

MINUTES OF THE SENATE UTILITIES COMMITTEE

The meeting was called to order by Chairman Jay Emler at 9:30 A.M. on March 1, 2007 in Room 526-S of the Capitol.

Committee members absent: Senator Mark Taddiken- excused

Committee staff present: Raney Gilliland, Kansas Legislative Research Department  
Mike Corrigan, Revisor of Statutes  
Tatiana Lin, Legislative Fellow  
Ann McMorris, Committee Secretary

Conferees appearing before the committee: none

Others in attendance: See attached list

The Committee was provided the following information:

1. February 28 memo from League of Kansas Municipalities on **SB 20** (Attachment 1)
2. February 28 memo from WaterOne on **SB 20** (Attachment 2)
3. February 28 memo from Kansas Rural Water Association on **SB 20** (Attachment 3)
4. **HB 2036** Revised Disclosure Form by Kansas Energy Council (Attachment 4)

Chairman Emler turned the meeting to Senator Pat Apple, Chairman of the Subcommittee on **SB 20** to continue discussion on:

**SB 20 - Kansas Underground Utility Damage Prevention Act**

Leo Haynos, KCC, reviewed the changes, additions and deletions made throughout **SB 20** and explained the reasoning for more definition in various portions of the bill. Discussion was held on minimum tolerance zone, concern about liability from both sides, KCC rules and regulations.

Moved by Senator Francisco, seconded by Senator Emler, establish tolerance zone minimum of 24 inches and allow KCC to set tolerance zone for water and sanitary sewer utilities by rules and regulations. Motion carried.

Moved by Senator Francisco, seconded by Senator Emler, adopt all amendments not previously adopted in z20c4 of **SB 20**. Motion carried.

Moved by Senator Emler, seconded by Senator Reitz, staff be directed to prepare a **Substitute Bill SB 20** to bring back to the Senate Utilities Committee for review. Motion carried.

Closed discussion on **SB 20**.

Chairman Emler turned the meeting to Senator Petersen, chairman of the Subcommittee on **HB 2036** who opened discussion on:

**HB 2036 (SB 120) - Thermal efficiency standard for new buildings.**

Chairman Petersen reported the Subcommittee on **HB 2036** had met two times and agreement had been reached by all parties involved on changes which were included in the balloon (**ball2036slt**) copy provided to the full committee. (Attachment 5) Chairman Petersen explained all the changes.

Moved by Senator Francisco, seconded by Senator Reitz, to insert in the footnote \*\* of the Kansas Energy Efficiency Disclosure form in **HB 2036** the words "in 2006" after the word 'available'. Motion carried.

Moved by Senator Peterson, seconded by Senator Reitz, correction of a typographical error in **HB 2036** on the Kansas Energy Efficiency Disclosure in Part 1, Water Heater Electric to change 0.59 to 0.97. Motion carried.

CONTINUATION SHEET

MINUTES OF THE Senate Utilities Committee at 9:30 A.M. on March 1, 2007 in Room 526-S of the Capitol.

Moved by Senator Pine, seconded by Senator Petersen, adopt the amendments made on **ball2036slt**.  
Motion carried.

Moved by Senator Lee, seconded by Senator Reitz, move **HB 2036** out favorably as amended. Motion carried.

Adjournment.

Respectfully submitted,

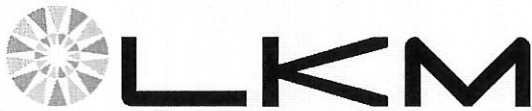
Ann McMorris, Secretary

Attachments - 5

# SENATE UTILITIES COMMITTEE GUEST LIST

DATE: MARCH 1, 2007

Name	Representing
Leo Haynos	KCC
Nike Recht	ATMOS Energy
Tom Shimon	Kansas One Call
Wiz Brosius	KS Energy Council
Steve Johnson	Kansas Gas Service
TOM DAY	KCC
Tom Gabelner	AT&T
Mark New Smith	KMHA
HARRY BRUB	MIDWEST ENERGY
Jacquie Stineman	U.S. Cellular
Nelson Kraeger	PAR Electric
Will Deer	Federico Consulting



League of Kansas Municipalities

300 SW 8th Avenue  
Topeka, Kansas 66603-3912  
Phone: (785) 354-9565  
Fax: (785) 354-4186

To: Senate Utilities Committee  
From: Kim Winn  
Date: February 28, 2007  
Re: SB 20 Compromise

First, I would like to thank the Committee for taking into consideration the concerns raised by municipal water and sewer utilities with regard to this legislation. We believe that the compromise bill that is now being considered goes a long way in addressing our concerns.

