

LEGISLATIVE COMMITTEE MINUTES

# **SB300**

# Bill as Introduced

SB 300-FN - AS INTRODUCED

2022 SESSION

22-2992

07/08

SENATE BILL        **300-FN**

AN ACT            relative to the state commission for human rights.

SPONSORS:        Sen. Avard, Dist 12; Sen. Giuda, Dist 2; Rep. Ammon, Hills. 40; Rep. Homola,  
Hills. 27; Rep. Hill, Merr. 3

COMMITTEE:      Judiciary

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ANALYSIS

This bill defines and includes the refusal of an experimental drug in the protections provided under the state commission for human rights.

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Explanation:      Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struck through.~~]  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Two*

AN ACT relative to the state commission for human rights.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 New Paragraph; State Commission for Human Rights; Definitions. Amend RSA 354-A:2 by  
2 inserting after paragraph XV the following new paragraph:

3 XVI. "Experimental drug" includes any concoction of any kind designed to be inserted or  
4 ingested by humans where said concoction includes legal immunity from any adverse effects up to,  
5 and including, death for the manufacturer, provider, medical, staff, pharmacists, government  
6 employees or contractors, or any other person or entity making, using, injecting, or otherwise  
7 distributing such concoction.

8 2 State Commission for Human Rights; Opportunity for Employment Without Discrimination a  
9 Civil Right; Inclusion of Refusal of Experimental Drug. Amend RSA to read as follows:

10 354-A:6 Opportunity for Employment Without Discrimination a Civil Right. The opportunity to  
11 obtain employment without discrimination because of age, sex, gender identity, race, creed, color,  
12 marital status, physical or mental disability, [ø] national origin, **or the refusal to accept, ingest,**  
13 **or otherwise participate in the use of an experimental drug** is hereby recognized and declared  
14 to be a civil right. In addition, no person shall be denied the benefits of the rights afforded by this  
15 section on account of that person's sexual orientation.

16 3 State Commission for Human Rights; Equal Employment Opportunity; Inclusion of  
17 Experimental Drug Refusal. Amend RSA 354-A:7, I to read as follows:

18 I. For an employer, because of the age, sex, gender identity, race, color, marital status,  
19 physical or mental disability, religious creed, or national origin of any individual, to refuse to hire or  
20 employ or to bar or to discharge from employment such individual or to discriminate against such  
21 individual in compensation or in terms, conditions or privileges of employment, unless based upon a  
22 bona fide occupational qualification. In addition, no person shall be denied the benefit of the rights  
23 afforded by this paragraph on account of that person's sexual orientation **or the refusal to accept,**  
24 **ingest, or otherwise participate in the use of an experimental drug.**

25 4 State Commission for Human Rights; Equal Employment Opportunity; Inclusion of  
26 Experimental Drug Refusal. Amend RSA 354-A:7, II to read as follows:

27 II. For a labor organization, because of the age, sex, gender identity, race, color, marital  
28 status, physical or mental disability, creed, or national origin of any individual, to exclude from full  
29 membership rights or to expel from its membership such individual or to discriminate in any way  
30 against any of its members or against any employer or any individual employed by an employer,  
31 unless based upon a bona fide occupational qualification. In addition, no person shall be denied the

1 benefit of the rights afforded by this paragraph on account of that person's sexual orientation **or the**  
2 **refusal to accept, ingest, or otherwise participate in the use of an experimental drug.**

3 5 State Commission for Human Rights; Equal Employment Opportunity; Inclusion of  
4 Experimental Drug Refusal. Amend RSA 354-A:7, III to read as follows:

5 III. For any employer or employment agency to print or circulate or to cause to be printed or  
6 circulated any statement, advertisement or publication, or to use any form of application for  
7 employment or to make any inquiry or record in connection with employment, which expresses,  
8 directly or indirectly, any limitation, specification or discrimination as to age, sex, gender identity,  
9 race, color, marital status, physical or mental disability, religious creed or national origin or any  
10 intent to make any such limitation, specification or discrimination in any way on the ground of age,  
11 sex, gender identity, race, color, marital status, physical or mental disability, religious creed or  
12 national origin, unless based upon a bona fide occupational qualification; provided, however, that  
13 nothing in this chapter shall limit an employer after the offer of hire of an individual from inquiring  
14 into and keeping records of any existing or pre-existing physical or mental conditions. In addition,  
15 no person shall be denied the benefit of the rights afforded by this paragraph on account of that  
16 person's sexual orientation **or the refusal to accept, ingest, or otherwise participate in the use**  
17 **of an experimental drug.**

18 6 State Commission for Human Rights; Fair Housing; Inclusion of Experimental Drug Refusal.  
19 Amend RSA 354-A:10, I to read as follows:

20 I. To refuse to sell or rent after the receipt of a bona fide offer, or to refuse to negotiate for  
21 the sale or rental of, or otherwise make unavailable or deny, a dwelling or commercial structure to  
22 any person because of age, sex, gender identity, race, color, marital status, familial status, physical  
23 or mental disability, religion or national origin. In addition, no person shall be denied the benefit of  
24 the rights afforded by this paragraph on account of that person's sexual orientation **or the refusal**  
25 **to accept, ingest, or otherwise participate in the use of an experimental drug.**

26 7 State Commission for Human Rights; Fair Housing; Inclusion of Experimental Drug Refusal.  
27 Amend RSA 354-A:10, II to read as follows:

28 II. Discriminate against any person in the terms, conditions, or privilege of sale or rental of  
29 a dwelling or commercial structure, or in the provision of services or facilities in connection  
30 therewith, because of age, sex, gender identity, race, color, marital status, familial status, physical or  
31 mental disability, religion or national origin. In addition, no person shall be denied the benefit of the  
32 rights afforded by this paragraph on account of that person's sexual orientation **or the refusal to**  
33 **accept, ingest, or otherwise participate in the use of an experimental drug.**

34 8 State Commission for Human Rights; Fair Housing; Inclusion of Experimental Drug Refusal.  
35 Amend RSA 354-A:10, III to read as follows:

36 III. To make, print or publish, or cause to be made, printed or published, any notice,  
37 statement or advertisement, with respect to the sale or rental of a dwelling or commercial structure

1 that indicates any preference, limitation, or discrimination based on age, sex, gender identity, race,  
2 color, marital status, familial status, physical or mental disability, religion or national origin, or an  
3 intention to make any such preference, limitation or discrimination. In addition, no person shall be  
4 denied the benefit of the rights afforded by this paragraph on account of that person's sexual  
5 orientation ***or the refusal to accept, ingest, or otherwise participate in the use of an***  
6 ***experimental drug.***

7 9 State Commission for Human Rights; Equal Access to Public Accommodations a Civil Right;  
8 Inclusion of Experimental Drug Refusal. Amend RSA 354-A:16 to read as follows:

9 354-A:16 Equal Access to Public Accommodations a Civil Right. The opportunity for every  
10 individual to have equal access to places of public accommodation without discrimination because of  
11 age, sex, gender identity, race, creed, color, marital status, physical or mental disability or national  
12 origin is hereby recognized and declared to be a civil right. In addition, no person shall be denied the  
13 benefit of the rights afforded by this section on account of that person's sexual orientation ***or the***  
14 ***refusal to accept, ingest, or otherwise participate in the use of an experimental drug.***

15 10 State Commission for Human Rights; Public Accommodations; Inclusion of Experimental  
16 Drug Refusal. Amend RSA 354-A:17 to read as follows:

