

Senate Executive Committee Meeting

Official Minutes
151st General Assembly
First Session

Committee Meeting
March 17, 2021
3:00 p.m.
Virtual Zoom Meeting

Meeting Attendance

Committee Members Present:

Senator David Sokola	David.Sokola@delaware.gov
Senator Bryan Townsend	Bryan.Townsend@delaware.gov
Senator Elizabeth Lockman	Elizabeth.Lockman@delaware.gov
Senator Stephanie Hansen	Stephanie.Hansen@delaware.gov
Senator Gerald Hocker	Gerald.Hocker@delaware.gov
Senator Brian Pettyjohn	Brian.Pettyjohn@delaware.gov

Absent:

None

Staff:

Valerie McCartan	Valerie.McCartan@delaware.gov
William Lescas	William.Lescas@delaware.gov

Attendees:

Sen. Marie Pinkney
Sen. Laura Sturgeon
Mark Cutrona
Beth Cooper
Tianna Beckles
Nicholas Schrieber
Read Scott
Deanna Killen
Jesse Chadderdon
Scott Goss
Theresa Garcia
Sherry Long
Carole Cullen

Organization:

Division of Research

Delaware Executive Branch
Delaware State Senate
Delaware State Senate
Delaware State Senate
Delaware State Senate
Delaware State Senate

Dan Zitofsky	
Kimberly Lake	
Mary M	
Krista Lynn Graham	Libertarian Mises Caucus
Carolyn Marcello	
Jonathan Contant	
Jonathan Patterson	
Aimee Strong	DeIDOT
Denise Clendenning	
Matt Bittle	
Joel Rudnick	Delaware General Assembly
Beth Clifton	
Russell Lawson	
Jason Smith	CGO
Jessica Garrison	
Billy Cummings	
Amy LePore	Libertarian Party Mises Caucus
Alicia Martin	
Mary Davis	NDA
Ryan Bunting	
Amy Cherry	WDEL
Clint Brothers	
Jeremy Malin	
Prakash Seshadri	
Donna Austin	
Macky Marker	
Philip Shull	
Sara Poore	Delaware State Senate
Caitlin Del Collo	Delaware State Senate
Dylan Griffith	
Lizzie Lewis	
Christina Bryan	Delaware State Senate
Sarah Fulton	
Taylor Hawk	Delaware State Senate
Kiki Evinger	DHSS
Carol Newberry	
Shaku Bhaya	
A.J. Schall	DEMA
Kathleen Rutherford	C.S. Kidner and Associates
Debbie Hamilton	Hamilton Goodman Partners
Bonnie Moyer	
Victoria Brennan	
Dr. Karyl Rattay	Delaware Division of Public Health
Caitlin Olsen	

Joanna Suder	
Jaymes Lowman	
Keri Rapa	
Sam Chick	
Greg Patterson	
Mary Thacher	
Alanna Mozeik	Delaware Division of Public Health
Paul Johnston	
Adam Brownstein	
Deborah Hamilton	HamiltonGoodman Partners
Crystal Webb	Delaware Division of Public Health
Dustyn Thompson	
Terry Baker	
Janet Kope	
Melissa Moulder	
Jacqueline Reed	
Chris Rowe	
Chastity Cook	
Ann Athas	
Patricia Ayres	
Marie Dougherty	
Pamela Waters	
Laura McDowell	
Daneen Carvo	
Carol Porac	
Margaret Roche	
Doug Campbell	Campbell Works
Mark Quigley	
Bill Hinds	
John Halverson	
Kimberly Chandler	Safety & Homeland Security
Amy Bosco	

Agenda:

Senate Bill 58

Senator Sokola convened the meeting at 3:08 p.m. and conducted a roll call. Following consideration of nominations from the Governor, Senator Sokola moved to the legislative portion of the agenda, which prompts these minutes.

Sen. Sokola invited Senator Lawson to present Senate Bill 58.

