

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 9, 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:

Ron Klataske, Audubon of Kansas
Paul Snider, KCPL
Mark Schrieber, Westar
Tom Thompson, Sierra Club
Joe Spease, Overland Park
Alan Pollom, Nature Conservancy

Others attending:

Twenty-three including the attached list.

Minutes of January 9,10,11,16,17,18,19, and 22 were handed out to the committee members.

Hearing on:

HB 2406 **Wind energy electric generation facilities of public utilities; tax incentive; siting requirements to qualify.**

Proponents:

Ron Klataske, Audubon of Kansas, (Attachment 1), offered testimony in favor of **HB 2406** noting that wind power is one of the many elements that our generation needs to promote, while at the same time keeping in mind the environment that we change to gain the clean wind power.

Paul Snider, KCPL, (Attachment 2), gave testimony in support of **HB 2406** commenting that they are the first regulated utility in Kansas to break ground on a wind farm in Kansas.

Mark Schreiber, Westar, (Attachment 3), presented testimony in favor of **HB 2406** offering a technical correction in the bill.

Tom Thompson, Sierra Club, (Attachment 4), spoke in support of the concepts of siting guidelines presented in **HB 2406**, but felt that section 5 needs to be less vague to have the force of law and feels that in section 2 that the word "may" does not give the KCC enough authority.

Joe Spease, Overland Park, (Attachment 5), spoke on **HB 2406** commenting there is a lot to like about the bill but that there needs to be more precise wording in section 5.

Neutral:

Alan Pollom, Kansas Executive Director, Nature Conservancy, (Attachment 6) presented testimony on **HB 2406** and additionally offered a map (Attachment 7) that has been developed by an organization identifying areas of concern for wind development.

Comments were made by Representative Holmes on where his direction came from for the siting guidelines.

CONTINUATION SHEET

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Don Low, gave comments on what the role of the KCC would be if this bill becomes law. The bill does not indicate who would regulate these siting guidelines. Chairman Holmes noted that The Department of Revenue should be making the decision if the siting guidelines were met before offering the tax incentives. Additionally, page 2 line 42 would need some review for clarification. Page 3 lines 3 and 4 should be “commission” and not “secretary”.

Questions and comments were made by Representative: Annie Kuether.

Mary Torrence went through sections 2, 3, and 4 for clarification for the committee. She also commented on the limitation outliers of the tax credit.

Questions and comments continued by Representatives: Josh Svaty, Terry McLachlan, Carl Holmes, Tom Moxley, Vern Swanson, Forrest Knox, and Tom Hawk.

David Corbin, the Department of Revenue, made comments from the departments perspective.

Hearing on **HB 2406** closed.

HB 2035 **Registration of copper or aluminum obtained by purchase or trade.**

Staff handed out a newly crafted bill relating to the theft of certain metals and scrap metal dealers, (Attachment 8) with explanation of the new legislation by Jason Long and Mary Torrence.

Questions were asked and comments made by Representatives: Terry McLachlan, Don Myers, Forrest Knox, and Rob Olson.

Revisor Mary Torrence noted that the words “law enforcement officer” should be inserted into page three.

Representative Rob Olson moved to pass out of committee **HB 2035** with the language presented in (Attachment 8) and with the wording suggested by Mary Torrence. Seconded by Representative Josh Svaty.

Discussion on the motion by Representative: Josh Svaty.

Motion carried.

Representative Rob Olson will carry **HB 2035** on the house floor.

HB 2278 **Consumer protection; exemption of certain public utility transactions.**

Representative Bill Light asked the Revisor Jason Long to explain the proposed language change (Attachment 9), of **HB 2278**.

Representative Bill Light made comments on the details of the sub-committee.

Questions and comments by Representatives: Vern Swanson, Oletha Faust-Goudeau, Rocky Fund, Forrest Knox, Annie Kuether, and Bill Light.

Representative Bill Light moved that we approve substitute for **HB 2278**. Seconded by Representative Rob Olson. Motion carried.

Representative Bill Light will carry **HB 2278** on the House floor.

The next meeting will be February 12, 2007.

Meeting adjourned.