

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 4, 2009, in Room 783 of the Docking State Office Building.

All members were present.

Committee staff present:

Sean Ostrow, Office of the Revisor of Statutes
Mary Galligan, Kansas Legislative Research Department
Cindy Lash, Kansas Legislative Research Department
Rena Hansen, Committee Assistant

Conferees appearing before the committee:

Mark Calcara, Sunflower
Amy Blankenbiller, Chamber of Commerce
Allie Devine, Kansas Livestock Association
Leslie Kaufman, Kansas Cooperative Council
Tom Thompson, Sierra Club
Nancy Jackson, Climate Energy Project
Tom Gross & Rick Brunetti, Kansas Department of Health and Environment

Others attending:

Forty-four including the attached list.

Hearing on:

HB 2182 - Requiring the Kansas air quality act to be consistent and uniform with the federal clean air act.

Cindy Lash, Kansas Legislative Research Department, gave an explanation to the committee on **HB 2182**.

Questions were asked and comments made by Representative Tom Sloan.

Proponents:

Mark Calcara, Sunflower (Attachment 1), offered testimony in support of **HB 2182** and noted that this language is similar to legislation that is in effect in some of the surrounding states to Kansas. He commented that this bill is fundamental to maintaining the letter of the law. He believes if we vary and look the other way on this issue, then it is only a matter of time before other letters of the law are silently violated and little by little our freedoms are taken away.

Amy Blankenbiller, Chamber of Commerce (Attachment 2), presented testimony in support of **HB 2182**. She noted that the important part of **HB 2182** is to make certainty and confidence the perception of businesses and doing business in the state of Kansas. Ms. Blankenbiller made reference to Representative Carlson's testimony, and the loss of a refinery bid because of the perception of regulatory uncertainty in the state of Kansas.

Allie Devine, Kansas Livestock Association (Attachment 3), presented testimony in support of **HB 2182**. She presented flow charts explaining what has happened in the Sunflower case, and what the current law is designed to do.

Written Proponents:

Richard Carlson, Representative, (Attachment 4), offered written testimony in support of **HB 2182**.

Leslie Kaufman, Kansas Cooperative Council (Attachment 5), offered written testimony in support of **HB**

CONTINUATION SHEET

Minutes of the House Energy And Utilities Committee at 9:00 a.m. on February 4, 2009, in Room 783 of the Docking State Office Building.

2182.

Opponents:

Tom Thompson, Sierra Club (Attachment 6), offered testimony in opposition to **HB 2182**. He commented that the Sierra Club believes this bill is designed to get coal fired plants built.

Written Opponents:

Nancy Jackson, Climate Energy Project (Attachment 7), offered written testimony in opposition to **HB 2182**.

Neutral:

Tom Gross & Rick Brunetti, Kansas Department of Health and Environment (Attachment 8), offered testimony in response to **HB 2182**.

Questions were asked and comments made by Representatives: Dan Johnson, Milack Talia, Tom Sloan, Josh Svaty, Margaret Long, and Annie Kuether.

The hearing will be continued on **HB 2182** on Thursday February 5, 2009.

Various handouts were given to committee members relating to previous issues and current events as follows:

Kansas Electric Cooperatives (Attachments 9 & 10).

Westar (Attachment 11 & 12).

Hutchinson News Article (Attachment 13).

Article on ruling on emissions of mercury (Attachment 14).

The next meeting is scheduled for February 5, 2009.

The meeting was adjourned at 9:55 a.m.