

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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‘Sec. 3. 20-A MRSA §3273, sub-§1, as repealed and replaced by PL 1989, c. 415, §6, is repealed and the following enacted in its place: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

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

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

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

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

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

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

SUMMARY

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

FISCAL NOTE REQUIRED

(See attached)