17 354-A:17 Unlawful Discriminatory Practices in Public Accommodations. It shall be an unlawful  
18 discriminatory practice for any person, being the owner, lessee, proprietor, manager, superintendent,  
19 agent or employee of any place of public accommodation, because of the age, sex, gender identity,  
20 race, creed, color, marital status, physical or mental disability or national origin of any person,  
21 directly or indirectly, to refuse, withhold from or deny to such person any of the accommodations,  
22 advantages, facilities or privileges thereof; or, directly or indirectly, to publish, circulate, issue,  
23 display, post or mail any written or printed communication, notice or advertisement to the effect  
24 that any of the accommodations, advantages, facilities and privileges of any such place shall be  
25 refused, withheld from or denied to any person on account of age, sex, gender identity, race, creed,  
26 color, marital status, physical or mental disability or national origin; or that the patronage or custom  
27 thereat of any person belonging to or purporting to be of any particular age, sex, gender identity,  
28 race, creed, color, marital status, physical or mental disability or national origin is unwelcome,  
29 objectionable or acceptable, desired or solicited. In addition, no person shall be denied the benefit of  
30 the rights afforded by this section on account of that person's sexual orientation ***or the refusal to***  
31 ***accept, ingest, or otherwise participate in the use of an experimental drug.***

32 11 State Commission for Human Rights; Construction; Inclusion of Experimental Drug Refusal.  
33 Amend RSA 354-A:25 to read as follows:

34 354-A:25 Construction. No provision of this chapter shall be deemed to supersede any other  
35 provision of law for the protection of minors or for the regulation of the employment of minors. The  
36 provisions of this chapter shall be construed liberally for the accomplishment of the purposes thereof.  
37 Nothing contained in this chapter shall be deemed to repeal any of the provisions of the civil rights

1 law or any other law of this state relating to discrimination because of age, sex, gender identity, race,  
2 creed, color, marital status, physical or mental disability, [ø] national origin, **or the refusal to**  
3 **accept, ingest, or otherwise participate in the use of an experimental drug**; but, as to acts  
4 declared unlawful by this chapter the procedure provided in this chapter shall, while pending, be  
5 exclusive and the final determination therein shall exclude any other action, civil or criminal, based  
6 on the same grievance of the individual concerned. If such individual institutes any action based on  
7 such grievance without resorting to the procedure provided in this chapter, such person may not  
8 subsequently resort to the procedure in this chapter, provided, however, that nothing in this section  
9 shall prevent any individual from applying for or receiving unemployment compensation while the  
10 procedure provided for in this chapter is pending or after the procedure provided in this chapter has  
11 been concluded. This section shall not prevent the commission for human rights from investigating  
12 and acting upon a complaint of discrimination when the complainant has also filed a claim for  
13 unemployment compensation in which the issue of illegal discrimination is raised.

14 12 State Commission for Human Rights; Opportunity for Public Education without  
15 Discrimination a Civil Right; Inclusion of Experimental Drug Refusal. Amend RSA 354-A:27 to  
16 read as follows:

17 354-A:27 Opportunity for Public Education Without Discrimination a Civil Right. No person  
18 shall be excluded from participation in, denied the benefits of, or be subjected to discrimination in  
19 public schools because of their age, sex, gender identity, sexual orientation, race, color, marital  
20 status, familial status, disability, religion, [ø] national origin, **or the refusal to accept, ingest, or**  
21 **otherwise participate in the use of an experimental drug**, all as defined in this chapter.

22 13 Effective Date. This act shall take effect January 1, 2023.

**SB 300-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT relative to the state commission for human rights.

FISCAL IMPACT:  State  County  Local  None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
<i>Funding Source:</i>	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

**METHODOLOGY:**

This bill defines and includes the refusal of an experimental drug in the protections provided under the state commission for human rights.

The Human Rights Commission indicates this bill seeks to expand RSA 354-A to include individuals who may refuse to accept the use of an experimental drug as a protected class of people in New Hampshire. The bill would provide anti-discrimination protections in the areas of employment, housing, public accommodation, and K-12 education. The Human Rights Commission states it is unknown how many new cases may result from this bill. Therefore, the Commission has no information at present to determine if additional resources or staff will be needed.

The Department of Justice indicates this bill would amend RSA 354-A by adding the definition of "experimental drug" and a new provision that would include the refusal of an experimental drug in the protections provided under the state commission for human rights. The Department has no information on how many additional complaints, investigations or appeals may result from the proposed amendment to the Commission for Human rights statute and states the financial impact is indeterminable.

**AGENCIES CONTACTED:**

Human Rights Commission and Department of Justice



# Committee Minutes

**SENATE CALENDAR NOTICE**  
**Judiciary**

Sen Sharon Carson, Chair  
Sen Bill Gannon, Vice Chair  
Sen Harold French, Member  
Sen Rebecca Whitley, Member  
Sen Jay Kahn, Member

Date: January 6, 2022

**HEARINGS**

	Tuesday	01/18/2022
	(Day)	(Date)
Judiciary		State House 100
(Name of Committee)		(Time)
1:00 p.m.	<b>SB 300-FN</b>	1:00 p.m.
	relative to the state commission for human rights.	
1:20 p.m.	<b>SB 296</b>	
	relative to complaint procedures in cases before the commission for human rights.	
2:00 p.m.	<b>SB 393-FN</b>	
	relative to the use of restraints on pregnant women in the custody of a state or county correctional facility.	
2:15 p.m.	<b>SB 431-FN</b>	
	relative to child support in cases with equal or approximately equal parenting schedules.	
2:30 p.m.	<b>SB 294-FN</b>	
	relative to the release of a defendant pending trial.	

**EXECUTIVE SESSION MAY FOLLOW**

**Sponsors:**

**SB 300-FN**

Sen. Avard

Rep. Hill

**SB 296**

Sen. French

Sen. Bradley

**SB 393-FN**

Sen. Whitley

Sen. Kahn

Rep. Wazir

**SB 431-FN**

Sen. Carson

Rep. Gordon

**SB 294-FN**

Sen. Bradley

Rep. Deshaies

Sen. Giuda

Sen. Hennessey

Sen. Whitley

Sen. Watters

Sen. Sherman

Rep. Myler

Sen. Whitley

Rep. Long

Sen. Hennessey

Rep. Abbas

Rep. Ammon

Sen. Avard

Sen. Kahn

Sen. Rosenwald

Sen. Perkins Kwoka

Rep. Wallner

Sen. Gannon

Sen. Ricciardi

Rep. Homola

Sen. Soucy

Sen. Hennessey

Sen. Prentiss

Rep. Rice

Sen. Carson

Jennifer Horgan 271-7875

Sharon M Carson  
Chairman

**Senate Judiciary Committee**  
*Jennifer Horgan 271-7875*

SB 300-FN, relative to the state commission for human rights.

**Hearing Date:** January 18, 2022

**Time Opened:** 1:02 p.m.

**Time Closed:** 1:42 p.m.

**Members of the Committee Present:** Senators Carson, Gannon, French, Whitley and Kahn

**Members of the Committee Absent :** None

**Bill Analysis:** This bill defines and includes the refusal of an experimental drug in the protections provided under the state commission for human rights.

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**Sponsors:**

Sen. Avard  
Rep. Homola

Sen. Giuda  
Rep. Hill

Rep. Ammon

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**Who supports the bill:** 99 people signed up in support of the bill. Full sign in sheet available upon request.

