

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 6, 2008 in Room 313-S of the Capitol Building.

All members were present except:

Dan Johnson- excused  
Margaret Long- excused

Committee staff present:

Mary Galligan, Kansas Legislative Research  
Carol Toland, Kansas Legislative Research  
Mary Torrence, Revisor's Office  
Melissa Doeblin, Revisor's Office  
Rena Hansen, Committee Administrative Assistant

Conferees appearing before the committee:

Senator Chris Steinegar  
Scott Heidner, American Council of  
Engineering Companies  
Gary George, Superintendent, Olathe Schools  
heryl Semmel, United School Administrators of Kansas  
KCC, Patrick Smith, Attorney  
Dan Nagengast, Director of Kansas Rural Center  
Johannes Feddema, PhD, KU Geography, IPCC contributor  
Ezra Hausman, PhD, Synapse Energy Economics  
Jessica Dexter, Environmental Law & Policy Center  
Craig Volland, Sierra Club  
Bob Eye, Attorney  
Jim Mason, KNRC  
Walt Chappel, Wichita

Others attending:

Approximately sixty five including the attached list.

Hearing on:

**HB 2711- Electric generation, transmission and efficiency and air emissions.**

The chairman had the Attorney Generals' opinion handed out (Attachment 1) to the committee members concerning 65-3012.

Further written proponents:

Leslie Kaufman, Kansas Cooperative Council, (Attachment 2), presented written testimony in support of **HB 2711**.

Eric Depperschmidt, President, Finney County Economic Development Corporation, (Attachment 3), presented written testimony in support of **HB 2711**.

Neutral:

Scott Heidner, American Council of Engineering Companies (Attachment 4), offered testimony that suggested changes for new sections 6 and 7 of **HB 2711**.

Gary George, Superintendent, Olathe Schools (Attachment 5), spoke to the committee on **HB 2711**, noting some issues they have with the legislation.

## CONTINUATION SHEET

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Cheryl Semmel, United School Administrators of Kansas (Attachment 6), spoke specifically to section 6 on the public school buildings of **HB 2711**. She highlighted some specific concerns to the committee.

Senator Chris Steinegar, (Attachment 7), passed out a poster on conserving light from 1917. His testimony, (Attachment 8), spoke to the committee on **SB 553** relative to **HB 2711**. His bill focused on having the best and cleanest burning coal in the world, noting that our society will continue to burn coal for a long time. He believes we can use clean technology, and not let people have ways to get around using the clean burning technology.

Questions were asked and comments made by Representative: Tom Hawk.

KCC, Patrick Smith, Attorney (Attachment 9), spoke to the committee on **HB 2711** noting that the bill would change the way the KCC regulates Kansas public utilities. As drafted the changes could undermine protective measures taken in specific prior orders of the commission approving agreements among interested utilities and parties.

Dan Nagengast, Director of Kansas Rural Center (Attachment 10), spoke to **HB 2711** noting that the bill does not speak to wind energy net metering. He commented that Colorado has a net metering law that is quite effective.

Written Neutral:

CURB (Attachment 11) presented written testimony speaking to the committee on **HB 2711**.

Waste Management (Attachment 12), offered the committee written testimony on **HB 2711**.

Questions were asked and comments made by Representatives: Vaughn Flora, Tom Hawk, and Josh Svaty.

Opponents:

Johannes Feddema, PhD, KU Geography, IPCC contributor (Attachment 13), spoke to the committee on **HB 2711** offering some information on climate change. He noted that we don't really know what is happening with the changes in the climate. He noted scientists can make some deductions.

Ezra Hausman, PhD, Synapse Energy Economics (Attachment 14), due to flight cancellations, presented written testimony only, in opposition to **HB 2711**.

Craig Volland, Sierra Club (Attachment 15), presented testimony in opposition to **HB 2711**.

Jim Mason, KNRC (Attachment 16), presented written testimony only to the committee on **HB 2711**.

Walt Chappel, Wichita, spoke to the committee on **HB 2711**, (Attachment 17) and his perception on global warming issues.

Susannah Fuchs, Director of Environmental Health, The American Lung Association presented written testimony (Attachment 18), in opposition to **HB 2711** noting how CO<sub>2</sub> and coal fire plant emission affect the breathing air quality for the citizens of the world.

Questions were asked and comments made by Representatives: Vaughn Flora, Vern Swanson, Tom Hawk, and Forrest Knox.

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Bob Eye, Attorney, spoke to the committee in opposition to **HB 2711**. He noted that the budgetary cost of the bill could be tremendous. He asked that the bill be used as a vehicle for renewable energy sources. He also noted his interpretation of 65-3012, noting that, in his opinion, section 1 gives the secretary of KDHE the authority to regulate air pollutants.

Questions and comments continued from Representatives: Peggy Mast, Josh Svaty, Tom Moxley, Carl Holmes, Tom Sloan, and Don Myers.

The next meeting is scheduled for February 7, 2008.

The meeting was adjourned at 11:00 a.m.