

MINUTES OF THE SENATE UTILITIES COMMITTEE

The meeting was called to order by Chairman Pat Apple at 7:30 a.m. on February 19, 2009, in Room 545-N of the Capitol.

All members were present

Senator McGinn, excused
Senator Taddiken, excused.

Committee staff present:

Mike Corrigan, Office of the Revisor of Statutes
Melissa Doeblin, Office of the Revisor of Statutes
Raney Gilliland, Kansas Legislative Research Department
Cindy Lash, Kansas Legislative Research Department
Mary Galligan, Kansas Legislative Research Department
Ann McMorris, Committee Assistant

Conferees appearing before the committee:

Stanley Rasmussen, U.S. Army
Stuart Lowry, Kansas Electric Cooperatives
David Springe, CURB
Larry Patton, Protect the Flint Hills, El Dorado
Walt Chappell, Renewable Energy Advocate
Tom Thompson, Sierra Club
Vaughan Flora, Kansas Rural Center
Nancy Jackson, Land Institute
Marilyn Gavin, Secy of Administration

Others attending:

See attached list.

Chair continued hearing on

SB 265 - Energy conservation and electric generation, transmission and efficiency and air emissions.

Proponents

Stanley Rasmussen, Regional Counsel, Department of Defense, Kansas City, Missouri, testified that the Department of Defense (DoD) has historically worked with organizations like the National Conference of Commissioners on Uniform State Laws, to develop model environmental legislation that brings consistency, clarity and stability to critical areas of the law. ([Attachment 1](#))

Stuart Lowry, Kansas Electric Cooperatives, Inc., testified that KEC supports **SB 265**. He provided a balloon containing their proposed amendment concerning net metering. ([Attachment 2](#))

Written testimony only from Garry Kemp, Kansas City Building Trades Council ([Attachment 3](#))

Opponents

Larry Patton, President, Protect the Flint Hills, El Dorado, encouraged deletion of Section 6 from **SB 265**. Making Renewable Portfolio Standards (RPS) part of this bill sets a precedent for the legislature to impose artificial mandates on utilities that will in turn pass the increased financial costs on to taxpayers and the environmental costs on to our native prairies. ([Attachment 4](#))

David Springe, Consumer Counsel, Citizens' Utility Ratepayer Board, expressed concern about two specific sections: (1) the level of renewable resources required; and (2) the timing of adding renewable resources to a utility's system, and therefore opposed the bill. ([Attachment 5](#))

Walt Chappell, Renewable Energy Advocate, Wichita, spoke against **SB 265** and offered information on solar thermal generation as an alternative energy source. ([Attachment 6](#))

Tom Thompson, Kansas Chapter of the Sierra Club, voiced their opposition to **SB 265** as it is inconsistent with the Clean Air Act. ([Attachment 7](#))

CONTINUATION SHEET

Minutes of the Senate Utilities Committee at 7:30 p.m. on February 19, 2009, in Room 545-N of the Capitol.

Vaughan Flora, Kansas Rural Center, noted KRC is interested in a strong rural economy, renewable energy and opportunities for those in rural areas to own renewable energy generation. KRC feels **SB 265** is ineffectual on net metering and RPS. ([Attachment 8](#))

Neutral

Nancy Jackson, Climate + Energy Project (CEP), commented on energy efficiency as our most important, least expensive, most available source to meet new demand. She provided graphs and maps on cost of new electricity resources, proposed and existing wind projects in Kansas, wind power manufacturing plants, and coal prices. Data on energy production, tax expenditures and research was discussed. ([Attachment 9](#))

Marilyn Jacobsen, Department of Administration, offered an amendment to **SB 265** by offering new language in New Sec. 3 regarding the secretary of administration conducting an energy audit at least every five years on all state-owned real property. ([Attachment 10](#))

Chair opened for questions. Committee members asked about leases and auditing, net metering, costs of net metering, and amendments offered. More information was requested from the Department of Administration on federal energy efficiency dollars.

Chair announced cancellation of the February 20, 2009 meeting of the Senate Utilities Committee and continuation of the hearing on **SB 265** to Wednesday, February 25, 2009 in Room 545-N at 1:30 p.m.

The next meeting is scheduled for February 24, 2009.

The meeting was adjourned at 9:00 a.m.

Respectfully submitted,

Ann McMorris
Committee Assistant

Attachments - 10