**Who opposes the bill:** 43 people signed up in opposition to the bill. Full sign in sheet available upon request.

**Who is neutral on the bill:** Executive Director Ahni Malachi, HRC

**Summary of testimony presented in support:**

**Senator Avard**

- This bill includes a refusal for any experimental drug in the protections provided under the Human Rights Commission (HRC).
- This is a civil right.
- People are worried about being discriminated against because they are being forced to take a drug against their conscience or for whatever reason.
- With experimental drugs, they don't know what the outcomes are or what the long-term repercussions are.
- Senator Gannon asked if this is considering the two COVID vaccines and the boosters to still be experimental.
  - Senator Avard said it is not considering if anything is experimental. He does not know if they are experimental or not.

- Senator Gannon asked if this would have covered the COVID vaccines before they were approved by the Centers for Disease Control.
  - Senator Avard said this bill is only looking at from this point on now.
- Senator Kahn asked where the definition for 'experimental drug' came from.
  - Senator Avard said the thin air. Anything that is experimental that has not been approved by the CDC or the FDA and is still in the experimental stage would be impacted by this bill.
- Senator Kahn stated that there is no reference to federal guidance or state authority in the definition. He stated that he does not understand the definition.
  - Senator Avard said it is very simple; it is any type of drug in its experimental stage.
- Senator Kahn asked if he is an employer with staff that is immunocompromised and there is a COVID outbreak, would he be violating human rights by making it a condition of employment to be vaccinated.
  - Senator Avard said this has to do with experimental drugs and deals with moving forward from this point on.
- Senator Gannon explained the definition to be not accepted by the medical community.
  - Senator Avard said yes.

**Julie Smith**

- It is her opinion that the definition of experimental is the absence of sufficient longitudinal data.
- Longitudinal data can only be acquired over time.
- A lot of life insurance companies tend to not pay out when someone takes something experimental.
- FDA approval means a deal has been made.
- Emergency use doesn't matter.
- She shared the thoughts of a fellow constituent who said human rights are not country specific. Human rights are the right to life with dignity. It is troubling what we have come to as a society. This is something we should legislate. It cannot be understated that human rights are vital for the existence and development of individuals. Human rights create a better environment and better living conditions for people. Governments can be held accountable for their actions. There is power in naming an injustice. This bill will allow protections to give people the right to choose how they would like to live. This simply allows for individuals to make their own health and medical decisions. As of late we are constantly reminded that our democracy is at stake and this bill will protect that. We are told that democracy accommodates a diversity of opinions.
- This is not about business; this is about human rights.
- Senator Gannon asked if he had a business of five people with some immunocompromised, under this bill would he have to let that unvaccinated person into the business or if it was a nursing home or hospital. He asked if we

cannot believe the CDC when they say a drug is safe for fear we are going to trample on a hospital.

- She does not think it is trampling on a business or hospital. It is about the refusal of something experimental. This bill is about the future experimental treatment and drugs also.
- Senator Kahn asked if she believes this bill would give her cause to file suit against a COVID vaccination requirement.
  - She said yes.

### **Russan Chester**

- Thought it was a pretty clear-cut bill.
- Shared her experience as a human rights activist.
- This bill would help the prevention of violations of human rights.
- The only opposition to this bill seems to be financially motivated.
- This bill is about human rights and dignity.
- Human rights should be before businesses in all instances.
- Shared her beliefs on COVID 19, how the vaccinated spread COVID and how small businesses are being encouraged to have COVID positive staff come in.
- Has seen people discriminated against for their beliefs.
- It is a human right to have your own personal beliefs.
- Senator Gannon asked if someone has a human right to not be exposed to a disease he considers to be dangerous.
  - What we have been told by the CDC, WHO and others is that if you are vaccinated the likelihood that you are going to have a less severe reaction is wonderful. If you are not vaccinated and immunocompromised then you may have a hard time with it. If you are not vaccinated and you are not immunocompromised you may or may not have a hard time. In all of those situations they all have the propensity to spread the virus so what is the point of that kind of situation. This bill is not about COVID 19, it is about experimental procedures and drugs we are allowing businesses to mandate against NH citizens.
- Senator Gannon asked if we need to tighten up the definition of 'experimental drug' to be 'something that is medically accepted'.
  - The only problem with that is that medically accepted is very confrontational because it is subjective. Thinks 'experimental' is a good term with a black and white definition. Going forward when a situation happens and there is an emergency use situation then we can deal with it.
- Senator French posed a hypothetical situation where the federal government decides they are only going to give loans and bailout money to companies that demand their employees get vaccinations or use experimental drugs. He asked if this type of legislation would give those companies a pushback against such a mandate.

- She does think it would be advantageous to companies who would not be able to get loans or funding. It would force transparency to the ones that are taking federal moneys for these experimental/emergency use products. It would shed some light on not only what has happened in 2020 and 2021, but going forward businesses would have the teeth to say 'I have the right to take the federal money just as anyone else'

**Summary of testimony presented in opposition:**

**Paula Minnehan (NH Hospital Association) (provided written testimony)**

- Believes the definition of 'experimental drug' is designed to apply to the COVID 19 vaccinations.
- The COVID 19 vaccines are not considered experimental and are authorized by the FDA under emergency use or have full authorization.
- The COVID 19 vaccines did go through an initial developmental stage, clinical trials, authorization, approvals, manufacturing, distribution processes, and safety tracking.
- Provided a document from the CDC that explains it in much greater detail.
- This bill would have a chilling effect on entities, employers, business, and venues from being able to impose policies they determine are in the best interests of their employees and patrons.
- This would place them unfairly in the oversight of the HRC in this aspect.
- Vaccinations have never been subject to this kind of oversight before, and it is inappropriate to assert that vaccinations create a human rights violation.
- Employers that do require vaccines as a condition of employment, do allow for exceptions for both medical and religious reasons.
- All employers should be able to make vaccinations of any kind a requirement of employment if they so choose.
- Senator Gannon asked at what point could this have covered COVID vaccines.
  - It is confusing to equate experimental with emergency use authorization (EUA). The three COVID vaccines went through EUA and then the manufacturer applies to the FDA to get full authorization. The COVID vaccines went through rigorous review and trials. Hospitals experienced waiting until August of 2021 to require vaccines as a condition of employment, and believes the manufacturers were going through the final process for full authorization at that point.
- Senator Gannon pointed out there is a new vaccine coming. He asked if a hospital could mandate it when it is given EUA.
  - She would need to check with the hospitals on that. She will follow up.
- Senator French asked if the NH Hospital Association believes people should be subjected to getting experimental drugs in order to have employment.
  - The Association's position is that they are concerned that in this bill the experimental drug definition applies to COVID 19 vaccines. She

questioned if it is appropriate that this is being included in the HRC as a protected class.

- Senator French asked if she has a problem with the definition and the assertion that it is not pertaining to COVID 19 vaccines.
  - She questions the origin of the definition. She thinks it is important to understand that.
- Senator Kahn asked if she is concerned that people are considering EUAs to be conflated with experimental drugs.
  - She is concerned about that and is wondering if it is applying to COVID 19 vaccines. COVID 19 vaccines were not considered experimental.
- Senator Kahn asked if she is hearing people call the COVID 19 vaccines experimental even today.
  - As her testimony stated that's why they wanted to be on record.

