

**Testimony before the House Energy, Utilities and Telecommunications Committee
Opposing SB 24
Presented by Tad Kramar**

March 16, 2021

Mr. Chairman and Honorable Members of the Committee:

I am Tad Kramar of Big Springs, Kansas. Thank you for the opportunity to testify in opposition to SB 24, which seeks to prohibit municipalities from exercising home rule under the Kansas Constitution to enact ordinances, codes or rules preferring energy sources other than natural gas for their residents.

Article 12, Section 5(b) of the Kansas Constitution states: “Cities are hereby empowered to determine their local affairs” Section 5(d) declares: “Powers and authority granted cities pursuant to this section shall be liberally construed for the purpose of giving to cities the largest measure of self-government.” (emphasis supplied) Consequently, there must be a compelling public policy interest or concern to justify taking away a municipality’s Constitutional home rule authority in a particular case.

In proposing SB 24, the natural gas industry thinks that it should receive special treatment over other energy sources by taking away a municipality’s home rule authority for the purpose of protecting only natural gas. Why should natural gas receive special treatment? Why should a municipality lose its home rule authority just because natural gas is involved?

SB 24 is the exact opposite of what we should be doing. Climate change, with its extreme weather events, is here now and will only get worse unless we take action to decrease our reliance on fossil fuels, including natural gas. If a municipality chooses to responsibly address climate change by enacting ordinances, codes or rules designed to decrease reliance on fossil fuels, this is an appropriate and desirable exercise of its home rule authority granted by the Kansas Constitution, especially when that authority is required to be “liberally construed” to provide “the largest measure of self-government.”

Moreover, renewable energy sources are becoming more efficient and cost-effective. Some analyses have concluded that in some cases, renewable energy sources have become less expensive than natural gas, and this could become more common in the future. Consequently, SB 24 could lock-in more costly natural gas service when more cost-effective and sustainable energy opportunities exist for communities.

Therefore, SB 24 is an outrageous power grab by the natural gas industry and should be called the “Natural Gas Protection Act.” It is a flagrant violation of Constitutional home rule, and is the exact opposite of what we should be doing in view of the urgent need to address climate change and its increasingly extreme weather events. Thank you for your careful consideration of these issues.