

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
129TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 586, L.D. 798, Bill, "An Act To Protect Maine Children and Students from Preventable Diseases by Repealing Certain Exemptions from the Laws Governing Immunization Requirements"

Amend the amendment by inserting after the title the following:

'Amend the bill by striking out the title and substituting the following:

'An Act To Protect Maine Children and Students from Preventable Diseases by Eliminating the Philosophical Exemption from the Laws Governing Immunization Requirements'

Amend the amendment in the 2nd indented paragraph after the title in the first line (page 1, line 20 in amendment) by striking out the following: "inserting after section 1" and inserting the following: 'striking out all of section 1 and inserting'

Amend the amendment on page 1 by inserting before section 2 the following:

'Sec. 1. 20-A MRSA §6355, sub-§3, as amended by PL 2001, c. 326, §2, is further amended to read:

3. Religious exemption. The parent states in writing a sincere religious belief that is contrary to the immunization requirement of this subchapter ~~or an opposition to the immunization for philosophical reasons.~~

Amend the amendment on page 1 in subsection 4 in the 2nd and 3rd lines (page 1, lines 23 and 24 in amendment) by striking out the following: "or religious"

Amend the amendment on page 2 in the first indented paragraph in the first line (page 2, line 33 in amendment) by striking out the following: "inserting after section 2" and inserting the following: 'striking out all of section 2 and inserting'

Amend the amendment on page 2 by inserting before the 2nd section 3 the following:

'Sec. 2. 20-A MRSA §6359, sub-§3, ¶B, as amended by PL 2001, c. 326, §6, is further amended to read:

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1 B. The student or the parent, if the student is a minor, states in writing a sincere
2 religious belief, which is contrary to the immunization requirement of this subchapter
3 or an opposition to the immunization for philosophical reasons.'

4 Amend the amendment on page 3 by inserting after paragraph A the following:

5 'Amend the bill by striking out all of section 3 and inserting the following:

6 'Sec. 3. 22 MRSA §802, sub-§4-B, ¶B, as enacted by PL 2001, c. 185, §2, is
7 amended to read:

8 B. A religious or philosophical exemption is available to an employee who states in
9 writing a sincere religious or philosophical belief that is contrary to the immunization
10 requirement of this subchapter.''

11 Amend the amendment on page 3 by striking out all of the first indented paragraph
12 (page 3, lines 12 to 14 in amendment) and inserting the following:

13 'Amend the bill by striking out all of section 4 and inserting the following:

14 'Sec. 4. 22 MRSA §8402, sub-§3, ¶A, as amended by PL 2001, c. 645, §10, is
15 further amended to read:

16 A. The department shall adopt rules regarding the health of staff as required to
17 protect the health and safety of the children. The rules must include a requirement
18 that every 2 years each licensee, administrator or other staff member of the nursery
19 school who provides care for children be declared free from communicable disease
20 by a licensed physician, nurse practitioner or physician assistant, except that this
21 requirement may be waived for a person who objects on the grounds of sincerely held
22 religious or philosophical belief. Rules adopted pursuant to this paragraph are routine
23 technical rules as defined in Title 5, chapter 375, subchapter H-A 2-A.''

24 Amend the amendment on page 3 in section 5 in the first paragraph in the last line
25 (page 3, line 18 in amendment) by striking out the following: "or philosophical"

26 Amend the amendment on page 3 in section 6 in the 2nd line (page 3, line 23 in
27 amendment) by striking out the following: "paragraph A" and inserting the following:
28 'paragraphs A and B'

29 Amend the amendment on page 3 in section 6 in the 3rd line (page 3, line 24 in
30 amendment) by striking out the following: "repeal" and inserting the following: 'amend'

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

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SUMMARY

This amendment retains the elimination of the so-called philosophical exemption from immunization requirements but removes the elimination of the so-called religious exemption from immunization requirements.

SPONSORED BY: _____
(Senator MIRAMANT)
COUNTY: Knox