**Shaun Thomas** (NH Nurses Association) (provided written testimony)

- The intent of the bill seems to be geared at labeling the COVID 19 vaccines to be experimental.
- The vaccines have been proven to be effective and are the best tool we have to end the pandemic.
- This mandate would take away a tool from businesses that they use to keep employees, patients, and patrons safe.
- In healthcare settings it is important to keep nurses and other healthcare workers safe at work.

**Natch Greyes** (NH Municipal Association) (provided written testimony)

- Confused about the definition of 'experimental drugs'
- After focusing on the language 'legal immunity from any adverse effects' he thinks it probably meant any medical counter measure that is ingested or inserted into humans and is covered by the federal Public Readiness and Emergency Preparedness Act. That would include a variety of drugs used to combat COVID 19.
- That Act functions to allow the US government to ramp up the production of any medical counter measures that can be used to thwart pandemics.
- If that is the case, there is arbitrary distinction where you might have some approved drug or vaccine that could be required by an employer.
- If the federal government makes this declaration under the Act then the employer would not be able to require it; but if that declaration expires the employer could then re-require it, causing confusion.

**Neutral Information Presented:**

**Executive Director Ahni Malachi** (Human Rights Commission)

- There are some other states in New England with different pieces of legislation that make protected classes out of people who are not receiving vaccines. She will forward that information to the Committee.
- This bill would create an additional protected class.

- In the fiscal note, they stated it would be difficult to ascertain the number of cases this would create and they would not be able to judge that at this point.
- Has had potentially one charge moving forward.
- As laws are made or changed that provides opportunities for people to do what they feel is necessary.
- If you have a religious or medical exemption you have a right to not take a vaccination.
- Businesses owners do have the right to create the standards for those exemptions.

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Date Hearing Report completed: January 21, 2022



# Speakers



# Senate Remote Testify

## Judiciary Committee Testify List for Bill SB300 on 2022-01-18

Support: 96 Oppose: 40

<u>Name</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>
Golder, Melanie	A Lobbyist	Christian Science Churches in NH	Neutral
Culliton, Penny	A Member of the Public	Myself	Oppose
Smith, Jennifer	A Member of the Public	Myself	Oppose
Rearick, Ellen	A Member of the Public	Myself	Oppose
Bates, David	A Member of the Public	Myself	Oppose
Smith, Carla	A Member of the Public	Myself	Oppose
Lindpaintner, Lyn	A Member of the Public	Myself	Oppose
Campion, Polly	A Member of the Public	Myself	Oppose
Torpey, Jeanne	A Member of the Public	Myself	Oppose
Davidson, Suellen	A Member of the Public	Myself	Oppose
DiNapoli, Pamela	A Member of the Public	NH Nurses Association	Oppose
Odom, Judith	A Member of the Public	Myself	Oppose
Brennan, Nancy	A Member of the Public	Myself	Oppose
Richman, Susan	A Member of the Public	Myself	Oppose
Rettew, Annie	A Member of the Public	Myself	Oppose
perencevich, ruth	A Member of the Public	Myself	Oppose
Damon, Claudia	A Member of the Public	Myself	Oppose
Raspiller, Cindy	A Member of the Public	Myself	Oppose
Brown, Howard	A Member of the Public	Myself	Oppose
Clark, Denise	A Member of the Public	Myself	Oppose
Zaenglein, Barbara	A Member of the Public	Myself	Oppose
Zaenglein, Eric	A Member of the Public	Myself	Oppose
Hayes, Randy	A Member of the Public	Myself	Oppose
Walsh, Lynne	A Member of the Public	Myself	Oppose
Lewis, Elizabeth	A Member of the Public	Myself	Oppose
Mott-Smith, Wiltrud	A Member of the Public	Myself	Oppose
Burnap, Linda	A Member of the Public	Myself	Oppose
Robertson, Elizabeth	A Member of the Public	Myself	Oppose
Falk, Cheri	A Member of the Public	Myself	Oppose
Cecchetti, Lynda	A Member of the Public	Myself	Oppose
Goggans, Ron	An Elected Official	Myself	Oppose
Tanner, Courtney	A Lobbyist	Dartmouth-Hitchcock Health	Oppose
Erickson, Amy	A Member of the Public	Myself	Oppose
Keeler, Margaret	A Member of the Public	Myself	Oppose
Woods, Renia	A Member of the Public	Myself	Oppose
Jones, Andrew	A Member of the Public	Myself	Oppose
Davis, Gregory	A Member of the Public	Myself	Oppose
Laflamme, Gabrielle	A Member of the Public	Myself	Oppose
Gould, Matthew	A Member of the Public	Myself	Oppose
Lafferty, Nancy	A Member of the Public	Myself	Oppose
Dillon, Tremenda	A Member of the Public	Myself	Oppose
Giuda, Bob	An Elected Official	Senate District 2	Support
Smith, Julie	A Member of the Public	Myself	Support
Tuttle, Jennifer	A Member of the Public	Myself	Support
Mercer, Jennifer	A Member of the Public	Myself	Support
Camarota, RN, Hon. Linda Rea	A Member of the Public	Myself	Support
Brough, J	A Member of the Public	Myself	Support

Dunlap, Elisabeth	A Member of the Public	Myself	Support
Pollak, Tracy	A Member of the Public	Myself	Support
Kaminski, Marie	A Member of the Public	Myself	Support
Anderson, Shayla	A Member of the Public	Myself	Support
Haidaichuk, Cheri	A Member of the Public	Myself	Support
Jackson, Kristen	A Member of the Public	Myself	Support
Ellis, Amy	A Member of the Public	Myself	Support
Jorgensen, Patricia	A Member of the Public	Myself	Support
TOWER, SHARON	A Member of the Public	Myself	Support
CONCORDIA, NICOLE	A Member of the Public	Myself	Support
Fenner-Lukaitis, Elizabeth	A Member of the Public	Myself	Support
Perkins, Caryn	A Member of the Public	Myself	Support
Trexler, Larisa	A Member of the Public	Myself	Support
Trexler, Ryan	A Member of the Public	Myself	Support
Pedone, Jennifer	A Member of the Public	Myself	Support
Cedolin, Alexandra	A Member of the Public	Myself	Support
Cedolin, Bradley	A Member of the Public	Myself	Support
Wilson, Audra	A Member of the Public	Myself	Support
Wilson, Rock	A Member of the Public	Myself	Support
Joyce, Samantha	A Member of the Public	Myself	Support
Warriner, Andrea	A Member of the Public	Myself	Support
Kudlik, Cindy	An Elected Official	Myself	Support
Kishinevsky, Rebecca	A Member of the Public	Myself	Support
Sullivan, Alexandra	A Member of the Public	Myself	Support
Reed, Sarah	A Member of the Public	Myself	Support
Mahoney, Elisabeth	A Member of the Public	Myself	Support
Reed, William	A Member of the Public	Myself	Support
Mackie, Danielle	A Member of the Public	Myself	Support
White, Melissa	A Member of the Public	Myself	Support
Marino, John	A Member of the Public	Myself	Support
Porter, Jandee	A Member of the Public	Myself	Support
Dudak, Breanna	A Member of the Public	Myself	Support
Dudak, Colemann	A Member of the Public	Myself	Support
Lalone, Edward	A Member of the Public	Myself	Support
Brisson, Angel	A Member of the Public	Myself	Support
Brisson, David	A Member of the Public	Myself	Support
Cushman, Stephen	A Member of the Public	Myself	Support
Rojas, Cali	A Member of the Public	Myself	Support
Rojas, Emily	A Member of the Public	Myself	Support
Nadreau, Courtney	A Member of the Public	Myself	Support
Nadreau, Todd	A Member of the Public	Myself	Support
McCartney, Michelle	A Member of the Public	Myself	Support
McCartney, Evan	A Member of the Public	Myself	Support
Merner, Kelly	A Member of the Public	Myself	Support
Minehart, Will	A Member of the Public	Myself	Support
Methot, Jennifer	A Member of the Public	Myself	Support
Melvin, Daniel	A Member of the Public	Myself	Support
Petrusewicz, Carol	A Member of the Public	Myself	Support
Cembalisty, Clara	A Member of the Public	Myself	Support
Cembalisty, Richard	A Member of the Public	Myself	Support
Bender, Lorie	A Member of the Public	Myself	Support
Moore, Kristen	An Elected Official	Myself	Support
Bowers, Danielle	A Member of the Public	Myself	Support
Bemis, Ashley	A Member of the Public	Myself	Support
Cushman, Leah	An Elected Official	Myself	Support
Owens, Kimberly	A Member of the Public	Myself	Support