We respectfully request that you consider two remaining concerns as you continue to work this legislation:

**Tolerance Zone.** We are concerned about the change that was made today regarding tolerance zones. It was our understanding from the discussions with the interested parties that everyone agreed that water and sewer utilities should not be held to the same tolerance zone (24 inches) as other types of facilities. We request that you reinsert the language that would allow the Kansas Corporation Commission to establish a more flexible tolerance zone standard for water and sewer facilities. Without this change, we believe that the 24 inches as spelled out in statute will be considered the default tolerance zone for establishing liability and that was not the intent of the interested parties.

**Fees.** We are very concerned about the establishment of fees under this legislation. As the bill is currently written, water and sewer utilities would be at the mercy of a non-public entity that would have the authority to establish whatever fee they want with regard to Tier 2 facilities.

Last fall, we attempted to receive some information from Kansas One Call regarding the calls they take concerning water and sewer utilities. When we were refused this information, we filed an open records request pursuant to the Kansas Open Records Act (KORA). Again, after a lengthy wait we were informed that Kansas One Call is not subject to KORA.

We cannot support legislation which authorizes an entity that does not have finances which are open for public review to establish fees without any kind of statutory limitation on those fees. We request that the Legislature establish a flat fee for Tier 2 facilities and put that fee into the statute. If, for example, the Legislature were to establish an annual fee of \$100, then the revenues received from the newly mandated entities (about 600) would total approximately \$60,000 per year. We believe that is more than sufficient to cover the additional costs of providing information to excavators about Tier 2 facilities.

Again, we appreciate the progress that has been made on this legislation and we look forward to continuing to work with the Committee on this very important issue.

Senate Utilities Committee

**To: Senate Utilities Committee**

**From: Darci Meese, Government Affairs Coordinator  
Water District No. 1 Johnson County**

**Date: February 28<sup>th</sup>, 2007**

**RE: Senate Bill 20 Compromise**

On behalf of Water District No. 1 of Johnson County, Kansas, ("WaterOne"), I would like to thank you for your work on Senate Bill 20 this session. While WaterOne continues to oppose participation by water utilities in the Kansas One Call Center, we do appreciate the opportunity to voice our concerns. At this time, I thought it appropriate to comment on the bill as it is proposed to be amended because it is quite different from what we started with.

The tiered approach to membership with the One Call Center still poses problems in our opinion. Foremost, it is unacceptable for the Kansas One Call, a private corporation, to have the discretion to charge public water utilities a fee, to be determined outside of the statute, on a per referral basis. At the end of the day, water utilities will incur substantial costs from referral fees and the administrative cost of handling increased calls, many of which, at least in the case of WaterOne, will be irrelevant calls that do not require locates.

Senate Bill 20 remains a solution in search of a problem. Throughout this process, there has been very little evidence presented that there exists a problem with locating water and sewer utilities. The cost versus benefit of this bill must be considered and without some solid numbers from Kansas One Call and clear evidence that a real problem exists, that comparison is difficult for this Committee to make.

Thank you for your consideration of our continued opposition to SB 20.

#### Contact Information

Darci Meese, Government Affairs Coordinator  
Water District No. 1 of Johnson County, Kansas  
913-895-5516 direct  
913-579-9817 cell  
[dmeese@waterone.org](mailto:dmeese@waterone.org)

Senate Utilities Committee  
March 1, 2007  
Attachment 2-1



P.O. Box 226 • Seneca, KS 66538 • 785/336-3760  
FAX 785/336-2751 • <http://www.krwa.net>

February 28, 2007

To: Senate Utilities Committee

RE: Senate Bill 20 Compromise

Chairman Emler and Members of the Committee:

The Kansas Rural Water Association appreciates the work by the Senate Utilities Committee in previous hearings and developing a compromise on SB 20.

