

MAINE STATE LEGISLATURE

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FILE

L.D. 1916

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DATE: 4-28-04

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**STATE OF MAINE
SENATE
121ST LEGISLATURE
SECOND SPECIAL SESSION**

SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to H.P. 1418, L.D. 1916, Bill, "An Act To Correct Errors and Inconsistencies in the Laws of Maine"

Amend the amendment by inserting after Part F the following:

PART G

Sec. G-1. 20-A MRSA §5001-A, sub-§2 ¶B, as repealed and replaced by PL 1989, c. 415, §13, is amended to read:

B. A person who has:

- (1) Reached the age of 15 years or completed the 9th grade;
- (2) Permission to leave school from that person's parent;
- (3) Been approved by the principal for a suitable program of work and study or training;
- (4) Permission to leave school from the school board or its designee; and
- (5) Agreed in writing with that person's parent and the school board or its designee to meet annually until that person's 17th birthday to review that person's educational needs. When the request to be excused from school has been denied pursuant to this paragraph, the student's parent may appeal to the commissioner; or

SENATE AMENDMENT

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SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to H.P. 1418,
L.D. 1916

2 **Sec. G-2. 20-A MRSA §5001-A, sub-§2, ¶C**, as amended by PL
2003, c. 533, §1, is repealed.

4 **Sec. G-3. Effective date.** Those sections of this Part that
amend the Maine Revised Statutes, Title 20-A, section 5001-A,
6 subsection 2, paragraph B and repeal Title 20-A, section 5001-A,
subsection 2, paragraph C take effect 90 days after adjournment
8 of the Second Special Session of the 121st Legislature.'

10 Further amend the amendment by relettering or renumbering
any nonconsecutive Part letter or section number to read
12 consecutively.

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SUMMARY

18 Public Law 2003, chapter 533 repealed and replaced a section
of the education statutes to redefine the role and
responsibilities of school boards and school superintendents in
20 dealing with students who are truant and who are determined to be
habitual truants. In the new section, a cross-reference to a
22 repealed section was inadvertently not addressed, which has
resulted in a conflict and inconsistent provision in the
24 compulsory attendance provisions. The compulsory attendance
provision that contains the cross-reference relates to the
26 authority of a school board to provide a waiver to a student who
has been determined to be a habitual truant and who is 15 years
28 of age or older. This amendment repeals that cross-reference and
removes the conflict and inconsistent compulsory attendance
30 provision.

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SPONSORED BY: *Peggy A Pendleton*
(Senator PENDLETON)

COUNTY: Cumberland