

Mark Desetti, testimony  
House Health and Human Services Committee  
February 2, 2005  
**House Bill 2137**

There is no denying that there is an obesity epidemic in America and that it has hit our children. We know what ready access to fast food, sugary soft drinks, and high fat snacks is doing to all of us. We also know that dramatically increased serving sizes are contributors to the problem. Most of us in this room can remember when the 10-oz soda was the norm for a vending machine. It's nearly impossible to find one now.

Vending machines in schools quite probably contribute to the problem. We don't deny that. This bill, if passed, will certainly change the options that students have. It won't necessarily change what they consume – on the high school level anyway. But I think we all agree that, in the case of the products available in vending machines, we are not talking about the “medium being the message.” Unlike television where people will simply watch whatever is on, there is less of a need to buy whatever is available simply because it is in a vending machine. Some students will consume less soda or fatty snacks. But they won't pick up milk just because it's in the machine. The end result will be greater reductions in funds than reductions in waistlines.

The sad truth is that schools have come to latch on to soda contracts because they need the money to replace the lack of state funding. Perhaps the soda money goes to student activities because activity money has been moved to shore up academic programs. The legislature has asked schools to do with less every year for the past four years. Now you are asking schools to give up another source of revenue with no plan to replace that revenue. We have no argument with the desire to reduce bad food choices for students – your hearts are in the right place. But you can't simply strip schools of a potentially strong source of revenue and not offer an alternative source.

We would suggest that you set this decision aside until you have met the court's school finance requirement.

As for subsection (c), while many legislators have long couched their hesitancy in increasing school funding to a desire to get more money into teachers' pockets, we did not believe you meant simply returning a teacher's own money to those pockets.

Teachers do what it takes to motivate children. Sometimes an M&M or a Jolly Rancher does the trick. Again, I ask you for a suggestion to replace those M&Ms and Jolly Ranchers. Nuts carry allergy issues, stickers are more expensive and not motivating to high school or middle school students, sugary fruits carry the same dental issues, and if celery sticks and carrot chips are longed for why do so many end up in the cafeteria trash?

I would submit that the few candies passed out in class do little to impact obesity; I accept that they may contribute to dental issues. But since many teachers do not use them and there is no restriction on access to candies and other caries-producing edibles elsewhere, you are really making little impact on dental health. This section is like trying to bring down a charging rhino with a pea shooter.

We ask that you do two things:

First, before you ban or cripple a school's revenue sources, you replace the lost revenue.

Secondly, you turn away from micro-managing the classroom and let teachers, principals, and parents decide how best to motivate their students. The ban in subsection (c) is best left to school site councils, not the legislature.