

Approved: April 1, 2011
Date

MINUTES OF THE HOUSE ENERGY AND UTILITIES COMMITTEE

The meeting was called to order by Chairman Carl Holmes at 12:00 P.M. on March 23, 2011, in Room 785 of the Docking State Office Building.

All members were present.

Committee staff present:

Matt Sterling, Office of the Revisor of Statutes
Cindy Lash, Kansas Legislative Research Department
Corey Carnahan, Kansas Legislative Research Department
Renaë Hansen, Committee Assistant

Conferees appearing before the Committee:

Chris Wilson, Kansas Department of Agriculture
Kimberly Gencur-Svaty, Wind Coalition

Others attending:

Thirty one including the attached list.

Mark Schreiber, Westar, spoke to the committee about the visit to Wolf Creek power plant noting optional dates.

Hearing on:

SB227-Requiring anemometer towers to be marked or flagged so as to be identifiable in clear air during daylight hours.

Matt Sterling offered the committee an explanation (Attachment 1) of **SB227**.

Proponents:

Chris Wilson, Deputy Secretary, Kansas Department of Agriculture, (Attachment 2) presented testimony in support of **SB227**. She noted that the bill models language that was used in South Dakota concerning the same issue.

Written Proponents:

Terry Jordan, Jordan Air Inc., (Attachment 3), presented written testimony in support of **SB227**.

Neutral:

Kimberly Gencur-Svaty, (Attachment 4), offered testimony explaining the issue contained in **SB227**. She noted that the wind industry appreciates and strongly supports the two-year retrofit provision included in **SB227** as it allows companies to incorporate the retrofit into their regularly-scheduled tower maintenance program.

Questions were asked and comments made by Representatives: Tom Sloan, Forrest Knox, and Carl Holmes.

Hearing on **SB227** was closed.

Action on:

SB227-Requiring anemometer towers to be marked or flagged so as to be identifiable in clear air during daylight hours.

Representative Annie Kuether moved to amend SB227 (Attachment 5) by including HB 2141 in the bill. Seconded by Representative Don Hineman.

CONTINUATION SHEET

The minutes of the House Energy and Utilities Committee at 12:22 P.M. on March 23, 2011, in Room 785 of the Docking State Office Building.

Questions were asked and comments made by Representatives: Annie Kuether, Forrest Knox, and Carl Holmes.

Motion to amend passed.

Representative Tom Sloan moved to recommend **SB 227** favorable for passage as amended. Seconded by Representative Reynaldo Mesa. Motion carried.

Action on **SB 227** was closed.

Representative Annie Kuether will carry the bill on the house floor.

Continued Action on:

SubSB72-Telecommunications.

Representative Annie Kuether presented the committee with an article, (Attachment 6) entitled, "Local T-Mobile could lose staff" pertaining to AT&T's proposed \$39 billion acquisition.

Representative Forrest Knox moved to amend (Attachment 7) **SubSB72** with the proposed amendment. Seconded by Representative Don Hineman.

Questions were asked and comments made by Representatives: Mike Slattery, Forrest Knox, Don Hineman, Carl Holmes, and Stan Frownfelter.

Matt Sterling helped to answer committee questions.

Motion to amend failed 4-14.

Continued comments by Representative Mike Slattery.

Representative Forrest Knox, moved to amend (Attachment 8) **SubSB72** noting this would give the price cap regulation to those consumers who do not have a choice. Seconded by Representative Tom Sloan.

Questions were asked and comments made by Representatives: Tom Sloan, Forrest Knox, Mike Burgess, and Mike Slattery.

Matt Sterling helped committee answer questions.

The motion to amend was withdrawn.

Representative Forrest Knox moved to amend **SubSB72** with new language per the revisors office.

Discussion ensued between Representatives: Tom Sloan, and Forrest Knox.

The motion was withdrawn.

Representative Tom Sloan moved to amend **SubSB72** (Attachment 9) with language that would identify the download and upload speeds for identifying "broadband". Seconded by Representative Annie Kuether.

Questions were asked and comments made by Representatives: Mike Burgess, Vern Swanson, Nile Dillmore, Forrest Knox, and Tom Sloan.

Motion to amend failed.

CONTINUATION SHEET

The minutes of the House Energy and Utilities Committee at 12:22 P.M. on March 23, 2011, in Room 785 of the Docking State Office Building.

Representative Mike Burgess moved to recommend **SubSB72** favorable for passage as amended. Seconded by Representative Phil Hermanson.

Discussion ensued between Representatives: Forrest Knox, Annie Kuether, Don Hineman, Joe Seiwert, Mike Burgess.

The motion to move **SubSB72** out passed 13-5.

Representative Mike Burgess will carry the bill on the house floor.

There are no further meetings scheduled.

The meeting was adjourned at 1:31 P.M.