

MINUTES OF THE HOUSE ENERGY AND UTILITIES COMMITTEE

The meeting was called to order by Vice-Chair Forrest Knox at 9:00 a.m. on February 17, 2010, in Room 785 of the Docking State Office Building.

All members were present except:

Representative Dan Johnson- excused

Committee staff present:

Matt Sterling, Office of the Revisor of Statutes
Mary Torrence, Office of the Revisor of Statutes
Cindy Lash, Kansas Legislative Research Department
Iraida Orr, Kansas Legislative Research Department
Renaë Hansen, Committee Assistant

Conferees appearing before the Committee:

Reggie Robinson, President and CEO, Kansas Board of Regents

Others attending:

Thirty including the attached list.

Presentation on:

Kan-Ed

Reggie Robinson, (Attachment 1) presented a power point to the committee on the current status of Kan-Ed and the specific benefits that the state of Kansas has enjoyed with the decision of the state to develop Kan-Ed.

Questions were asked and comments made by Representatives: Tom Sloan, Forrest Knox, Milack Talia, Vern Swanson, Rob Olson, Carl Holmes, and Annie Kuether.

Brad Williams, Kan-Ed, helped to answer questions that were asked by committee members.

Continued Action on:

HB 2662 - Concerning the wind generation permit act.

Representative Tom Moxley noted a few technical issues that the committee noted needed changing (b) and (c) changed and transmission lines removed from language on the front page and, a change on page 3.

Questions were asked and comments made by Representatives: Vern Swanson, Tom Moxley, Annie Kuether, and Tom Sloan.

Representative Tom Sloan called the question.

On the motion from Monday February 15, 2010:

Motion to amend was passed.

Representative Tom Sloan moved to strike on page one lines 17-20 and line 24 transmission lines... page 3 strike lines 14-28 with the exception of the words in Sec 5. The motion died for lack of a second.

Questions were asked and comments made by Representative Forrest Knox.

Representative Tom Moxley made the motion to not move HB 2662 out of committee. Seconded by Representative Annie Kuether. Motion carried.

CONTINUATION SHEET

Minutes of the House Energy and Utilities Committee at 9:00 a.m. on February 17, 2010, in Room 785 of the Docking State Office Building.

Continued Action on:

HB 2624 - Concerning construction of new school buildings.

Representative Milack Talia moved to amend **HB 2624** (Attachment 2). Seconded by Representative Mike Slattery.

Questions were asked and comments made by Representatives: Milack Talia, Mike Slattery, Forrest Knox, Tom Sloan, Cindy Neighbor, Vern Swanson, and Don Myers.

Motion to amend passed.

Representative Milack Talia moved to pass **HB 2624** favorably as amended. Seconded by Representative Mike Slattery.

Questions were asked and comments made by Representatives: Tom Sloan, and Milack Talia.

Motion failed.

Chairman Holmes explained what would happen in the committee the next week and requested committee members to take their materials but leave their folders as the House has a short supply of them.

The next meeting is scheduled for February 25, 2010.

The meeting was adjourned at 10:29 a.m.

HOUSE ENERGY AND UTILITIES COMMITTEE GUEST LIST

DATE: February 17, 2010

NAME	REPRESENTING
Maui Hartnett	CEP
Phil Wages	KEPCO
Peter Brodie	Emporia State
Tom Gargner	AT&T
Dave Hutton	KEC
Doug Smith	KLPG
Pat Orr	DOA
Nelson Kuegler	PAR Electric
Brad Williams	KBOR
Jerry Huff	KBOR
Cheraine Chambers	KBOR
SCOTT SCHNEIDER	Lox Comm
Kimberly Satey	Weed Coalition
Bill Brady	Capital Strategies
HARRY BERG	MIDWEST ENERGY
Scott Jones	KEPC
John Idoux	CenturyLink
Mack Schreiber	Westar
Dennis Kinsal	KS Assn of Counties

HOUSE ENERGY AND UTILITIES COMMITTEE GUEST LIST

DATE: February 17, 2010

NAME	REPRESENTING
Steve Adams	KDWP
Mari Tucker	Commerce
AARON PETERSON	juwi Wind
Shuly Allen	KRITC
Tom DAY	KCC
Wleen Jennise	COX
Jessica Brooks	Intern
Lon Stanton	Northern NATURAL GAS
Whitney Jarrow	Iberdrola
Tom Bruno	Horizon
Chris Cardinal	KS Sierra Club
Rob Johnson	Federize Consultant
Peggy Robins	KSON
Mike Reecht	Markus Braden
DH	KFC

