

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
107TH LEGISLATURE

COMMITTEE AMENDMENT "A" to H. P. 275, L.D.  
417, Bill, "AN ACT to Prohibit Corporal Punishment  
of Pupils."

Amend said Bill by striking out everything  
after the amending clause and inserting in place  
thereof the following:

'§807. Use of corporal punishment prohibited

1. Definition. Corporal punishment shall  
be considered to have taken place whenever the  
punisher imposes physical pain or discomfort  
on a pupil in response to behavior that the  
punisher finds unacceptable.

2. Prohibition. No person employed or  
engaged in a school or educational institution,  
whether public or private, shall inflict or  
cause to be inflicted corporal punishment upon  
a pupil attending such school or institution;  
but any such person, within the scope of his  
employment, is justified in using a reasonable  
degree of force against any such person:

A. Who creates a disturbance when and  
to the extent that he reasonably believes  
it necessary to control the disturbing  
behavior or to remove such person from  
the scene of such disturbance;

B. To obtain possession of deadly  
weapons upon the person or within the  
control of a pupil; and

C. For the purpose of self-defense.

The justification indicated above does not apply to the purposeful or reckless use of force that creates a substantial risk of death, serious bodily injury, or extraordinary pain, mental distress or humiliation.'

Statement of Fact

This amendment clarifies the definition of corporal punishment and enumerates exceptions to its prohibition.

Reported by the Minority of the Committee on Education.

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(Filing No. H-115)