



116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 857

S.P. 287

In Senate, March 15, 1993

An Act Requiring School Suspension or Expulsion in Cases Involving Dangerous or Concealed Weapons.

Reference to the Committee on Education suggested and ordered printed.

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JOY J. O'BRIEN Secretary of the Senate

Presented by Senator HANLEY of Oxford.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 20-A MRSA §1001, sub-§9, as amended by PL 1989, c. 708, \$1, is further amended to read: 4

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Students expelled or suspended. They shall expel any 9.

disobedient student is deliberately or deliberately who 8 disorderly e≢_ for infractions of violence er--pessessien, furnishing--of--or--trafficking , who possesses a firearm, as 10 defined in Title 17-A, section 2, subsection 12-A, who, with use of any other dangerous weapon, as defined in Title 17-A, section 2, subsection 9, paragraph A, intentionally or knowingly causes 12 injury or accompanies use of a weapon with a threat to cause 14 injury or who possesses, furnishes or trafficks 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 16 found necessary for the peace and usefulness of the school; and 18 readmit the student on satisfactory evidence that the behavior that was the cause of the student being expelled will not likely 20 recur. The school board may authorize the principal to suspend students up to a maximum of 10 days for infractions of school 22 In addition to other powers and duties under this rules. subsection, the school board may develop a policy requiring a 24 student who is in violation of school substance abuse or possession rules to participate in substance abuse services as 26 provided in section 6606.

STATEMENT OF FACT

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The purpose of this bill is to include within the list of violations that require a school board to expel a student the possession of a firearm, under any circumstances, and the possession and use of any dangerous weapon in such a way as to cause injury intentionally or knowingly or accompanied by a 36 threat to cause injury.