The Kansas Rural Water Association's board of directors, one member who is on the governing body of One Call, has repeatedly voted to oppose mandatory participation in Kansas One Call. This position is taken not because the Association is opposed to water or wastewater utilities locating their facilities, but instead, because many utilities have difficulty locating their facilities, and certainly not to within a 24" tolerance. It is our understanding that there are presently approximately 600 water systems that are not members of One Call.

We are frustrated to hear One Call state in a meeting at the KCC recently that they cannot narrow down a locate request to even one side of a 4-lane highway. Such lack of definition in turn causes locate requests to go out to adjoining properties and frequently, the locate request to the water system is to "mark entire property." It is not uncommon in rural water systems to be requested to mark all facilities in a quarter or half section of land. That's impractical. In order to narrow down the locate, the water system spends time finding the contractor to obtain a better description of the proposed work. Frequently out of state contractors will respond that they haven't even been issued work orders yet. While I have mentioned all these issues in SB 20 hearings, I think it is important to note that water systems which are not members of One Call are not experiencing damage to their pipelines. Water and wastewater utilities generally work directly with contractors, and vice-versa. We hope that the Committee will consider that because of the tolerance which One Call applies to issue locate requests, municipal and rural water systems are in cases inundated with requests. Each of those tickets has a direct charge but the One Call ticket charge is minor compared to the costs of sending personnel to investigate the request. In our view, the One Call process needs improvement. Adding 600 more water systems as clients isn't going to accomplish that.

For these reasons, the Kansas Rural Water Association continues to be opposed to mandatory participation by water and wastewater utilities in Kansas One Call.

Respectfully,

Elmer Ronnebaum  
General Manager

c: Board of Directors, Kansas Rural Water Association

Senate Utilities Committee  
March 1, 2007  
Attachment 3-1



# Kansas Energy Efficiency Disclosure

As required by KSA 66-1228

Kansas law requires the person building or selling a previously unoccupied new residential structure which is a single family or multifamily unit of four units or less shall disclose to the buyer or a prospective buyer, at any time upon request or prior to closing if changes have occurred or are requested, information regarding the energy efficiency of the structure. For new residential structures that are completed and suitable for occupancy, but unsold, the completed disclosure form shall be made available to the buyer or a prospective buyer by the builder or seller when the residence is shown and at any other time upon request.

Common Address or Legal Description of Residence:

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**Part 1: Builder *must* describe the following energy efficiency elements of this house:**

<b>2006 IRC/IECC*</b>		<b>Actual</b>	<b>2006 IRC/IECC*</b>
<b>Zone 4</b>		<b>Value</b>	<b>Zone 5</b>
	<b>Wall Insulation R-Value</b>	_____	R-
13	R-19 or 13 + 5		
	<b>Attic Insulation R-Value</b>	_____	R-
38	R-38		
	<b>Foundation Insulation R-Value</b>		
	Basement Walls	_____	R-
10/13	R-10/13		
	Crawlspace Walls	_____	R-
10/13	R-10/13		
	Slab-on-Grade	_____	R-
10, 2 ft	R-10, 2 ft		
	<b>Floors over Unheated Spaces R-Value</b>	_____	R-
19	R-30		
	<b>Window U-Value</b>	_____	
	0.40	0.35	

**Standards\*\***

**Water Heater**

Gas or Propane (Energy Factor)	_____	0.67 – (0.00019 ×
***) = _____		
Electric (Energy Factor)	_____	0.59 – (0.00019 ×
***) = _____		

**Heating and Cooling Equipment**

Warm-Air Furnace (AFUE)	_____	0.78
Air Conditioner (SEER)	_____	13
Air-Source Heat Pump-Cooling (SEER)	_____	13
Air-Source Heat Pump (HSPF)	_____	7.7

**Actual Current Federal Value Manufacturing**

[Note: Federal standards for geothermal heat pumps are not available.]

