

Testimony in Opposition to on HB 1505

House Human Services Committee

Chairman Weisz and Members of the Human Services Committee

For the record, my name is Bob Marthaller, representing North Dakota United and its membership of teachers, k-12 support personnel, Higher Education faculty and staff and state employees. I stand to speak in opposition to HB 1505.

Chairman Weisz and Members of the Committee, North Dakota United certainly has no objection to individuals choosing on their own behalf to reject or to accept vaccination or inoculation. However, there may be times when individual choice may jeopardize the general health and wellbeing of the general population.

North Dakota has a long-established law codified in NDCC 23-07-17.1 which requires a child to be immunized before being admitted to any public, private, or parochial school, or day care center, childcare facility, head start program or nursery school or that the process of immunization has been started. Parents of children receiving home education must certify to the school district that children have been vaccinated. Parents already have the option of opting out of this requirement based on a physician certification, or a parent may opt a child out of the requirements based on religious, philosophical, or moral beliefs. It is our understanding, Chairman Weisz, and Committee Members, that HB 1505 may nullify other laws requiring immunizations and potentially endanger the health of hundreds of thousands of children, teachers, and other school staff.

Chairman Weisz, and Members of the Committee, it is also our understanding that HB 1505 would prevent employers that already require employee vaccination to stop this practice. Many hospitals and long-term care facilities require certain vaccinations to protect patients,

residents, staff, and the public. Without this requirement, thousands of North Dakota residents might suffer adverse health conditions.

Chairman Weisz, HB 1505 begins with the phrase “Notwithstanding law to the contrary . . .” Mr. Chairman and members of the committee, I am not an attorney so to me this language and the intent is not clear as drafted. With all due respect, I would suggest that substituting language such as “Except as otherwise provided by law . . .” might be better.

Chairman Weisz, Committee Members, it is for these reasons that North Dakota United urges a unanimous No Not Pass recommendation on HB 1505.

Thank you and I will try to answer any questions you may have.