

Vote to override coal plant veto fails

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Gov. Kathleen Sebelius vetoed legislation March 21 that would have allowed Sunflower Electric Power Corporation to build two coal-based power plants in Holcomb, Kan.

Members of the Kansas Legislature supporting Sunflower Electric moved to quickly gather support against Sebelius' veto but failed to override her veto by four votes. The vote, 80-45, was not enough to override Sebelius' veto, which required 84 supporting votes to overturn.

On March 22, the Associated Press quoted Kansas Speaker of the House Melvin Neufeld as saying, "The people of Kansas expect - and they need - affordable electricity, and so we'll be working to make sure that happens."

The first sign of conflict came on Oct. 18, 2007, when Kansas Department of Health and Environment Secretary Roderick Bremby denied permits for the two 700 megawatt coal-burning plants.

"I believe it would be irresponsible to ignore emerging information about the contribution of carbon dioxide and other greenhouse gases to climate change and the potential harm to our environment and health if we do nothing," Bremby said in a news release.

This created tension between Bremby and representatives from western Kansas. Rep. Sydney Carlin, D-Manhattan, said Senate Bill 148 was written in a way that would have taken powers away from the secretary of Health and Environment.

She also noted the bill takes Sunflower out of the jurisdiction of the Kansas Corporation Commission, which has the responsibility to ensure electricity, natural gas, telephone and transportation vendors provide safe dependable services at low costs to the residents of Kansas.

"People don't understand the language; the way the bill is written does not take powers away [from Bremby]," said Sherrine Jones-Sontag, Director of Communication and Caucus Information for Neufeld. "It states what [Secretaries of Health and Environment] can and cannot do. It forces him to stay within the statutes in place in both state and federal level."

She said Bremby's justifications for denying the permits to Sunflower were weak relying on a different interpretation of several laws in place. Jones-Sontag said Bremby is being sued in district court.

The Democrats and Republicans who supported the veto are contending that Kansas is heading in a new direction.

"We are at a critical period for energy policy in this state and this country. We must bridge the gap between our growing energy needs, and the time when carbon capturing technology is a commercial reality. We must move forward strategically - steering our state clear of the environmental, health and economic risks of massive new carbon emissions," Sebelius said in a response to the House action to sustain her veto of SB 148.

Supporters of the \$3.6 billion expansion of the Sunflower plant in Holcomb have written SB 148 into a Senate Substitute for House Bill 2412. Carlin said she saw this as a move to exert pressure on members of the house that might feel obligated to pass 2412 legislation because part of the legislation will benefit their districts.

Jones-Sontag said that is not the intention of 2412. She said that it is common practice for legislatures to add on pieces of legislation as a session comes to an end.

Jones-Sontag questioned Sebelius' commitment to greenhouse emissions, saying if carbon emissions are a source of concern for Sebelius, she should not favor the \$800 million BNSF Intermodal Transfer Facility [a massive train depot] that will be created in Johnson County if House Bill 2412 is passed. She argues it will be just as detrimental to the environment as the Sunflower plants.

Whispers have been floating as to whether Kathleen Sebelius could be a vice-presidential candidate during the democratic primary. After President Bush's State of the Union this year, Sebelius gave the democratic response, exposing her to a national audience. Sebelius also endorsed presidential hopeful Sen. Barack Obama before the Kansas Democratic caucuses on Feb. 5.

"This veto enhanced her national reputation, but that doesn't mean she did it for this reason. She has said she would except one coal plant, but two was improper given the projected energy needs in the state's future," said Joseph Aistrup, head of the political science department.