

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1504, L.D. 2084, Bill, "An Act to Strengthen Drug Abuse Treatment for Children of School Age"

Amend the bill by striking out all of the title and inserting in its place the following:

'An Act to Strengthen Drug Abuse Services for Children of School Age'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 20-A MRSA §1001, sub-§9, as amended by PL 1983, c. 806, §10, is further amended to read:

9. Students expelled or suspended. They shall ~~expell~~ expel any student who is deliberately disobedient or deliberately disorderly or for infractions of violence or possession, furnishing ~~of~~ or trafficking ~~of~~ in any scheduled drug as defined in Title 17-A, chapter 45, after a proper investigation of the student's behavior, and due process, if found necessary for the peace and usefulness of the school; and readmit the student on satisfactory evidence that the behavior ~~whieh~~ that was the cause of the student being expelled will not likely recur. The school ~~committee~~ board may authorize the principal to suspend students up to a maximum of 10 days for infractions of school rules. In addition to other powers and duties under this subsection, the school board may develop a policy requiring a student who is in violation of school substance abuse or possession rules to participate in substance abuse services as provided in section 6606.

2 Sec. 2. 20-A MRSA c. 223, sub-c. VII, as amended is further
amended by inserting before §6604, the following:

4 **SUBCHAPTER VII-A**

6 **SCHOOL SUBSTANCE ABUSE SERVICES**

8 Sec. 3. 20-A MRSA §6606 is enacted to read:

10 **§6606. Participation in substance abuse services**

12 In compliance with written school policy adopted by a school
14 board, the school board may require that a student who has been
16 determined to be in violation of school rules governing substance
18 abuse or alcohol or drug possession participate in a substance
20 abuse assessment, education or support group service offered by
 the school. The school board shall provide for notice to the
 parents or legal guardian of a student required to participate in
 such services. If the school board elects to do so, it may
 request a parent or legal guardian to participate in the services.

22 **FISCAL NOTE**

24 This bill may result in additional local education
26 expenditures for substance abuse screening, education or support
28 group programs that could increase General Purpose Aid for Local
30 Schools beginning in fiscal year 1992-93. Any additional
 expenditures by local school units would be at the option of the
 local school board and would not qualify for 100% reimbursement
 under the state mandate law.'

32 **STATEMENT OF FACT**

34 This amendment retains the intent of the original bill that
36 is to allow schools the option of requiring students who are
38 potential substance abusers to attend a substance abuse program
40 offered by the school. The amendment clarifies that the services
42 are to be diagnostic, educational or supportive in nature and
44 that, where required, participation is to be based on written
 school procedures, policies and rules. The parents or guardian
 of a student required to participate in such services is to be
 notified and may be requested to participate in the program.