I. **SB 58 – Sen. Lawson – AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO PUBLIC HEALTH EMERGENCIES.**

SYNOPSIS: This Act removes the State’s authority to forcibly isolate, quarantine, vaccinate, or treat individuals against their will for COVID-19 during a state of emergency relating to COVID-19. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

Senator Lawson, the prime sponsor of the legislation, explained that this legislation would remove the State’s authority to forcibly isolate, quarantine, vaccinate, or treat individuals against their will for COVID-19 during the state of emergency relating to COVID-19. He explained that the Bill was the result of concerns raised by his constituents about the potential for forced vaccinations and general impositions by the government without an individual’s consent. He continued that this issue was also raised regarding forced vaccination for children. He noted that this Bill limits the state’s ability to force this, and he stated that this legislation draws on elements of the Constitution which protects from such actions. He continued that there was significant public support for the Bill. He concluded that this legislation does not curtail an individual’s ability to get the vaccine, but rather protects an individual’s freedom to choose whether they want to receive the vaccine.

Senator Sokola inquired if Senator Lawson had a witness to speak on behalf of the Bill.

Senator Lawson stated that Mark Cutrona was present to address any aspects of the wording of the Bill and that Dr. Adam Brownstein was present, as a member of the public, to speak in support of the Bill.

Senator Sokola explained that he had requested a member of the Administration to speak regarding the Bill. He continued that Dr. Karyl Rattay, and AJ Schall were present to comment on the legislation. He invited Dr. Rattay to provide her comment.

Dr. Karyl Rattay, representing the Delaware Department of Health & Social Services’ Division of Public Health (DPH), voiced DPH’s strong opposition to SB 58. She noted the intent of the Bill, and she expressed her view that the intent to limit the State’s ability to address COVID-19 during the public health crisis is disturbing. She affirmed that the state has the power to quarantine or isolate individuals but stressed that the state always has viewed such action as a last resort. She continued that the state has yet to exercise this authority in regard to COVID-19. She emphasized that DPH prefers to seek voluntary consent, to offer educational opportunities, and identify risks and offer support to those deemed to need support. She explained how these actions have been taken in regard to tuberculosis and in Georgetown regarding the poultry outbreak. She explained how DPH provides the resources needed for individuals who have been infected with COVID-19. She also noted that, prior to the enforcement of such a quarantine, individuals are given full due process, the right to counsel, and the right to

appeal. She continued that indigent persons are provided an attorney at the State's expense. She explained that this due process is more robust than those of most other states, and that the State must provide clear and convincing evidence that the individual to be isolated or quarantined poses a serious risk to transmitting the virus to others and that such action should be ceased when that risk is no longer present. She emphasized that the authority to force quarantine/isolation is limited. She noted that language in the Code regarding vaccination does not say "require" or "compel", but rather it says "direct". She emphasized that there is no enforcement language regarding vaccines and that individuals have the right to refuse vaccination, but that the State may impose quarantine. Also, the state may not direct vaccination if vaccination is reasonably likely to cause serious harm to the individual. She continued that the state reserves the right to impose quarantine for individuals who have not been vaccinated as a matter of public safety, and that such action was not intended to be punitive to the individual, and that such action is discretionary. She stated that the rate of recovery for COVID-19 is not a valid justification for removing such protections and stated the State's COVID-19 death toll is substantial, nearly 40 times higher than the worst flu season. She also noted anecdotal evidence that COVID-19 has lingering and pernicious effects on otherwise healthy individuals who had previously contracted the virus. She cited the presence of more virulent and transmissible variants as reason to not remove State capacities to limit the spread of COVID-19. She presented a hypothetical example to illustrate a plausible situation where a mandatory quarantine could be viewed as a necessary response, and she posed this situation to the Committee to consider. She reiterated DPH's view that mandatory quarantine, isolation, and vaccination are always a last resort, and that DPH always maintains a preference for voluntary and educational initiatives rather than coercive ones to ensure that individuals are able to make their own choice.

