

# MAINE STATE LEGISLATURE

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SMG  
R. d.s.

L.D. 1160

Date: **May 14 2013**

**Majority**

(Filing No. S- **81**)

**EDUCATION AND CULTURAL AFFAIRS**

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**STATE OF MAINE**

**SENATE**

**126TH LEGISLATURE**

**FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "**A**" to S.P. 397, L.D. 1160, Bill, "An Act To Reduce Obesity among Schoolchildren"

Amend the bill by inserting after the title and before the enacting clause the following:

**'Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.'

Amend the bill in section 2 in §6663 in the indented paragraph in the last line (page 1, line 15 in L.D.) by inserting after the following: "grade 12." the following: 'Nothing in this section prohibits the use of food as a reward or punishment if such use is consistent with the student's individual education plan.'

**SUMMARY**

This amendment, which is the majority report, provides that the prohibition on the use of food as a reward or punishment for behavior or performance of a student does not apply if such use is consistent with the student's individual education plan. This amendment also adds a mandate preamble to the bill.

**FISCAL NOTE REQUIRED**

(See attached)

**COMMITTEE AMENDMENT**



# 126th MAINE LEGISLATURE

LD 1160

LR 1132(02)

## An Act To Reduce Obesity among Schoolchildren

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

*A" (S-81)*

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### Fiscal Note

State Mandate - Exempted

#### State Mandates

##### Required Activity

Requires all kindergarten to grade 5 students to participate in a minimum of 30 minutes of daily physical activity at school.

##### Unit Affected

School

##### Local Cost

Moderate  
statewide

Pursuant to the Mandate Preamble, the two-thirds vote of all members elected to each House exempts the state from the constitutional requirement to fund 90% of the additional costs.

#### Fiscal Detail and Notes

Additional costs to the Department of Education associated with the rulemaking process can be absorbed within existing budgeted resources.