KANSAS BOARD OF REGENTS



HOUSE ENERGY AND UTILITIES

DATE: 2/17/2010

ATTACHMENT 1-1

HOUSE ENERGY & UTILITIES COMMITTEE
February 17, 2010

Reginald L. Robinson
President & CEO

★ LEADING HIGHER EDUCATION ★

Your Kan-ed Folder

- Contains:
 - A copy of today's presentation.
 - Specific District Benefit Information:
 - Shows Kan-ed Connectivity In Your District.
 - Shows Grant Funding Received in your District for Equipment and Connectivity.
 - Shows Hospital EMResource Connectivity for any Hospital in your District.
 - Shows Kan-ed Empowered Desktop Portal Use in your District.
 - Case Study of Kan-ed Use and Quotes from Members in your District.
 - Usage Map of Kan-ed Live Tutor Services in your District.

Kan-ed Brief History/Overview

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- The Kan-ed Act of 2001
 - “...to provide for a broadband technology-based network to which schools (K-12 and higher education), libraries and hospitals may connect for broadband internet access and intranet access for distance learning.”
 - Codified in April 2001 and funded January 2003.
 - Originally funded at \$10 million per year through the Kansas Universal Service Fund (KUSF).
- Currently funded at \$10 million per year through the KUSF.
- The 1996 Kansas Telecom Act: *“Advance the development of a statewide telecommunications infrastructure that is capable of supporting applications, such as public safety, telemedicine, services for persons with special needs, distance learning, public library services, access to internet providers and others.”*

Kan-ed 2.0 Fast Facts:

- Kan-ed 2.0 went online January 1, 2009.
 - Advanced new network technology that replaces dedicated, under-utilized leased broadband connections.
 - 577 connections with over 2000 sites- Up from 315 connections in Kan-ed 1.0.
 - 49% of the membership are **connected** to the network.
 - In 2010, Kan-ed has filed E-rate for 207 school districts, 183 libraries, 32 schools, 6 educational consortia for a total of 428 entities.
 - 433,771 people have user accounts on the Kan-ed Empowered Desktop.
 - Kan-ed provides valuable teaching, administrative and general use databases and programs within the Kan-ed Empowered Desktop.
 - Every hospital in Kansas is connected to EMResource.
 - Disaster resource tracking database located in emergency rooms.
 - Kan-ed works with phone, cable and ISP companies, and two Community Based Network (CBN's) to bring services and broadband to Kan-ed members.
 - Over 36,000 video conferences are scheduled between August 2009 and June 2010 (actual number is higher due to ad-hoc (non-scheduled) video sessions).
 - Kan-ed provides services to schools and libraries that remove barriers to receiving federal funding (filtering for CIPA, E-Rate support).
 - Kan-ed provides thousands of one-on-one online tutoring sessions.

Detailed Kan-ed Member Services

- Provide a minimum of a T-1 (1.5mb) to Kan-ed members at no or very little charge, and 3.0mb at a reduced cost:
 - Grant program for independent telecom and broadband providers to equalize cost benefit. Includes grant funding for member, and grant funding for provider (aggregation equipment).
 - Provides both commercial internet and private network access “integrated connections”.
- Online Web portal called the Kan-ed Empowered Desktop:
 - Single-sign on authenticated Portal with 433,771 users.
- Partner with the State Library, Topeka Shawnee County Library and Johnson County Library to provide Educational and Research Databases (through Kan-ed Empowered Desktop or State Library card) to the State of Kansas.
- Emergency Management Resource – (EMResource):
 - Disaster resource tracking database located in emergency rooms.
 - All Kan-ed eligible hospitals are connected.
- E-rate 1-800 telephone support:
 - Available to ALL members (connected or not).
- Access to Connected Kansas Kids Programming:
 - Keeps chronic or terminally ill kids in the “classroom” virtually using videoconferencing.

Detailed Kan-ed Members Services (cont.)

