



Since 1894

Date: March 23, 2023

Re: **SB 312 - AN ACT requiring the approval of the board of county commissioners prior to the exercise of the power of eminent domain by certain public utilities.**

From: Jackie Garagiola, Associate Counsel, Kansas Livestock Association

To: Senate Committee on Local Government
Sen. Carolyn McGinn, Chair

The Kansas Livestock Association (KLA), formed in 1894, is a trade association representing more than 5,700 members on legislative and regulatory issues. KLA members are involved in many aspects of the livestock industry, including seed stock, cow-calf, and stocker cattle production; cattle feeding; dairy production; swine production; grazing land management; and diversified farming operations.

Thank you, Madam Chair, and members of the Committee, for giving the Kansas Livestock Association (KLA) the opportunity to share our views on SB 312. KLA supports SB 312 as a means to protect landowner property rights.

Our members believe that private property rights are one of the basic pillars of a free enterprise society and therefore should be preserved by the State. This bill directly addresses an issue impacting a number of our members, disrupting their operations and homes. When companies approach members with plans for new transmission lines and other structures under the threat of eminent domain, landowners lose the ability to effectively negotiate for the use of their land.

KLA member led policy supports, "legislative, judicial, and administrative initiatives to prevent the use of eminent domain powers by governmental entities as a tool to take private property from one party and transfer to another party for profit or private gain." Therefore, KLA fully supports legislation aimed at limiting the use of eminent domain simply as a means to aid companies in gaining access to private property and increasing their own profit margins. This bill gives local governments the authority they need to protect their landowners, effectively placing the power back into the hands of private landowners.

KLA appreciates the opportunity to appear as a proponent of SB 312. We ask that the Committee recommend the bill favorable for passage.