

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES.

The meeting was called to order by Chairperson Don Myers at 9:00 a.m. on February 19, 1997 in Room 514-S of the Capitol.

All members were present.

Committee staff present: Lynne Holt, Legislative Research Department
Mary Ann Torrence, Revisor of Statutes
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

Chairperson Myers mentioned to the Committee that they would be working **HB 2140** today.

HB 2140 - Energy efficiency of new structures; standards for commercial and industrial structures; disclosure of certain information for residences

The Chair recognized Representative Sloan who mentioned some items about **HB 2140**. He mentioned to the Committee that he was wanting to make sure that potential buyers of homes would have the information necessary to make informed decisions and that includes information about energy efficiency of the buildings. He said at the same time, there are concerns about the role of the Commission in this whether they will become, in effect, the police force to look at the efficiency of each building that the forms the builders are currently required to file through their utility company to the Kansas Corporation Commission have any meaning or establish any liability on the state's part. Most are confused why the utilities are in this business at all. The proposed substitute bill for **HB 2140** proposes to do: 1) business relationship is between builder or realtor and customer; 2) customer really is not going to know what energy efficiency standards are, but still need to provide them with information they can use; and 3) builder cannot guarantee energy efficiency of a home even after it is sold. He further said in Section 1, ASHRAE standards are adopted by the state for new commercial construction. This is required by the federal government. Simply say these standards are adopted as required by law. Take the Commission out of enforcing energy efficiency standards. In New Section 2, a person building or selling a previously unoccupied new residential structure shall disclose to the buyer in writing information about the R-value (insulation, ceilings, walls floors, etc.), thermal properties on doors & windows, the U-value of windows, efficiency of heating/cooling systems, etc. Customer would have complete package of information. Committee discussion followed.

Representative Sloan made a motion that a proposed **Substitute Bill for HB 2140** be adopted. (Attachment #1) The motion was seconded by Representative Aurand. Discussion followed on the motion. Motion passed.

Representative Sloan moved that the Committee recommend **Substitute Bill for HB 2140** for passage. Representative Vining seconded the motion. Motion passed.

The Chair asked Representative Sloan to carry the bill.

The chair mentioned that the Committee will hear proponent testimony for **HB 2332** - regulation of natural gas gathering systems. The Chair also mentioned that he is watching a similar bill on the Senate side, **SB 148**.

The meeting was adjourned at 9:20 a.m.

The next meeting is scheduled for February 20, 1997.

HOUSE UTILITIES COMMITTEE GUEST LIST

DATE: February 19, 1997

NAME	REPRESENTING
JANET STUBBS	Ks. Bldg. IND. ASSN.
George Barbee	Barbee & Assoc
Paul DeLay	Ks. Mfg. Housing Assn.
Jim DeHoff	Kansas AFL-CIO
Jim Allen	K.B. I. A.
Steve Montgomery	Greater KC Chamber
Mike McGrew	Ks Assoc of Realtors
Karen Gehle	" " "
Jim Bishop	" " "
Kim Shelley	League of KS Municipalities
Tom Bruno	Allen & Assoc.
Orin Holthaus	Western Resources
Way K. Miles	Kansas Electric Cooperatives
Larry Holloway	KCC
Stan Butts	KDOCEH
Jan Stoye	KCC

PROPOSED SUBSTITUTE FOR HOUSE BILL NO. 2140

By Committee on Utilities

AN ACT concerning energy efficiency of new structures; adopting certain standards; relating to powers of the state corporation commission; requiring certain disclosures; repealing K.S.A. 66-131a.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) The American Society of Heating and Air Conditioning Engineers/Illuminating Society of North America 1989 90-1 Standard or Code (ASHRAE/IES 90.1-89) is hereby adopted as the applicable thermal efficiency standard for new commercial and industrial structures in this state.

(b) The state corporation commission has no authority to adopt or enforce energy efficiency standards for structures.

Sec. 2. The person building or selling a previously unoccupied new residential structure shall disclose to the buyer, in writing, the following information regarding the structure:

(a) Insulation values (R-value of insulation installed) for each of the following:

- (1) Ceiling with attic above.
- (2) Cathedral ceiling.
- (3) Opaque walls.
- (4) Floors over unheated spaces.
- (5) Floors over outside air.
- (6) Foundation type: (A) Slab-on-grade; (B) crawlspace; and (C) basement and percent of basement walls underground.

(b) Thermal properties of windows and doors for each of the following:

- (1) Entry door(s) R-value.
- (2) Sliding door(s) R-value.
- (3) Other exterior doors R-value.
- (4) Garage to house door R-value.

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(5) Window U-value (determined from NFRC rating label or default table).

(c) HVAC equipment efficiency levels:

(1) Heating systems: Gas fired forced air furnace AFUE rating and electric heat pump HSPF rating.

(2) Air conditioning systems: Electric air conditioning unit SEER rating; electric heat pump air conditioning EER rating; and ground source heat pump air conditioning EER rating.

(3) Duct insulation levels: Insulation R-value of ducts outside envelope.

(4) Thermostat: Manual control type or automatic set-back type.

(d) Water heating efficiency levels:

(1) Water heater fuel type;

(2) water heater capacity; and

(3) NAECA energy factor.

Sec. 3. K.S.A. 66-131a is hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.