- Multipoint Control Unit (MCU) Access:
 - Hardware that connects video calls from Kan-ed to anywhere in the world.
 - Over 300 video rooms in the State of Kansas.
- Renovo Scheduled Video Conference Services:
 - Schedules video calls and makes connections to equipment automatically so teachers spend time teaching, not messing with equipment.
- Network Operation Center (NOC) Support 24/7.
- Provides for alternate access to a private, secure network for video and data services that take priority:
 - Traffic does not need to compete with the commercial internet.
- Access to Internet 2 content and services:
 - Virtual field trips, research, NASA, JASON
- Enhancing Technology Grant Program for Video and Local Area Network equipment grants:
 - E-rate dollars are used to fund this program.
 - Provides grants for members and telecom / cable providers.

Kan-ed Collaboration

- Kan-ed is working with KDHE on the Health Information Technology (HIT) Initiative:
 - Kan-ed Executive Director serves as chair of the Technical Infrastructure Committee and is on the E-Health Advisory Committee (EHAC) Steering Committee and a voting member on the EHAC.
 - Includes studying funding models for HIT expansion
 - Includes all state agencies, private health care entities, and DISC (KANWIN).
- Kan-ed serves on the Governor's Next Generation 911 Council:
 - Policy board that oversees the Next Generation federal 911 grant implementation.
- Kan-ed has hosted several video conferences for policymakers, including the Governor's Pandemic Conference, Senate Ways and Means with federal policy makers on the ARRA funding, JCIT presentations and the Governor has personally used Kan-ed several times to reach out to education groups in Kansas.
- Kan-ed works with the Children's Discover Center in Topeka (a state resource) providing technology advice, grant program funding for K-12 programs at the center, and assisting with connectivity for virtual field trips and programs.
- RUS Grant \$421,876 to establish connectivity, telemedicine and tele-radiology between 15 western Kansas Hospitals:
 - No overhead or administrative funding for Kan-ed.
- Work with other state agencies to help them connect to Kan-ed members:
 - Fire Marshall, Department of Labor, JJA, Legislature, etc., DISC (KanWIN).
- State Library Grant for an E-rate position.

Drivers of Network Growth and Needs in Kansas

- Video Conferencing:

- Less travel time
- Travel savings
- Not enough teachers / staff
- Professional development and training
- Reduces the carbon footprint (less travel)
- Gartner Consulting lists videoconferencing technology as a “Transformative Technology” in the next 2-5 years.
- Kan-ed has placed Kansas ahead of the curve.

- K-20 utilizing worldwide learning experiences:

- Online assessments (LearningStation TestBuilder) based on State assessment standards for specific, customized quizzing and testing.
- Physics, Math, Foreign Language, general need for teachers in rural areas (Greenbush Mandarin Chinese in Lawrence)
- Talking with global student communities
- Access to advanced research and education databases
- CIPA protected access to information and resources for students, teachers and administrators.

Drivers of Network Growth and Needs in Kansas (cont.)

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- Colleges and universities meeting the growing demands of:
 - Non-traditional, adult learners
 - Professionals returning for certifications, additional degree work, specialized training
 - Students with advanced technical knowledge and requirements as they review universities for possible attendance
 - Online and distance learning having global implications
 - Research needs and large data manipulation and sending/receiving of data from other universities on research projects
 - National Science Foundation (NSF) grant requirements
- Libraries becoming the “hub” for advanced communications in their communities.
 - Communities reaching out to other communities for information sharing and networking
 - Employers using libraries for training (Burlington Library)
 - Public internet access for library patrons
 - Access to advanced databases for research and education for the community
 - Kan-ed (KBOR) is on the State Library of Kansas Board (statutorily charged to ensure and maximize participation with the Kan-ed network)

Drivers of Network Growth and Needs in Kansas (cont.)

- Hospitals, Telemedicine, and Health Information Exchange
 - Secure data transfers that meet HIPPA guidelines.
 - Training (CNE's and CME's).
 - Professional development (speakers and seminars).
 - Telemedicine in rural and urban areas.
 - Medical outreach programs and information.
 - Kan-ed is engaged in the KDHE E-Health Advisory Committee on their Health Information Network Initiative request by the Governor.

Questions?

Section 1. (a) When a board of education issues a request for proposal or a request for quotation for the construction of any new school building, all bidders responding to the request shall provide construction cost estimates for the school building along with alternates as specified by the bid documents.

