Testimony SB2228

Sam Wagner
President of the Casselton City Council
31 8th Ave N
Casselton ND 58012
Testimony In Opposition for SB2208

To the Senate Natural Resources Committee,

Mr Chairman,

I'm writing to you as President of the Casselton City Council in Casselton North Dakota speaking on behalf of myself and expressing concern for SB2208. This bill is written way too broadly and can be interpreted in many different ways. It doesn't specify exactly what energy infrastructure or interference means and could leave a wide net open for interpretation.

This could also have a chilling effect that would force cities to think twice about ordinances they pass severely limiting local government. It takes away our flexibility to pass ordinances if our city has a problem that our citizens need us as the city council to solve. And there are just as many legitimate reasons to pass ordinances. Local Government protecting the citizens has to be able to counterbalance business interests and state interests. The two should work together to find positive solutions. The state or industry should not be able to impose their will or exploit the locals because ideally we should be working together to find solutions. But in the end local governments should be able to make decisions based on the evidence and mitigate any risk to their people who have to live by the infrastructure every day.

I also feel that backdating loss of funding to the date previous ordinances were passed would seem to violate our constitutional rights against ex post facto laws. Or to put it simply, laws that make actions illegal or increase criminal punishment after the actions took place. Because it is poorly worded some communities would likely be robbed of state funding for something a previous city council could've passed through no fault of their own. Settle this in the courts if there is conflict, not with coercion.

This bill seems poorly written and would take away our local control.
Thank you for your Consideration and DO NOT PASS this bill.