

Emily Nixon
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LD 51

Dear Members of the Education and Cultural Affairs Committee, all State Legislators and fellow citizens of the State of Maine,

I want to thank you for your service and your sincere attention on this most important Bill.

I am speaking today in support of LD 51, an Act to Restore Religious and Philosophical Exemptions for Vaccinations, and the other bills that support vaccine-choice being heard today.

I am the founder of The Coalition for Healthcare Workers Against Medical Mandates formed in response to the Mills Administration COVID 19 Vaccine Mandate in August of 2021. I represent all healthcare workers that stood against the mandate numbering nearly 4,000 and the thousands of healthcare workers that left the field either due to the mandate, burnout, moving out of state, or making a career change due to the stress placed upon them as a direct result of the mandate.

I would be in my 15th year as a Registered Nurse and 20th year in healthcare had I not been fired in October of 2021 for not accepting the COVID19 or flu vaccine. I am in vaccination compliance with positive titers for all other required vaccinations in order to be a nurse. I was unable to obtain informed consent for the COVID 19 Vaccine since there were no long term studies to tell me about the risks. I refuse the yearly flu vaccine for philosophical reasons. Because of both of these private medical decisions I can no longer work in my area of expertise in a time of great need for skilled and seasoned nurses.

Since being fired I gave birth to our first son who will also have severe limitations placed upon his life, should we choose to continue living in this state. Our household income has gone from comfortable to struggling with the loss of my career. Our story echoes so many other Mainers.

When LD 798 was passed it put into motion a catastrophic impact on Maine's healthcare infrastructure. Without philosophical or religious exemptions and with medical exemptions being incredibly difficult (nearly impossible, due to fear of repercussions,) to obtain it's impact has rippled out affecting every single citizen of Maine. From children unable to attend day care and school, to college age young adults seeking higher education, to the elderly left homeless when nursing homes shuttered their doors due to lack of staff, the ramifications are heart shattering at best.

It is unconscionable NOT to pass LD 51 and restore these exemptions. Based on all of the testimony given, what you can see with your own two eyes both in this state and across the nation, I implore you to do the right thing and restore our constitutionally protected freedom.

I want to go back to work. I miss caring for my patients. Help me help the great state of Maine by voting "ought to pass" on this bill. Thank you and God Bless.

The following is for your legal reference:

The First Amendment of the United States Constitution and Article 1: Declaration of Rights. Section 3 of the Maine State Constitution grant the right and protection of religious freedom.

The passage of LD 798 and its prohibition of religious and philosophical exemptions for vaccinations clearly violates the civil liberties etched in our guiding documents.

Chief Justice John Marshall declared in the 1803 case of Marbury v. Madison that "A Law repugnant to the Constitution is void."

Article IV Part 3rd Section 1 of the Maine State Constitution corroborates the previous statement:

"The Legislature, with the exceptions hereinafter stated, shall have full power to

make and establish all reasonable laws and regulations for the defense and benefit of the people of this State, not repugnant to this Constitution, nor to that of the United States.”

LD 798 is certainly repugnant to our state and national constitutions.

Article X Section 3 of the Maine State Constitution says the following:

“All laws now in force in this State, and not repugnant to this Constitution, shall remain, and be in force, until altered or repealed by the Legislature, or shall expire by their own limitation.”

Having said all this, I want to draw attention to our elected officials. Given the evidence presented, it is abundantly clear that you have a constitutional duty to now repeal LD 798 and reinstate religious and philosophical exemptions with the passage of LD 51.

That constitutional duty was accepted by you when you were sworn in to your position. I give you Article IX Section 1 of the Maine State Constitution: The Oath of Office: An oath that closes with the sentence “SO. HELP. ME. GOD!”

I must say, I find it quite contradictory for any elected representative to favor denying religious and philosophical exemptions, while at the same time swearing before Our Creator to protect them.

Per our National and State Constitutions, LD 798 should have never become law in the first place. It was unconstitutional from its inception, and should never have been presented to the public to vote upon; nor signed into law by our duly elected representatives. But this law isn’t entirely on the shoulders of our elected officials. The general public has a responsibility to understand how our government operates, and we need to fully understand the repercussions of our ignorance before we cast our vote. The era of the “low information voter” needs to come to an end. We need to demand transparency and understanding with any bill that is presented to us, which I believe was a huge part in why LD 798 was passed in the first place.

To quote Thomas Jefferson “The best defense of democracy is an informed electorate.” This is the gold standard of how We The People preserve our rights, and how we hold our elected officials accountable for retaining said rights.

We ALL need to take and accept responsibility for the outcome of LD 798, and now we must all come together to pass LD 51 and restore our constitutional rights.

And should our representatives not pass LD 51, let me address my peers, and those within this system of governance that are battling their consciences in executing LD 798 with the following quotes.

Dr. Martin Luther King Jr: “One has a moral responsibility to disobey unjust laws”.

And Benjamin Franklin: “Rebellion to Tyrants is Obedience to God”.

Thank you.