

**EXECUTIVE ORDER 08-03**

**WHEREAS**, ensuring Kansas has a stable and reliable source of base-load electric generation is important to foster strong future economic growth; and

**WHEREAS**, Kansas, as an agricultural state, is particularly vulnerable to the impacts of climate change; and

**WHEREAS**, scientific consensus has determined that the increased emissions of carbon dioxide, methane and other greenhouse gases released to the atmosphere are affecting the Earth's climate; and

**WHEREAS**, climate change poses serious potential risks to the environment and human health including; more severe droughts and floods; atmospheric warming resulting in increased concentrations of ground-level ozone (smog) and associated adverse health effects; and

**WHEREAS**, an overwhelming majority of states from around the country have either drafted, or are working on action plans that develop strategies to reduce greenhouse gas emissions across all segments of their economies; and

**WHEREAS**, Kansas recognizes that all states can play an integral role in adopting policies to address climate change and promoting strategies to reduce greenhouse gases, and also advancing technologies to develop clean, renewable energy resources; and

**WHEREAS**, the United States Congress is likely to pass legislation that will regulate greenhouse gas emissions; and

**WHEREAS**, Kansas has already worked with its partners in the energy sector to promote conservation and efficiency to reduce consumption of energy by 10% by 2020, and to set voluntary goals to increase the percentage of electricity derived from wind power to 10% by 2010 and 20% by 2020; and

**WHEREAS**, technologies that reduce greenhouse gas emissions are increasingly in demand in the global marketplace, and Kansas companies investing in these technologies are well-positioned to profit from this demand, thereby boosting Kansas's economy, creating more jobs and providing increased tax revenue; and

**WHEREAS**, many clean energy and energy efficiency policies that reduce greenhouse gas emissions also generate cost savings to consumers who spend a portion of the savings across a variety of sectors of the economy.

**NOW, THEREFORE**, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby create the Kansas Energy and Environmental Policy Advisory Group ("Advisory Group") with the following purposes and charges to address greenhouse gas emissions in Kansas:

1. The Advisory Group is established and charged with development of recommendations to

the Governor to reduce greenhouse gas emissions in Kansas, recognizing Kansas's interests in continued growth, economic development and energy security. The Advisory Group shall examine issues related to climate change and energy in this state, including, but not limited to:

- a. The actions of federal and regional entities regarding climate change mitigation and adaptation; and
  - b. The adequacy of the state's capacity to generate electricity in light of current and future base-load power needs of the state; and
  - c. The obligations of all entities that generate, transmit or distribute energy; and
  - d. The economic impact of generation, transmission and distribution of energy on community economic development and on energy costs for various classes of customers; and
  - e. The impact of energy generation and transmission on the state's environment and types of mitigation and remediation that may be required to limit undesirable impacts; and
  - f. The social impact on Kansas residents of various methods of generation and transmission of electricity; and
  - g. The impact on state and local tax revenues of the various means of generating and transmitting energy; and
  - h. The impact of conservation on the need for expansion of energy generation capacity in the short and long term; and
  - i. The fuel portfolio balance of the state's electrical generation facilities; and
  - j. The effectiveness of existing incentives for renewable energy investment; and
  - k. Other state's existing incentives for renewable energy investment; and
  - l. The reports and recommendations of the Kansas Energy Council.
2. The Advisory Group shall consist of 25 individuals appointed by the Governor. The Governor shall designate the chair for the Advisory Group. The Advisory Group shall include members from governmental agencies, legislature, business, industry, the energy sector, agriculture, environmental groups, academia and representatives of the public. Membership shall be apportioned in the following manner:
- a. One (1) member recommended by the President of the Kansas Senate;
  - b. One (1) member recommended by the Speaker of the Kansas House;
  - c. One (1) member recommended by the Minority Leader of the Kansas Senate;
  - d. One (1) member recommended by the Minority Leader of the Kansas House;
  - e. One (1) member from the public energy sector;
  - f. One (1) member from a rural electric cooperative;
  - g. One (1) member from the municipal electric sector;
  - h. Two (2) members from the agriculture sector;
  - i. Two (2) members from separate nonprofit environmental organizations;
  - j. Three (3) members who are scientists from an accredited state institution of higher education (one who shall be a climatologist);
  - k. One (1) member of the Kansas Chamber of Commerce;
  - l. One (1) member of the AFL-CIO;
  - m. One (1) member who is an economist from an accredited state institution of higher education;
  - n. One (1) member from the transportation sector;
  - o. One (1) member from the manufacturing sector;
  - p. One (1) member from the construction industry with experience in sustainable energy construction or design; and
  - q. Five (5) members who are citizens at large.
3. The following state agency officials shall serve as ex-officio members of the Advisory Group:
- a. The Lieutenant Governor;
  - b. Secretary of the Kansas Department of Health and Environment;
  - c. Secretary of Commerce;

- d. Secretary of Agriculture;
  - e. Secretary of Transportation;
  - f. Secretary of Wildlife and Parks;
  - g. Chairperson of the Kansas Corporation Commission; and
  - h. Director of the Kansas Water Office;
  - i. Co-Chairperson of the Kansas Energy Council.
4. The Advisory Group will first produce a comprehensive inventory and forecast of greenhouse gas emissions in Kansas from 1990 to 2020. The Kansas Department of Health and Environment shall produce an annual report to the Governor at the end of each fiscal year tracking statewide greenhouse gas emissions in Kansas and forecasted trends, and tracking progress toward the reduction goals that are established.
  5. The Advisory Group will recommend statewide greenhouse gas reduction goals and develop a comprehensive set of specific policy recommendations to accomplish those goals. These policy recommendations will address all sectors of our economy and will also include a public outreach and education component.
  6. The Advisory Group shall submit a preliminary written report of its activities and progress to the Governor on or before the first day of the 2009 regular session of the legislature. The Advisory Group shall submit a final written report of its activities and recommendations on or before the first day of the 2010 regular session of the legislature. The final written report of the Advisory Group shall include, but is not limited to, recommendations for:
    - a. An action plan to reduce greenhouse gas emissions across key segments of the Kansas economy; and
    - b. New incentives for development of a diversified electricity generation portfolio; and
    - c. An appropriate energy generation portfolio goal, or series of goals, taking into consideration regional and national markets; and
    - d. Laws, rules and regulations, and policies needed to facilitate diversification of the energy generation portfolio.
    - e. Any additional studies related to the Advisory Group's charge that might be appropriately undertaken by the Kansas research universities.

This document shall be filed with the Secretary of State as Executive Order No. 08-03 and shall become effective immediately.