

To: All State Representatives

Bill H-4271 (S-2028 amended) Ought To NOT PASS

"AN ACT RELATIVE TO PUBLIC HEALTH EMERGENCY PREPARATION AND RESPONSE IN THE COMMONWEALTH"

Unconstitutional clauses in H-4271: <http://www.mass.gov/legis/bills/house/186/ht04pdf/ht04217.pdf>

- Public safety / health care / volunteer personnel waived from any criminal / civil liability for any civil or medical negligence / rights violations / death / injury (lines 19-24, 180-81, 190-192, 292-98)
- Allows dispensing controlled substances i.e. drugging people against their will (line 65)
- Persons violating unconstitutional orders of a local public health authority shall be punished by Up to: 6 months imprisonment / \$1000 fine (lines 77-80)
- Government control over: transportation, materials, facilities, including but not limited to: communications, carriers, public utilities, fuels, food, clothing, shelter (lines 81-84)
- Determination of reasonable cause to believe that a "condition dangerous to public health" (could include firearms) exists or may exist authorizes: investigation, isolation, quarantine, obtain medical records and other information, monitor, prevent, control (lines 134-35, 204-210) Notwithstanding and regardless of any GOAL position, the chief author of the Model State bill used to craft S-2028 / H-4271 wrote / testified / promotes proven false theory that: "Firearms are a public health crisis ... firearms actually make the public less safe." H-4271 fails to exclude and protect 2nd Amendment / Article XVII well-regulated right to keep and bear tools from being determined by health authorities to be a "condition dangerous to public health"
- Forced isolation / quarantine to other private or public premises / area i.e. kidnapped / taken to undisclosed location / camp (lines 219-222)
- May take such action to assure maintenance of public health / may establish procedures to ensure continuation of essential public health (lines 4-14) >> too vague; opens door to abuse
- Not included: provision for just compensation for damages