

MINUTES OF THE HOUSE ENERGY AND UTILITIES COMMITTEE

The meeting was called to order by Chairman Carl Holmes at 9:00 A.M. on February 2, 2007 in Room 241-N of the Capitol.

All members were present.

Committee staff present:

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

Conferees appearing before the committee:

Others attending:

Thirty including the attached list.

**HB 2127: Electric generation facilities, parallel generation contracts.**

Representative Sloan (Attachment 1) moved to amend HB 2127 with the balloon offered and the word "net" added on page 3 section 2 f. preceding the word energy and following (1). Seconded by Representative Annie Kuether.

Discussion ensued by Representatives: Don Myers, Tom Sloan, Carl Holmes, Vern Swanson, Peggy Mast, Josh Svaty, and Forrest Knox.

Representative Tom Sloan closed.

Motion passed

Representative Josh Svaty moved to amend HB 2127 conceptually removing the portions dealing with 1.5 MW generation leaving the cap in at 200KV and on page one line 43 add school after the word less. Second by Representative Vern Swanson.

Discussion by Representatives: Tom Sloan, Josh Svaty, Don Myer, Tom Moxley.

Representative Josh Svaty closed on the motion.

Motion Failed.

Representative Don Myers moved to amend HB 2127 page one line 33 remove small (i) through (ii) line 35. Seconded by Representative Peggy Mast

Discussion by Representatives: Annie Kuether, and Peggy Mast.

Representative Don Myer closed.

Motion passes 10-9.

CONTINUATION SHEET

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Questions were asked by Representative Carl Holmes.

Representative Tom Sloan moved to pass **HB 2127** as amended favorably, Seconded by Representative Vern Swanson.

Comments were made by Representatives : Tom Moxley, and Tom Sloan.

Representative Sloan closed, noting the Governors initiative on renewable energy 10% by 2010, and 20% by 2020.

Motion passed 13- 6.

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

**HB 2219: Moratorium on construction of coal fired electric generation.**

Representative Tom Hawk moved substitute bill for **HB 2219** related to testing for mercury (Attachment 2). Seconded by Representative Josh Svaty.

Discussion ensued on the amendment to **HB 2219** by Representatives: Tom Hawk, Tom Sloan, Forrest Knox, Vaughn Flora, Don Myers, and Josh Svaty.

Representative Tom Hawk closed on the motion.

Motion failed 8-10.

Representative Tom Hawk offered a second substitute for **HB 2219** (attachment 3) . Seconded by Representative Annie Kuether,

Discussion by Representatives Tom Sloan, and Tom Hawk.

Motion failed.

Representative Annie Kuether moved to table **HB 2219**. Seconded by Representative Margaret Long. Motion to table passed.

**HB 2220: Electric utility recovery of transmission-related costs.**

Representative Peggy Mast moved to pass **HB 2220** and place it on the consent calender. Representative Richard Proehl seconded the motion. Motion passed.

Representative Peggy Mast will carry the bill on the house floor if it is pulled off of the consent calender.

CONTINUATION SHEET

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It was noted that Representative Josh Svaty did not vote on the bill

**HB 2169: K DFA issuance of bonds for energy conservation measures.**

Representative Tom Sloan (Attachment 4) moved to amend and adopt the balloon for HB 2169 he presented. Seconded by Representative Tom Hawk. Motion carried.

Representative Tom Sloan moved to pass as amended HB 2169. Seconded by Representative Tom Hawk.

Comments were made by Representative Peggy Mast.

Motion carried.

Terry McLachlan will carry **HB 2169** on the house floor.

**HB 2033: Certain public utility construction work in progress required to be included in rate base.**

Representative Forrest Knox (Attachment 5) moved to adopt the amendment on HB 2033 that came out of the sub-committee. Seconded by Representative Bill Light. Motion carried.

Representative Forrest Knox moved to make a second amendment to HB 2033 (Attachment 6) striking reasonably or prudently incurred, and replacing it with "efficient and prudent". Seconded by Representative Bill Light.

Questions asked to staff by Representative Josh Svaty and answered by Mary Torrence.

Motion Carried.

Representative Cindy Neighbor moved to recommend HB 2033 as amended favorably for passage. Seconded by Representative Terry McLachlan.

Discussion ensued by Representatives: Tom Moxley, and Forrest Knox.

Representative Cindy Neighbor closed on the bill.

Motion passed.

Representative Forrest Knox will carry **HB 2033** on the House floor.

**HB 2240: Sales taxation; sales tax exemptions; service for rebuilding of public utility facilities.**

CONTINUATION SHEET

MINUTES OF THE House Energy and Utilities Committee at 9:00 A.M. on February 2, 2007 in Room 241-N of the Capitol.

Representative Tom Sloan moved to amend **HB 2240** (Attachment 7). Representative Cindy Neighbor seconded the motion.

Discussion ensued by Representatives: Peggy Mast, and Tom Sloan.

Revisor Jason Long, described the differences in what was handed out and what the intent was.

Questions and comments by Representatives: Carl Holmes, Richard Proehl, Don Myers, and Tom Sloan.

Motion Carried.

Questions were asked and comments made by Representatives: Vaughn Flora, Tom Sloan, Josh Svaty, and Carl Holmes.

Representative Peggy Mast moved to pass out of committee **HB 2240** as amended Representative Rob Olson seconded the motion. Motion carried.

Representative Peggy Mast will carry the bill on the House floor

**HB 2157:**     **KCC survey on deployment of broadband technologies.**

Representative Sloan moved to amend, **HB 2157**. There was no second.

Representative Tom Sloan cited Dr. Mark Bannister's letter, and noted that he had conversed with former Representative Jim Yonally who does survey costs for a living and those costs would be estimated at \$60,000 for a survey of this magnitude.

Representative Tom Sloan moved to recommend **HB 2157** favorable for passage. There was no second. Motion dies for lack of second.

**HB 2221:**     **Promotions by local exchange carriers within an exchange or group of exchanges, conditions.**

There was no discussion and **HB 2221** lacked a motion and second.

Discussion of movement of **HB 2221** was closed.

Researcher Mary Galligan will give the committee a report Monday February 5<sup>th</sup> on the conference that took place in Manhattan, Kansas on renewable energy.

The next meeting is scheduled for Monday February 5, 2007.

Meeting adjourned.