

MINUTES OF THE HOUSE ENERGY AND UTILITIES COMMITTEE

The meeting was called to order by Chairman Carl Holmes at 9:00 a.m. on February 12, 2009, in Room 783 of the Docking State Office Building.

All members were present.

Committee staff present:

Mary Torrence, Office of the Revisor of Statutes
Mary Galligan, Kansas Legislative Research Department
Cindy Lash, Kansas Legislative Research Department
Renaë Hansen, Committee Assistant

Conferees appearing before the committee:

Others attending:

Thirty-two including the attached list.

Debate on the motion from February 11, 2009:

HB 2182 - Requiring the Kansas air quality act to be consistent and uniform with the federal clean air act.

There was no debate.

Motion Carried.

The Chairman had Revisor Mary Torrence hand out a combined bill that included all the bills that had been recommended for adoption, (Attachment 1).

Reopened:

HB 2012 - Establishing a deadline for the court of appeals to decide appeals from administrative orders of the state corporation commission.

Comments were made by Representatives: Forrest Knox, and Vern Swanson.

No more action was taken.

Reopened:

HB 2013 - Establishing renewable portfolio standards for public utilities.

Comments were made by Representative Mike Burgess.

Representative Mike Burgess moved to reconsider on HB 2013. Seconded by Representative Rob Olson. Motion Carried.

Representative Mike Burgess moved to undo the amendment on Page 2, line 36 back to 1.25 megawatts on HB 2013. Seconded by Representative Rob Olson.

Questions were asked and comments made by Representative: Annie Kuether, Mike Burgess, Carl Holmes, Tom Sloan, Forrest Knox, Josh Svaty, Tom Moxley, and Carl Holmes.

Motion carried 11-10.

Representative Mike Burgess moved to recommend for adoption the re-amended HB 2013. Seconded by

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Representative Rob Olson. Motion carried 11-10.

Reopened:

HB 2014 - Granting authority to the Kansas Electric Transmission Authority (KETA) to establish and charge reasonable fees for use of facilities owned, financed or administered and services rendered by KETA.

An explanation was given by Representative Tom Sloan.

Representative Tom Sloan moved to reconsider the action on **HB 2014** for the purpose of amending it. Seconded by Representative Forrest Knox. Motion Carried.

Representative Tom Sloan moved to amend a new section (Attachment 2) into **HB 2014**. Seconded by Representative Tom Moxley. Motion Carried.

Reopened:

HB 2225 - Granting certain utilities the option to purchase power from new pulverized coal electricity generating facilities.

An explanation was presented by Representative Forrest Knox.

Representative Forrest Knox moved to reconsider **HB 2225**. Seconded by Representative Tom Moxley. Motion carried.

Representative Forrest Knox moved on lines, 17, 19 and 22 to change the wording to insert, “maximum limit of 15% of operating capacity or 200 MW ” to **HB 2225**. Seconded by Representative Tom Moxley.

Discussion ensued by Representatives: Josh Svaty, Tom Sloan, and Carl Holmes.

Motion carried.

Representative Tom Sloan moved to strike “pulverized coal” and include “ all fossil fuel or nuclear base load electricity generating facilities” in **HB 2225**. Seconded by Representative Josh Svaty.

Comments were made by Representative: Forrest Knox, Tom Sloan, and Carl Holmes.

Motion carried.

Representative Tom Sloan moved that the amended **HB 2225** be placed into **SUB for HB 2014**. Seconded by Representative Vern Swanson. Motion carried.

New Legislation:

Representative Tom Sloan explained his suggested addition (Attachment 3) to **SUB for HB 2014**.

Representative Tom Sloan moved to adopt the balloon language (Attachment 3). Seconded by Representative Tom Moxley.

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Questions were asked and comments made by Representatives: Annie Kuether, Forrest Knox, Tom Moxley, Carl Holmes, Mike Burgess, and Cindy Neighbor.

Motion Carried.

Representative Tom Sloan made a motion to amend HSub for HB 2014 Page 3 line 3 by striking the word, "compensation" and ",", and add in line 13 that it be paid for out of the Kansas Corporation Commissions budget. Seconded by Don Myers.

Discussion ensued by Representatives: Annie Kuether, and Tom Sloan.

Motion carried.

Representative Tom Sloan moved that this amended language be rolled into HSub for HB 2014. Seconded by Representative Don Myers. Motion carried.

Representative Forrest Knox moved to include all the bills that we have in the last 3 days recommended for adoption to the committee and to include HB 2639 from the 2007/2008 session and all the amendments that were done today and pass to the floor. Seconded by Representative Rob Olson.

Questions were asked and comments made by Representatives: Margaret Long, Milack Talia, Mike Burgess, and Forrest Knox.

Motion carried 11-9.

Representative Holmes thanked the staff for all their work to get this bill out to the chamber.

He also asked what the committee is interested in for four possibilities.

Some of the suggestions were: Bowersock Hydro-Electric, Jeffery energy, and the Coffeyville plant.

Action on:

HB 2115 - Repealing K.S.A. 21-4211, criminal penalty for refusing access to a telephone line for emergency purposes.

Representative Tom Sloan moved to pass out HB 2115 and put it on the consent calendar. Seconded by Representative Annie Kuether. Motion Passed.

Representative Holmes asked that the committee please let the Committee Assistant be made aware of any background briefings and informational hearings that are desirable and recommended by committee members.

The next meeting is scheduled for February 16, 2009.

The meeting was adjourned at 10:26 a.m.