1 LD 429 2 (Filing No. H-Date: ) 3 EDUCATION AND CULTURAL AFFAIRS 4 Reproduced and distributed under the direction of the Clerk of the House. 5 STATE OF MAINE 6 HOUSE OF REPRESENTATIVES 7 130TH LEGISLATURE 8 FIRST SPECIAL SESSION 9 COMMITTEE AMENDMENT " " to H.P. 309, L.D. 429, "An Act To Protect the 10 Health of Students and Educators by Requiring the Establishment of Health and Safety Committees in School Administrative Units" 11 12 Amend the bill by striking out the title and substituting the following: 'An Act To Protect the Health of Students and Educators by Requiring School 13 Emergency Management Plans To Address Health and Safety' 14 15 Amend the bill by striking out all of the emergency preamble. 16 Amend the bill by striking out everything after the enacting clause and inserting the 17 following: 18 'Sec. 1. 20-A MRSA §1001, sub-§16, as repealed and replaced by PL 2007, c. 408, 19 §1, is amended to read: 20 16. Comprehensive health and safety and emergency management plan. Each 21 school board shall annually approve a comprehensive health and safety and emergency management plan developed by the school unit administration working with school 22 23 teachers and staff and local, county and state public safety officials, fire-fighting personnel, emergency management officials, mental health officials and, law enforcement officials, 24 25 school nurses, physicians and public health staff to identify and deal with all hazards and potential hazards that could reasonably be expected to affect a facility or unit under the 26 27 authority of the school administrative unit. The approval of a comprehensive health and 28 safety and emergency management plan under this subsection is public information. At the request of any school board member or full-time school employee, the school board 29 30 shall form a steering committee composed of school employees, school board members, parents and others. A majority of the school employees must be chosen by the local 31 32 representatives of the applicable bargaining unit if the school employees are covered by a collective bargaining agreement. The steering committee shall regularly review and refine 33 34 the comprehensive health and safety and emergency management plan. The following 35 information pertaining to a comprehensive health and safety and emergency management 36 plan is public information:

Page 1 - 130LR1001(02)

- A. A description of the scope and purpose of the comprehensive <u>health and safety and</u> emergency management plan and the process used for developing and updating the plan;
- B. General information on auditing for safety and preparedness;
- C. Roles and responsibilities of school administrators, teachers and staff and the designated chain of command during an emergency; and
- D. Strategies for conveying information to parents and the general public during an emergency.

Except as provided in paragraphs A to D, release of the contents of a comprehensive <u>health</u> and <u>safety and</u> emergency management plan approved under this subsection is subject to the limitations set forth in Title 1, section 402, subsection 3, paragraph L.'

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

14 SUMMARY

This amendment is the majority report of the committee. It strikes and replaces the bill. It expands the scope of school board emergency management plans to include health and safety. It requires the engagement of school nurses, physicians and public health staff in developing the plan. It requires that, at the request of a school board member or full-time school employee, a steering committee be formed composed of school employees, school board members, parents and others that regularly reviews and refines the comprehensive health and safety and emergency management plan. It requires that a majority of the school employees on the steering committee be chosen by the local representatives of the applicable bargaining unit if the school employees are covered by a collective bargaining agreement.

The fiscal note on this amendment identifies the requirement that school administrative units establish health and safety committees to coordinate planning and response to health and safety matters affecting the students and staff of the school administrative units as a potential unfunded state mandate. The committee reviewed the fiscal note and the majority of the committee determined that the requirements of the bill do not amount to a mandate. School boards have an existing duty to adopt policies that govern school administrative units pursuant to the Maine Revised Statutes, Title 20-A, section 1001, subsection 1-A and are required to have a comprehensive emergency management plan pursuant to the Maine Revised Statutes, Title 20-A, section 1001, subsection 16. This bill merely adds a health and safety component to the existing plan requirements. The requirement that the board, at the request of any school board member or full-time school employee, form a steering committee composed of school employees, school board members, parents and others to review the plan should not result in additional costs to a school administrative unit, as the plan already requires annual approval by a diverse group of officials.

FISCAL NOTE REQUIRED (See attached)

Page 2 - 130LR1001(02)