



League of Kansas Municipalities

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To: Senate Utilities Committee
From: Kimberly Winn, Director of Policy Development & Communications
Date: January 31, 2007
Re: SB 128

On behalf of the League of Kansas Municipalities and our 576 member cities, thank you for the opportunity to offer our comments regarding SB 128. At the outset, it is important to note that we are not opposed to the concepts in this legislation, and in fact, we support the establishment of an energy conservation education advisory group. However, we have some concerns about the specific language in the bill that we would like to bring to your attention.

In Section 1(a), SB 128 indicates that the Kansas Energy Office will “administer” energy education and conservation promotion programs for municipal electric utilities (MEU’s). We are unclear whether this language means that the Energy Office will actually do the education and conservation programs for the MEU’s, or if they will set the standards that must be followed, leaving actual implementation up to the local utility. If the Energy Office plans to implement such programs at no cost to the MEU’s, then the bill is not an unfunded mandate, and we would have no opposition to it.

Our second concern is in Section 1(e) of the bill. This is the portion of the bill which mandates the education programs. As written, SB 128 mandates that MEU’s comply with these requirements. But, if the Kansas Energy Office is going to implement the program for MEU’s, then why would there be a mandate for MEU’s to comply? We believe this is an internal conflict within the bill and we would request that you consider removing municipal electric utilities from that portion of the bill.

Finally, we have the same concern with Section 1(f). Again, this is a mandate that MEU’s provide an annual report to the Legislature. Again, if the Kansas Energy Office is implementing the program for MEU’s, then this mandate is misplaced and we would request that you consider removing municipal electric utilities from that portion of the bill to resolve the conflict there as well.

In conclusion, our concerns about this legislation really are ones of clarification only. As I mentioned at the outset, we are support of the concept of this legislation and we stand ready to do what we can to help in the effort. I would be happy to stand for questions at the appropriate time.