

MAINE STATE LEGISLATURE

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R. of S.

L.D. 2124

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DATE: *April 8, 2002*

(Filing No. S-601)

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**STATE OF MAINE
SENATE
120TH LEGISLATURE
SECOND REGULAR SESSION**

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1624, L.D. 2124, "Resolve, Regarding Legislative Review of Portions of Chapter 126: Immunization Requirements for School Children, a Rule of the Department of Human Services, and Portions of Chapter 261: Immunization Requirements for School Children, a Rule of the Department of Education, Major Substantive Rules Jointly Adopted by the Department of Human Services and the Department of Education"

Amend the amendment by inserting after the title the following:

'Amend the resolve by inserting after the title and before the emergency preamble the following:

'Mandate preamble; rules. This measure authorizes final adoption of a rule that requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues for which funding for at least 90% of those expenditures has not been provided. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all the members elected to each House have determined it necessary to enact this measure authorizing the rule that represents a state mandate.'

FISCAL NOTE

This amendment adds a rules mandate preamble. The requirement that each school unit add varicella vaccine to the required vaccines for school enrollment and adopt a uniform permanent student health record that provides documentation of health information and school nursing services provided to individual students, including, but not limited to, immunizations, health screening, health assessment and nursing care plans represents a state mandate pursuant to the

R. of S.

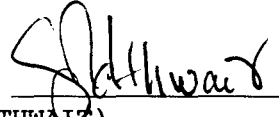
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L.D. 2124

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Constitution of Maine. The additional costs of this state
mandate are anticipated by the Department of Education to be
minor. Pursuant to the Mandate Preamble, the 2/3 vote of all
members elected to each House exempts the State from the
constitutional requirement to fund 90% of the additional local
costs.

SUMMARY

This amendment adds a preamble to the resolve recognizing
that the rules being authorized represent a state mandate
requiring a 2/3 vote.

SPONSORED BY: 
(Senator GOLDTHWALT)

COUNTY: Hancock