

MAINE STATE LEGISLATURE

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majority

R. 653

L.D. 454

Date: 5/1/07

Majority

(Filing No. H-168)

EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 353, L.D. 454, Bill, "An Act To Amend Truancy Laws Regarding Parent Involvement"

Amend the bill in section 1 in subsection 2 in paragraph B in the first line (page 1, line 9 in L.D.) by striking out the following: "over 6" and inserting the following: 'at least 7'

Amend the bill in section 2 in subsection 3 in paragraph B in the last line (page 1, line 19 in L.D.) by striking out the following: "and has prior approval or reporting" and inserting the following: 'and the absence has prior approval'

Amend the bill in section 2 in subsection 3 in paragraph C in the last line (page 1, line 21 in L.D.) by striking out the following: "and has prior approval or reporting" and inserting the following: 'and the absence has prior approval'

Amend the bill in section 2 in subsection 3 in paragraph E in the last line (page 1, line 24 in L.D.) by striking out the following: "or reporting"

Amend the bill by inserting after section 2 the following:

'Sec. 3. 20-A MRSA §3273, sub-§1, as repealed and replaced by PL 1989, c. 415, §6, is repealed and the following enacted in its place:

1. Civil violations. A parent who has control of a student who is habitually truant under section 3272, subsection 2, paragraph A and who is primarily responsible for that student's truancy commits a civil violation under this chapter.

Sec. 4. 20-A MRSA §3273, sub-§1-A is enacted to read:

1-A. Class E crime. A parent who has control of a student who is habitually truant under section 3272, subsection 2, paragraph B and who is aware of the habitual truancy yet fails to take corrective measures commits a Class E crime.'

Amend the bill in section 4 in paragraph B in the first line (page 1, line 30 in L.D.) by inserting after the following: "Has" the following: 'completed grade 6 and has'

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 353, L.D. 454

R.O.S.

1 Amend the bill in section 5 in paragraph C in the first line (page 1, line 33 in L.D.) by
2 striking out the following: "over 6" and inserting the following: 'at least 7'

3 Amend the bill in section 8 in §5053-A by striking out all of subsection 1 (page 2,
4 lines 25 to 28 in L.D.) and inserting the following:

5 '1. **Civil violation.** If a parent has control of a student who is habitually truant under
6 section 5051-A, subsection 1, paragraph B and that parent is primarily responsible for
7 that truancy, that parent commits a civil violation for which a fine of not less than \$25
8 may be adjudged.'

9 Amend the bill in section 8 in §5053-A by striking out all of subsection 1-A (page 2,
10 lines 29 to 31 in L.D.) and inserting the following:

11 '1-A. Class E crime. If a parent has control of a student who is habitually truant
12 under section 5051-A, subsection 1, paragraph C and that parent is aware of the habitual
13 truancy yet fails to take corrective measures, that parent commits a Class E crime.'

14 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
15 section number to read consecutively.

16 **SUMMARY**

17 This amendment is the majority report of the Joint Standing Committee on Education
18 and Cultural Affairs. It clarifies that the truancy provisions apply to students 7 years of
19 age and older. It requires that certain excusable absences be approved in advance, instead
20 of just reported. It corrects cross-references and includes language for enforcement
21 provisions in the truancy statutes for the unorganized territories.

22 **FISCAL NOTE REQUIRED**
23 (See attached)



123rd MAINE LEGISLATURE

LD 454

LR 471(02)

An Act To Amend Truancy Laws Regarding Parent Involvement

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Establishes a new Class E crime.

The collection of additional fines may also increase General Fund revenue by minor amounts.