

MAINE STATE LEGISLATURE

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Date 6/9/23 Minority LD 59
(Filing No H-426)

HEALTH AND HUMAN SERVICES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to HP 34, LD 59, "An Act to Prohibit Inclusion of the COVID-19 Vaccine in the Universal Childhood Immunization Program"

Amend the bill by striking out the title and substituting the following.

'An Act to Limit the Immunization Requirement for Attendance at a Public or Private Primary, Secondary or Postsecondary School in the State'

Amend the bill by striking out everything after the enacting clause and inserting the following

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

5. Immunizing agents with emergency use authorizations. Notwithstanding any other provision of this Title to the contrary, a superintendent may not require or provide as a condition of attendance:

A That a student receive an immunizing agent that is approved by the federal Food and Drug Administration solely under emergency use authorization, or

B That a student be immunized against a disease when the only available immunizing agent is one that is approved by the federal Food and Drug Administration solely under emergency use authorization.

Sec. 2. 20-A MRSA §10016 is enacted to read

§10016. Immunizing agents with emergency use authorizations

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings

A "Disease" has the same meaning as in section 6353, subsection 3

B "Immunizing agent" has the same meaning as in section 6353, subsection 4

2. Immunizing agents with emergency use authorizations. Notwithstanding any other provision of this Title to the contrary, a postsecondary institution may not require or provide as a condition of attendance

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H P 34, L D 59

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A That a student receive an immunizing agent that is approved by the federal Food and Drug Administration solely under emergency use authorization, or

B That a student be immunized against a disease when the only available immunizing agent is one that is approved by the federal Food and Drug Administration solely under emergency use authorization.'

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

SUMMARY

This amendment replaces the bill and changes the title It prohibits school superintendents from requiring or providing as a condition of attendance vaccination with immunizing agents that are approved by the federal Food and Drug Administration only under emergency use authorization and from requiring immunization against a disease when the only available immunizing agent is one that is approved by the federal Food and Drug Administration solely under emergency use authorization It also prohibits a postsecondary institution from requiring or providing as a condition of attendance vaccination with immunizing agents that are approved by the federal Food and Drug Administration only under emergency use authorization and from requiring immunization against a disease when the only available immunizing agent is one that is approved by the federal Food and Drug Administration solely under emergency use authorization

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



131st MAINE LEGISLATURE

LD 59

LR 225(02)

An Act to Prohibit Inclusion of the COVID-19 Vaccine in the Universal Childhood Immunization Program

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-426)

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Contingent revenue loss - public higher educational institutions

Fiscal Detail and Notes

This bill prohibits the University of Maine System (UMS), the Maine Community College System (MCCS) and the Maine Maritime Academy from requiring a student to receive an immunizing agent that is approved by the federal Food and Drug Administration under emergency use authorization or be immunized against a disease when the only available immunizing agent is one that is approved by the federal Food and Drug Administration solely under emergency use authorization as a condition of attendance. The UMS and the MCCS have indicated their concern that this prohibition may lead to a loss of tuition and other revenue if a contagious illness results in a refund or proration of tuition and other fees as happened during the COVID-19 pandemic. This fiscal note makes no assumption as to whether the enactment of this bill will result in such actions occurring in the future.