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Date: (Filing No. S- )

**EDUCATION AND CULTURAL AFFAIRS**

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE  
SENATE  
131ST LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 882, L.D. 2089, “An Act to Require Schools to Provide Instruction Regarding Prevention of the Illegal Use of Fentanyl and Other Drugs and Drug Poisoning Awareness in Grades 6 to 12 and to Establish Drug Poisoning Awareness Week”

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

**'An Act Regarding Drug Awareness Instruction in Secondary Schools'**

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

**'Sec. 1. 20-A MRSA §4723**, as amended by PL 2019, c. 106, §3 and c. 196, §1, is further amended to read:

**§4723. Health and physical education**

The secondary course of study must include instruction in health, safety and physical education, as prescribed by the commissioner, and physiology and hygiene, with special reference to the effects of alcoholic drinks, stimulants ~~and~~, narcotics and other dangerous drugs such as fentanyl upon the human system. Health education must include instruction that addresses the relationship between physical and mental health in order to enhance student understanding of attitudes toward and behavior relating to mental illness and to eliminate the stigma associated with mental illness. The secondary course of study must also include instruction on affirmative consent, communication and decision making regarding sexual activity and the effects of alcoholic drinks, stimulants ~~and~~, narcotics and other dangerous drugs such as fentanyl on the ability to give affirmative consent, communicate and make appropriate decisions. For purposes of this section, "affirmative consent" means consent to sexual activity that can be revoked at any time and does not include silence, lack of resistance or consent given while intoxicated.

A secondary school may supplement instruction on youth substance use and youth substance use disorder by observing a drug awareness week during the month of October each year with appropriate activities and programming.'

**COMMITTEE AMENDMENT**

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

3 **SUMMARY**

4 This amendment replaces the bill and changes the title. The amendment clarifies that  
5 health education in a secondary school must include reference to the effects of dangerous  
6 drugs such as fentanyl in addition to alcoholic drinks, stimulants and narcotics. The  
7 amendment also allows a secondary school to supplement substance use instruction by  
8 observing a drug awareness week during the month of October each year.