

MAINE STATE LEGISLATURE

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MAJORITY
EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1163, L.D. 1563, Bill, "An Act to Amend School Immunizations Requirements"

Amend the bill in section 1 by striking out all of subsection 3 and inserting in its place the following:

'3. **Disease.** "Disease" means ~~diphtheria, measles, mumps, pertussis, poliomyelitis, rubella and tetanus~~ those conditions that are preventable by immunizing agent, as specified in rules.'

Further amend the bill in section 2 in that part designated "**§6355.**" by striking out all of subsection 3 and inserting in its place the following:

'3. **Philosophical or religious exemption.** The parent states in writing a sincere religious belief ~~which that~~ is contrary to the immunization requirement of this subchapter or an opposition to the immunization for moral, philosophical or other personal reasons.'

Further amend the bill in section 3 by striking out all of subsection 1 and inserting in its place the following:

'1. **Rules authorized.** The commissioner and the Director of the Bureau of Health, Department of Human Services, shall jointly issue rules necessary for the effective implementation of this subchapter, including, but not limited to, rules specifying those diseases for which immunization is required and establishing immunization requirements for each disease, school record keeping and reporting requirements or guidelines and procedures for the exclusion of nonimmunized children from school. Rules adopted pursuant to this subchapter specifying the diseases for which

2 immunization is required are major substantive rules as defined
3 in Title 5, chapter 375, subchapter II-A.'

4 Further amend the bill in section 4 by striking out all of
5 paragraph C and inserting in its place the following:

6 'C. "Disease" means ~~diphtheria, measles, mumps, rubella and~~
7 ~~tetanus~~ those conditions that are preventable by immunizing
8 agent, as specified in rules.'

9 Further amend the bill by inserting at the end before the
10 summary the following:
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13
14 **FISCAL NOTE**

15
16 The Bureau of Health within the Department of Human Services
17 and the Department of Education will incur some minor additional
18 costs to work together to issue rules specifying those diseases
19 for which immunization is required. These costs can be absorbed
20 within the bureau's and the department's existing budgeted
21 resources.'

22
23
24 **SUMMARY**

25 This is the majority report of the Joint Standing Committee
26 on Education and Cultural Affairs.

27 This amendment repeals provisions that specify in statute
28 the diseases for which an immunization certificate is required
29 for enrollment in public or private elementary or secondary
30 school and allows the Commissioner of Education and the Bureau
31 of Health to specify those diseases in major substantive rules
32 adopted jointly by those agencies. The amendment also repeals
33 provisions that allow exemptions from immunization requirements
34 for moral or other personal reasons, while leaving in the
35 exemptions for medical, religious or philosophical reasons.

36 It also adds a fiscal note to the bill.
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