

OPP, HCR5008, GILLUM, 2.3.25

My name is Sara Gillum, and I am writing to testify in strong opposition to HCR 5008. This proposed amendment would undermine the ability of state agencies to set policies effectively and instead place all agency policies under direct legislative control.

HCR 5008 is unconstitutional. The constitution is designed to evenly balance the powers of each branch of government. Kansas voters elect governors with the expectation that their administration will oversee agencies and ensure policies align with public needs. HCR 5008 would effectively nullify that executive power, allowing the legislature to override executive discretion, regardless of election outcomes.

HCR 5008 is ineffective. State agencies employ experts who specialize in implementing policies that serve Kansans effectively. If HCR 5008 passes, people who do not know the intricacies and inner workings of agencies will be allowed to make changes in policy based on political whims, rather than knowledge and practicality. Also consider, the legislature is not designed to handle the day-to-day operational decisions of state agencies, and requiring them to do so will lead to inefficiency, and constant political interference.

HCR 5008 will have harmful consequences. Many essential protections exist as agency policies rather than laws. Under HCR 5008, these protections would be at risk whenever there is a political change in the legislature, creating instability and uncertainty for all Kansans. Additionally, the passage of SB 63, the "Help Not Harm Act," combined with HCR 5008, poses a serious threat to Kansans' right to bodily autonomy. SB 63 restricts access to gender-affirming care for minors, while HCR 5008 would give the legislature unchecked power to override agency regulations, including those protecting healthcare access. By consolidating control over state agencies, HCR 5008 would allow lawmakers to dismantle protections for transgender individuals and prevent future policies that safeguard bodily autonomy. This combination undermines both personal freedoms and the system of checks and balances designed to protect them.

For these reasons, I urge you to vote NO on HCR 5008 and protect the integrity of Kansas' government.

Thank you for your time and consideration.

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