

MAINE STATE LEGISLATURE

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L.D. 348

Date: 5/9/24

(Filing No. S- 738)

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STATE OF MAINE
SENATE
131ST LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "A" to H.P. 222, L.D. 348, "An Act to Make Menstrual Products Available in Certain Schools"

Amend the bill by striking out the title and substituting the following:

'Resolve, to Establish a Pilot Program to Make Menstrual Products Available in Certain Schools'

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

'Sec. 1. Access to menstrual products. Resolved: That, for the 2024-2025 school year only, a school administrative unit shall require its schools that serve students in any of grades 6 to 12 to make available menstrual products to students at no cost. For purposes of this resolve, "menstrual products" means tampons and sanitary pads used with respect to menstruation and "school administrative unit" has the same meaning as in the Maine Revised Statutes, Title 20-A, section 1, subsection 26.

Sec. 2. Reimbursement for menstrual products. Resolved: That the Department of Education shall develop a process to provide reimbursement to those school administrative units that, but for the requirement in section 1 that schools that serve students in any of grades 6 to 12 make available menstrual products to students at no cost for the 2024-2025 school year only, would not have made the menstrual products available to the students. Reimbursement must be provided to those school administrative units at 90% of the expenses incurred by those school administrative units to purchase the menstrual products.

Sec. 3. Coinless dispensers. Resolved: That the Department of Education shall reimburse school administrative units that choose to install coinless dispensers of menstrual products, which dispense menstrual products without cost to the person obtaining the menstrual products, in school bathrooms until funding appropriated for this purpose pursuant to section 5 has been exhausted.

Sec. 4. Report. Resolved: That, by January 15, 2026, the Department of Education shall submit a report to the joint standing committee of the Legislature having jurisdiction over education matters that includes data pursuant to the pilot program in this resolve on the number of school administrative units that requested reimbursement pursuant to sections 2 and 3 for the purchase of menstrual products and coinless dispensers during the

1 2024-2025 school year; the number of menstrual products and coinless dispensers
2 purchased during the 2024-2025 school year; the total expenditures for menstrual products
3 and for coinless dispensers during the 2024-2025 school year; and any recommendations
4 for legislation to implement the provision of access to menstrual products on an ongoing
5 basis, including the amount of funding necessary.

6 **Sec. 5. Appropriations and allocations. Resolved:** That the following
7 appropriations and allocations are made.

8 **EDUCATION, DEPARTMENT OF**
9 **Menstrual Products Reimbursement N391**

10 Initiative: Provides one-time funds to reimburse school administrative units that serve
11 students in grades 6 to 12 for the cost of making menstrual products available to students
12 at no cost during the 2024-2025 school year only.

13	GENERAL FUND	2023-24	2024-25
14	All Other	\$0	\$272,999
15			
16	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$272,999</u>

17 **Menstrual Products Reimbursement N391**

18 Initiative: Provides one-time funds to reimburse school administrative units that choose to
19 install dispensers of menstrual products in school bathrooms during the 2024-2025 school
20 year only. Reimbursement will be provided until funding appropriated for this purpose has
21 been exhausted.

22	GENERAL FUND	2023-24	2024-25
23	All Other	\$0	\$27,001
24			
25	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$27,001</u>

27	EDUCATION, DEPARTMENT OF		
28	DEPARTMENT TOTALS	2023-24	2024-25
29			
30	GENERAL FUND	\$0	\$300,000
31			
32	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$300,000</u>

33
34 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
35 number to read consecutively.

36 **SUMMARY**

37 This amendment replaces the bill with a resolve to establish a one-year pilot program
38 that requires school administrative units with schools that serve students in any of grades 6
39 to 12 to make available menstrual products to students at no cost and provides one-time
40 funding to reimburse school administrative units for 90% of the cost. The amendment also
41 provides for reimbursement to school administrative units that install coinless dispensers

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SENATE AMENDMENT "A" to H.P. 222, L.D. 348 (S-738)

1 of menstrual products in school bathrooms until the funding appropriated for this purpose
2 has been exhausted. The amendment also requires the Department of Education to submit
3 a report to the joint standing committee of the Legislature having jurisdiction over
4 education matters by January 15, 2026.

5 SPONSORED BY: M. Rotundo

6 (Senator ROTUNDO, M.)

7 COUNTY: Androscoggin

FISCAL NOTE REQUIRED
(See attached)

SENATE AMENDMENT



131st MAINE LEGISLATURE

LD 348

LR 615(06)

An Act to Make Menstrual Products Available in Certain Schools

Fiscal Note for Senate Amendment "A" to Original Bill (S-738)

Sponsor: Sen. Rotundo of Androscoggin

Fiscal Note Required: Yes

Fiscal Note

State Mandate - Funded

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
Net Cost (Savings)				
General Fund	(\$564,059)	\$27,001	(\$272,999)	(\$272,999)
Appropriations/Allocations				
General Fund	(\$564,059)	\$27,001	(\$272,999)	(\$272,999)

State Mandates

Required Activity	Unit Affected	Local Cost
Requires all schools that serve students in grades 6 to 12 to make menstrual products available to students at no cost during the 2024-2025 school year.	School	303332 = 100%

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 amendment strikes the ongoing requirement in the bill that school administrative units (SAUs) that serve students in grades 6 to 12 must make menstrual products available to students at no cost in all school bathrooms and instead establishes a one-year pilot program that requires all schools that serve students in these same grades make menstrual products available at no cost for the 2024-2025 school year only. The one-time General Fund appropriation of \$291,060 in fiscal year 2023-24 for the cost of purchasing and installing coinless dispensers in bathrooms and the ongoing General Fund appropriations of \$272,999 per year beginning in fiscal year 2023-24 for the cost of menstrual products are eliminated.

SA (S 738)

As amended, this bill includes one-time General Fund appropriations totaling \$300,000 in fiscal year 2024-25 for the cost of the pilot program. Of this amount, \$272,999 is appropriated for 90% of the cost of providing the menstrual products and \$27,001 is appropriated to reimburse schools that choose to install a dispenser of menstrual product in school bathrooms. Reimbursement to SAUs for the cost to install a dispenser of menstrual products is limited to funds appropriated for this purpose.