

March 20, 1979

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is at this time redundant. I suggest we put the bill to E & R final, take a look at it and see what it is. If we find that there are some technical problems and some redundancies in terms of what we have done to this bill, that we correct those at that time rather than to try to hang on to it right now and I would be agreeable to that if others would also be agreeable with me.

SENATOR MARSH: Senator Chambers, you are closing.

SENATOR CHAMBERS: Yes, and, Senator Koch, if you will notice there are two parts to this bill really. One part attempts to establish the requirement of the physical examination and the immunization. Then it offers an escape. If parents don't want these things to occur this section 4 tells that the schools must notify them that they can get out from under it. What I am trying to say with this amendment that I am offering now, because, see, the shall portion that we amended first said, that since it is a requirement the child who is not immunized can not come to school until that immunization occurs but what I am saying with this amendment that I am offering to section 4 is that the schools will not notify that the physical is optional. That is mandatory. We establish the physical in this first part of the statute 79-444. That establishes the mandating of the evidence of the physical. When you go to section 4 it tells how to get out from under that by saying, put in writing and the schools have to inform the parents. My amendment would say that you can inform them as to how to get out from under the immunization requirement but the physical is mandated, that the child must receive a physical. So it is not a change from what happened the other day. This that I am offering is to make sure that the physical allows no exceptions. That must be complied with and again the basis for requiring that is the health of the other children. Let us say that the physical discloses a disease and the parent says that for religious or for whatever reason, my child is not going to be treated for that disease. Since the physical has disclosed this disease that child can be kept from the schools, not just because of the immunization failure, but because he or she has a disease. Without the physical you have no way of knowing whether that child is infected. The other children have no protection whatsoever and for all the members of the Legislature, the purpose of the amendment is to do what I have just told Senator Koch, to mandate that every child receive a physical and there should be no excusing of that requirement because it is not an infringement on the religious or whatever reason

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