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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2348

03/22/2021 Authored by Gruenhagen The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A resolution

1.2 for the State of Minnesota to protect its citizens against unconstitutional and medically

1.3 irresponsible COVID-19 vaccine mandates.

1.4 WHEREAS, the Founders determined that a Bill of Rights was necessary to guard individual

1.5 liberty against encroachments from state and federal actors, public and private; and

1.6 WHEREAS, the 14th Amendment to the United States Constitution explicitly directs states

1.7 not to deprive any person of life, liberty, or property, without due process of law, nor deny to any

1.8 person within its jurisdiction the equal protection of the laws; and

1.9 WHEREAS, no COVID-19 vaccine is approved by the Food and Drug Administration (FDA),

1.10 but some are authorized under a temporary Emergency Use Authorization as experimental or

1.11 investigational agents only; and

1.12 WHEREAS, emergency use products are specifically prohibited by United States Code, title

1.13 21, section 360bbb-3, from being mandated, stating that authorization for medical products for use

1.14 in emergencies requires the option to accept or refuse administration of the product; and

1.15 WHEREAS, the Centers for Disease Control and Prevention Advisory Committee on

1.16 Immunization Practices (ACIP) affirmed in August 2020 that under an Emergency Use Authorization,

1.17 experimental vaccines are not allowed to be mandatory; and

1.18 WHEREAS, decades-old, universally accepted codes of medical ethics, including the

1.19 Nuremberg Code and the Declaration of Helsinki, absolutely prohibit any form of coercion

1.20 whatsoever for individuals to participate in a medical experiment; and

1.21 WHEREAS, 40 percent of respondents in at least one national poll reported that they would

1.22 opt out of taking an experimental COVID-19 vaccine; and

1.23 WHEREAS, it is neither feasible nor safe to mandate experimental vaccination given the

1.24 large number of COVID-19-recovered patients in the general population and protocols from the

2.1 FDA and vaccine manufacturers that excluded COVID-19-recovered patients from vaccination;  
2.2 and

2.3 WHEREAS, it is neither feasible nor safe to administer experimental vaccines to many groups  
2.4 of patients, such as persons with postnatural infections, waning titers, or allergic reactions, as well  
2.5 as to pregnant women; and

2.6 WHEREAS, public and private measures are nonetheless being considered to mandate  
2.7 experimental vaccinations in order to participate in certain public activities and functions of daily  
2.8 American life, including but not limited to employment, in-person school attendance, public  
2.9 transportation, and concert performances; and

2.10 WHEREAS, "vaccine passports," "digital health IDs," and other required documentation  
2.11 pose substantial risks to personal privacy and equal treatment before the law for all citizens of  
2.12 Minnesota as well as the United States generally; and

2.13 WHEREAS, administration of the experimental COVID-19 vaccines according to guidelines  
2.14 established by the Advisory Committee on Immunization Practices do not provide adequate  
2.15 protections for average Americans concerned about potential health hazards associated with the  
2.16 vaccines; and

2.17 WHEREAS, the public is entitled to receive unbiased, transparent, easily accessible medical  
2.18 information from public health officials related to all vaccines; and

2.19 WHEREAS, health care providers administering the vaccine are required by law to obtain  
2.20 informed consent, and they cannot do so if they themselves are not informed; and

2.21 WHEREAS, the emergency powers assumed by the chief executives of certain states as well  
2.22 as municipal leaders violate certain unalienable rights guaranteed by the United States Constitution  
2.23 and its Bill of Rights and therefore deserve redress; and

2.24 WHEREAS, while these legitimate grievances are pursued by the courts of various states,  
2.25 state lawmakers must enshrine certain rights against encroachment by decrees that are not medically  
2.26 or scientifically indicated, such as vaccine mandates, in order to ensure the continuity of these  
2.27 rights; and

2.28 WHEREAS, a COVID-19 vaccine bill of rights memorialized by this resolution against  
2.29 COVID-19 vaccine mandates provides an example for other legislative bodies in the United States  
2.30 to be recognized and upheld by the attorneys general of those states; and

2.31 WHEREAS, the major principles of a vaccine bill of rights will include a minimum of five  
2.32 of the following provisions: that no person shall be mandated, coerced, forced, or pressured to take  
2.33 an experimental or investigational medication; that all persons reserve the right, at all times, to  
2.34 determine what is in the person's own best medical interest without threat to the person's livelihood,  
2.35 schooling, or freedom of movement; that no physician or nurse shall be asked by an employer to

3.1 promote a COVID-19 vaccine; that all health care providers shall attest that they are aware of the  
3.2 Vaccine Adverse Event Reporting System (VAERS) database run by the Centers for Disease Control  
3.3 and Prevention and the Food and Drug Administration and that they have a professional obligation  
3.4 to check it regularly and share information about VAERS with each vaccine recipient; that all  
3.5 vaccine recipients must be informed of the specific vaccine being provided; that all persons must  
3.6 be given access to independent information, including information from sources other than  
3.7 pharmaceutical companies, governmental institutions, and quasi-governmental institutions, to help  
3.8 them determine what is in their own best medical interest, including the risk of death based on age  
3.9 or health condition from contracting the virus naturally; that the frail elderly are entitled to assistance  
3.10 from a knowledgeable, independent advocate with medical training to help them determine what  
3.11 is in their own medical interest; and that private businesses operating within a jurisdiction have no  
3.12 legal authority to require, mandate, or coerce any person to take any medication or experimental  
3.13 medication; and

3.14 WHEREAS, technical guidance for employers released by the United States Equal  
3.15 Employment Opportunity Commission in December 2020 should not be understood to undermine  
3.16 employee constitutional rights laid out herein; and

3.17 WHEREAS, state legislative bodies must practice oversight of federal assistance consistent  
3.18 with their enumerated powers; and

3.19 WHEREAS, out-of-state commercial vendors, including Ticketmaster, cannot require venue  
3.20 operators and organizers to require proof of vaccination from concertgoers and other paying  
3.21 customers before they are permitted to freely enter a venue on private or public property; and

3.22 WHEREAS, vaccinations for prekindergarten to grade 12 students cannot be required without  
3.23 certain clear and consistent exemptions applied, among them medical and conscience clauses, nor  
3.24 can a vaccine mandate for these populations be a factor in state school aid funding; and

3.25 WHEREAS, interstate carriers, such as airlines and public transit, calling for "vaccine  
3.26 passports" as a condition of entry to the interstate carrier cannot be allowed to operate with state  
3.27 licensure and waivers, and federal agencies such as the Federal Aviation Administration are called  
3.28 on to issue new rules prohibiting interstate carriers from requiring COVID-19 vaccines for all carrier  
3.29 crews and customers; NOW, THEREFORE,

3.30 BE IT RESOLVED by the Legislature of the State of Minnesota that it memorializes  
3.31 establishment of a COVID-19 vaccine bill of rights for the purposes of defending the constitutional  
3.32 liberties of its citizens, promoting sound science, and outlining a framework of best practices for  
3.33 state authorities and federal regulators to develop in this evolving phase of experimental vaccine  
3.34 administration and implementation.

3.35 BE IT FURTHER RESOLVED that the Secretary of State of the State of Minnesota is directed  
3.36 to prepare copies of this memorial and transmit them to the President of the United States, the  
3.37 President and the Secretary of the United States Senate, the Speaker and the Clerk of the United

- 4.1 States House of Representatives, the Federal Aviation Administration, the United States Equal
- 4.2 Employment Opportunity Commission, the United States Department of Labor, and the United
- 4.3 States Justice Department's Civil Rights Division.