

MINUTES OF THE HOUSE ENERGY AND UTILITIES COMMITTEE

The meeting was called to order by Chair Carl Holmes at 9:00 A.M. on February 15, 2011, in Room 785 of the Docking State Office Building.

All members were present except:

Representative Stan Frownfelter-excused

Committee staff present:

Matt Sterling, Office of the Revisor of Statutes
Cindy Lash, Kansas Legislative Research Department
Corey Carnahan, Kansas Legislative Research Department
Rena Hansen, Committee Assistant

Conferees Appearing Before the Committee:

Representative Forrest Knox, 13th District
Dave Springe, CURB

Others Attending:

Twenty One including the attached list.

Action on:

HB 2122-Agricultural ethyl alcohol producer incentive fund; extension.

Representative Forrest Knox spent time explaining (Attachment 1) the specifics for the seven year payout of the ethanol incentive fund and how the benefits these plants have been receiving have been used.

Representative Forrest Knox proposed a change in the bill to 3.5 cents. This suggested amendment keeps the plants at the current level that they have been receiving the incentive fund instead of how the statute reads of a 7 cent amount.

Matt Sterling, Revisor, (Attachment 2) explained the proposed amendment. He noted that comment 5 in the attachment is the proposed amendment to **HB 2122**.

Questions were asked and comments made by Representatives: Vern Swanson, Don Hineman, Tom Sloan, Forrest Knox, Mike Slattery, Nile Dillmore, Reynaldo Mesa, and Joe Seiwert.

Representative Forrest Knox moved to amend **HB 2122** with the amendment (Attachment 2). Seconded by Representative Reynaldo Mesa.

Discussion on the motion ensued with Representatives: Nile Dillmore, Don Hineman, Joe Seiwert, Mike Burgess, and Forrest Knox.

Motion to amend **HB 2122** with (Attachment2), passed 9-8.

Continued discussion on **HB 2122** by Representative Nile Dillmore.

Nile Dillmore proposed an amendment to **HB 2122** (Attachment 3) to reduce the period of time these funds are available from 7 years to 5 years. Seconded by Representative Gail Finney.

Discussion ensued between Representatives: Forrest Knox, Nile Dillmore, Greg Smith, Don Hineman, Joe Seiwert, and Don Schroeder.

Matt Sterling noted that comment number 7 in attachment 3 is the proposed amendment.

Motion to amend failed 5-12.

Continued discussion on **HB 2122** by Representative Nile Dillmore, with explanation by Matt Sterling.

Representative Nile Dillmore moved to amend **HB 2122** that would sweep any funds left at the end of the fiscal year back into the general highway fund. Seconded by Representative Annie Kuether.

CONTINUATION SHEET

The minutes of the House Energy and Utilities Committee at 9:00 A.M. on February 15, 2011, in Room 785 of the Docking State Office Building.

Continued discussion by Representatives: Mike Burgess, Forrest Knox, Nile Dillmore, and Tom Sloan.

Motion to amend **HB 2122** passed.

Discussion continued by Representative Mike Burgess.

Representative Reynaldo Mesa moved to pass **HB 2122** favorably as amended. Seconded by Representative Stephen Alford. Motion passed.

Representative Reynaldo Mesa will carry the bill on the House floor.

Action on **HB 2122** was closed.

Action on:

HB 2141-Concerning property; requiring wind and solar agreements to run with surface estate.

Representative Forrest Knox moved to amend **HB 2141** (Attachment 4) with the proposed language. Seconded by Representative Phil Hermanson.

Matt Sterling explained the proposed amendment.

Discussion ensued by Representatives: Tom Sloan, Mike Slattery, and Forrest Knox.

Motion to amend passed.

Representative Annie Kuether moved to pass **HB 2141** as amended favorably. Representative Phil Hermanson seconded the motion. Motion passed.

Representative Don Hineman will carry the bill on the House floor.

Action on **HB 2141** was closed.

Hearing on:

HB 2143-Electric generation, transmission and distribution; relating to recovery of costs for energy storage devices.

Proponents:

Representative Tom Sloan, 45th district, (Attachment 5) presented testimony in support of **HB 2143**. He noted this bill would allow energy storage to move into the arena of recovery of investment for the energy companies that might invest in energy storage.

Questions were asked and comments made by Representative Forrest Knox.

Opponents:

Dave Springe, CURB, (Attachment 6) rose in opposition to **HB 2143** and spoke to the committee about the reasons CURB opposes the language in this bill.

Questions were asked and comments made by Representative Don Hineman.

The hearing on **HB 2143** was closed.

The next meeting is scheduled for February 16, 2011.

The meeting was adjourned at 10:13 A.M.