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HEADLINE: Breast-feeding bills meet resistance Lawmakers raise objections to measures protecting women's right to nurse

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DATELINE: BOISE

BODY:

New Rep. Bonnie Douglas' first two bills ran into trouble Monday when opponents, including fellow North Idaho Rep. Charles Eberle, raised concerns about women breast-feeding in public.

Douglas, D-Coeur d'Alene, proposed legislation to join 17 other states that protect a woman's right to breast-feed in public or private and another bill to require employers to accommodate nursing mothers who need to express milk while they're working.

Eberle, R-Post Falls, said, "You talk about the right of the woman. If I'm in a restaurant, though, having a nice meal, do I have any right (not) to get the woman next door to me taking off her blouse and starting to breast-feed?" Douglas said later, "That's just not the way it's done."

Women who are breast-feeding their babies in public generally just lift their blouse, rather than remove it, she said.

Rep. Margaret Henbest, D-Boise, a pediatric nurse practitioner, told the House Health and Welfare Committee, "My experience is that women are very discreet."

Rep. Peter Nielsen, R-Mountain Home, said he feared that under Douglas' bill, women would be encouraged to "whip it out and do it anywhere."

Douglas, a former La Leche League leader, said breast-feeding is important to both maternal and child health. Washington is among states that both exempt breast-feeding from indecent exposure laws and encourage employers to accommodate nursing mothers' needs to express milk privately during their work hours.

Eberle was among the most vocal opponents of Douglas' bills.

"As Rep. Douglas pointed out, most people have good common sense already," he said. "If you're a business owner, a restaurant owner, and this is disturbing the other customers, you should also have the right to ask her to leave or to cover up."

Douglas said when women breast-feed their babies, the baby's head covers the breast, and an observer might not even be able to tell that the infant is nursing.

The committee split 5-5 on the bill, with Eberle among the opponents. Chairman Bill Sali, R-Meridian, broke the tie and voted to introduce Douglas' bill.

But her second proposal, targeting workplaces, went down to defeat when the committee again split 5-5, and this time Sali voted against the bill.

Douglas said nine states have laws requiring employers to make reasonable accommodations to allow nursing mothers to pump and store their breast milk while they're working, by providing time and a private place. Her bill would have allowed exceptions for jobs where such accommodations would "seriously disrupt the operations of the employer."

"The American Academy of Pediatrics recommends breast-feeding for the first year of life," Douglas told the committee. Women who aren't able to pump their breast milk while working may suffer breast infections that cause illness and lost work time, and may have to choose between working and breast-feeding, she said.

Eberle asked if a restroom would be adequate as a private place.

"It should be someplace other than a toilet," Douglas responded. "You wouldn't want to eat your lunch in a toilet stall."

Rep. Henry Kulczyk, R-Eagle, said, "Being a small-business man, I don't need any more regulations."

Though the workplace bill was killed, the breast-feeding protection bill will return to the committee for a public hearing.

Douglas said she had received more than half a dozen supportive calls and e-mails from health care providers who work with nursing mothers.

"It's just frustrating," she said after the committee meeting.

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