

MINUTES OF THE HOUSE UTILITIES COMMITTEE

The meeting was called to order by Chairman Carl Holmes at 9:00 A.M. on February 10, 2006 in Room 231-N of the Capitol.

All members were present except:

Vaughn Flora- Absent

Committee staff present:

Mary Galligan, Kansas Legislative Research
Dennis Hodgins, Kansas Legislative Research
Mary Torrence, Revisor's Office
Rena Hansen, Committee Secretary

Conferees appearing before the committee:

Bruce Sneed, Kansas Energy Council
Dave Holthous, Kansas Electric Cooperatives, Inc.
Kimberly Gincer, Aquila
Mark Schreiber, Westar

Others attending:

See attached list.

Bruce Sneed, offered comments about the amendments in **HB 2657** and how those changes would help encourage the utilities companies to begin to offer help in energy conservation education. He stated that the bill built upon statute 26-2784.

Continued Hearing on:

HB 2657 **Recovery of certain amounts spent by electric or natural gas public utility for customer energy efficiency and conservation programs.**

During the question and comment period Dave Holthous, Kimberly Gincer and Mark Schreiber were also asked questions. Mary Torrence gave some interpretation of the statutes.

Questions were asked by Representatives: Tom Sloan, Forrest Knox, Tom Hawk, Virginia Beamer, Rob Olsen, Peggy Mast, Oletha Faust-Goudeau, and Lynne Oharah.

Hearing Closed.

Action on:

HB 2703 **Nuclear generating facility, security guards.**

Representative Tom Sloan presented a balloon amendment, (Attachment 1).

Representative Peggy Mast moved to accept the amended version of **HB 2703**. Seconded by Representative Jim Morrison.

Discussion followed with questions and comments by Representatives: Josh Svaty, Jason Watkins, Carl Krehbiel, Don Myers, Tom Hawk, Forrest Knox, Judy Morrison, Annie Kuether, and Mitch Holmes. Comments about the bill were also expressed by Revisor Mary Torrence.

Representative Mast closed.

Motion Passed.

Representative Josh Svaty asked that his No vote to the amendment be recorded.

CONTINUATION SHEET

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Representative Peggy Mast to move the amended **HB 2703** favorably from committee. Seconded by Representative Rob Olsen.

Discussion followed with comments and questions by Representatives: Josh Svaty, Carl Krehbiel, Margaret Long, Annie Kuether, Forrest Knox, Oletha Faust-Goudeau,

Representative Mast closed on the bill.

Motion Carried.

Representative Carl Krehbiel will carry the bill on the house floor.

Action on:

HB 2657 **Recovery of certain amounts spent by electric or natural gas public utility for customer energy efficiency and conservation programs.**

Representative Sloan moved to strike section C of the balloon amendment. Seconded by Representative Annie Kuether.

Discussion followed with comments and questions by Representatives: Jason Watkins, Carl Krehbiel, Lynne Oharah, and Peggy Mast.

Representative Sloan closed the discussion.

Motion Unanimously passed.

Representative Carl Krehbiel moved to change 1. section d. and have a period after the word programs and strike the remainder of the sentence from the word explicit, 2. Section e. take out “, by order,” 3. Section f. add as long as KCC pays for such reviews with appropriated funds. Seconded by Representative Jason Watkins.

Representative Tom Sloan made a comment that the KCC is not funded through the State General Funds that are appropriated but through fees paid by the utilities and suggested that Representative Krehbiel might want to take that portion of the amendment off his motion.

Representative Carl Krehbiel withdrew his amendment.

Representative Carl Krehbiel moved to change 1. section d. and have a period after the word programs and strike the remainder of the sentence from the word explicit, 2. Section e. take out “, by order,”. Seconded by Representative Jason Watkins. Motion unanimously passed.

Comments were made by Representatives: Annie Kuether and Tom Sloan.

Representative Annie Kuether moved to exclude from the order all the Kansas cooperatives including the five regulated cooperatives. Seconded by Representative Josh Svaty.

Questions and comments were made by Representatives: Lynne Oharah, Carl Holmes, Forrest Knox, Tom Hawk, and Oletha Faust-Goudeau.

One comment alluded to the fact that if these cooperatives chose to promote energy efficiency would they still qualify to get their said rate of return and it was decided that if they were taken out of the bill they would not then be eligible to meet their rate of return if lowered because of the cost of the energy efficiency programs.

Representative Kuether closed.

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A voice count was taken and a division was called.

Motion failed 8-9.

Representative Lynne Oharah moved to change section b wording from “shall” to “may”. Seconded by Representative Tom Hawk.

Comments and questions were posed by Representatives: Carl Krehbiel, Annie Kuether, Lynne Oharah, Forrest Knox, Mitch Holmes, and Don Myers.

Representative Oharah closed.

Motion Failed.

Representative Tom Sloan moved to pass out of committee amended **HB 2657**. Seconded by Representative Don Myers.

Comments were made by Representative Jason Watkins.

Representative Sloan closed.

Motion passed.

Representative Forrest Knox will carry the bill to the House floor.

Action on:

HB 2642 **Energy policy advisory group established; state energy plan.**

Representative Tom Sloan moved to take **HB 2642** off the table. Seconded by Representative Annie Kuether. Motion passed unanimously.

Representative Tom Sloan moved to amend **HB 2642** by 1. Changing line 24 page 1, to “three” representatives of other energy producers from “two”, 2. Changing line 25 sub-point D page 1, to “two” from “three” representatives of the energy consuming general public, 3. Line 34-38, the number of legislators from “6” to a total of “2” with one being appointed by the Speaker of the House and one from the President of the Senate, and 4. Line 42, strike sub-point H that continues onto page 2, and 5. Line 21 page 2, to “one” from “two” research staff members. Seconded by Representative Annie Kuether.

Comments and questions were asked by Representatives: Melody Miller, Josh Svaty, Annie Kuether, Carl Krehbiel, Lynne Oharah, and Forrest Knox.

Representative Tom Sloan Closed.

Motion to amend passed.

Representative Josh Svaty moved to amend the amended **HB 2642** Lines 34-38 to include 2 members from the House of Representative and 2 members from the Kansas Senate, one from the minority party and one from the majority party from each body. Seconded by Representative Melody Miller.

Comments were made by Representatives: Carl Krehbiel and Lynne Oharah.

Motion passed.

CONTINUATION SHEET

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Representative Carl Krehbiel moved to amend **HB 2642** page 2 line 17 from September 1, 2006 to January 1, 2007. Seconded by Representative Rob Olson.

Comments and questions were asked by Representatives: Annie Kuether, Tom Sloan, Forrest Knox, and Carl Krehbiel.

Motion passed.

Representative Annie Kuether moved to pass **HB 2642** as amended favorably to the house floor. Seconded by Representative Oletha Faust-Goudeau.

Comments were made by Representatives: Carl Krehbiel, Tom Sloan, Don Myers, Forrest Knox, Mitch Holmes, and Jason Watkins.

Closing comments were made by Representative Kuether.

The question was called on the vote.

Motion carried 12-6.

Representative Tom Sloan will carry the bill to the House floor.

The next meeting is scheduled for February 14, 2006 where we will hear continued information from KAN-ED.

Meeting adjourned.