

# MAINE STATE LEGISLATURE

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SAK  
ROS

L.D. 1502

Date: 6-3-21

(Filing No. H404)

MAJORITY

EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 1112, L.D. 1502, "An Act To Clarify Safety Issues in Schools with Respect to Health-related States of Emergency"

Amend the bill by striking out all of the emergency preamble.

Amend the bill by striking out everything after the enacting clause and inserting the following:

**Sec. 1. 20-A MRS A §1056** is enacted to read:

**§1056. States of emergency**

During a health-related state of emergency under Title 37-B, chapter 13, subchapter 2, a superintendent shall administer and adhere to all executive orders and proclamations by the Governor and any guidance or directives from the director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services and shall send a monthly report while the state of emergency is in effect to the director detailing the steps that the school administrative unit is taking to comply with the guidance or directives and any health-related executive order or proclamation by the Governor, including the number of students and staff affected by the health-related state of emergency, the number of cases of a disease or health issue occurring in the school administrative unit and any steps taken by the school administrative unit to comply with the guidance, directive, executive order or proclamation. A copy of the report required by this section must be sent to the school board of that school administrative unit.

**Sec. 2. Reimbursement.** The Department of Education shall develop a process to provide reimbursement to school administrative units for monthly reporting required under the Maine Revised Statutes, Title 20-A, section 1056 during a health-related state of emergency.

**Sec. 3. Appropriations and allocations.** The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Health-related State of Emergency - School Reporting Requirement N382

**COMMITTEE AMENDMENT**

ROS

COMMITTEE AMENDMENT "A" to H.P. 1112, L.D. 1502

1 Initiative: Provides ongoing funds for 90% of the costs to local school administrative units  
2 to prepare and submit monthly reports to the Maine Center for Disease Control and  
3 Prevention detailing the steps taken to comply with the guidance or directives and any  
4 health-related executive order or proclamation by the Governor while a health-related state  
5 of emergency is in effect.

6	<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
7	All Other	\$72,348	\$74,663
8			
9	<b>GENERAL FUND TOTAL</b>	<u>\$72,348</u>	<u>\$74,663</u>

10  
11 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
12 number to read consecutively.

13 **SUMMARY**

14 This amendment, which is the majority report of the committee, strikes the emergency  
15 preamble, the COVID-19 pandemic guidance and requirements and the emergency clause.  
16 It also removes the requirement that school superintendents report any cleaning, sanitizing  
17 or segregation undertaken to comply with guidance or with a directive, proclamation or  
18 executive order during a health-related state of emergency.

19 The amendment also adds an appropriation to provide funds for 90% of the costs to  
20 local school administrative units and directs the Department of Education to develop a  
21 process to provide reimbursement to school administrative units for the monthly reporting  
22 required during a health-related state of emergency.

23 **FISCAL NOTE REQUIRED**

24 (See attached)

**COMMITTEE AMENDMENT**



# 130th MAINE LEGISLATURE

LD 1502

LR 948(02)

## An Act To Clarify Safety Issues in Schools with Respect to Health-related States of Emergency

Fiscal Note for Bill as Amended by Committee Amendment *A<sup>m</sup> (H-404)*

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

### Fiscal Note

#### State Mandate - Funded

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
<b>Net Cost (Savings)</b>				
General Fund	\$72,348	\$74,663	\$77,052	\$79,518
<b>Appropriations/Allocations</b>				
General Fund	\$72,348	\$74,663	\$77,052	\$79,518

#### State Mandates

##### Required Activity

Requires local school administrative units (SAU's) to submit monthly reports to the director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services detailing the steps that the SAU is taking to comply with the guidance or directives and any health-related executive order or proclamation by the Governor while a health-related state of emergency is in effect.

##### Unit Affected

School

##### Local Cost

\$72,348

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.

#### Fiscal Detail and Notes

This bill includes ongoing General Fund appropriations of \$72,348 in fiscal year 2021-22 and \$74,663 in fiscal year 2022-23 to a newly created Health-related State of Emergency - School Reporting Requirement program within the Department of Education to reimburse local SAU's for the costs to prepare and submit monthly reports to the Maine Center for Disease Control and Prevention detailing the steps the SAU is taking to comply with the guidance or directives issued by the Governor during a health-related state of emergency. This fiscal note assumes it will take 1 hour to prepare the original report and one half-hour to update the report for each school administrative unit for each month that school is in session. Any unspent balances at the end of a fiscal year will lapse to the unappropriated surplus of the General Fund.