Senator Sokola thanked Dr. Rattay. He inquired if private, long-term care facilities mandate that employees be vaccinated.

Dr. Rattay explained that employers do have such authority, but employers are allowed to use their discretion in using that authority.

Senator Sokola continued, asking if a hospital could make such mandates.

Dr. Rattay confirmed that hospitals also have such authority, but that they often use other approaches to encourage vaccinations.

Senator Sokola recognized Senator Pettyjohn.

Senator Pettyjohn thanked the chair and inquired if a private employer's ability to require vaccinations would apply given that COVID-19 vaccinations have been granted approval under emergency authorization.

Dr. Rattay acknowledged that she was unsure, but she stated that she would be willing to contact DPH's legal counsel to provide further clarification.

Senator Sokola recognized Senator Lawson.

Senator Lawson acknowledged the steps prior to forced quarantine; however, he noted that individuals have been forced to quarantine during the COVID-19 pandemic. He asked if those actions did not constitute forced quarantine?

Dr. Rattay responded that no one had been ordered to quarantine during this pandemic. She explained that forced quarantine had been used twice before in individuals with active TB who were putting vulnerable people at risk, but she emphasized that this has never been enacted for COVID-19.

Senator Lawson asked if DPH had not put out orders, in a written letter, requiring individuals to quarantine.

Dr. Rattay acknowledged that a letter was sent stating that individuals needed to quarantine, but she noted that there was no recourse if infected individuals did not quarantine.

Senator Lawson addressed Dr. Rattay's statement that forcible quarantine, isolation, or vaccination had taken place in regard to COVID-19. He stated that no one from the Administration envisioned the length of the pandemic, and he inquired as to what will come next. He reiterated his constituents' concerns for their personal freedoms.

Dr. Rattay stated that DPH is not planning to mandate vaccination, and that DPH strongly prefers pursuing educational initiatives to promote vaccination of an individual's own volition. She reiterated that DPH has no current plans to impose a vaccination mandate. She noted that there are unknowns, specifically citing the uncertainty linked to COVID variants; however, she underscored that no plans for mandatory vaccination are being considered at present.

Senator Lawson addressed the COVID-19 death toll and asked for further clarification if those were deaths "from COVID" or "with COVID".

Dr. Rattay responded, "from COVID". She explained the means of identifying deaths that resulted from COVID-19. Specifically, she detailed that these figures come from validating cause of death stated of death certificates.

Senator Lawson asked Dr. Rattay to affirm her statement that there are presently 1500 surplus deaths over a normal period.

Dr. Rattay confirmed that this was the case, and that recent studies from the CDC suggest that there has been a significant decrease in life expectancy as a result of COVID-19. She noted that in a state the size of Delaware, the 1500 deaths from COVID-19 is a devastating toll.

Senator Lawson agreed that the deaths were significant, but he asserted that those numbers are not supported. He argued that data did not indicate such an increase. He explained that this inconsistency is a concern that he and many of his constituents hold, and for which he has yet to receive a valid explanation.

Dr. Rattay stated that DPH statistics are not yet completed. She noted that the overall mortality rate for 2020 is not yet tabulated or published.

Senator Lawson inquired if Dr. Rattay had any understanding or estimate regarding those numbers.

Dr. Rattay affirmed that she did not, and that the tabulation process takes several months to complete.

Senator Lawson cited statistics from the CDC regarding total deaths per year that indicated that total deaths in the country is less than previous totals. He reiterated his concern about apparent inconsistencies in the numbers relating to deaths, and he inquired if there was a potential that the impact of COVID-19 had been overstated.

Dr. Rattay reiterated her view that COVID-19 is a devastating disease and that it has a significant impact on society at large. She noted not just the death toll but also the severity of many non-fatal cases noting the physical, mental, and financial impacts of COVID-19. In response to annual death rates, Dr. Rattay explained that no state nor the nation at large has completed the collection of their vital statistics. She offered to review the data that Senator Lawson was citing, and she expressed DPH's willingness to have further conversations with Senator Lawson.