Comstock, Nancy	A Member of the Public	Myself	Support
Bowers, Steven	A Member of the Public	Myself	Support
Owens, Brady	A Member of the Public	Myself	Support
Peternel, Catherine	A Member of the Public	Myself	Support
Thompson, Kisha	A Member of the Public	Myself	Support
McKinney, Carolyn	A Member of the Public	Myself	Support
Ward-Scott, Colleen	A Member of the Public	Myself	Support
LaClair, Donna	A Member of the Public	Myself	Support
Spalthoff, Christopher	A Member of the Public	Myself	Support
Houston, Alicia	A Member of the Public	Myself	Support
VanPatten, Emily	A Member of the Public	Myself	Support
Capriotti, Joseph	A Member of the Public	Myself	Support
Sweeney, Margaret	A Member of the Public	Myself	Support
Condon, Laura	A Member of the Public	Myself	Support
Ketteler, Claire	A Member of the Public	Myself	Support
Beaudoin, Sherry	A Member of the Public	Myself	Support
Guida, Bob	An Elected Official	Senate District 2	Support
Barth, Katherine	A Member of the Public	Myself	Support
McLeod, Thomas	A Member of the Public	Myself	Support
Cates, Tammy	A Member of the Public	Myself	Support
Cates, William	A Member of the Public	Myself	Support
Cates, Bethany	A Member of the Public	Myself	Support
Cates, Tyler	A Member of the Public	Myself	Support
Cates, Sahriah	A Member of the Public	Myself	Support
Saba, Robin	A Member of the Public	Myself	Support
Cômeau, Olga	A Member of the Public	Myself	Support
Cormier, Jennifer	A Member of the Public	Myself	Support
Bresciano, Lisa	A Member of the Public	Myself	Support
Van Arsdale, Linda	A Member of the Public	Myself	Support
Van Arsdale, Joel	A Member of the Public	Myself	Support
Jenkins, Isabel	A Member of the Public	Myself	Support
Jenkins, Cynthia	A Member of the Public	Myself	Support
M Macpherson, Christine	A Member of the Public	Myself	Support
McNamara, JM	A Member of the Public	Myself	Support

# Testimony

## Jennifer Horgan

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**From:** danbatten <danbatten@protonmail.com>  
**Sent:** Monday, January 17, 2022 9:09 AM  
**To:** Sharon Carson; William Gannon; Harold French; Becky Whitley; Jay Kahn; Jennifer Horgan  
**Subject:** Support SB300-FN

Dear Representative,

I urge you to support this legislation defining "experimental drugs" and guaranteeing protection of the natural rights for those who choose not to use them.

Yours in liberty,  
Dan Batten  
Ossipee, NH

Sent with [ProtonMail](#) Secure Email.



# NEW HAMPSHIRE NURSES' ASSOCIATION

25 Hall St. Unit 1E, Concord, NH 03301

PHONE: (603) 225-3783

EMAIL: [office@nhnurses.org](mailto:office@nhnurses.org)

WEBSITE: [www.NHNurses.org](http://www.NHNurses.org)

1/17/2022

Dear Chairperson Carson and Members of the Senate Judiciary Committee:

I am writing on behalf of the New Hampshire Nurses Association in opposition of SB 300. It is the position of the association that it negatively effects the health of the people of New Hampshire, because it keeps all businesses, including health care organizations, from adopting policies designed to protect the health and safety of their employees and customers, and patients. This legislation is also unnecessary. Federal anti-discrimination laws enforced by the Equal Employment Opportunity Commission, the American's with Disability Act, and Title VII of the Civil Rights Act of 1964 already encourage employers, who recommend or require employees to physically enter the workplace, to consider reasonable accommodations should an employee refuse "an experimental drug". This includes exemptions for sincerely held religious beliefs or legitimate medical reasons, including pregnancy.

The workplace is a common setting for COVID-19 transmission. For example, North Carolina estimates that nearly a quarter of its COVID-19 clusters are linked to workplace, retail, and food settings. Nationally, more police officers have died from COVID-19 in 2021 than from all other causes combined. By some reports Healthcare workers are 7X more likely to have severe COVID-19. While some people can work from home, many Americans, like health care workers do not have this option. In hospitals and other healthcare settings, the COVID-19 vaccine is an important tool to protect healthcare workers to reduce the chances they will get or spread COVID-19 to their patients. All workers should be protected from acquiring COVID-19 while at work, thus reinforcing the need to avoid diminishing protections.

Under the Americans with Disabilities Act (ADA), an employer can have a workplace policy that includes a "requirement that an individual shall not pose a direct threat to the health or safety of individuals in the workplace." Transmission of COVID 19 in the workplace poses a direct threat to the health or safety of individuals in the workplace, and business leaders should not be prevented from protecting their employees and customers. Businesses have a responsibility to keep their workers safe, particularly as many more transition back to working in person. This includes at-risk individuals, such as those who are immunocompromised or above age 65, as well as those who live with them. The Occupational Safety and Health Act requires employers to comply with safety and health standards which includes a clause that requires employers to provide their employees with a workplace free from recognized hazards likely to cause death or serious physical harm. COVID 19 transmission is such a hazard not only for healthcare workers but to the patients they care for who are at risk individuals. SB 300 weakens the ability for healthcare employers to provide a hazard free workplace for providers and patients.

While some consider the COVID 19 an "experimental drug," this is not true and would therefore not be subject to the proposed statute revision. COVID-19 vaccines authorized for use in the U.S. and UK are not experimental and have all completed animal and clinical trials. On December 11, 2020, the FDA





# NEW HAMPSHIRE NURSES' ASSOCIATION

issued an Emergency Use Authorization (EUA) for the use of the Pfizer-BioNTech COVID-19 Vaccine. On December 18, 2020, the FDA issued an EUA for the use of the Moderna COVID-19 Vaccine. And on February 27, 2021, the FDA issued an EUA for the use of the Janssen COVID-19 Vaccine. On August 23, 2021, the FDA licensed Pfizer-BioNTech's COVID -19 vaccine. Vaccines are an essential tool for fighting this virus.

For the purposes of this legislation, it appears that the term "experimental" is being used to deter people from getting the COVID-19 vaccine or as an argument against requiring the vaccine as a work condition. The term when applied accurately refers to a product that is currently being studied to determine whether it can treat or prevent a certain condition. The COVID-19 vaccine has been approved and is recommended by government agencies, professional associations, providers and dispensers and has now been given to hundreds of millions of people without adverse effects. Therefore, the COVID-19 vaccine can no longer be considered experimental.

