

Sen. Mike Thompson, Chair
Senate Utilities Committee
Kansas State Capitol
Topeka KS 66612

20 January 2021

re: Senate Bill 24

Chair Thompson, and Committee:

Our organization is committed to advancing clean and safe energy for which sourcing and use does not damage the earth's life support ecosystems, and energy which does not become depleted, but is renewable.

While you and fellow Committee members may or may not agree with our purpose, democratic choice means that local municipalities must be free to set their own energy agenda, to protect their community's environment, safeguard our planet's climate for the survival of our children, and restrict the operations of a public utility based upon the source of energy.

As of July 1, 1961, Kansas municipalities are free of restrictions from enabling legislation, and are entitled to practice home rule. We find it disingenuous that the Legislature, by way of SB 24, will undermine that right, and try to claw back the freedoms granted in 1961 by the Supreme Court of Kansas. That ruling stated that "The constitutional home rule powers of cities shall be liberally construed to give cities the largest possible measure of self-government".

If the Legislature were to address the home rule question directly and openly, it would rightly make an attempt to revise the constitutional foundation for home rule itself. It is inappropriate for the Legislature to pick and choose to preempt specific actions or policies or ordinances by municipalities, rather than confronting the entire home rule provisions of the Kansas Constitution.

We advise you that Senate Bill 24, prohibiting municipalities from imposing restrictions on customer's use of energy based upon source of energy, is misguided. We request that you deny the Bill.

Sincerely,
Michael Almon, Secretary