Senator Lawson noted that 720 long-term care residents were ordered confined, and he agreed that such individuals should be protected; however, he voiced concerns about potential governmental overreach in quarantining the healthy and continuing on with vaccination programs. He stated that such vaccines are experimental at best and that those vaccinations have not been approved by the FDA for general use. He once again voiced constituent concerns over the potential adverse effects of such vaccinations, the fact that such vaccinations have never been widely used before, and that individuals do not want the state forcing such vaccinations upon them without their consent. He voiced his belief and commitment in the Bill.

Senator Sokola thanked Senator Lawson for his questions. He cited provisional data on the death rates that shows a significant increase; however, he noted that the picture

will be clearer upon the publication of complete data. Senator Sokola recognized Senator Townsend.

Senator Townsend thanked Dr. Rattay, and he voiced his appreciation for DPH's continued efforts addressing the pandemic and their responsiveness when communicating with legislators. He expressed the need to continue refreshing the State's understanding of COVID-19, and the challenges of the public holding imperfect information regarding the pandemic. He asked Dr. Rattay, as an expert, to confirm that DPH has yet to implement this framework, that this framework represents the current best practices, and that DPH would request that the Delaware legislature not modify this statute.

Dr. Rattay confirmed DPH is requesting that the Delaware Legislature not modify the statute. She explained that DPH views the statute is an important tool, despite the fact that it has not yet been utilized during the pandemic. She continued that during the most devastating public health crisis in recent memory, it is imperative to maintain such capacity; however, she reiterated DPH's preference for voluntary and supportive measures.

Senator Townsend inquired if the Bill represents the most up-to-date public health legislation.

Dr. Rattay stated that the Bill does not represent the most up-to-date public health thinking, and that the ability for states to be able to enforce quarantine, isolation, and vaccination is expected by public health best practices. She emphasized the importance for states to have such authority, and she noted cases regarding active tuberculosis in which DPH needed to enact mandatory quarantines. She voiced the importance of having the authority, even if it is not exercised, to guarantee compliance.

Senator Townsend inquired if the numbers of deaths and infections linked to COVID-19 in the United States has been far more severe than in other countries.

Dr. Rattay confirmed that the situation in the United States has been far more severe.

Senator Townsend continued, asking if Dr. Rattay would attribute that level of severity in the United States to the failure to adopt the best public health practices.

Dr. Rattay affirmed that the United States' failure to adopt such public health practices, as a result of divisiveness, has led to many poor decisions and that has increased the devastation of this virus.

Senator Townsend acknowledged that he will withhold additional questions, as he viewed that they did not pertain to the specific legislation. He also noted that some of the previous commentary did not immediately pertain to the details of the Bill. He

concluded that he was concerned by legislation that would not only go against current best practices but also remove means of combatting a pandemic with an uncertain future specifically as a result of other variants. He reiterated his concern and voiced his gratitude to Dr. Rattay for sharing her perspective with the Committee.

Senator Sokola thanked Senator Townsend and Dr. Rattay. He inquired if Senator Hansen still had a comment.

Senator Hansen stated that she had a comment regarding the constitutionality, but she explained that she did not feel that comment pertained to Dr. Rattay.

Senator Sokola thanked Dr. Rattay. He noted that the State has yet to invoke the authority discussed in the Bill, and he noted that Dr. Rattay covered several legal protections for individuals if such authority was to be exercised by the State. He echoed Senator Townsend's concern for continued threat of COVID-19 and the potential challenge of variants going forward.

Senator Townsend noted that Senator Hansen wanted to make a comment regarding the Legislation.

Senator Sokola recognized Senator Hansen.

