

Approved: 1-28-97  
Date

MINUTES OF THE SENATE COMMITTEE ON ENERGY & NATURAL RESOURCES.

The meeting was called to order by Chairperson Don Sallee at 8:15 a.m. on January 15, 1997 in Room 254-E of the Capitol.

All members were present.

Committee staff present: Raney Gilliland, Legislative Research Department  
Linda Bradley, Committee Secretary

Conferees appearing before the committee:

Janet Stubbs, Representor of Kansas Building Industry Association, Inc.  
Ronald F. Hammerschmidt, Phd, Director Division of Environment

Others attending: See attached list

The Chairperson introduced the staff and briefed the committee on the procedures of the Committee on Energy & Natural Resources.

Janet Stubbs appeared representing the Kansas Building Industry Association, a trade association with a membership of approximately 1200 companies in the residential and light commercial construction industry.

The Kansas Building Industry Association requested the re-introduction of a bill which passed the House of Representative in 1996 by a vote of 114 to 10 and was then amended by the Senate but failed to receive agreement by a conference committee. The bill would contain the same provisions as **HB 2707** as amended by the House Committee of the 1996 Session. (Attachment 1)

This bill would remove the authority of the Kansas Corporation Commission to adopt a statewide energy code for Kansas residential building construction and would retain the authority of local units of government to adopt and enforce building codes, if they deem it necessary.

The spokesperson for the Kansas Building Industry Association request introduction of this legislation.

Senator Morris, with a second from Senator Huelskamp moved to introduce the bill. The motion carried.

Chairperson, Senator Sallee requested to introduce the bill dealing with freon, also considered by the 1996 Legislature. Senator Tyson, with a second from Senator Huelskamp, moved to introduce the bill. The motion carried.

James J. O'Connell, Secretary, Kansas Department of Health and Environment, appeared before the committee to present a brief report on Nebraska reviewing an application for citing of a low level radioactive waste depository. Other subjects reviewed were Surface Water Quality and Groundwater Quality. He noted Groundwater Quality is the big issue at this time. Another high priority item is Public Water Supply. A final issue mentioned by the Secretary was the issue of ozone and air quality in the Kansas City metropolitan area.

The meeting adjourned at 9:00 a.m.

The next meeting is scheduled for January 21, 1997.





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PAST PRESIDENTS

Lee Haworth 1965 & 1970  
Warren Schmidt 1966  
Mel Clingan 1967  
Ken Murrow 1968  
Roger Harter 1969  
Dick Mika 1971-72  
Terry Messing 1973-74  
Denis C. Stewart 1975-76  
Jerry D. Andrews 1977  
R. Bradley Taylor 1978  
Joel M. Pollack 1979  
Richard H. Bassett 1980  
John W. McKay 1981  
Donald L. Tasker 1982  
Frank A. Stuckey 1983  
Harold Warner, Jr. 1984  
Joe Pashman 1985  
Jay Schrock 1986  
Richard Hill 1987  
M.S. Mitchell 1988  
Robert Hogue 1989  
Jim Miner 1990  
Elton Parsons 1991  
Vernon L. Weis 1992  
Gilbert Bristow 1993  
James D. Peterson 1994  
Tom Ahlf 1995  
R. Neil Carlson 1996

SENATE ENERGY COMMITTEE

JANUARY 15, 1997

CHAIRMAN SALLEE AND MEMBERS OF THE COMMITTEE:

My name is Janet Stubbs appearing today representing the Kansas Building Industry Association, a trade association with a membership of approximately 1200 companies in the residential and light commercial construction industry.

We request introduction of a bill which passed the House in 1996 by a vote of 114 to 10 and was then amended by the Senate and failed to receive agreement by the Conference Committee. The bill we seek contains the same provisions as HB 2707 of the 1996 Session.

This bill would remove the authority of the KCC to adopt a statewide energy code for Kansas residential construction and would retain the authority of local units of government to adopt and enforce this building code, if they deem it necessary, just as they adopt other building codes.

We respectfully request introduction of this legislation.

*Senate  
Energy & Natural Resources  
1-15-97*



HOUSE BILL No. 2707

By Committee on Energy and Natural Resources

1-24

10 AN ACT concerning building energy efficiency standards; amending  
11 K.S.A. 66-131a and repealing the existing section.

12  
13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 66-131a is hereby amended to read as follows: 66-  
15 131a. (a) *Except as provided by subsection (b), every municipally owned*  
16 *or operated electric or gas utility, and every electric or gas utility operating*  
17 *wholly and solely within the legal boundaries of any municipality and*  
18 *within three (3) miles of any municipal boundary, shall be deemed a*  
19 *"public utility" as defined in K.S.A. 66-104 and amendments thereto, for*  
20 *the purpose of filing with the state corporation commission tariffs and*  
21 *rules and regulations restricting connections or attachments to their sys-*  
22 *tems of residential, commercial or industrial structures with respect to*  
23 *such heat loss standards and energy efficiency ratios for air conditioners*  
24 *and heat pumps as the state corporation commission shall from time to*  
25 *time adopt structures that do not comply with the energy efficiency stan-*  
26 *dards required for such structures under the federal energy policy act of*  
27 *1992.*

28 (b) *The state corporation commission does not have authority to*  
29 *adopt or enforce energy efficiency standards for:*

30 (1) *Any commercial structure located in a city or county that has*  
31 *adopted and in effect energy efficiency standards for commercial struc-*  
32 *tures that meet the minimum standards required for such structures under*  
33 *the federal energy policy act of 1992; or*

34 (2) *any residential structure.*

35 Sec. 2. K.S.A. 66-131a is hereby repealed.

36 Sec. 3. This act shall take effect and be in force from and after its  
37 publication in the statute book.