

MINUTES OF THE HOUSE ENERGY AND UTILITIES COMMITTEE

The meeting was called to order by Chairman Carl Holmes at 9:15 a.m. on January 12, 2011 in Room 785 of the Docking State Office Building.

All members were present except:
Vern Swanson, Excused

Committee staff present:
Cindy Lash, Kansas Legislative Research
Corey Carnahan, Kansas Legislative Research
Matt Sterling, Kansas Legislative Revisor
Renaë Hansen, Administrative Assistant

Others attending:
Thirty including the attached list.

Representative Carl Holmes reviewed the committee rules (Attachment 1), and the conferee rules (Attachment 2) with the committee and the gallery.

Lobbyists spoke to the committee on the various entities they represent.

Included on the list of individuals who spoke to the committee are:

- Wes Ashton, Black Hills Corporation
- Whitney Damron, KGS, ONEOK
- Ron Gaches, Atmos Energy, El Paso Energy, Trans-Canada
- Ed Cross, KIOGA
- Mark Lawlor, Clean Line Energy Partners
- Jeff Risley, Climate & Energy Project
- Tom Day, Kansas Corporation Commission
- David Springe, CURB
- Allie Devine, Kansas Livestock Association
- Mike Hutfles- Kansas Rural Independent Telephone Company

Written only:
Gina Bowman, CVR Energy

Questions were asked and comments made by Representatives: Annie Kuether, Carl Holmes, and Joe Seiwert.

The next meeting is scheduled for January 13, 2011.

The meeting was adjourned at 10:25 A.M.

HOUSE ENERGY AND UTILITIES COMMITTEE GUEST LIST

DATE: January 12, 2011

NAME	REPRESENTING
Nike Reecht	Apriat
Ed Cross	KIOGA
George Stafford	Clean Line
Jeff Riskey	Climate & Energy Project
Joe Mosimann	Pruca & AS
Tom Day	KCC
Whitney Jamron	KES, Empire
David Pomeroy	Kearney & Assoc.
Scott Paradise	Hartman Oil Co.
Berend Koops	Hein Law Firm
Linn Grossman	RTT
Cleen Jamison	COX
John Taylor	CenturyLink
Dave Hottel	KEC
CLARE GUSTIN	Sunflower Electric
Ron Gaches	GBA
Kimberly Brady	GSPA
Larry Brax	MIDWEST ENERGY
PHIL WAGES	KEPCO

HOUSE ENERGY AND UTILITIES COMMITTEE

GUEST LIST

DATE: January 12, 2011

[illegible]

COMMITTEE RULES
2011
KANSAS HOUSE OF REPRESENTATIVES
COMMITTEE ON ENERGY & UTILITIES

The purpose of these rules is to facilitate the understanding of members of the Committee and the public in reviewing the flow of legislation through this committee. Unless stated to the contrary herein, the rules of the House or Mason's Manual of Legislative Procedure will apply.

PROTOCOL OF MEETING & COMMITTEE INFORMATION

1. Items listed on the agenda shall be brought before the committee as announced by the chair. However, the chair may bring to discussion, and possible vote any bills previously heard at any time. Any listed item on the agenda may be removed, at any time by the chair.
2. Original motions shall be in order when a bill is pending for consideration. A motion requires a second to be in order. A substitute motion will not be allowed. Amendments to motions are not in order unless approved by the Chair.
3. An amendment to a bill must be "germane" to the area of law that is being proposed or changed. Since committees serve the purpose of examining issues for which there may be multiple solutions or approaches, "germaneness" will be interpreted as broadly as possible. Only the Chair shall determine if an amendment is "germane".
4. The question of adjournment shall be reserved to the Chair and no motion to adjourn shall be entertained.
5. A motion to "table a bill" shall be in order at any time a bill is taken up by the chair for discussion. The motion to "table a bill" is non-debatable and

HOUSE ENERGY AND UTILITIES

DATE: 1/12/2011

ATTACHMENT 1-1

requires a majority vote of members present to pass. A successful motion to "table a bill" shall lay the bill over a minimum of one day. The Chair may refuse to accept a motion to table a bill or move a bill out of committee.

6. A motion to "take from the table" shall be in order only when such item is on the agenda or is taken up by the Chair. The motion requires a simple majority and is non-debatable, unless debate is approved by the chair.
7. A motion to report a bill "without recommendation" shall not be in order.
8. A motion to reconsider a previous successful motion shall only be made by a member voting on the prevailing side of the original motion. A simple majority vote of members present shall be required to reconsider a previous successful motion.
9. A motion to report a bill out of committee shall not be in order until all amendments, which have been prepared by the Revisor of Statutes office reported to the chairman in advance of the meeting, have been considered.
10. No conferee shall be interrupted, except by the chair, during presentation of their testimony.
11. Questioning of a conferee shall be limited to the subject matter on the agenda for the day unless approved by the Chair. If the questioning of a conferee by a committee member goes beyond "reasonableness", the chair may discontinue the committee member's questioning of that conferee.
12. There shall be no recorded committee votes on committee action. Any committee member may request their individual vote be recorded on a bill.
13. The Chair shall set the Committee Agenda, including scheduling and the order of business.
14. All requests for committee bills shall only be made by committee members or state agencies.