Senator Hansen thanked Senator Sokola. She explained that there has been significant public discussion regarding this Bill, specifically in regard to the constitutionality of a State's ability to require vaccination. She explained that the U.S. Supreme Court has already spoken on this issue in regard to smallpox vaccinations in 1905. She cited the case *Jacobsen v. Massachusetts*. She noted the parallels between many arguments presented in that case and the current arguments regarding the COVID vaccination. She read excerpts from the Supreme Court ruling that spoke to the need for the State to be able to enact such authority for the greater good. She explained that the Supreme Court did acknowledge there are times when the state can overstep in regard to issues of public safety and that happens when the state acts in a way which is "arbitrary and oppressive". She continued by detailing the test presented in the ruling, "if it is apparent and can be shown with reasonable certainty that he [the individual complaining of state overreach] is not, at the time, a fit subject of vaccination or that vaccination, by reason of his then condition, would seriously impair his health or probably cause death." Senator Hansen noted that she believed that was the justification that Dr. Rattay had alluded to earlier. She emphasized that the presence of such a law that enables the State to enforce mandatory vaccinations is not unconstitutional, because it has already been addressed by the Supreme Court.

Senator Sokola recognized Senator Lawson.

Senator Lawson voiced his view that the ruling of the Supreme Court is not the law, but rather an interpretation of the law. He addressed that there was uncertainty to the safety of the COVID vaccines, and he argued that this makes this situation different from the one addressed in the 1905 Supreme Court case.

Senator Sokola recognized Senator Hansen.

Senator Hansen affirmed that Supreme Court rulings are case law and is therefore law. She noted the three sources of laws, specifically legislative law, regulations from executive agencies, and case law from judicial rulings. She reiterated that all three are law.

Senator Lawson disagreed with this, but he accepted this statement.

Senator Sokola requested that the public comment section commence. He restated that speakers would only have one minute to make public comment, and he voiced his hope that individuals would not restate opinions and simply affirm their agreement with previously stated opinions. Senator Sokola recognized Dr. Adam Brownstein.

Dr. Adam Brownstein stated COVID vaccines, specifically the Pfizer and Moderna vaccines, utilize a technology that has never been widely distributed in humans and many of his patients had voiced reservations about these vaccines. He noted that while experts have assured the public that these vaccines are safe, he stated that there is no long-term data on this type vaccine and that such technology could have a negative effect on humans. He noted that there have been a number of reported adverse events from these vaccines, and these events represent a minimum reporting of those numbers.

Senator Sokola recognized Jeremy Malin.

Jeremy Malin thanked the Committee. He stated that he understood that the official ruling was that vaccines, passed by the FDA, were “unavoidably unsafe”. He reiterated that this does not apply to the COVID vaccines and that the vaccine manufacturers do not have liability in the event of an adverse event. He alluded that the state forcing such a vaccination would be commensurate to authoritarian rule of the early 20th Century. He noted that the specific statute addressed by the Bill does not deal with forced vaccinations, but he did argue that it can force indefinite quarantine until a vaccine is administered, again alluding to early 20th Century examples of government overreach. He noted the changes regarding public health recommendations and potential inconsistencies regarding death count.

Senator Sokola recognized Sherry Long.

Sherry Long thanked Senator Sokola and Senator Pettyjohn. She explained that while she is unable to get the vaccine on account of health risks, that she attempts to help others get the vaccine. She noted that she is significantly more concerned about the statute now that she has heard the presentation and testimony on the Bill. She feels that due to the statute that she could be forced to do something against her will.

Senator Sokola recognized Paul Johnston.

Paul Johnston thanked the Committee. He voiced his view that the border patrol has released a significant group of individuals, whom he claimed were infected with COVID, who have not been quarantined. He argued that the vaccine should not be described as a vaccine, but “immunotherapy”, and the companies that developed the vaccines were granted amnesty for any negative impacts by the Federal government. He concluded that these factors damaged public trust in the government.

Senator Sokola recognized Clint Brothers.

Clint Brothers argued that the State should not force any individuals to take the vaccine. He expressed his concern over vaccine passports, voiced his support for the Bill, and urged the Committee to vote in favor of the Bill.