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**Part 2: Builder *may* provide the following additional information about this house:**

\_\_\_\_\_ This residence has been/will be built to meet the energy-efficiency standards of the International Energy Conservation Code of 2006 (IECC 2006).

\_\_\_\_\_ This residence is an Energy Star Qualified Home and has been verified and field tested in accordance with RESNET standards by a RESNET-accredited provider.

\_\_\_\_\_ This residence has received a Home Energy Rating (HERS) index score of 100 or less based on an energy audit performed in accordance with the Mortgage Industry National Home Energy Rating Systems Standards (July 1, 2006) by a rater certified by Residential Energy Services Network (RESNET).

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Seller Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Seller Name and Address: \_\_\_\_\_

\_\_\_\_\_ Buyer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Buyer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\* See reverse for more information on existing standards and explanation of abbreviations.

\*\* Equipment meeting federal standards may not always be available.

\*\*\* Insert rated storage volume in gallons.



[As Amended by House Committee of the Whole]

As Amended by House Committee

Session of 2007

HOUSE BILL No. 2036

By Committee on Energy and Utilities

1-9

13 AN ACT concerning ~~thermal~~ efficiency of buildings; relating to the ap-  
14 plicable standards; **relating to certain required disclosures**;  
15 amending K.S.A. 66-1227 and 66-1228 and repealing the existing  
16 sections.

17  
18 *Be it enacted by the Legislature of the State of Kansas:*

19 Section 1. K.S.A. 66-1227 is hereby amended to read as follows: 66-  
20 1227. (a) The International Energy Conservation Code ~~2003 2006~~ (IECC  
21 ~~2003 2006~~) is hereby adopted as the applicable ~~thermal~~ efficiency stan-  
22 dard for new commercial and industrial structures in this state.

23 (b) The state corporation commission has no authority to adopt or  
24 enforce energy efficiency standards for residential, commercial or indus-  
25 trial structures.

26 (c) Nothing in this section shall be construed to preclude a city or  
27 county from adopting or enforcing ~~thermal~~ efficiency standards for struc-  
28 tures within the jurisdiction of such city or county.

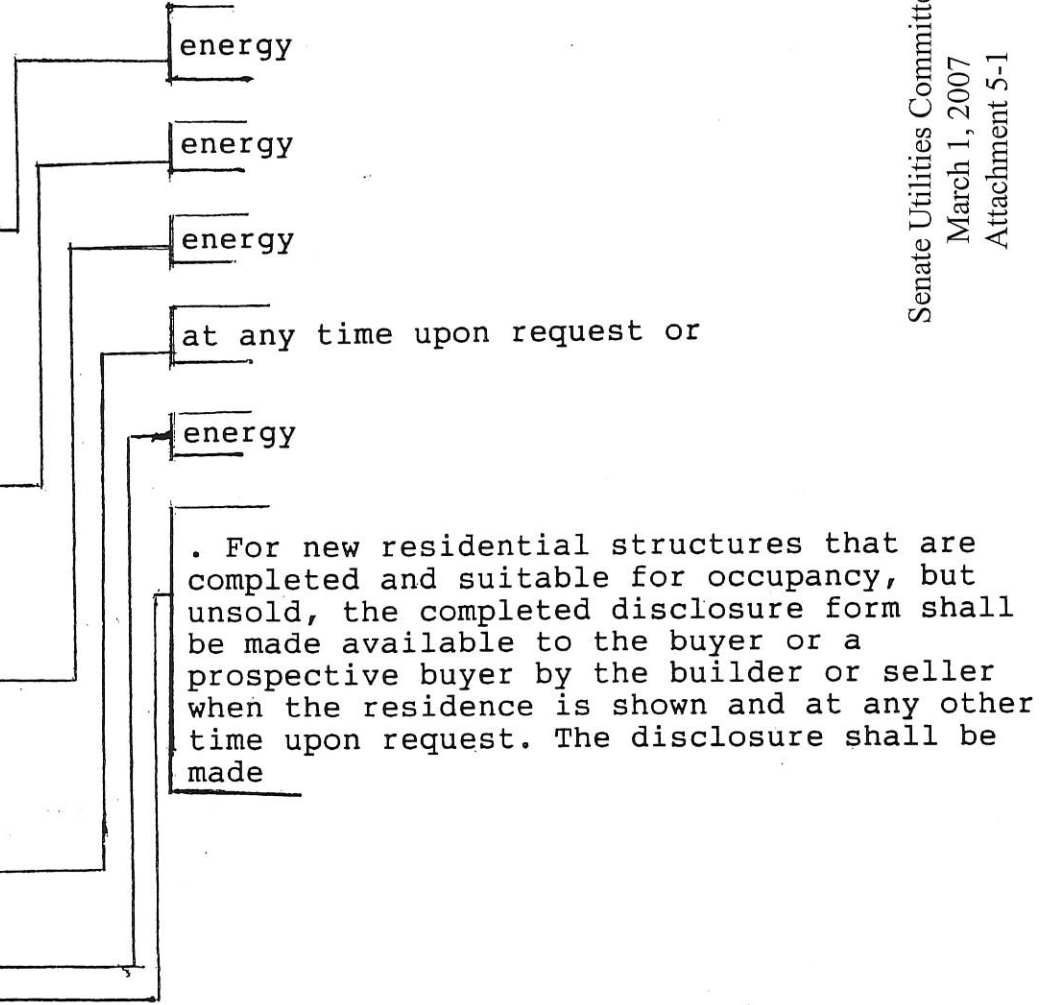
29 Sec. 2. K.S.A. 66-1228 is hereby amended to read as follows: 66-  
30 1228. (a) Except as provided by subsection (b), the person building or  
31 selling a previously unoccupied new residential structure **which is a sin-**  
32 **gle family or multifamily unit of three floors [four units or less**  
33 **shall disclose to the buyer or a prospective buyer, upon request or prior**  
34 **to the signing of the contract to purchase and prior to closing [if**  
35 **changes have occurred or are requested], information regarding the**  
36 ~~thermal~~ efficiency of the structure on a form prepared and disseminated  
37 by the state corporation commission, which form shall be substantially as  
38 follows:

“ENERGY EFFICIENCY DISCLOSURE

40 — This residence (mark one of the following):

41 — 1. Has been built to meet the energy efficiency standards of the International  
42 Energy Conservation Code ~~2003 2006~~.

43



Senate Utilities Committee  
March 1, 2007  
Attachment 5-1

5-2

- 1 ~~\_\_\_\_\_ 2. Has received a Home Energy Rating score of 80 or greater when performed~~
- 2 ~~in accordance with the Mortgage Industry National Home Energy Rating System Accred-~~
- 3 ~~itation Standard (June 15, 2002) by a rater certified and listed by the Residential Energy~~
- 4 ~~Services Network (RESNET).~~
- 5 ~~\_\_\_\_\_ 3. Has been built to include the following energy efficiency elements:~~
- 6 ~~(1) Insulation values (R-value of insulation installed) for each of the following:~~
- 7 ~~Ceiling with attic above R-value \_\_\_\_\_~~
- 8 ~~Cathedral ceiling R-value \_\_\_\_\_~~
- 9 ~~Opaque walls R-value \_\_\_\_\_~~
- 10 ~~Floors over unheated spaces R-value \_\_\_\_\_~~
- 11 ~~Floors over outside air R-value \_\_\_\_\_~~
- 12 ~~\_\_\_\_\_ Foundation type:~~
- 13 ~~Slab-on-grade \_\_\_\_\_~~
- 14 ~~Crawlspace \_\_\_\_\_~~
- 15 ~~Basement and percent of basement walls underground \_\_\_\_\_~~
- 16 ~~(2) Thermal properties of windows and doors for each of the following:~~
- 17 ~~Entry door(s) R-value \_\_\_\_\_~~
- 18 ~~Sliding door(s) R-value \_\_\_\_\_~~
- 19 ~~Other exterior doors R-value \_\_\_\_\_~~
- 20 ~~Garage to house door R-value \_\_\_\_\_~~
- 21 ~~Window U-value (determined from NFRC rating label or default table) \_\_\_\_\_~~
- 22 ~~(3) HVAC equipment efficiency levels:~~
- 23 ~~Heating systems:~~
- 24 ~~— Gas fired forced air furnace AFUE rating \_\_\_\_\_~~
- 25 ~~— Electric heat pump HSPF rating \_\_\_\_\_~~
- 26 ~~Air conditioning systems:~~
- 27 ~~— Electric unit SEER rating \_\_\_\_\_~~
- 28 ~~— Electric heat pump EER rating \_\_\_\_\_~~
- 29 ~~— Ground source heat pump EER rating \_\_\_\_\_~~
- 30 ~~— Duct insulation levels. Insulation R-value of ducts outside envelope \_\_\_\_\_~~
- 31 ~~Thermostat:~~
- 32 ~~— Manual control type \_\_\_\_\_~~
- 33 ~~— Automatic set-back type \_\_\_\_\_~~
- 34 ~~(4) Water heating efficiency levels:~~
- 35 ~~Water heater fuel type \_\_\_\_\_~~
- 36 ~~Water heater capacity \_\_\_\_\_~~
- 37 ~~NAECA energy factor \_\_\_\_\_~~
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5-3

