

## MINUTES OF THE SENATE UTILITIES COMMITTEE

The meeting was called to order by Chairman Jay Emler at 9:30 A.M. on January 29, 2007 in Room 526-S of the Capitol.

Committee members absent:

Committee staff present: Raney Gilliland, Kansas Legislative Research Department  
Tatiana Lin, KSU Legislative Fellow  
Mike Corrigan, Revisor of Statutes  
Ann McMorris, Committee Secretary

Conferees appearing before the committee:

Bruce Snead, Kansas Energy Council  
Paul Snider, Kansas City Power & Light  
Mark Schreiber, Westar  
Tom Thompson, Sierra Club  
Chris Wilson, Kansas Building Industry Association  
Wess Galyon, Wichita Area Building Association  
Billy Gray, Gray Construction Inc., Wichita

Others in attendance: See attached list

Written testimony on **SB 20** from proponents -Associated General Contractors of Kansas (Attachment 1) and Canton City Councilman Alan Prieb (Attachment 2) was handed out to the committee.

Chair opened the hearing on

**SB 120 - Energy efficiency standards for certain new buildings, disclosure of such standards to potential real estate purchasers.**

### Proponents:

CoChairman Ken Frahm of the Kansas Energy Council stated that **SB 120** and **SB 128** are both part of the Kansas Energy Council Plan. He introduced Bruce Snead to address several aspects of **SB 120** and its benefits.

Bruce Snead, Energy Efficiency Representative of the Kansas Energy Council, provided the policy and program recommendations of the Kansas Energy Plan 2007 and briefly described the proposed amendments to existing laws relating to energy efficiency disclosure on new homes. He covered both the pros and cons of a revised disclosure form and the KCC role. (Attachment 3)

Committee asked about local jurisdiction if KCC provided proposed standards and how much information would the buyer be provided by the disclosure form.

Paul Snider, Kansas City Power and Light, noted KCPL has strongly advocated the promotion of energy efficiency for several years. KCPL supports **SB 120** and feels it will provide new home buyers essential information about the energy efficiency of their prospective homes at a time when key decisions would be made. (Attachment 4)

Written testimony in support of **SB 120** was provided by (1) Mark Schreiber, Director Government Affairs, Westar Energy (Attachment 5) and (2) Tom Thompson, Sierra Club. (Attachment 6)

Don Low of the Kansas Corporation Commission, voiced support of the KCC for **SB 120**.

Senator Francisco suggested the words “ and equipment” be included after ‘structures’ in the new language on page 1, line 27 of **SB 120**.

### Opponents

## CONTINUATION SHEET

MINUTES OF THE Senate Utilities Committee at 9:30 A.M. on January 29, 2007 in Room 526-S of the Capitol.

Chris Wilson, Executive Director of the Kansas Building Industry Association, offered several changes to **SB 120** as introduced. KBIA urged the committee to amend **SB 120** to change the language regarding timing to what makes best sense for the buyers and those providing the form; to modify the form; and to keep it in the statute; and to not create a duplicative effort in the state to set values that are already established at the federal level by the IECC and the IRC Codes. (Attachment 7)

Wess Gaylon, president/CEO of the Wichita Area Builders Association, spoke in opposition to **SB 120**. Energy efficiency is important to homeowners but so is flexibility in design, structural integrity, indoor air quality, and other matters the buyers want and deserve to have addressed. The Builders Association supports the current provisions contained in the International Energy Conservation Code (IECC) or International Residential Code (IRC) and that no changes be made in the current state statute. (Attachment 8)

Billy Gray, Gray Construction, Inc., Wichita, a single family home builder, spoke in opposition to **SB 120** and asked consideration of the committee in keeping what is now in state statute. He provided copies of Energy Star Qualified Homes codes and standards information and IECC Chapter 4 Residential Energy Efficiency (Attachment 9)

It was suggested that the disclosure form should be made available prior to signing of the contract instead of at time of listing.

Due to the lack of time to hear from all opponents, Chair continued the hearing on **SB 120** to Thursday, February 1.

Adjournment.

Respectfully submitted,

Ann McMorris, Secretary

Attachments - 9