Senator Sokola recognized Jaymes Lowman.

Jaymes Lowman voiced his support for the Bill. He explained that he felt that it is not the government’s right to force anyone to take the COVID vaccine.

Senator Sokola recognized Denise Clendenning.

Denise Clendenning thanked the Committee. She argued against Senator Hansen’s application of the 1905 Supreme Court case. She cited COVID’s low mortality rate when compared to smallpox, and she voiced her belief that the two cases are not comparable. She thanked Senator Lawson for proposing SB 58, and she voiced her opinion that the State should not revoke an individual’s right to choose.

Senator Sokola recognized Beth Clifton.

Beth Clifton addressed Dr. Rattay’s statement regarding the right to refuse vaccination. She cited her own experience, in regard to the Delaware Board of Education, in which she was not afforded that right. She explained that her child has a religious exemption and that she is concerned about the vaccine. She discussed what she sees as hypocrisy in regard to vaccines, specifically citing disparate rules regarding Hepatitis B in educational settings for teachers and students.

Senator Sokola recognized Amy LePore.

Amy LePore thanked the Committee, stating she represents the Libertarian Party Mises Caucus. She voiced her organization's support for SB 58 and her organization's concerns regarding the current statute. She urged the Committee to refer to elements of the Nuremburg Code to guide what is legal, moral and just. She stated that her organization's views that vaccination should be voluntary and that no Delawarean should be forced to be vaccinated or quarantined for what she described as being, tantamount to a flu. She reiterated her organization's support for the Bill.

Senator Sokola recognized Jonathan Contant.

Jonathan Contant identified himself as a Dover resident, and he voiced his support for the Bill and his concern for the State's ability to forcibly vaccinate citizens. He expressed his concern that the vaccines use untested technology, and that there is no one to be held accountable. He argued that the fact that the statute had not yet been enforced is not a valid reason for it to remain, and he argued for the passage of the Bill.

Senator Sokola recognized Jonathan Patterson.

Jonathan Patterson introduced himself as a Delaware physician. He stated that the 1905 Supreme Court case ended in the individual not being forced to take the vaccine, but rather to pay a fine. He also presented numbers he extrapolated regarding the potential fatality of the vaccine. He stated that his figures of deaths related to the vaccine are higher than the current death toll from the virus. He urged the return and preservation of informed consent for the patient.

Senator Sokola recognized Macky Marker.

Macky Marker noted that all public comment has supported the Bill, and he urged the Committee to keep that in mind in their deliberation. He voiced his opinion that the discussion of the vaccination should be based on "natural law". He expressed that he was speaking on behalf of his wife and daughter and that the right to choose is fundamental and should not be infringed by the government.

Senator Sokola recognized Mary Marino.

Mary Marino argued that the southern borders are open and that migrants are flooding into the country with different diseases. She contrasted this with current public health regulations and the potential for the State to forcibly quarantine or vaccinate citizens. She explained that these actions are more about control and government overreach than public health. She also expressed her view that vaccines are potentially dangerous and that they should not be given without consent. (This statement was made on Ms. Marino's behalf by her daughter Claire).

Senator Sokola recognized Billy Cummings.

Billy Cummings voiced his support for the Bill. He voiced three reasons for his trepidation about the vaccines: (1) He argued that the vaccines are not sufficiently tested and he likened the American population to guinea pigs; (2) that there is not sufficient consequence on the drug companies in the event of adverse effects from the vaccines; and (3) that individual consent should override any government authority to force an untested product on an individual.

Senator Sokola recognized Jessica Garrison.

Jessica Garrison thanked the Committee and praised Senator Lawson for sponsoring this Bill. She emphasized the importance of individuals having the right to choose to take the vaccine and noted that the vaccine relies on new technology and the potential adverse effects are unknown. She cited examples of adverse reactions which have included death. She expressed her view that it is lawfully and morally wrong to demand that someone take the vaccine. She voiced that she will not be taking the vaccine and that the vaccine has not yet been properly vetted. She urged the Committee to vote in favor of this Bill.

