

Thank you, Madam Chair. I appreciate the opportunity to come before your committee today and testify in favor of HB 2498. I introduced HB 2498 several weeks ago, and the bill was co-sponsored by eight representatives: Representative Burris, Representative Garber, Representative Howe, Representative Jacobs, Representative Lee, Representative Murphy, Representative Proctor, and Representative Rhiley. This bill is very simple and straightforward, and it would simply prevent the secretary of the KDHE from mandating the Covid vaccine in public schools and in childcare facilities.

The bill is very limited in scope and wouldn't ban the Covid vaccine within public schools. The bill also wouldn't prevent the legislature from mandating the Covid vaccine in public schools if it chose to do so, nor would it prohibit counties or prohibit public schools from mandating the Covid vaccine. The bill is simply designed to take away power from an unelected bureaucracy which isn't accountable to the people and allow the issue to be decided by the politically accountable branches of government that represent the people.

The concept of the bill is similar to the Constitutional amendment that we just tried to pass, HCR 5014. The goal of that Constitutional amendment is to provide a check and balance on unelected bureaucracies in our state, to prevent them from writing laws on their own. I would argue that this bill also has the goal of preventing an unelected bureaucracy from writing a law on their own and implementing a policy that affects our entire state. Both bills attempt to rein in the regulatory state in Kansas. There were only four Republicans who voted against HCR 5014. Since this bill contains the same concept of trying to rein in the administrative state, I would think that this bill would also see the same type of support if it were passed out of committee and made it to the floor of the house.

This bill has nothing to do with opposing vaccines, including the Covid vaccine. It's simply about trying to rein in an administrative state that's gone too far, and which is unaccountable to the people of our state. Under current state statute, the KDHE could mandate the Covid vaccine any time. That's why I believe that it's necessary to pass this bill this year, in order to prevent them from acting unilaterally to mandate the vaccine this year.

Lastly, given the strong support for this bill which is evidenced by the fact that there was a large amount of written proponent testimony, I would like to at least request that an up or down roll call vote be allowed on this bill.

Thank you, Madam Chair.

Brett Fairchild-State Representative-113th District