

MAINE STATE LEGISLATURE

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L.D. 1975

DATE: 3/15/02

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EDUCATION AND CULTURAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "B" to H.P. 1474, L.D. 1975, Bill, "An Act Concerning Student Threats Against School Personnel"

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

'An Act Concerning Student Threats'

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

'Sec. 1. 20-A MRSA §1001, sub-§15, ¶F, as enacted by PL 1999, c. 351, §2, is amended to read:

F. Establish policies and procedures concerning the removal of disruptive or violent students or students threatening death or bodily harm to others from a classroom or a school bus, as well as student disciplinary and placement decisions, when appropriate; and'

Further amend the bill by inserting at the end before the summary the following:

'FISCAL NOTE

This bill requires school boards to amend the student code of conduct to adopt policies and procedures to address students threatening death or bodily harm. There would be no fiscal impact to the Department of Education if this legislation were enacted.

COMMITTEE AMENDMENT "B" to H.P. 1474, L.D. 1975

2 The requirement that school boards amend the student code of
conduct to adopt policies and procedures to address student
3 threats of death or bodily harm represents a state mandate
pursuant to the Constitution of Maine. The additional local
4 costs are estimated to be minor since most school administrative
6 units already have, or are in the process of adopting, policies.
Unless General Fund appropriations are provided to fund at least
8 90% of the additional costs or a Mandate Preamble is amended to
the bill and 2/3 of the members of each House vote to exempt this
10 mandate from the funding requirement, the school administrative
units may not be required to implement these changes.'

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SUMMARY

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This amendment replaces the bill. It adds the phrase
18 "students threatening death or bodily harm to others" to the list
of types of behaviors in the student code of conduct that would
20 require policies and procedures to be established for removing a
student from the classroom. It also adds a fiscal note to the
22 bill.