(b) The board shall retain the option to select any, or none, of the alternates.

(c) The provisions of this section shall not apply to the construction of any new school building if the bidding for the construction has closed and the contract has been awarded prior to the effective date of this act.

(d) As used in this section: (1) "Alternate" means a separate bid, apart from the base cost estimates concerning the construction of the new school building, itemizing all the energy efficiency measures that fit the school's size, function and location.

(2) "Bid document" means the construction drawings, specification documents and any other construction documents related to the base cost estimate, the request for proposal or the request for quotation.

~~(2)~~ (3) "Board of education" means the board of education of any school district.

~~(3)~~ (4) "Energy efficiency measures" mean the use of features or equipment designed to provide energy, utility and operational cost savings and may include, but are not limited to, the following:

(A) Insulation in walls, roofs, floors and foundations and in heating and cooling distribution systems;

(B) building envelope items, such as roofing, masonry, foundation, windows and doors;

(C) automated or computerized energy control systems;

(D) geothermal heating or cooling pumps, heating, ventilating or air conditioning and distribution system modifications or replacements;

(E) caulking and weather-stripping;

(F) lighting fixtures to increase the energy efficiency of the system without increasing the overall illumination unless the increase in illumination is necessary to conform to the applicable building code for the proposed lighting system;

(G) energy recovery systems;

(H) daylighting systems;

(I) cogeneration systems that produce steam or forms of energy such as heat, as well as electricity;

(J) tankless hot water systems, solar hot water systems and low-flow bathroom fixtures and toilets; and

(K) any other modification, installation or remodeling approved as an energy, utility or operational cost savings measure by the board of education.

~~(4)~~ (5) "School building" means any building or structure operated or used for any purpose by, or located upon the land of, any school district. "School building" does not mean any building or structure operated or used for any purpose by, or located upon the land of, a private school or any

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ATTACHMENT 2-1

owner-occupied, single-family dwelling in which instruction is provided by a home school.

Section 2. (a) When a postsecondary educational institution issues a request for proposal or a request for quotation for the construction of any new building, all bidders responding to the request shall provide construction cost estimates for the building along with alternates as specified by the bid documents.

(b) The postsecondary educational institution shall retain the option to select any, or none, of the alternates.

(c) The provisions of this section shall not apply to the construction of any new building if the bidding for the construction has closed and the contract has been awarded prior to the effective date of this act.

(d) As used in this section: (1) "Alternate" means a ~~separate~~ bid, apart from the base cost estimates concerning the construction of the new school building, itemizing all the energy efficiency measures that fit the school's size, function and location.

(2) "Bid document" means the construction drawings, specification documents and any other construction documents related to the base cost estimate, the request for proposal or the request for quotation.

~~(2)~~ (3) "Building" means any building or structure operated or used for any purpose by, or located upon the land of, any postsecondary educational institution or private postsecondary educational institution.

~~(3)~~ (4) "Postsecondary educational institution" has the meaning ascribed thereto in K.S.A. 74-3201b, and amendments thereto.

~~(4)~~ (5) "Energy efficiency measures" mean the use of features or equipment designed to provide energy, utility and operational cost savings and may include, but are not limited to, the following:

- (A) Insulation in walls, roofs, floors and foundations and in heating and cooling distribution systems;
- (B) building envelope items, such as roofing, masonry, foundation, windows and doors;
- (C) automated or computerized energy control systems;
- (D) geothermal heating or cooling pumps, heating, ventilating or air conditioning and distribution system modifications or replacements;
- (E) caulking and weather-stripping;
- (F) lighting fixtures to increase the energy efficiency of the system without increasing the overall illumination unless the increase in illumination is necessary to conform to the applicable building code for the proposed lighting system;
- (G) energy recovery systems;
- (H) daylighting systems;
- (I) cogeneration systems that produce steam or forms of energy such as heat, as well as electricity;

(J) tankless hot water systems, solar hot water systems and low-flow bathroom fixtures and toilets; and

(K) any other modification, installation or remodeling approved as an energy, utility or operational cost savings measure by the board of education.

(e) The provisions of this section shall not apply to any postsecondary educational institution that does not receive or expend any state moneys to pay for energy, utility or operational costs.

Sec 3. This act shall take effect and be in force from and after its publication in the Kansas register.