In summary we believe that there are current protections provided by EEOC and ADA to protect workers from discrimination. Employers and employees should work together to ensure that if the risk in the workplace outweighs the benefits of the COVID-19 vaccine to the individual, reasonable accommodations such as remote work should be considered. Unfortunately this is not a reasonable option for front line workers in hospitals and long term care facilities. In addition to not being needed, this bill interferes with the ability to protect the health and safety of employees and patients. To move forward from the COVID-19 pandemic and allow a return to the workforce, we oppose SB300 and encourage the committee members to as well.

Pamela P DiNapoli, PhD, RN, CNL  
Executive Director  
25 Hall Street Suite 1E  
Concord, NH 03301  
(603)225-3783  
(603) 566-7407 Cell  
[nhna.ned@gmail.com](mailto:nhna.ned@gmail.com)



**SENATE JUDICIARY COMMITTEE**

**Tuesday, January 18, 2022**

**SB 300 –Relative to the State Commission for Human Rights**

**Testimony**

Good afternoon, Madam Chair and members of the committee. My name is Paula Minnehan, Senior Vice President with the New Hampshire Hospital Association (NHHA), representing all 26 of the state's community hospitals as well as all specialty hospitals.

The NHHA has concerns with SB 300. The bill before you defines experimental drug and includes the refusal of an experimental drug in the protections provided under the state commission for human rights.

In our review, it appears to do two things: 1) define experimental drug to apply to COVID-19 vaccinations and 2) apply the protections afforded under the State Commission on Human Rights for anyone that is presumably required, as a condition of employment or in order to access services, but refuses.

To the first point, COVID-19 vaccines are not considered experimental. COVID-19 vaccines are under the authority of the Food and Drug Administration and fall under either emergency use authorization or full authorization. That does not make them experimental. In fact, COVID-19 vaccines have gone through initial development stage, clinical trials, authorization or approvals, manufacturing and distribution processes and safety tracking

And, secondly, this bill, if passed, would have a chilling effect on entities (employers and other businesses/venues) from being allowed to impose policies that they determine are in the best interests of their employees and patrons and be unfairly subject to the oversight of the State Commission on Human Rights. Vaccinations have never been subject to this oversight and it is inappropriate to assert that vaccinations create a human rights violation.

We believe that it is important to note that employers that do require vaccines as a condition of employment also allow for exceptions for both medical and religious reasons. They have written policies that outline the process for their employees and there is a comprehensive review process that is followed. And, all employers should be allowed to make vaccinations, of any kind, a requirement of employment if they so choose.

Thank you for the opportunity to provide our comments to SB 300.



## COVID-19

# Developing COVID-19 Vaccines

Updated Sept. 8, 2021

[Print](#)

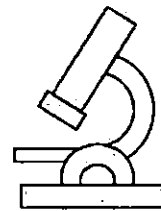
## Overview

Bringing a new vaccine to the public involves many steps including vaccine development, clinical trials, U.S. Food and Drug Administration (FDA) authorization or approval, manufacturing, and distribution. Many different public organizations and private companies have worked together to make COVID-19 vaccines available to the public. While COVID-19 vaccines were developed rapidly, all steps have been taken to ensure their safety and effectiveness.

## The Vaccine Process: From the Lab to You

### Initial Development

New vaccines are first developed in laboratories. Scientists have been working for many years to develop vaccines against coronaviruses, such as those that cause severe acute respiratory syndrome (SARS) and Middle East respiratory syndrome (MERS). SARS-CoV-2, the virus that causes COVID-19, is related to these other coronaviruses. The knowledge that was gained through past research on coronavirus vaccines helped speed up the initial development of the current COVID-19 vaccines.



### Clinical Trials



After initial development, vaccines go through three phases of clinical trials to make sure they are safe and effective. For other vaccines routinely used in the United States, the three phases of clinical trials are performed one at a time. During the development of COVID-19 vaccines, these phases overlapped to speed up the process so the vaccines could be used as quickly as possible to control the pandemic. No trial phases have been skipped.

The clinical trials for COVID-19 vaccines have involved tens of thousands of volunteers of different ages, races, and ethnicities. Clinical trials for vaccines compare outcomes (such as how many people get sick) between people who are vaccinated and people who are not. Because COVID-19 continues to be widespread, the vaccine clinical trials have been conducted more quickly than if the disease were less common. Results from these trials have shown that COVID-19 vaccines are effective, especially against severe illness, hospitalization, and death.

The clinical trials showed no serious safety concerns within 8 weeks following vaccination. This is an important milestone, as it is unusual for adverse effects caused by vaccines to appear after this amount of time. Now that COVID-19 vaccines are available to the public, CDC and FDA continue to monitor their safety and alert the public about health problems that are reported after vaccination.

## Authorization or Approval

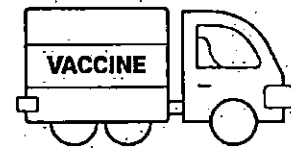
Before vaccines are made available to people in real-world settings, FDA assesses the findings from clinical trials. Initially, they determined that three COVID-19 vaccines met FDA's safety and effectiveness standards and granted those vaccines Emergency Use Authorizations (EUAs) [\[1\]](#). The EUAs allowed the vaccines to be quickly distributed for use while maintaining the same high safety standards required for all vaccines. Learn more in this video about EUAs.



FDA has now granted full approval [\[2\]](#) for Pfizer-BioNTech (COMIRNATY) COVID-19 Vaccine for people age 16 years and older. Before granting approval, FDA reviewed evidence that built on the data and information submitted to support the EUA. This included preclinical and clinical trial data and information, as well as details of the manufacturing process, vaccine testing results to ensure vaccine quality, and inspections of the sites where the vaccine is made. This vaccine was found to meet the high standards for safety, effectiveness, and manufacturing quality FDA requires of an approved product. Learn more about the process for FDA approval [\[3\]](#).

## Manufacturing and Distribution

The U.S. government has invested substantial resources for both manufacturing and distribution of COVID-19 vaccines. This allowed manufacturing to begin when the vaccines were still in the third phase of clinical trials so that distribution could begin as soon as FDA authorized each vaccine.



## Tracking Safety Using Vaccine Monitoring Systems

As vaccines are distributed outside of clinical trials, several monitoring systems continue to track them to ensure their safety. Hundreds of millions of people in the United States have received COVID-19 vaccines under the most intense safety monitoring in U.S. history. Some people have no side effects. Many people have reported common side effects after COVID-19 vaccination, like pain or swelling at the injection site, a headache, chills, or fever. These reactions are common and are normal signs that your body is building protection.



**Reports of serious adverse events after vaccination are rare.** CDC and FDA continue to closely monitor several reporting systems, like the Vaccine Adverse Event Reporting System (VAERS), Vaccine Safety Datalink (VSD), and v-safe, which help look for safety issues now that the vaccines are being given to patients in real-world settings across the country. CDC provides timely updates on selected serious adverse events reported after COVID-19 vaccination.

## What This Means for You

COVID-19 vaccines have been rapidly developed and distributed to help fight the pandemic. During this process, all steps have been taken to ensure their safety and effectiveness. CDC recommends you get a COVID-19 vaccine as soon as you can to help protect yourself and others.

