

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 136

H.P. 115

House of Representatives, January 15, 2009

**An Act To Require the Provision of Unstructured Recess Time for  
Elementary School Students**

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative HASKELL of Portland.  
Cosponsored by Senator ALFOND of Cumberland and  
Representatives: LOVEJOY of Portland, MILLER of Somerville, WAGNER of Lewiston,  
Senator: BLISS of Cumberland.

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**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 20-A MRSA §4712** is enacted to read:

**§4712. Daily physical activity:**

**1. Requirement.** Beginning in the 2008-2009 school year, each elementary school shall provide daily physical activity for its students. The physical activity must be consistent with the curriculum and programs developed under section 4711 and may include the use of recess. On a day when there is inclement weather or unplanned circumstances have shortened the school day, the school may provide physical activity alternatives or elect not to provide physical activity.

**2. Exception.** The requirements of subsection 1 do not apply to a student who has a medical condition that precludes participation in the daily physical activity required under subsection 1.

**SUMMARY**

This bill requires that each elementary school shall provide daily physical activity for its students, which may include the use of recess.