

Approved: March 19, 2010

Date

MINUTES OF THE HOUSE ENERGY AND UTILITIES COMMITTEE

The meeting was called to order by Chairman Carl Holmes at 9:00 a.m. on March 10, 2010, in Room 785 of the Docking State Office Building.

All members were present except:

Representative Dan Johnson- excused  
Representative Cindy Neighbor - excused

Committee staff present:

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

Conferees appearing before the Committee:

None

Others attending:

Eight including the attached list.

Hearing on:

**HB 2729 - Concerning cities and counties; creating energy management districts**

There were no conferees.

The hearing was closed on **HB 2729**.

Action on:

Representative Milack Talia moved to amend **HB 2729** with a technical amendment (Attachment 1).  
Seconded by Representative Tom Moxley. The motion to amend passed.

Discussion ensued between Representatives: Don Myers, Milack Talia, Carl Holmes, Richard Proehl, and Vince Wetta.

Representative Milack Talia moved to pass out **HB 2729** favorably as amended. Seconded by Representative Annie Kuether.

Discussion ensued by Representatives: Rob Olson, Milack Talia, Tom Moxley, Tom Sloan, Forrest Knox, and Carl Holmes.

The motion to pass **HB 2729** favorably out of committee, as amended, passed 12-4.

Action on **HB 2729** was closed.

Discussion ensued about the rest of the session between Representatives: Carl Holmes, and Rob Olson.

The next meeting is scheduled for March 11, 2010.

The meeting was adjourned at 9:33 a.m.



HOUSE ENERGY AND UTILITIES  
DATE: 3/10/2010  
ATTACHMENT 1

1 (b) Bonds issued pursuant to this section shall not be general obli-  
2 gations of the city or county, give rise to a charge against the general  
3 credit or taxing powers of the city or county or be payable out of any  
4 funds or properties other than the revenues described in subsection (a).

5 (c) Bonds issued pursuant to this section shall be special obligations  
6 of the city or county and are declared to be negotiable instruments. Such  
7 bonds shall be executed by the authorized representatives of the city or  
8 county and sealed with the corporate seal of the city or county. All details  
9 pertaining to the issuance of the bonds and terms and conditions thereof  
10 shall be determined by ordinance or resolution of the city or county. The  
11 provisions of K.S.A. 10-106, and amendments thereto, requiring a public  
12 sale of bonds shall not apply to bonds issued under this section. All bonds  
13 issued pursuant to this section and all income or interest therefrom shall  
14 be exempt from all state taxes except inheritance taxes. Such bonds shall  
15 contain none of the recitals set forth in K.S.A. 10-112, and amendments  
16 thereto. Such bonds shall contain the following recitals: The authority  
17 under which such bonds are issued; that such bonds are in conformity  
18 with the provisions, restrictions and limitations thereof; and that such  
19 bonds and the interest thereon are to be paid from the money and rev-  
20 enues described in subsection (a). Such bonds shall mature in no more  
21 than 22 years.

22 (d) Any city or county issuing bonds under the provisions of this act  
23 shall not use the bonds to generate revenue.

24 (e) Any city or county issuing bonds under the provisions of this act  
25 may refund all or part of such issue pursuant to the provisions of K.S.A.  
26 10-116a, and amendments thereto.

27 (f) Bonds issued under the provisions of this act shall be in addition  
28 to and not subject to any statutory limitation of bonded indebtedness  
29 imposed on the city or county.

30 Sec. 11. (a) The governing body which has created an energy man-  
31 agement district shall levy and collect special assessments upon real prop-  
32 erty in the district on which energy efficiency improvements or renewable  
33 energy improvements have been made pursuant to this act. The governing  
34 body shall provide for the payment of all reasonable costs of the improve-  
35 ments, not to exceed 5% of such improvements, out of the proceeds of  
36 such special assessments. ~~In making such assessments, the city or county~~  
37 shall follow the procedures provided in K.S.A. 12-6a01 et seq., and  
38 amendments thereto, except that the cost to be assessed shall be deter-  
39 mined in accordance with the terms of the contract between the city or  
40 county and the owner of the real property upon which the improvements  
41 are made.

42 (b) Assessments pursuant to this act shall be payable at the time of  
43 the payment of general property taxes. All assessments shall bear interest

such

The governing body shall provide for the the payment of the administrative costs of the improvements, not to exceed 5% of the total costs of such improvements, out of the proceeds of such special assessment.