Senator Sokola recognized Alicia Martin.

Alicia Martin thanked the Committee. She praised Senator Lawson for his leadership on the Bill. She expressed her doubts on the testimony of Dr. Rattay. She voiced her belief that the government should not be forcing the vaccine onto individuals as it has not yet been properly tested. She voiced her doubts regarding the severity of COVID-19, and she concluded that Delawareans would remember the Committee's vote.

Senator Sokola recognized Kimberley Lake.

Kimberley Lake stated that she will not be taking the vaccine. She argued that there is not sufficient research on the safety of the vaccine. She voiced her opinion that the government should not be able to force citizens to get a vaccine without consent. She voiced her suspicion of available death statistics and reiterated her support for the Bill and for the Bill's sponsors.

Senator Sokola recognized Donna Austin.

Donna Austin thanked Senator Lawson and urged the Committee to support this legislation. She stated that "it is my body; it is my choice" and that the government is on a quest to exert greater control on their citizens. She urged the Committee to address this pattern of overreach and allow citizens to make their own informed decisions by voting in favor of the Bill.

Senator Sokola recognized Sam Chick.

Sam Chick stated that he feels that no one, neither judges nor legislators, can overrule the Constitution, and he argued that forced vaccination is not Constitutional. He also stated that the statute addressed by the Bill was added recently, and that the statute likely snuck in in a broader legislative package. He thanked Senator Lawson for his leadership.

Senator Sokola recognized Krista Lynn Graham.

Krista Lynn Graham argued that the Supreme Court does not address psychological effects of quarantine and forced vaccination which thereby made the Supreme Court ruling moot. She also noted that it is not the government's responsibility to protect its citizens from anything. She argued that forced vaccinations would gravely impact her health, and she voiced her belief that just because the current statute had yet to be applied, did not ensure that it wouldn't be applied in the future. She urged the Committee to vote in favor of the bill.

Senator Sokola recognized Senator Hocker.

Senator Hocker voiced his opinion that reducing the time allotted to public comment to one minute was unfair and also an unusual practice. He recognized the time constraints, but he urged the Committee to release the Bill from Committee to allow the public ample time to raise their concerns on the Senate Floor.

Senator Sokola noted that the public record is left open and that members of the public are able to submit written comment to the Committee. He continued that he didn't hear any new points and that many comments did not directly address the Bill. He noted testimony from Dr. Rattay and expressed his hope that there are vaccines for everyone who wants to get a vaccine to have the option. He continued that he was pleased to hear people say, "my body; my choice", but he emphasized that there is a threshold where an individual choice begins to threaten the safety and wellbeing of others, which is where that choice may be compromised. He reiterated his view that Dr. Rattay made a compelling argument, and he stated that he did not feel that he heard compelling argument to release the Bill from Committee.

Senator Hocker noted, for the record, that only one individual spoke against this bill and that came from the Administration.

Senator Sokola recognized Senator Lawson.

Senator Lawson thanked Senator Sokola for being fair in allowing individuals the opportunity to voice public comment. Senator Lawson echoed Senator Hocker's concerns of the one-minute limit. He reiterated that the Bill was brought forth because

of public concern and that he personally believes that no one should be forced to do things against their will. He thanked the Committee for their time.

SB 58 received 2 Favorable (2F) votes from Senators Hocker and Pettyjohn. Having failed to receive the required and sufficient votes to be released from committee, SB 58 will remain in Executive Committee.

Senator Sokola asked if there was a motion to adjourn.

Senator Townsend motioned to adjourn the meeting and **Senator Lockman** seconded that motion.

Senator Sokola adjourned the meeting at 4:31 p.m.

*Meeting minutes approved on Wednesday, March 31, 2021 on a motion by Sen. Pettyjohn, seconded by Sen. Hocker, and with no objection from members of the Committee