



# HOUSE OF REPRESENTATIVES

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## **Chad R. Perkins**

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2 Apr 23

### MEMORANDUM FOR RECORD

SUBJECT: LD 51, An Act to Restore Religious and Philosophical Exemptions to Immunization Requirements and LD 1098, An Act to Restore Religious and Philosophical Exemptions Regarding Immunization Requirements

Committee Chair Senator Rafferty, Committee Chair Representative Brennan and distinguished members of the Joint Standing Committee on Education and Cultural Affairs,

Thank you for allowing me to offer testimony in support of LD 51, An Act to Restore Religious and Philosophical Exemptions to Immunization Requirements and LD 1098, An Act to Restore Religious and Philosophical Exemptions Regarding Immunization Requirements, both of which I proudly cosponsored.

During the pandemic and the resulting State of Emergency, we saw news report after news report of hospitals, nursing homes, public service agencies, police departments, municipal workers and other vital services losing employees from their failure to voluntarily submit to vaccine requirements. We would read weekly, sometimes daily, of a hospital losing a hundred workers here, another losing another two hundred there. The State of Washington, for example, lost 1,900 state workers for failing to take the Covid vaccine.

Currently, our state is in the midst of a crisis, suffering from a shortage of vital healthcare and EMS workers. And while many of those workers left the field voluntarily because of burnout, lack of support or lack of adequate pay, there was a large portion of those workers who left, either voluntarily or involuntarily, because they would not take the vaccine for the COVID-SARS-2 virus. Prior to the Federal CMS mandate, the refusal rate for the Covid vaccine among nurses was 24%, and while it was only 8% after the CMS mandate, an 8% loss in nursing staff in a healthcare system that is already stretched too thin nation wide has resulted in the system crossing the breaking point.

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These people are not hypothetical, they are real – they are members of my family, some of my neighbors, some of my friends, former co-workers and some of my constituents. These are the ones that have explicitly expressed to me that the primary reason they left their fields was because of the vaccine requirements.

While I am not against vaccines in general, there are people who do not want to take vaccines for strictly held religious beliefs. Some of these people, as parents, want to exercise their rights to make those decisions for their minor children. Maine schools have suffered from a loss in public school attendance. While up to 3 million children nationally went without any education during the school closures and remote learning during the pandemic (according to multiple reports including NPR) currently it is estimated that as many as 6% of the pre-pandemic public school population has not returned, among them the most marginalized and poor. It would be naive to assume that some portion of this is not caused by the recent decisions by some states to remove religious exemptions for vaccines or some school boards to incorporate the Covid vaccine into their policies (as a note DC and California have announced that they are requiring it state/district wide). Anything that contributes to that number, including the inability of parents to seek religious exemptions for sincere and deeply held religious beliefs, is catastrophic.

I understand the need for and benefits of vaccines, but I also believe in medical freedom and the ability for an individual to make an informed and personal healthcare decision. I also believe in the protections offered by Title VII of the Civil Rights Act that traditionally extends to religious freedoms under the First Amendment. Maine is one of only six states that does not currently have a law allowing for either religious or religious/philosophical objections to vaccinations. Both LD 51 and LD 1098 would return the laws in the State of Maine to be in line with the Civil Rights Act.

I have heard detractors of these bills state that the failure of the previous Citizen's Initiative to overturn the law removing religious exemptions is proof of a mandate, but that was not a case of the citizens of Maine pursuing a change in law in pursuit of their liberty interests. That was yet another example of the people trying to undue another overreach by government when their liberties were again taken from them, and history has shown us that referendum initiatives often take multiple tries to pass. However I am encouraging this legislature to make the necessary changes now to help address the immediate issues we are seeing in our health care and educational systems, even if only by a small percent, while restoring our First Amendment freedoms.

I am not asking the committee to condemn vaccines, to not recommend them, or to remove all vaccine requirements for school age children or health care workers. I would not do any of those things myself and that would be poor public policy. I am only asking that the committee affirm that the constitutional right to religious freedom as written in the Bill of Rights of the United States Constitution, Section 3 of the Constitution of the State of Maine, Title VII of the Civil Rights Act of 1964 and the Religious Freedom Restoration Act of 1993 be restored and upheld for the small percentage of Mainers who object to vaccines for sincerely held religious beliefs.

I encourage the committee to consider both of these pieces of legislation thoughtfully and support them with a vote of 'Ought To Pass'. I thank you for your time and will gladly make myself available during the work sessions for either.

Respectfully,

A handwritten signature in black ink, appearing to read "Chad R. Perkins", with a stylized, flowing script.

Rep. Chad R. Perkins  
District 31

ATT:

CF:

Committee Chair Senator Rafferty  
Committee Chair Representative Brennan  
Education and Cultural Affairs Committee Members

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