

**Assembly Concurrent Resolution**

**No. 155**

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**Introduced by Assembly Members Lempert and  
Villaraigosa**

May 7, 1998

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Assembly Concurrent Resolution No. 155—Relative to  
breast feeding.

LEGISLATIVE COUNSEL'S DIGEST

ACR 155, as introduced, Lempert. Breast feeding.

This measure would encourage the State of California and California employers to support and encourage the practice of breast feeding, by striving to accommodate the needs of employees, and by ensuring that employees are provided with adequate facilities for breast feeding and expressing milk for their children. The measure would also memorialize the Governor to declare by executive order that California's employees be provided with adequate facilities for breast feeding and expressing milk.

Fiscal committee: yes.

1 WHEREAS, Extensive research, especially in recent  
2 years, documents diverse and compelling advantages to  
3 infants, mothers, families, and society from breast feeding  
4 and the use of human milk for infant feeding, including  
5 health, nutritional, immunologic, developmental,  
6 psychological, social, economic, and environmental  
7 benefits; and

1 WHEREAS, Epidemiologic research shows that human  
2 milk and breast feeding of infants provide advantages  
3 with regard to general health, growth, and development,  
4 while significantly decreasing risk for a large number of  
5 acute and chronic diseases. Research in the United States,  
6 Canada, Europe, and other developed countries, among  
7 predominantly middle-class populations, provides strong  
8 evidence that human milk feeding decreases the  
9 incidence, or severity, or both, of diarrhea, lower  
10 respiratory infection, otitis media, bacteremia, bacterial  
11 meningitis, botulism, urinary tract infection, and  
12 necrotizing enterocolitis. In addition, a number of studies  
13 show a possible protective effect of human milk feeding  
14 against sudden infant death syndrome,  
15 insulin-dependent diabetes mellitus, Crohn's disease,  
16 ulcerative colitis, lymphoma, allergic diseases, and other  
17 chronic digestive diseases. Breast feeding has also been  
18 related to possible enhancement of cognitive  
19 development; and

20 WHEREAS, A number of studies also indicate potential  
21 health benefits for mothers, as it has long been  
22 acknowledged that breast feeding increases levels of  
23 oxytocin, resulting in less postpartum bleeding and more  
24 rapid uterine involution, and lactational amenorrhea  
25 causes less menstrual blood loss over the months after  
26 delivery. Recent research demonstrates that lactating  
27 women have an earlier return to prepregnancy weight,  
28 delayed resumption of ovulation with increased child  
29 spacing, improved bone remineralization postpartum  
30 with reduction in hip fractures in the postmenopausal  
31 period, and reduced risk of ovarian cancer and  
32 premenopausal breast cancer; and

33 WHEREAS, In addition to individual health benefits,  
34 breast feeding provides significant social and economic  
35 benefits to the nation, including reduced health care costs  
36 and reduced employee absenteeism for care attributable  
37 to child illness. The significantly lower incidence of illness  
38 in the breast-fed infant allows the parents more time to  
39 give attention to siblings and other family duties, and  
40 reduces parental absence from work and lost income. The



1 direct economic benefits to the family are also significant.  
2 It has been estimated, for example, that in 1993, the cost  
3 of purchasing infant formula for the first year after birth  
4 was \$855; and

5 WHEREAS, Increasing the rates of breast feeding  
6 initiation and duration is a national health objective, and  
7 one of the goals of Healthy People 2000, a national  
8 prevention initiative to improve the health of all  
9 Americans. The target of Healthy People 2000 is to  
10 increase to at least 75 percent the proportion of mothers  
11 who breast feed their babies in the early postpartum  
12 period and to at least 50 percent the proportion who  
13 continue breast feeding until their babies are five to six  
14 months old. Although breast-feeding rates have increased  
15 slightly since 1990, the percentage of women currently  
16 electing to breast feed their babies is still lower than levels  
17 reported in the mid-1980s, and is far below the Health  
18 People 2000 goal. In 1995, 59.4 percent of women in the  
19 United States were breast feeding either exclusively or in  
20 combination with formula feeding at the time of hospital  
21 discharge, but only 21.6 percent of mothers were nursing  
22 at six months, and many of these were supplementing  
23 with formula; and

