

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2019

**CHAPTER 43
H.P. 202 - L.D. 239**

Resolve, Directing the Department of Health and Human Services To Explore the Development of a Behavioral Health Unit at the Cumberland County Jail

Sec. 1. Department of Health and Human Services and Cumberland County Sheriff's Office to explore development of behavioral health unit at the Cumberland County Jail. Resolved: That the Department of Health and Human Services and the Cumberland County Sheriff's Office shall jointly explore the development of a behavioral health unit at the Cumberland County Jail to determine the competency of inmates to stand trial.

Sec. 2. Report. Resolved: That the Department of Health and Human Services and the Cumberland County Sheriff's Office shall submit a joint report and recommendations, including recommended legislation, resulting from the directive under section 1 to the Joint Standing Committee on Health and Human Services no later than January 10, 2020. The Joint Standing Committee on Health and Human Services may report out legislation based upon the study and recommendations to the Second Regular Session of the 129th Legislature.

See title page for effective date.

**CHAPTER 44
S.P. 402 - L.D. 1306**

Resolve, To Examine Issues Relating to Bullying in Schools

Sec. 1. Stakeholder group. Resolved: That the Commissioner of Education shall form a stakeholder group to comprehensively examine issues associated with bullying in schools and in particular how the State's laws relating to bullying should be improved. The stakeholder group must include educators, administrators, students and experts on bullying in schools. The stakeholder group shall provide the commissioner with information on how administrators are currently handling bullying situations, the difficulties in enforcing current laws and the effects of the lack of comprehensive relevant data. By February 1, 2020, the commissioner shall report on the findings and recommendations of the stakeholder group as well as the commissioner's recommendations for changes to laws relating to bullying to the Joint Standing Committee on Education and Cultural Affairs. The committee may report out a bill on the subject of the report

to the Second Regular Session of the 129th Legislature.

See title page for effective date.

**CHAPTER 45
H.P. 398 - L.D. 541**

Resolve, To Reduce Food Waste in Schools

Sec. 1. Food sharing policy. Resolved: That, by January 1, 2020, the Department of Education shall develop a school food sharing policy to encourage schools and food banks to work together to collect whole and packaged school cafeteria surplus or leftover food and share it with the community. In developing the policy, the department shall consult the food recovery database maintained by the Department of Environmental Protection pursuant to the Maine Revised Statutes, Title 38, section 2137-A, which includes materials relating to the development and implementation of programs for the sharing of surplus or leftover food, including, but not limited to, share tables and food donation practices and programs.

Sec. 2. Food share table guidance. Resolved: That the Department of Education and the Department of Health and Human Services, Maine Center for Disease Control and Prevention shall collaborate to revise the Department of Health and Human Services, Maine Center for Disease Control and Prevention's health inspection program guidance titled "Food Sharing Tables - Guidance for Schools" in a manner that is less restrictive than current guidance and meets the requirements of the United States Department of Agriculture's Food and Nutrition Service guidance for the use of share tables in school nutrition programs. The Department of Education and the Department of Health and Human Services, Maine Center for Disease Control and Prevention shall disseminate the revised state guidance for the use of share tables, by January 1, 2020, to public school food service programs throughout the State.

See title page for effective date.

**CHAPTER 46
S.P. 288 - L.D. 998**

Resolve, Requiring the Collection of Data on the Marriage of Minors

Sec. 1. Maine Center for Disease Control and Prevention to report. Resolved: That the Department of Health and Human Services, Maine Center for Disease Control and Prevention through its