# KANSAS ENERGY EFFICIENCY DISCLOSURE

As required by KSA 66-1229

Kansas law requires the person building or selling a previously unoccupied new residential structure to disclose to the buyer or prospective buyer, prior to signing the contract for purchase and prior to closing, information regarding the thermal efficiency of the structure (single or multifamily units, three floors or less).

Common Address or Legal Description of Residence:

## Part 1: Builder must describe the following energy efficiency elements of this house:

	Actual Value	Energy Star*
Wall Insulation R-Value	_____	10
Attic Insulation R-Value	_____	42
Foundation Insulation R-Value	_____	
Basement Walls	_____	10
Crawlspace Walls	_____	15
Slab-on-Grade	_____	8
Floors over Unheated Spaces R-Value	_____	30
Window U-Value	_____	.34
Water Heater	_____	
Gas or Propane (Energy Factor)	_____	.60
Electric (Energy Factor)	_____	.92
Heating and Cooling Equipment	_____	
Warm Air Furnace (AFUE)	_____	.93
Air Conditioner or Heat Pump - Cooling (SEER)	_____	14
Air Source Heat Pump (HSPF)	_____	8.6
Ground Loop Heat Pump - Heating (COP)	_____	3.9
Ground Water Heat Pump - Cooling (EER)	_____	22
Ground Water Heat Pump - Heating (COP)	_____	4.4

## Part 2: Builder may provide the following additional information about this house:

\_\_\_\_\_ This residence has been/will be built to meet the energy efficiency standards of the International Energy Conservation Code of 2006 (IECC 2006).

\_\_\_\_\_ This residence has received a Home Energy Rating (HERS) Index score of 100 or less based on an energy audit performed in accordance with the Mortgage Industry National Home Energy Rating Systems Standards (July 1, 2006) by a rater certified by Residential Energy Services Network (RESNET).

Seller Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Seller Name/Address: \_\_\_\_\_

Buyer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Buyer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*See reverse for more information on existing standards and explanation of abbreviations.

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**“KANSAS ENERGY EFFICIENCY DISCLOSURE**

[As required by K.S.A. 66-122B

[Kansas law requires the person building or selling a previously unoccupied new residential structure to disclose to the buyer or prospective buyer, prior to signing the contract for purchase and prior to closing, if changes have occurred or are requested, information regarding the thermal efficiency of the structure (single or multifamily units, four units or less).

[Common Address or Legal Description of Residence:

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[Part 1: Builder must describe the following energy efficiency elements of this house:

	[(R) Value]	Energy Star*	2006 IRC/IECC
[Wall Insulation _____ (Type)	_____	_____	_____
[Attic Insulation _____ (Type)	_____	_____	_____
[Foundation Insulation _____ (Type)	_____	_____	_____
[Basement Walls	_____	_____	_____
[Crawlspace Walls	_____	_____	_____
[Slab-on-Grade	_____	_____	_____
[Floors over Unheated Spaces _____ (Type)	_____	_____	_____
[Window U-Value	_____	_____	_____
[Water Heater			
[Gas or Propane (Energy Factor)	_____	_____	_____
[Electric (Energy Factor)	_____	_____	_____
[Heating and Cooling Equipment			
[Warm-Air Furnace (AFUE)	_____	_____	_____
[Air Conditioner or Heat Pump - Cooling (SEER)	_____	_____	_____
[Air-Source Heat Pump (HSPF)	_____	_____	_____
[Ground-Loop Heat Pump – Heating (COP)	_____	_____	_____
[Ground-Water Heat Pump – Cooling (EER)	_____	_____	_____
[Ground-Water Heat Pump – Heating (COP)	_____	_____	_____