Related Pages

- › Different COVID-19 Vaccines
- › Possible Side Effects After Getting a COVID-19 Vaccine
- › What to Do if You Had an Allergic Reaction After Getting a COVID-19 Vaccine
- › V-safe after Vaccination Health Checker
- › Understanding mRNA COVID-19 Vaccines



## For Healthcare Professionals

- [Quick Answers for Healthcare Professionals](#) [217 KB, 2 Pages]
- [Answering Your Questions About the New COVID-19 Vaccines](#) [368 KB, 4 Pages]
- [COVID-19 Vaccine Basics: What Healthcare Personnel Need to Know](#) [1.32 MB, 23 Pages]
- [COVID-19 Vaccination Communication Toolkit](#)
- [COVID-19 Vaccination: Clinical Resources for Each COVID-19 Vaccine](#)

## More Information

[COVID-19, MERS & SARS](#)

[Vaccine Development Process: How Was Time Saved](#) [779 KB, 1 Page]

[FDA Approves First COVID-19 Vaccine](#)

Last Updated Sept. 8, 2021.

## Jennifer Horgan

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**From:** Valerie Martin <valscustomsigns@gmail.com>  
**Sent:** Monday, January 17, 2022 9:43 PM  
**To:** Sharon Carson; William Gannon; Harold French; Becky Whitley; Jay Kahn; Jennifer Horgan  
**Subject:** SB300

Hello, I am a Nashua resident. I **Support** bill **SB300**.  
Thank you,  
Valerie



January 18, 2022

Honorable Sharon Carson, Chair  
Senate Executive Departments and Administration Committee  
State House  
Concord, New Hampshire

*Via Electronic Delivery Only*

*Re: SB 300, relative to the state commission for human rights*

Dear Senator Carson:

The New Hampshire Municipal Association opposes SB 300, which, essentially, classifies any medical countermeasure that is ingested or inserted into humans and covered by a federal Public Readiness and Emergency Preparedness Act (PREP Act) declaration as an “experimental drug” and prohibits employers from requiring such “experimental drugs” as a condition of employment.

This bill would create an arbitrary distinction that would prevent employers, including municipalities, from taking steps to ensure the health and wellbeing of their workforce. An outbreak of disease that is severe enough to require federal assistance may well result in a PREP Act declaration at the federal level. If this bill were to pass, such a declaration would invalidate any existing employer requirements, and prohibit employers, including municipalities, from requiring medical countermeasures for the duration of the outbreak. Largely, this would likely fall on new employees, as existing employees may have already been required to comply with the requirements prior to the federal declaration, and at the end of the declaration, presumably, employers could simply reimplement their prior requirements. Thus, employers would be discouraged from hiring new employees during the existence of the PREP Act declaration, and may find it difficult to retain existing employees who are concerned about their health.

Municipalities, like other employers, are deeply concerned about the health and wellbeing of their workforce and carefully evaluate every requirement of employment to ensure that those conditions are reasonable. As such, we ask the committee to vote SB 300 Inexpedient to Legislate.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads 'Natch Greyes'.

Natch Greyes  
Government Affairs Counsel

cc: Committee members

## Jennifer Horgan

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**From:** Jennifer Horgan  
**Sent:** Tuesday, January 18, 2022 9:06 AM  
**To:** ~Senate Judiciary Committee  
**Subject:** FW: SB300 written testimony

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**From:** Kisha Thompson <kisha.lifgren@gmail.com>  
**Sent:** Tuesday, January 18, 2022 8:48 AM  
**To:** Jennifer Horgan <jennifer.horgan@leg.state.nh.us>  
**Subject:** SB300 written testimony

Dear Committee,

I support SB300. No person should be induced, persuaded, or mandated to participate in the use of an experimental drug. Experimental drugs and vaccines contain known toxic and unknown proprietary ingredients, and the manufacturers and everyone else involved in profiteering and administration retain legal immunity from harmful effects. Exerting experimental drugs on our population is unethical and inhumane; the global community established this after World War II. Please do everything within your power to promote individual autonomy over our physical bodies, including allowing us to refuse experimental drugs.

Warmest regards,  
Kisha N. Thompson, MS, CRNA



## Jennifer Horgan

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**From:** Allison <allie\_scott@comcast.net>  
**Sent:** Tuesday, January 18, 2022 9:20 AM  
**To:** Sharon Carson; William Gannon; Harold French; Becky Whitley; Jay Kahn; Jennifer Horgan  
**Cc:** JULIE SMITH; Laurie Ortolano; lauracolquhoun2@gmail.com; Alicia Houston; Tom Lanzara; Kevin Avard  
**Subject:** In Support of SB300

Allison Dyer  
Nashua – NH

**In Support of SB300**

***This bill defines and includes the refusal of an experimental drug in the protections provided under the state commission for human rights.***

Human rights are not country specific; the principle is such that human rights are a right to life with dignity. It is most troubling ... that where we have come too in society ... this is something we must legislate.

I am in support of SB300 because it is necessary to secure the human right to refuse experimental drugs/treatments to continue the freedom from discrimination, right to life, equality before the law, liberty and personal security, right to education, freedom of thought and the right to free movement.

It cannot be understated that Human Rights are vital for the existence and development of individuals, Human rights create a better environment, better living conditions for people ... And preserve their dignity.

Passing this bill will create a standard human rights law, with a standard for what is a human right, governments can be held accountable for their actions. There's power in naming an injustice and pointing to a precedent which is why this bill is so important.

The people of NH must have something tangible to point to, this bill will allow protection under Human rights to give people the right to choose how they want to live.

For the critics, this bill does not seek to take anything from anyone, it simply and rightly allows for individuals to make their own health & medical decisions as they see fit and in turn be allowed to live in the society of which they were born ... free from the inability to participate in basic civil, political, economic, social and cultural rights due to a medical or personal refusal of any experimental drugs or treatments.

As of late, we are constantly reminded that our Democracy is at stake, this bill sounds a lot like a protection of our Democracy which we are told accommodates the diversity of opinions and people ... so it would seem to have a lot to do with human rights. This is the live free or die state, so I ask that you do right by our state motto & it's residents and vote yes to support the passage of SB300

Thank you for your time,

*Allison Dyer*

Allison Dyer

[Allie\\_Scott@comcast.net](mailto:Allie_Scott@comcast.net)

603-546-8124

Sent from [Mail](#) for Windows

## Jennifer Horgan

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**From:** Jennifer Horgan  
**Sent:** Tuesday, January 18, 2022 9:22 AM  
**To:** ~Senate Judiciary Committee  
**Subject:** FW: Please support SB300-FN

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**From:** Laurie Ortolano <laurieortolano@gmail.com>  
**Sent:** Tuesday, January 18, 2022 9:21 AM  
**To:** Jennifer Horgan <jennifer.horgan@leg.state.nh.us>  
**Subject:** Please support SB300-FN

Dear Honorable Members of the Senate Judiciary Committee;

My name is Laurie Ortolano. I live in Nashua. Please support SB300-FN which prevents New Hampshire citizens from being forced to accept an experimental drug therapy.

Every citizen should have the right to determine what experimental drug therapy they may choose to ingest or inject. This is a personal choice that should not be dedicated to our communities or government.

There is virtually no drug that doesn't carry some level of risk; experimental drugs carry a higher level of risk by virtue of the fact that they are not fully trialed and outcome data is limited. No one should be forced to accept this form of treatment against their will.

