

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2020

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Legislative Document

No. 2046

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H.P. 1457

House of Representatives, January 16, 2020

### **An Act Regarding Immunizations**

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative TIPPING of Orono.

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** this legislation corrects an error in Public Law 2019, chapter 154 by  
4 providing that if Public Law 2019, chapter 154 is ratified in March 2020 by a majority of  
5 the electors voting on that measure pursuant to the Constitution of Maine, Article IV, Part  
6 Third, Section 17, the repeal of the exemption from immunization requirements based on  
7 religious or philosophical beliefs for employees of health care facilities takes effect  
8 September 1, 2021; and

9 **Whereas,** if the error is not corrected and Public Law 2019, chapter 154 is ratified in  
10 March 2020, the repeal of the exemption is effective 30 days after the Governor  
11 proclaims that Public Law 2019, chapter 154 has been ratified; and

12 **Whereas,** if Public Law 2019, chapter 154 is ratified in March 2020, the date the  
13 exemption is repealed must be corrected prior to the expiration of the 90-day period; and

14 **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
15 the meaning of the Constitution of Maine and require the following legislation as  
16 immediately necessary for the preservation of the public peace, health and safety; now,  
17 therefore,

18 **Be it enacted by the People of the State of Maine as follows:**

19 **PART A**

20 **Sec. A-1. 20-A MRSA §6355, sub-§5** is enacted to read:

21 **5. Virtual public charter school.** The child is enrolled in or attends a virtual public  
22 charter school, as defined in section 2401, subsection 11, and does not physically attend  
23 any classes or programs at a school or on school property.

24 **Sec. A-2. 22 MRSA §1066, sub-§2, ¶D,** as enacted by PL 2009, c. 595, §2, is  
25 amended to read:

26 D. "Child" means a person who has not attained 19 years of age and who either  
27 resides in the State or is enrolled in or has been offered enrollment in a private or  
28 public postsecondary educational institution in the State.

29 **PART B**

30 **Sec. B-1. 22 MRSA §802, sub-§4-B, ¶B-1** is enacted to read:

31 B-1. A religious or philosophical exemption is available to an employee who states  
32 in writing a sincere religious or philosophical belief that is contrary to the  
33 immunization requirement of this subchapter.

34 This paragraph is repealed September 1, 2021.

