

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 7, 2008 in Room 313-S of the Capitol Building.

All members were present except:

Dan Johnson- excused

Committee staff present:

Mary Galligan, Kansas Legislative Research
Carol Toland, Kansas Legislative Research
Melissa Doeblin, Revisor's Office
Rena Hansen, Committee Administrative Assistant

Conferees appearing before the committee:

KDHE, Ron Hammerschmidt, Director for the Division of Environment
Sara Hill-Nelson, Lawrence, Bowersock Energy
Karl Brooks, JD, PhD, KU Environmental Studies & History
Bruce Driver, Western Resource Advocates
Larry Flowers, National Technical Director, Wind Powering America, National Renewable Energy Labs, Department of Energy
Eileen M. Smith, Kansas Solar Electric Cooperatives
Todd Cruz or Jonathan Williams, American Legislative Exchange Council
Alan Cobb, Americans for Prosperity,
Grover Norquist, Americans for tax reform
Trudy Aron, American Institute Of Architecture
Hudson Luce, Private Citizen
Bill Wentz, Valley Falls, Kansas
Don Teske, Kansas Farmers Union
Doug Lawrence, Chesapeak
James Taylor, Heartland Institute

Others attending:

Sixty including the attached list.

Continued Hearing on:

HB 2711- Electric generation, transmission and efficiency and air emissions.

Opponents:

Ron Hammerschmidt, (Attachment 1), KDHE, presented testimony in opposition to **HB 2711**.

Grover Norquist, (Attachment 2), Americans for Tax Reform, presented testimony in opposition to **HB 2711**. Questions were asked and comments made by Representatives: Tom Hawk, Bill Light, and Tom Moxley.

Sara Hill-Nelson, Lawrence, Bowersock Energy, (Attachment 3), presented testimony as an opponent to **HB 2711**.

Karl Brooks, JD, PhD, KU Environmental Studies & History, (Attachment 4), testifying as a private citizen, offered testimony in opposition to **HB 2711**, noting that this changes dramatically the power of the regulatory system and the three law making branches in the state.

Bruce Driver, Western Resource Advocates, (Attachment 5), offered testimony in opposition of **HB 2711**.

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Larry Flowers, National Technical Director, Wind Powering America, National Renewable Energy Labs, Department of Energy, ([Attachment 6](#)), offered testimony with slides in opposition to **HB 2711**.

Eileen M. Smith, Kansas Solar Electric Cooperatives, ([Attachment 7](#)), presented opposing testimony to **HB 2711** noting a need for increased usage of photovoltaic cells for energy.

Todd Cruz, director of regional field teams, American Legislative Exchange Council, ([Attachment 8](#)), spoke in opposition of **HB 2711** with specific opposition to the tax portion of the bill.

Alan Cobb, Americans for Prosperity, ([Attachment 9](#)) noted their opposition to **HB 2711** because of inclusion of the emission cap and the carbon tax.

Trudy Aron, American Institute Of Architects, ([Attachment 10](#)), offered testimony in opposition to **HB 2711** noting their opposition to carbon created electricity.

Hudson Luce, ([Attachment 11](#)), presented testimony in opposition to **HB 2711**.

Bill Wentz, Valley Falls, ([Attachment 12](#)), presented testimony in opposition to **HB 2711**, especially to the coal burning plants to produce electricity.

Don Teske, Kansas Farmers Union, ([Attachment 13](#)), spoke to the committee in opposition to **HB 2711**.

Doug Lawrence, Chesapeake ([Attachment 14](#)), offered testimony in opposition to **HB 2711**.

Written Opponent:

James Taylor, Heartland Institute, ([Attachment 15](#)), offered written testimony in opposition to **HB 2711**.

Bart Hall, Farmer and Geologist, Desoto, Kansas, ([Attachment 16](#)), presented written testimony in opposition of **HB 2711**.

David Schlissel, Synapse Energy Economics, ([Attachment 17](#)) offered testimony to the committee in opposition to **HB 2711**.

Steve Clemmer, Citizen and Scientist, ([Attachment 18](#)), gave written testimony in opposition of **HB 2711** to the committee.

Karl Peterjohn, Executive Director, Kansas Taxpayers, ([Attachment 19](#)), offered written testimony in opposition to **HB 2711**.

Written Neutral:

Jack Glaves, DCP Midstream, ([Attachment 20](#)), offered neutral testimony to **HB 2711**.

Lee Gerhard, former State Geologist, ([Attachment 21](#)), offered testimony pertaining to **HB 2711**.

James Ludwig, Westar, ([Attachment 22](#)), presented written comments on **HB 2711**.

Paul Snider, KCPL, ([Attachment 23](#)), presented written testimony pertaining to **HB 2711**.

Questions were asked and comments made by Representatives: Bill Light, Annie Kuether, Carl Holmes, Tom Moxley, Vaughn Flora, Tom Sloan, Josh Svaty, Richard Proehl, Peggy Mast, and Forrest Knox.

One member questioned why Secretary Bremby was not present at the hearing on this bill. It was noted that

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the committee has no subpoena powers and that this hearing is an open meeting. It was also noted that his denial decision was in the middle of a court case and that it might be understandable why Secretary Bremby chose to not attend.

The hearing on **HB 2711** was closed.

There were no new bill introductions.

The next meeting was scheduled for February 8, 2008.

The meeting was adjourned at 11:00 a.m.