

SESSION OF 2007

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2169

As Amended by Senate Committee on
Commerce

Brief*

HB 2169, as amended, would add federal agencies to the list of governmental entities with which the Kansas Development Finance Authority (KDFA) could enter into financing agreements for energy conservation measures.

Under the bill, KDFA would be authorized to issue revenue bonds to pay energy conservation measures for, or on behalf of, federal agencies for facilities located in Kansas. Refunding revenue bonds would not be an obligation by the State and would not constitute indebtedness of the State.

The bill would remove the \$5,000,000 cap for energy conservation improvements for state facilities and authorize the Kansas Corporation Commission (KCC) to approve the amounts necessary for improvement. The bill also would make amendments to transfer authority for the Energy Conservation Conforming Improvement Program (formerly the Facility Conservation Improvement Program) to the KCC.

The bill would exempt negotiations between KDFA and its contractors from the Open Records Act (currently they are not subject to the Open Meetings Act).

KDFA would be authorized to assist state agencies, political subdivisions, and federal entities with engineering studies and energy conservation measures.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

Representative Tom Sloan and representatives from the Kansas Development Finance Authority, the Division of Facilities Management, and the Kansas Catholic Conference testified in support of the bill at the House Committee hearing. No opponents testified on the bill.

The House Committee on Energy and Utilities amended the bill to place the oversight authority of the Energy Conservation Improvement Program with the KCC instead of the Secretary of Administration.

The Senate Committee on Commerce made the following amendments to the bill:

- “State agency” is redefined to match the KDFA definition in the energy conservation program statute of KSA 75-37,125;
- All references to KDFA are removed from the energy conservation program statute;
- The definition of “federal entity” is added to the KDFA Act; and
- Local, state and federal entities authorized to contract with KDFA in the KDFA Act.

The fiscal note indicates that there would no fiscal impact on the Department of Administration and the KCC.