Please support all aspect of this bill that defines employees, labor organizations, public spaces, housing as well as the anti-discrimination language that prohibits intolerance based on one's choice to participate in an experimental drug therapy. Please support the language that protects minors in employment and education.

Thank you to the members of the Senate who have brought this bill forward.

Sincerely,  
Laurie Ortolano  
41 Berkeley St.  
Nashua, NH 03064

## Jennifer Horgan

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**From:** Jennifer Horgan  
**Sent:** Tuesday, January 18, 2022 12:06 PM  
**To:** ~Senate Judiciary Committee  
**Subject:** FW: Support SB 300

-----Original Message-----

**From:** Claire Ketteler <cketteler@tds.net>  
**Sent:** Tuesday, January 18, 2022 12:03 PM  
**To:** Jennifer Horgan <jennifer.horgan@leg.state.nh.us>  
**Subject:** Support SB 300

Dear Senate Judiciary Committee,

I support SB300. I resigned my job as a RN from Dartmouth Hitchcock in September 2021 because I was forced to have a Covid vaccine to continue my employment with them.

I refused the Covid immunization because I was Covid recovered in November 2020. Dartmouth Hitchcock did not and still does not recognize natural immunity for Covid.

Natural immunity is an accepted principal with other diseases, such as Rubella, a virus, which I am also immune to because I had the disease when I was a child. My immunity was tested when I was pregnant more than 20 years ago and I did not need to have a rubella immunization.

Please ask yourself. Where is freedom and choice when a person is forced to take a drug to be employed and be able to feed their families?

Medical Freedom is one of the most important issues facing you, the Senate Judiciary Committee. No NH citizen should be forced to take any drug, experimental or not, for any reason, including employment.

NH Bill of Rights Article 1. All men are born equally free and independent; Therefore, all government of right originates from the people, is founded in consent, and instituted for the general good. June 2, 1784

[Art.] 2. All men have certain natural, essential, and inherent rights among which are, the enjoying and defending life and liberty; acquiring, possessing, and protecting, property; and, in a word, of seeking and obtaining happiness. Equality of rights under the law shall not be denied or abridged by this state on account of race, creed, color, sex or national origin. June 2, 1784. Amended 1974 adding sentence to prohibit discrimination.

My life and liberty are protected by the NH Constitution. My body is my property and no one has the right to make me take any drug, experimental or otherwise, for any reason, at any time - period.

It is your duty as elected officials to uphold the NH Constitution. The reason that NH has to have a State Commission for Human Rights is because elected officials are ignoring the NH Constitution which already protects everyone's freedom.

Sincerely,  
Claire Ketteler  
Newbury NH

## Jennifer Horgan

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**From:** Christine Macpherson <outlook\_1A34BD171E41EC16@outlook.com>  
**Sent:** Tuesday, January 18, 2022 6:09 PM  
**To:** Sharon Carson; William Gannon; Harold French; Becky Whitley; Jay Kahn; Jennifer Horgan  
**Subject:** Please Support SB300-FN

Dear Representatives,

I am writing to urge you to serve the people of NH, but voting to ensure that their most basic human rights are protected. No one should be compelled to take any drug or use any other product that lacks sufficient safety data. The word experimental has been overlooked, some would argue with good reason, others not, for the last two years. It doesn't really matter what one's opinions are. Each individual should always have the right of refusal when it comes to products that affect health and well-being.

The lines between business and medicine have grown blurrier by the minute. Providing clearer definitions of what experimental means is essential. Our regulatory agencies now serve as rubber-stampers and provide revolving doors between big corporations and big government positions and recognition. Do not let the corruption at the top trickle down to each individual's right to choose.

Please support this bill and allow people to maintain their integrity where they live, in the great state of New Hampshire.

Sincerely,  
Christine Macpherson,  
Chesterfield

Sent from Mail for Windows

# Voting Sheets

**Senate Judiciary Committee**  
**EXECUTIVE SESSION RECORD**  
*2021-2022 Session*

Bill # SB300

Hearing date: \_\_\_\_\_

Executive Session date: \_\_\_\_\_

Motion of: IS Vote: 5-0

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. French	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: consent Vote: 5-0

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. French	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: \_\_\_\_\_ Vote: \_\_\_\_\_

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. French	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Frend

Notes: French has a bill dealing w/ the subject

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# Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE  
FOR THE CONSENT CALENDAR

Tuesday, February 22, 2022

THE COMMITTEE ON Judiciary

to which was referred **SB 300-FN**

AN ACT relative to the state commission for human rights.

Having considered the same, the committee recommends that the Bill

**BE REFERRED TO INTERIM STUDY**

**BY A VOTE OF: 5-0**

Senator Harold French  
For the Committee

This bill would define and include the refusal of an experimental drug in the protections provided under the State Commission for Human Rights. As this issue is already being addressed with multiple other pieces of legislation this Session, including SB 374-FN, there is no need for this bill to move forward at this time.

Jennifer Horgan 271-7875



FOR THE CONSENT CALENDAR

**JUDICIARY**

**SB 300-FN**, relative to the state commission for human rights.

Interim Study, Vote 5-0.

Senator Harold French for the committee.

This bill would define and include the refusal of an experimental drug in the protections provided under the State Commission for Human Rights. As this issue is already being addressed with multiple other pieces of legislation this Session, including SB 374-FN, there is no need for this bill to move forward at this time.

# SB300-FN

## Bill Details

**Title:** relative to the state commission for human rights.

**Sponsors:** (Prime) Avard (R), Giuda (R), Ammon (R), Homola (R), Hill (R)

**LSR Number:** 22-2992

**General Status:** SENATE

**Senate:**

**Committee:** Judiciary

**Floor Date:** 2/24/2022

**Status:** INTERIM STUDY

### Bill Docket

Body	Description
S	To Be Introduced 01/05/2022 and Referred to Judiciary; <u>SJ 1</u>
S	Hearing: 01/18/2022, Room 100, SH, 01:00 pm; <u>SC 2</u>
S	Committee Report: Referred to Interim Study, 02/24/2022; Vote 5-0; CC: <u>SC 8A</u>
S	Refer to Interim Study, MA, VV; 02/24/2022; <u>SJ 4</u>

# Other Referrals

**Senate Inventory Checklist for Archives**

Bill Number: SB300

Senate Committee: Judiciary

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

**Bill Hearing Documents: {Legislative Aides}**

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

**Committee Action Documents: {Legislative Aides}**

All amendments considered in committee (including those not adopted):

\_\_\_ - amendment # \_\_\_\_\_      \_\_\_ - amendment # \_\_\_\_\_

\_\_\_ - amendment # \_\_\_\_\_      \_\_\_ - amendment # \_\_\_\_\_

Executive Session Sheet

Committee Report

**Floor Action Documents: {Clerk's Office}**

All floor amendments considered by the body during session (only if they are offered to the senate):

\_\_\_ - amendment # \_\_\_\_\_      \_\_\_ - amendment # \_\_\_\_\_

\_\_\_ - amendment # \_\_\_\_\_      \_\_\_ - amendment # \_\_\_\_\_

**Post Floor Action: (if applicable) {Clerk's Office}**

Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

Enrolled Bill Amendment(s)

Governor's Veto Message

**All available versions of the bill: {Clerk's Office}**

\_\_\_ as amended by the senate      \_\_\_ as amended by the house

\_\_\_ final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

*Samuel Hanger*  
Committee Aide

8/10/22  
Date

Senate Clerk's Office AK