

Proponent Testimony: SB325
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Committee on Local Government, Sen. Carolyn McGinn, Chair

Greetings, Chairwoman McGinn and Committee Members.

I would like to speak in favor of SB325, a bill that finally gives some protections to rural communities, their residents, and non-participating landowners.

I am a wildlife advocate and have consulted and testified in numerous counties in Kansas targeted by wind developers. There the dynamic is always the same: The wind companies have quietly signed up land owners, paid them money, and promised more—all before the public became aware that a radical change in the county's landscape was in the works.

Then when the developers' intentions do become public, there is already a contingent of leaseholders, who become vocal lobbyists for the project—sometimes to the point of corruption, as leaseholders and commissioners are sometimes one and the same.

Belatedly informed, opponents of the project start out behind the curve and with a feeling that the powers that be have tried to pull a fast one behind their backs.

The result is inevitably a bitterly divided community.

This bill would prevent some of that bitterness by requiring that the decision to industrialize the rural landscape be a county decision, with public hearings on proposed zoning changes giving all residents the opportunity to participate—before a few landowners and their families have a vested financial interest and the community has split into angry camps.

If the past is prologue, wind industry advocates will argue that *any* restrictions will drive the wind industry out of Kansas. But it's not good for Kansas to take a supine position with regard to any industry. It is common now for wind industry representatives to threaten rural county commissioners with lawsuits, should they heed the opposition and impose restrictions. Some commissioners have stated openly that it was the fear of such lawsuits which led them to give in to developers' demands. The prevalent *ex parte* decision-making almost guarantees such pressuring. It puts rural counties at a disadvantage when dealing with LLCs that are off-shoots of international corporations.

SB325 would provide protection against such bullying. It would put procedures in place that would take individual commissioners off of the hot seat and allow for open decision-making, with public input, taking into account the best interests of the county.