24 WHEREAS, The American Academy of Pediatrics  
25 recommends exclusive breast feeding as ideal nutrition,  
26 sufficient to support optimal growth and development for  
27 approximately the first six months of life, with the gradual  
28 introduction of iron-enriched solid foods in the second  
29 half of the first year to complement the breast milk diet.  
30 It is recommended that breast feeding continue for at  
31 least 12 months, and thereafter for as long as mutually  
32 desired; and

33 WHEREAS, Hundreds of millions of dollars continue to  
34 be spent by the United States government to purchase  
35 artificial milk for babies. Yet, one study indicated that the  
36 national Women, Infants, and Children (WIC) nutrition  
37 program could save \$93 million a month in lower food  
38 package costs alone if all mothers breast fed their infants.  
39 According to a report released in the fall of 1996,  
40 compared to formula-fed babies, each breast-fed baby



1 saved \$478 in WIC and other health care costs for the first  
2 six months of life. The International Journal of  
3 Gynecology and Obstetrics reported in 1994 that, in the  
4 United States, two to four billion dollars could be saved in  
5 annual health care costs if women breast fed their infants  
6 for as little as 12 weeks; and

7 WHEREAS, Employers, employees, and society  
8 benefit by supporting a mother's decision to breast feed  
9 and by helping reduce the obstacles of continuing to do  
10 so after returning to work. A study by a major health  
11 maintenance organization found that infants who were  
12 breast fed for a minimum of six months experienced  
13 \$1,435 less in health care claims than formula-fed infants,  
14 and a study from the University of California at Los  
15 Angeles School of Nursing found that breast-fed babies  
16 have 35 percent fewer illnesses than formula-fed babies,  
17 and their nursing moms have a corresponding 27 percent  
18 lower absence rate; and

19 WHEREAS, Employers clearly benefit by having lower  
20 health care costs, less employee absenteeism, and better  
21 morale, and employees are also more likely to return to  
22 work earlier from maternity leave if they do not foresee  
23 complications with being able to continue to breast feed;  
24 and

25 WHEREAS, Multiple obstacles reduce the number of  
26 mothers that continue breast feeding after returning to  
27 work, including finding an adequate place for feeding or  
28 expressing milk, finding the time or flexibility in breaks  
29 or working hours, having a place to store the milk, and  
30 concerns about the acceptability of these activities; and

31 WHEREAS, Most employers are sympathetic to the  
32 needs of nursing mothers, and are very supportive of their  
33 employees when it is brought to their attention, however,  
34 employees must be encouraged to discuss their needs  
35 with their employers; and

36 WHEREAS, Employees can successfully continue to  
37 provide for the needs of their children, given adequate  
38 facilities and support. These adequate facilities include a  
39 clean, private place, with a chair, and electrical outlet,



1 with access to running water and refrigerated storage;  
2 now, therefore, be it

3 *Resolved by the Assembly of the State of California, the*  
4 *Senate thereof concurring,* That the Legislature  
5 encourages the State of California and all California  
6 employers to strongly support and encourage the  
7 practice of breast feeding by striving to accommodate the  
8 needs of employees, and by ensuring that employees are  
9 provided with adequate facilities for breast feeding, or  
10 the expressing of milk for their children; and be it further

11 *Resolved,* That the Legislature respectfully  
12 memorializes the Governor to declare by executive order  
13 that all California employees shall be provided with  
14 adequate facilities for breast feeding, or the expressing of  
15 milk; and be it further

16 *Resolved,* That the Chief Clerk of the Assembly  
17 transmit copies of this resolution to the author for  
18 appropriate distribution.

