

Honorable Beverly Gossage
Chair, Senate Committee on Public Health and Welfare
Kansas Capitol, Room 142 South
Topeka, Kansas 66612

Re: Proponent Written and Oral Testimony, SB6, February 13

Dear Chairwoman Gossage and Committee:

My name is William Mize. I live in Louisburg and operate a law practice in Overland Park.

The response of government to the covid crisis, especially the Kansas Department of Health, illustrates that we should not blindly trust an unelected agency to make decisions under the guise of "infectious disease" that so vitally affect the lives of our citizens.

SB6 simply seeks to place reasonable limitations on the power of a state agency to issue significant orders without effective oversight. The proposed legislation still allows the KDHE to investigate the causes of infectious disease, to educate the public about an infectious disease, to make inspections regarding infectious diseases, to take actions it deems required to prevent the spread of infectious disease, to provide public outreach services regarding infectious disease and to adopt rules and regulations necessary to carry out all the provisions relating to infectious disease.

What the bill does not do is permit the Secretary, as before, to make orders on its own that require Kansans to take certain actions or face penalties for noncompliance. If the Secretary believes such an order is in the best interests of the public it may seek an order from a judge who can assess the situation and grant such an order if it is warranted. This is hardly a novel idea.

I urge you to limit KDHE's right to make unilateral orders and support passage of SB6.

Respectfully,
William Mize
Louisburg
Proponent