

Testimony to the  
**Political Subdivisions Committee**  
February 4, 2021  
Chad Peterson, Cass County Commission Chair

**Regarding: House Bill 1323**

Chairman Dockter and members of the House Standing Political Subdivisions Committee, I am Chad Peterson, Cass County Commission Chair, and I am writing to request a **DO NOT PASS** for House Bill 1323. I appreciate and share the desire to protect individual freedoms and liberties. As public servants, this is one of our core responsibilities. I also appreciate the responsibility to protect both public and staff health.

First, over the last year the COVID-19 pandemic has forced federal, state, and local governments to balance individual freedoms and liberties with public health in ways never encountered before. In Cass County we took several steps, beginning in March & April 2020 to protect the health & welfare of county employees and citizens doing business with the County. In May, in response to the clear and direct messaging from employees, members of the public as well as federal, state, and local public health experts, we added a mask requirement. In October, as the numbers of cases and hospitalizations in North Dakota increased, Cass County amended the mask requirement directing employees to wear masks whenever they were not alone at their workspace. Neither the initial mask requirement or the revised policy were implemented lightly. We understood there was, out of a preponderance of caution, the ability to provide potential protection to ourselves, our co-workers and fellow citizens – as well as the parents, grandparents and medically fragile friends and relatives our employees and citizens care for away from the workplace. Had it been in effect, House Bill 1323 would have prevented the county from adding the mask requirement.

Second, House Bill 1323 is so broadly written it would prevent the use of items like 'spit shields' (also known as 'spit masks') in places like the Cass County jail. These items are used if an inmate is trying to bite or spit on a deputy or inmate. These items keep our corrections officers and other inmates safe from any number of potential diseases that can be spread via bodily fluids.

Finally, House Bill 1323 is so broadly written it would prevent the mandatory use of using masks or face/ eye protection required when members of our vector control (i.e. mosquito control) or weed control staff when utilizing potentially harmful chemicals. An example of this would be an item like respirator masks that is sometimes required to keep our team safe from inhaling harmful vapors. Should the person opt to not use them for whatever reason they could get ill and, as odd as it may sound, the county could potentially be held as liable.

Again, I urge a **DO NOT PASS** for House Bill 1323. Local control allows local leaders to make decisions in the best interest of our coworkers and constituents regarding any number of matters and these decisions should remain at that level. I would be available for any questions.