

MINUTES OF THE HOUSE ENERGY AND UTILITIES COMMITTEE

The meeting was called to order by Chairman Carl Holmes at 9:00 a.m. on January 29, 2009, in Room 783 of the Docking State Office Building.

All members were present.

Committee staff present:

Mary Galligan, Kansas Legislative Research Department  
Cindy Lash, Kansas Legislative Research Department  
Renaë Hansen, Committee Assistant

Conferees appearing before the committee:

Tom Sloan, Representative  
Hans Nettelblad, American Institute of Architects  
Dave Springe, CURB  
Phil Wages, KEPCo  
Nancy Jackson, Climate Energy Project  
Dave Sampson, Oak Grove Fabrication  
Mark Schrieber, Westar  
Scott Jones, KCPL  
Tom Krebs, Kansas Association of School Boards  
Val Defever, Schools for Quality Education  
Stuart Lowry, Electric Cooperatives  
Tom Thompson, Sierra Club  
Brad Mears, Kansas Municipal Utilities  
Nathan Eberline, League of Kansas Municipalities  
Randall Allen, Kansas Association of Counties  
Eloise Tichener, Jefferson County Planning and Zoning  
Jason Fizell, Kansas Land Trust  
Allen Pollum, Nature Conservancy  
Roger Kroh, City of Lenexa

Others attending:

Forty-nine including the attached list.

Hearing on:

**HB 2020 - Establishing the renewable energy incentive program.**

Melissa Doeblin explained **HB 2020**.

Proponents:

Tom Sloan, Representative, (Attachment 1), spoke in support of **HB 2020** and explained the rationale for the proposed legislation. Additionally, he presented proposed amendments to the bill (Attachment 2).

Hans Nettelblad, American Institute of Architects, (Attachment 3), spoke in favor of **HB 2020**. The AIA believes that we need to do all we can to use renewable resources.

Opponents:

Dave Springe, CURB, (Attachment 4), spoke in opposition to **HB 2020**. He noted that with no limits in this proposed legislation rates could be forced higher.

Phil Wages, KEPCo, (Attachment 5), spoke in opposition to **HB 2020** primarily about the economics portion of the bill.

Neutral:

CONTINUATION SHEET

Minutes of the House Energy And Utilities Committee at 9:00 a.m. on January 29, 2009, in Room 783 of the Docking State Office Building.

Nancy Jackson, Climate Energy Project, (Attachment 6), offered testimony concerning **HB 2020**.

Questions were asked and comments made by Representative Margaret Long.

The hearing was closed on **HB 2020**.

Hearings on:

**HB 2043 - Establishing the net metering and easy connection act for wind generation.**

And

**HB 2051 - Establishing the net metering and easy connection act for solar generation.**

Melissa Doeblin, Kansas Revisor, explained **HB 2043** and **HB 2051** to the committee.

Questions were asked and comments made by Representative Tom Sloan.

Proponents:

Dave Sampson, Oak Grove Fabrication, Alta Vista, Kansas (Attachments 7 & 8), spoke in favor of **HB 2043** and **HB 2051**. He noted how these bills would stimulate the economy in the rural countryside.

Hans Nettelblad, American Institute of Architects, (see Attachment 3), spoke in favor of **HB 2043** and **HB 2051** bringing to the committee's attention the chart in their testimony that shows which other states have established some form of net metering.

Mark Schrieber, Westar, (Attachments 9 & 10) spoke as a proponent to **HB 2043** and **HB 2051**.

Scott Jones, KCPL, (Attachments 11 & 12), spoke as a proponent to **HB 2043** and **HB 2051** asking for net metering for all forms of electricity.

Tom Krebs, Kansas Association of School Boards, (Attachment 13), spoke as a proponent to **HB 2043** and **HB 2051**.

Written Proponent:

Val Defever, Schools for Quality Education, (Attachment 14), presented written testimony in support of **HB 2043** and **HB 2051**.

Opponents:

Stuart Lowry, Electric Cooperatives, (Attachment 15), offered testimony in opposition to **HB 2043** and **HB 2051**.

Tom Thompson, Sierra Club, (Attachment 16 & 17), spoke in opposition to **HB 2043** and **HB 2051** noting that they do support net metering, but not in the form presented in these bills.

Brad Mears, Kansas Municipal Utilities, (Attachment 18), spoke in opposition to **HB 2043** and **HB 2051**, noting their concern relates to the removal of local regulatory control.

Nathan Eberline, League of Kansas Municipalities, (Attachment 19), spoke in opposition to **HB 2043** and **HB 2051**.

## CONTINUATION SHEET

Minutes of the House Energy And Utilities Committee at 9:00 a.m. on January 29, 2009, in Room 783 of the Docking State Office Building.

Dave Springe, Citizens' Utility Ratepayer Board (Attachments 20 & 21) spoke in opposition to **HB 2043** and **HB 2051**. He noted that he is concerned about the subsidy that is created using this mechanism for net metering.

Randall Allen, Kansas Association of Counties, (Attachment 22 & 23), offered testimony in opposition to **HB 2043** and **HB 2051**. They are not opposed to net metering but to the language in new section 19 that fundamentally strips counties (and cities) of the most basic right to regulate land use within their jurisdictions.

Eloise Tichener, Jefferson County Planning and Zoning, (Attachment 24), offered testimony in opposition to **HB 2043** and **HB 2051**.

Jason Fizell, Kansas Land Trust, (Attachment 25) spoke in opposition to **HB 2043** noting they are opposed to the section 18 and commented it is incidental and immaterial to the overall purpose and goals of the bill.

Allen Pollum, Nature Conservancy, (Attachments 26 & 27) offered testimony in opposition to **HB 2043** and **HB 2051**. He noted they are proposing removal of new sections 18 and 19.

Written Opposition:

Roger Kroh, City of Lenexa, (Attachments 28 & 29) presented testimony opposing **HB 2043** and **HB 2051**.

Neutral:

Nancy Jackson, Climate Energy Project, (Attachments 30 & 31), offered testimony speaking to **HB 2043** and **HB 2051**. Attachment 31 is a briefing to the Senate Committee on Environment and Public Works regarding federal electricity subsidies to all sources of energy.

Questions were asked and comments made by Representatives: Forrest Knox, Carl Holmes, Don Myers, Tom Sloan, Annie Kuether, Dan Johnson, Milack Talia, Joe Seiwert, Vince Wetta, and Tom Moxley.

The hearings on **HB 2043** and **HB 2051** were closed.

The next meeting is scheduled for February 2, 2009.

The meeting was adjourned at 10:55 a.m.