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**EDUCATION AND CULTURAL AFFAIRS**

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**STATE OF MAINE  
SENATE  
131ST LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 366, L.D. 869, “An Act to Protect Education Access by Prohibiting a Mandate for Schoolchildren for a COVID-19 Vaccine or a Vaccine Under an Emergency Use Authorization”

Amend the bill by inserting before section 1 the following:

**'Sec. 1. 20-A MRSA §6358, sub-§1**, as corrected by RR 2019, c. 1, Pt. A, §17, is amended to read:

**1. Rules authorized.** The commissioner and the Director of the Maine Center for Disease Control and Prevention within the Department of Health and 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 school record keeping and reporting requirements or guidelines and procedures for the exclusion of nonimmunized children from school. The rules may not include any provision governing medical exemptions and may not require a vaccine approved for use solely under an emergency use authorization by the federal Food and Drug Administration or a vaccine for coronavirus disease 2019, or COVID-19. Rules adopted pursuant to this subchapter are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A except that rules adopted pursuant to this subchapter specifying the diseases for which immunization is required are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.'

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

**SUMMARY**

This amendment, which is a minority report of the committee, adds that the Commissioner of Education and the Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services may not issue rules requiring a vaccine approved for use solely under an emergency use authorization by the

**COMMITTEE AMENDMENT**

1 federal Food and Drug Administration or a vaccine for COVID-19 in their joint rules  
2 governing immunization for schoolchildren.