15. All seating will be assigned by the Chair.
16. Granting of excused absences is reserved to the chair. Prior notification of absences SHALL be communicated to the committee assistant, Renae Hansen (296-7670). Any absence by a member not requesting an excused absence, shall be an unexcused absence and recorded as such by the committee assistant unless the Chair makes an exception.
17. All cell phones, pagers, and other electronic devices, in the committee room shall be in "silent" mode and use of cell phones in the committee room will not be permitted. The owner of any cell phone that rings during a committee meeting shall provide apples, oranges, or bananas for all committee members and staff. (26)
18. Photography, including cell phones, video, and audio taping is prohibited unless approved in advance by the Chair.
19. All powers, duties and responsibilities not addressed above are reserved to the Chair.

INFORMATION FOR CONFEREES
2011
KANSAS HOUSE of REPRESENTATIVES
COMMITTEE ON ENERGY & UTILITIES

1. When time is separately reserved on the agenda for proponents and opponents of an issue and the time expires for either side, the testimony shall cease. Conferee's time limit will be determined by the number of conferees and order of business. The chairman may make exceptions for the original sponsor of a bill, Legislative Staff, and State Agency Personnel. Conferees will be recognized in the order as established by the committee chairman. No conferee will be allowed to "yield" their time to another conferee.
2. All conferees are requested to submit a one page summary of testimony. (More lengthy written testimony may be submitted in addition to the one page summary.)
3. All conferees shall have written testimony and shall provide 50 copies to the committee secretary at the time of appearance. If a one page summary and written testimony are both presented, then 50 copies of each **shall** be required.
4. All conferees whose testimony extends more than one page or five minutes **shall** expect their time to be shortened by the chair, if necessary, to expedite the meeting. Exceptions will be allowed for the original sponsor of a bill, staff briefings, and state agency briefings.
5. At the option of the chair, all who are scheduled to testify on a bill may be required to submit written testimony 24 hours in advance of the hearing for distribution to committee members.
6. Anyone wishing to testify before the Committee **shall** contact the Committee Assistant, Renae Hansen at 785-296-7670, a minimum of 24 hours before the meeting.
7. All cell phones, pagers, and other electronic devices, in the committee room **shall** be in "silent" mode and use of cell phones in the committee room will not be permitted. The owner of any cell phone that rings during a committee meeting shall provide apples, oranges, or bananas for all committee members and staff. (26)
8. No food or drinks will be allowed in the committee room by guests, spectators or conferees.
9. Any non-committee attendee who sends signals to committee members shall be removed from the committee meeting for the rest of the legislative year.
10. Photography (including cell phones), video recording, audio recording or transmitting of proceedings, and is prohibited unless approved in advance by the Chair.
11. All requests for committee bills shall only be made by committee members or state agencies.

HOUSE ENERGY AND UTILITIES

DATE: 1/12/2011

ATTACHMENT

2 - 1

12. Any usage of computers in the committee room by anyone, except legislators and staff, shall be approved by the chair before each meeting.
13. Conferees **SHALL NOT** read their testimony if more than one page in length. Rather, testimony should be presented in a summary fashion. Conferees shall introduce themselves, identify on whose behalf they are appearing, identify whether they are a proponent, opponent, or neutral on the bill and as briefly as possible, state the reasons for their position.
14. If suggested amendment(s) are to be offered, a proposed draft of the amendment(s) must be provided with the written testimony.
15. Conferees shall address their remarks during testimony to committee members and staff only.
16. The Chair reserves the right to limit testimony that is repetitive in nature or testimony that is, in the judgment of the Chair, not relevant to the matter under consideration.
17. Testimony shall relate to the subject matter of the measure under consideration. Conferees testifying on unrelated subjects will be admonished and if unrelated testimony continues, the Chair will terminate that conferee's testimony.
18. While the taking of testimony is not preceded with the formality of an oath, by appearing before the committee every conferee hereby certifies that his or her testimony is truthful, based upon facts that are capable of verification and offered in good faith. Conferees shall promptly bring to the committee's attention any qualifications or corrections in their testimony.
19. The Chair reserves the right to take such action as may be necessary to prevent disruptive behavior in the committee room during hearings and deliberations.
20. The Chair reserves the right to take such action as may be necessary when a violation of these rules is suspected.
21. Committee members shall not be approached during committee hearings or deliberation by anyone other than fellow legislative members or legislative staff.