

SB541
03/07/22
Nick Reinecker
Opponent

Senate Judiciary
Senator Kellie Warren Chair

Is it reasonable to be an opponent to this bill? Who is the judge of reasonableness, nay, who is the enforcer? Consider the first sentence in New Section 1; Each person (corporations too?) within this state SHALL act in any way that REASONABLY will assist and not detract from the ability of the state and the public successfully to PREVENT and respond to contagious or infectious disease. In my opinion, we already have agreed upon rules that would make this somewhat redundant by way of the Constitution, including the bill of rights, which I would argue is even more important to defend in a now carved-out disaster from the all-hazards approach, that of infectious and/or contagious disease disaster emergencies as referenced in this bill. Furthermore, the offer of compensation for the involuntary surrender of rights is terrifyingly reasonable for those wanting facilitate building support from others who would rather "live on their knees than die on their feet"-Reagan, but I digress.

In New Section 3, the main issue is consistency with the all or nothing path. If uniformly applying subsection (a) to both state and local entities it should uniformly apply to all biologic applications in whatever delivery form, by striking COVID-19 and (c)(3)

If New Section 4 is, for any reason reasonable, then by my reasonableness the school district or any school building or activity thereof should not have students in them, at all. What was allowed as masks and/or face coverings was a joke. When a scrap of a Halloween superman cape is acceptable just to walk in the door, I cannot believe any of it is effective in the perceived mission of wearing a mask or face covering to prevent the spread of an infectious or contagious disease with aerosols or droplets. Subsection (b) is a concern if interpreted to mean that children with exemptions could be targeted for bullying?

Section 6 language, including; executive orders, force and effect of law, and direct and compel may potentially conflict with language about less restrictive orders by county commission?? Section 6 is also sticky all-around, however, in subsection (d) if movement or gatherings are restricted, how can people sell, transfer, purchase etc. firearms and ammunition?

Any use of the language; *without reasonable delay*. Who decides what is reasonable beyond what you constitutionally legislate? And are there any such thing as reasonable attorney fees?

Section 7 begins what appears to be a deviation from the all-hazards approach of Emergency Management, while simultaneously setting up the endemic side of the coronavirus response of 2020 that has possible dangerous implications when it comes to state sovereignty. In (a)(3), guidance is a word that has been used as a bully mechanism to get those who may be misguided and/or vulnerable to comply.

Section 9 presents the importance of municipal emergency operations plans and the understanding, as I believe it to be, a bottom-up scheme and not a top-down when it comes to state of disaster emergency declarations, including the individual.

Section 10 appears to be more endemic codification of potential privacy or 4th amendment issues

Section 11 (a)(5) language should be stricken. We have seen what happens when the CDC changes their name but doesn't add the P. Subsection (d) also should be stricken.

Section 12 (a) Any infectious or contagious disease intersecting with the "common cold" issues and striking lines 5-9 on Page 18 starting at; The county.

Section 14 (b)(2), (A) and (B) stricken. Preventing spread and slowing spread down are two different concepts. The defense of liberty should never change, for once dead it may never return.

Section 15 You are the constitutional lawmakers if you aren't being constitutional in lawmaking due to the threat of losing federal funding then please don't run for election.

There are many kinds of slavery, Kansas is a free state and Kansas is a sovereign state with much power. You are the wheels of that power, please stay on the road. I do not envy your decisions to be made in these deliberation and my prayers are with you and your families.

Thank you

On March 4, 1865, only 41 days before his assassination, President Abraham Lincoln took the oath of office for the second time. Lincoln's second inaugural address previewed his plans for healing a once-divided nation. The speech is engraved on the north interior wall of the Lincoln Memorial.

"With malice toward none with charity for all with firmness in the right as God gives us to see the right let us strive on to finish the work we are in to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan ~ to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.

Disclaimer: Due to the fact I am not an attorney, I ask that if technical errors of reference, grammar and/or content are present, that the intent of this testimony be interpreted as such, to avoid breaking the elasticity of the constitution and offending the defense of liberty, including this state and its citizens, both collectively and individually and for our posterity.