with the healthy government employees act. All contracts  
17 made by state agencies with food-service, catering, or vending companies or other food providers  
18 will ensure the food supplied will be in accordance with the state food standards. All existing  
19 contracts that do not meet those standards must be either immediately revised or terminated, or if  
20 necessary, revised or terminated at the next renewal stage of the contract.

21           **23-93-5. Menu labeling for standard menu items sold on state property. -- (1) In a**  
22 nutrient content disclosure statement adjacent to the name of the standard menu item, so as to be  
23 clearly associated with the standard menu item, on the menu, menu board, drive-through menu  
24 board, or food display tag, listing the item for sale, list the number of calories contained in the  
25 standard menu item, as usually prepared and offered for sale;

26           (2) Provide a succinct statement concerning suggested daily caloric intake, posted  
27 prominently on the menu or menu board and designed to enable the public to understand, in the  
28 context of a total daily diet, the significance of the caloric information that is provided on the  
29 menu that reads: "An average adult should consume no more than 2,000 calories a day.";

30           (3) Make available in writing at the point of ordering in the restaurant or similar retail  
31 establishment, disclosure of saturated fat, trans fat, sodium, and fiber, per menu item as it is  
32 usually offered for sale;

33           (i) The restaurant or food service establishment must include a prominent, clear, and  
34 conspicuous statement regarding the availability of such information on the menu or menu board;

1           (4) In the case of food sold at a salad bar, buffet line, cafeteria line, or similar self-service  
2 arrangement, and for self-service beverages or food that is on display and that is visible to  
3 customers, a restaurant or similar retail food establishment shall place adjacent to each food  
4 offered a sign that lists calories per displayed food item or per serving, as offered for sale.

5           (5) For menu items that come in different flavors, varieties, or combinations, but that are  
6 listed as a single menu item, such as soft drinks, ice cream, pizza, doughnuts, or children's combo  
7 meals, the median value for calories for all flavors, varieties, or combinations shall be listed on  
8 menus and menu boards if the caloric values for all flavors, varieties or combinations are within  
9 twenty percent (20%) of the median. If the caloric or other nutrient values are not within twenty  
10 percent (20%) of the median, then the range for all the flavors, varieties, or combinations of that  
11 menu item shall be listed from the lowest to the highest value. If a menu item that comes in  
12 different varieties is on display with a name placard or similar signage, the calories per item as-  
13 offered-for-sale shall be listed on a placard along with the name. If a menu item is not on display,  
14 nutrition information for each individual flavor or variety or each individual menu item that can  
15 be chosen as part of a combination meal shall be provided by means of an in-store brochure,  
16 booklet, or other device that is readily available to customers at the point of ordering. Signage  
17 should alert customers to the availability of such information.

18           SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO HEALTH AND SAFETY

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1           This act would create the "Healthy State Employee Act" requiring healthy food to be  
2 served at state facilities.

3           This act would take effect upon passage.

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