See Attachment #1

[Efficiency of these heat pumps depends on groundwater temperatures, which depend on the location. These are moving numbers. Many cities have adopted the IRC code.

[Part 2: Builder may provide the following additional information about this house:

\_\_\_\_ This residence has been/will be built to meet the energy-efficiency standards of the International Energy Conservation Code of 2006 (IECC 2006).

\_\_\_\_ This residence has received a Home Energy Rating (HERS) index score of 100 or less based on an energy audit performed in accordance with the Mortgage Industry National Home Energy Rating Systems Standards (July 1, 2006) by a rater certified by Residential Energy Services Network (RESNET) [www.natresnet.org](http://www.natresnet.org).

[Seller Signature: \_\_\_\_\_ Date: \_\_\_\_\_

[Seller Name/Address: \_\_\_\_\_

[Buyer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

[Buyer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

[\*See reverse for more information on existing standards and explanation of abbreviations.\*]

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# KANSAS ENERGY EFFICIENCY DISCLOSURE

As required by KSA 66-1228

Kansas law requires the person building or selling a previously unoccupied new residential structure which is a single family or multifamily unit of four units or less shall disclose to the buyer or a prospective buyer, at any time upon request or prior to closing if changes have occurred or are requested, information regarding the energy efficiency of the structure. For new residential structures that are completed and suitable for occupancy, but unsold, the completed disclosure form shall be made available to the buyer or a prospective buyer by the builder or seller when the residence is shown and at any other time upon request.

Common Address or Legal Description of Residence:

**Part 1: Builder *must* describe the following energy efficiency elements of this house:**

	Actual Value	2006 IRC/IECC* Zone 4	2006 IRC/IECC* Zone 5
<b>Wall Insulation R-Value</b>	_____	R-13	R-19 or 13 + 5
<b>Attic Insulation R-Value</b>	_____	R-38	R-38
<b>Foundation Insulation R-Value</b>			
Basement Walls	_____	R-10/13	R-10/13
Crawlspace Walls	_____	R-10/13	R-10/13
Slab-on-Grade	_____	R-10, 2 ft	R-10, 2 ft
<b>Floors over Unheated Spaces R-Value</b>	_____	R-19	R-30
<b>Window U-Value</b>	_____	0.40	0.35

	Actual Value	Current Federal Manufacturing Standards**
<b>Water Heater</b>		
Gas or Propane (Energy Factor)	_____	0.67 - (0.00019 × _____ ***) = _____
Electric (Energy Factor)	_____	0.59 - (0.00019 × _____ ***) = _____
<b>Heating and Cooling Equipment</b>		
Warm-Air Furnace (AFUE)	_____	0.78
Air Conditioner (SEER)	_____	13
Air-Source Heat Pump-Cooling (SEER)	_____	13
Air-Source Heat Pump (HSPF)	_____	7.7

[Note: Federal standards for geothermal heat pumps are not available.]

**Part 2: Builder *may* provide the following additional information about this house:**

- \_\_\_\_\_ This residence has been/will be built to meet the energy-efficiency standards of the International Energy Conservation Code of 2006 (IECC 2006).
- \_\_\_\_\_ This residence is an Energy Star Qualified Home and has been verified and field tested in accordance with RESNET standards by a RESNET-accredited provider.
- \_\_\_\_\_ This residence has received a Home Energy Rating (HERS) index score of 100 or less based on an energy audit performed in accordance with the Mortgage Industry National Home Energy Rating Systems Standards (July 1, 2006) by a rater certified by Residential Energy Services Network (RESNET).

