

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, 2007 in Room 313-S of the Capitol.

All members were present.

Committee staff present:

Mary Galligan, Kansas Legislative Research
Dennis Hodgins, Kansas Legislative Research
Jason Long, Revisor's Office
Renaë Hansen, Committee Assistant

Conferees appearing before the committee:

Representative Vaughn Flora
Laurance Price, MD
Donn Teske, Kansas Farmers Union
Tom Thompson, Sierra Club
Tom Giessel, pawnee County Farmers Union
Craig Volland, Sierra Club
Harry Bennett, Merriden Kansas
Ray Dean, University of Kansas
Wes Jackson, Salina Kansas
Roger Ringer, Quinter Kansas
Mark Lawler, Kansas City Kansas
Joe Spease, Overland Park Kansas
Margaret Thomas, Kansas Natural Resource Council
Earl Watkins, Sunflower Electric Power Corporation
Wayne Penrod, Sunflower Electric Power Corporation
Earnie Lehman, Midwest Energy
Mark Schreiber, Westar
Joe Dick, Board of Public Utilities, Kansas City Kansas

Others attending:

Fifty guests including those on the attached list.

Hearing On:

HB 2219: Moratorium on construction of coal fired electric generation.

Proponents:

Representative Vaughn Flora introduced the bill to the committee.

Laurance Price, MD, (Attachment 1), spoke in support of **HB 2219** noting that the mercury emitted into the air from coal fired energy plants is toxic to our way of life.

Donn Teske, Kansas Farmers Union, (Attachment 2), supports **HB 2219** because as an organization they are in favor of renewable energy sources.

Tom Thompson, Sierra Club, (Attachment 3), spoke in favor of **HB 2219** because of the issue of global warming affecting the entire world.

Tom Giessel, President, Pawnee County Farmers Union, (Attachment 4), spoke in favor of **HB 2219** and noted the most important issue to him was the change of water rights for this power plant from Kansas farmers, to others who will use the energy created that are not in Kansas.

Craig Volland, Sierra Club, Air quality committee chair, (Attachment 5), spoke in favor of **HB 2219** because the current technology for coal fired plants does not have the ability to contain and capture the emissions.

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Additionally, he noted the cost of building these plants, and the increased costs of Wyoming coal.

Harry Bennett, Merriden, KS, for his daughter, Dr. Eliza Apple Bennett, Wisconsin, ([Attachment 6](#)), spoke from an obstetricians point of view and how the mercury emitted in the environment, from coal fired plant emissions, affects the unborn fetus. She is in support of protecting the most vulnerable of Kansas citizens and supports **HB 2219**.

Ray Dean, EECS Professor Emeritus, University of Kansas, ([Attachment 7](#)), spoke in favor of **HB 2219** as the pollution from the coal fired plant kills people, dries the soil, destabilizes the biosphere, and disrupts the economy.

Wes Jackson, ([Attachment 8](#)), Salina Kansas, spoke in support of **HB 2219**, because of the current climate change that is occurring, noting that we should use energy efficiency to change our consumption of energy and not continue to produce more energy and thus more coal generated pollution.

Roger Ringer, Quinter, ([Attachment 9](#)), spoke in support of **HB 2219**, noting what the twenty-first century electric grid will look like and how Kansas should move towards that model.

Mark Lawler, KC KS, ([Attachment 10](#)), spoke in favor of **HB 2219**, noting some of the positive economic benefits of wind projects for Kansas.

Joe Spease, Overland Park Kansas, ([Attachment 11](#)) spoke in favor of **HB 2219**, noting we need the moratorium so we can fully understand what building coal plants will do to our farmers.

Margaret Thomas, KS Natural Resource Council, Sustainable Sanctuary Coalition of KC, Prairie Village Environmental Community, Prairie Village Kansas, ([Attachment 12](#)), spoke in support of **HB 2219**, with specific points on economic issues and environmental issues affected by further production of coal fired plants.

Questions were asked and comments made by Representative Peggy Mast.

Opponents:

Earl Watkins, President and CEO, and Wayne Penrod, Executive Manager of Environment, both with Sunflower Electric Power Corporation, ([Attachment 13](#)), spoke in opposition to **HB 2219**, noting the long term planning that has been in the works for the plants to be built in Holcomb Kansas, additionally noting the probable loss of the entire proposed bio-energy plant if the moratorium takes place. He then addressed the issues that Kansans might have with the building of coal plants. Wayne Penrod, spoke on the environmental issues surrounding the project. Mr. Watkins spoke on transmission issues, and economic development of this area of Kansas. He noted if you pass this legislation you will be terminating this project.

Earnie Lehman, President, Midwest Energy, ([Attachment 14](#)), spoke in opposition to **HB 2219** as this legislation would stop the plant from developing and require Midwest energy to go outside of the state for energy to meet its' need for energy.

Mark Schreiber, Director of Government Affairs, Westar, and for KEPCo, ([Attachment 15](#)), opposes **HB 2219**, noting the planning process they go through to determine future energy needs and how to acquire that energy and keep "the lights on" as required of them by law.

Joe Dick, Government Affairs Director, Board of Public Utilities Kansas City, Kansas, ([Attachment 16](#)), spoke in opposition to **HB 2219**.

Questions were asked and comments made by Representatives: Cindy Neighbor, Vaughn Flora, Annie Kuether, Tom Sloan, Tom Hawk, Carl Holmes, Tom Moxley, and Oletha Faust-Goudeau.

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Written Proponents:

Kim Hanson, Mission KS, (Attachment 17), offered written testimony in favor of **HB 2219**.

Daniel Bentley, Lawrence KS, (Attachment 18), offered written testimony in favor of **HB 2219**.

Ken Lassman, (Attachment 19), offered written testimony in favor of **HB 2219**.

Michael Almon, Kaw Council, Lawrence KS, (Attachment 20), offered written testimony in favor of **HB 2219**.

Phil Morse, Topeka KS, (Attachment 21), offered written testimony in favor of **HB 2219**.

Greg Stevens, Salina Catholic Rural Life Commission and others, (Attachment 22), offered written testimony in favor of **HB 2219**.

Hearing on **HB 2219** was closed.

The next meeting is scheduled for January 30, 2007.

Meeting adjourned.