

March 6, 1979

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wish to speak to the bill please? Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, Senator Koch, I want you to understand that I am in favor of the physical and I am in favor of the immunization but I want to show you what the Legislature has wrought by trying to let religious considerations enter legislation. I always tell you that our job is legislation not salvation so I want you to look at the bill with me as it now stands. On the first page of the white sheet, you have reinstated the language relative to immunization. Now if we go down into, toward the very bottom portion of the bill, you see that any parent can refuse to have his or her child immunized by giving a written statement and there is no religious requirement. So the language above was superfluous but then we have an ambiguity because if you turn the page at the top, you see that the written statement stays in the child's file and the child cannot attend school until the immunization occurs. Now it does not say that those who object on a religious basis will allow their children to attend school so we still have all parents now in the same boat. For any reason they can reject the immunization but their children cannot attend school. So although you seem to be granting a boon to the religious fanatics, in fact they do not get that. When we go to line 10, label, section 4, go down two more lines to line 12 and you will see "physical examination pursuant to section 79-444", then you see that the immunization is required pursuant to 79-444.01. So let me read that, "At the time the parent or guardian of any child is notified that such child must have a physical examination or immunization, he or she shall also be notified in writing of his or her right to submit a written statement refusing a physical examination or immunization which means that whether it is for religious or any other reason, the parent can refuse to have the child immunized. Now how many of you really knew that's what we were doing here this morning, that with all the talk of the religion, and I know Senator Koch was trying to deliver on a promise he made, you haven't really done anything and sometimes these maneuvers, these exercises in futility are instructive. They will show us that we ought to read legislation before we vote. The only ones in here who are clean are Senator Koch and Senator Chambers because Senator Koch was trying to deliver on a promise that he had made to a group that for whatever reason he felt that he should make a promise to. I was trying to illustrate the unwisdom with tinkering with legislation to accommodate a specific religious persuasion. So now you can pass the bill if you want to or you can reject it if you want to, it doesn't make me any difference. I think