Seller Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Seller Name and Address: \_\_\_\_\_

Buyer Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Buyer Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\* See reverse for more information on existing standards and explanation of abbreviations.

\*\* Equipment meeting federal standards may not always be available.

\*\*\* Insert rated storage volume in gallons.

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**R-value = Thermal Resistance Rating** of insulation materials. The higher the R-value, the better the material resists heat flow (i.e., the better it insulates).

**U-value = Heat Loss Rating** of windows. The lower the U-value, the less the window loses heat (i.e., the better it prevents heat loss).

**Equipment Performance Ratings** (the higher the number, the more efficient the equipment)

**AFUE = Annual Fuel Utilization Efficiency:** used to rate gas or propane warm-air furnaces and small boilers.

**SEER = Seasonal Energy Efficiency Ratio:** performance indicator for residential air conditioners and air source heat pumps.

**HSPF = Heating Seasonal Performance Factor:** measures heating performance of air-source heat pumps.

~~**EER = Energy Efficiency Ratio:** used to rate window air conditioners and ground-loop or ground-water heat pumps in the cooling mode.~~

~~**COP = Coefficient of Performance:** used to rate ground-loop or ground-water heat pumps in the heating mode.~~

**Energy Factor:** performance indicator of water heater's overall energy efficiency based on the amount of hot water produced per unit of fuel consumed.

**Energy Star** [(based on climate zone as defined in the most current Energy Star Qualified Homes National Performance Path Requirements)] qualified homes are at least 15% more energy efficient than homes built to the 2006 International Energy Conservation Code (IECC). Energy Star is a joint program of the U.S. Environmental Protection Agency and Department of Energy. [Energy Star Performance Requirements: To qualify as Energy Star, a home must meet the minimum requirements specified, be verified and field-tested in accordance with the RESNET standards by a RESNET-accredited Provider, and meet all applicable codes.]

**The International Energy Conservation Code (IECC)**, developed by the International Code Council, sets standards for energy efficiency in homes and commercial and industrial buildings. It is revised on a three-year cycle, with a supplement issue midway through each cycle.

**The HERS Index** is a scoring system established by the Residential Energy Services Network (RESNET) in which a home built to the specifications of the HERS Reference Home (based on the 2006 International Energy Conservation Code) scores a HERS Index of 100, while a net zero energy home scores a HERS Index of 0. The lower the score, the more energy efficient a home is in comparison to the HERS Reference Home. Each 1-point decrease in the HERS Index corresponds to a 1% reduction in energy consumption compared to the HERS Reference Home. Thus a home with a HERS Index of 85 is 15% more energy efficient than the HERS Reference Home and a home with a HERS Index of 80 is 20% more energy efficient.

**RESNET Standards** ensure that accurate and consistent home energy ratings are performed by accredited home energy rating systems nationwide; increase the credibility of the rating systems with the mortgage finance industry; and promote voluntary participation in an objective, cost-effective, sustainable home energy rating process. This accreditation process will be used by the mortgage industry to accept home energy ratings and by the states to assure accurate, independent information upon which a state may recognize the home energy ratings as a compliance method for state building energy codes; as qualification for energy programs designed to reach specific energy saving goals; and as a way to provide its housing market the ability to differentiate residences based on their energy efficiency. The Mortgage Industry National Home Energy Rating Systems Standards (July 1, 2006) can be found at [http://www.natresnet.org/standards/mortgage/RESNET\\_Standards-2006.pdf](http://www.natresnet.org/standards/mortgage/RESNET_Standards-2006.pdf).

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1 (b) If a structure is subject to both the national manufactured housing  
2 construction and safety standards act (42 U.S.C. 5403) and the federal  
3 trade commission regulation on labeling and advertising of home insula-  
4 tion, 16 CFR section 460.16, both as in effect on the effective date of this  
5 act, the builder or seller may disclose, instead of the information required  
6 by subsection (a), the information regarding such structure that is re-  
7 quired to be disclosed pursuant to such federal act and regulation.

8 Sec. 3. K.S.A. 66-1227 and 66-1228 are hereby repealed.

9 Sec. 4. This act shall take effect and be in force from and after its  
10 publication in the statute book.