

Dear Committee,

I want to thank you for considering and urge you to support changes to Chapter 65. I know there are attorneys who are more qualified to make legal arguments, and doctors who are more qualified to make medical arguments. I would like to, very quickly, plead with you to consider an individual's argument about liberty, as the individual is who the Founders had in mind when they penned the Constitution, which all elected took an oath to uphold.

As it pertains to an individual's choice of healthy practices, I believe more than anything it is the job of legislators to first weigh all government actions against the protection of this right. As a society, our tradition has been to allow doctors and scientists of all kinds to practice their specific area of emphasis, within reason. And furthermore, we have allowed the individual to control who and what health and medical advice their conscience guides. In the interest of "public health" however, those choices seem to have eroded into state sanctioned health that denies individual choice and determines only one government sanctioned option.

Incrementally over the years, the state legislature has allowed lobbyists, industry advocates, and indentured politicians to strip away the rights of the people to make those decisions for themselves and their families, and have hindered the ability of the public to legally protect those rights. If we continue to allow this, we will find that we are without any rights and without any means to protect ourselves.

The state reserves certain rights of protection for the citizens of that state. However, as it pertains to public health, the state can never, and should never, assume authority over, or responsibility for individual nor "public" health. I don't think it's difficult to look thru the lens of time to see both where we have come from and where this will inevitably lead.

It is irresponsible to assume that a government agency can enforce policies that would irradiate all known health risks. At best, they could provide guidance. At best, the guidance they provide would be a basic approach that necessarily cannot take into account the numerous variables that an individual doctor would consider with their patient. We all understand this concept as individuals, but it seems that basic knowledge is set aside when discussing "public health."

S Sub for SB29 in its current form does not protect individual liberties; it would currently allow a non-elected government agency to dictate individual rights at the expense of Constitutional freedoms without legislative action to do so, and allow for damages to healthy individuals with little to no ability to redress. Please consider changing the language of this bill back to the originally presented SB29 language, which allowed the

Health Secretary to make reasonable recommendations for patients diagnosed with a known infectious disease.

As it currently sits, we have local Health Departments with no knowledge of their own legal limitations to quarantines who can rely on a state officer to determine legal restriction of citizen freedoms. Also, as it sits currently, local health department personnel can rely on ambiguous authority granted to school districts to work in tandem to restrict children from accessing public education without any proven and demonstrable reason for doing so.

A current example of this is currently playing out in Reno and Harvey Counties, wherein the two counties and the Buhler school district participated in government collusion to quarantine a healthy child for potential exposure to chicken pox. The child never became ill with the virus, however the local Health Department relied upon lazy contact tracing reporting from school district employees to determine the child was a “threat to public safety.” School district employees are not at all trained or qualified to make determinations of virological impact. Most school nurses are not even RN’s, as it is only required for a district to employ one who oversees lesser-qualified nurses under them. Teachers are simply asked for class rosters and if the child was in class. This cannot be the standard that we allow for the government to restrict the free movement of citizens! Otherwise we are opening admitting that we support infringement of citizen’s rights by government agencies.

Please consider strengthening the protection of citizens when making changes to Chapter 65 to allow secretaries of health to “make recommendation.” The laws, nor rules and regulations of these departments should not allow for legal enforcement by a Health Department secretary without a requirement of due process under the law. It should not be the responsibility of the public to defend themselves from government overreach, rather the burden of proof lies with the government to prove beyond a shadow of a doubt in court that a person’s rights to attend school, earn a living, and provide for the needs of themselves and their family should be limited or restricted. Please set this right in state statutes.

Thank you