

Approved: 4-5-96  
Date

MINUTES OF THE HOUSE SELECT COMMITTEE ON TELECOMMUNICATIONS.

The meeting was called to order by Chairperson Doug Lawrence at 1:10 p.m. on March 14, 1996 in Room 313-S of the Capitol.

All members were present except:

Committee staff present: Lynne Holt, Legislative Research Department  
Bob Nugent, Revisor of Statutes  
Mary Ann Graham, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

Chairman Doug Lawrence called the meeting to order at 1:10 p.m. He opened the floor to discussion and amendments on **Substitute Bill 2728**.

**Substitute Bill 2728: Statewide telecommunications network; use by nonprofit organizations**

Rep. Krehbiel made a motion to adopt New Section 16, page 29, Rep. Packer seconded, discussion followed, motion passed. (See Attachment 1)

Rep. McClure made a motion to amend line 22, page 18, Krehbiel seconded, discussion followed, motion passed. (See Attachment 2)

Rep. McClure made a motion to amend line 17, page 18, change 90 days to 60 days, Rep. Krehbiel seconded, discussion followed, motion passed.

Rep. McClure made a motion to amend page 7 Section 4 (c) , Rep. Krehbiel seconded, discussion followed, motion failed. (See Attachment 3)

Rep. McClure made a motion to amend page 11, Sub Section (d), line 34, and page 15 line 13 & 14, and (e) line 33 , Rep. Packer seconded, discussion followed, motion failed.

Rep. Krehbiel made a motion to remove "clear and convincing evidence", page 7 line 8, Rep. McClure seconded, discussion followed, motion failed.

Rep. Bryant made a motion to leave in the following sections of the bill which would address rural entry, slamming and internet access; Sections 1 (policy statement of bill), 2 (definitions), 3 (directions to the KCC), 5 (rural entry), 13 (internet), 14 (slamming), 15 and 16, Rep. Beggs seconded, discussion followed, motion failed.

Rep. Holmes made a motion to amend on page 22, in line 30 by striking "per-minute"; also in line 30, by striking shall and inserting "may"; on page 23, in line 21, before the period, by inserting "assessed to the provider", Rep. Krehbiel seconded, discussion followed, motion passed. (See Attachment 4)

Rep. Krehbiel made a motion to amend page 10, New Section 6, line 6, "for deployment of the universal service and enhanced universal service capabilities defined pursuant to subsections (p) and (q) of section 2. , Rep. McClure seconded, discussion followed, motion passed. (See Attachment 5)

Rep. Krehbiel made a motion to amend line 16, page 1, (a) "Ensure that every Kansan will have access to a first class telecommunications infrastructure that provides excellent services at an affordable price;" and by relettering the subsections accordingly, Rep. Holmes seconded, discussion followed, motion passed. (See Attachment 6)

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CONTINUATION SHEET

MINUTES OF THE HOUSE SELECT COMMITTEE ON TELECOMMUNICATIONS, Room 313 -S  
Statehouse, at 1:10 p.m. on March 14, 1996.

Rep. McClure made a motion to amend line 34, page 11 (d), to add "CPI minus 1 1/2 percent", Rep. Krehbiel seconded, discussion followed, motion failed.

Rep. Krehbiel made a motion to amend New Section 6, page 10, to add 2 years to universal service and five years to enhanced universal service, Rep. Toelkes seconded, discussion followed, motion passed. (See Attachment 7)

Rep. Packer made a motion to pass **Substitute Bill 2728**, as amended, Rep. Holmes seconded, discussion followed, motion passed, 6 yeas, 2 nays.

The Chairman thanked the committee for all their hard work and consideration.

The minutes of the meetings for February 12 through March 13 have been distributed to committee members and approved. Today's minutes will be considered approved unless there is an objection by Friday, April 5, 1996.

The meeting adjourned at 3:20 p.m.

The next meeting is on call of the Chair.



Adopted -

Lawrence #2 New Section 16. No references in this act to local exchange carriers in the Hill City exchange area shall be considered a statement of legislative intent for the purpose of determining which carrier or carriers shall be authorized to provide service to the exchange.

House self-comm. telecom  
3-14-1996  
Attachment 1

McClure #1 *Revised* On page 18, in line 7, after "(d)", by inserting "Unless more than 15% of subscribers subject to a proposed rate increase by a rural telephone company protest such proposed rate increase,";

also on page 18, in line 22, after the period, by inserting "Such mailings shall include the name and mailing address of the commission.";

Also on page 18, in line 26, before the period, by inserting "including a provision specifically stating that protest by 15% of subscribers subject to the proposed rate increase would require the commission to initiate an investigation concerning the reasonableness of the proposed rate increase pursuant to this section.".

*House self-comm. telecomm.  
3-14-1996  
Attachment 2*

Page 7, Sec. 4(c)

Strike the word "the" at the end of line 5, lines 7 and 8 and line 10 through the percent sign and add the following:

the commission shall determine just and reasonable rates (i) for the interconnection of facilities and equipment and for resale as provided in Section 252 (d) (1) of the Federal act, (ii) wholesale rates as provided in Section 252 (d) (3) of the Federal act and (iii) charges for transport and termination of traffic as provided in Section 252 (d) (2) of the Federal act

*House Telecomm. Telecomm.  
3-14-1996  
Attachment 3*

Lawrence #1    On page 22, in line 3<sup>0</sup>~~7~~, by striking "per-minute"; also in line 3<sup>0</sup>~~7~~, by striking shall and inserting "may"; on page 23, in line 21, before the period, by inserting "assessed to the provider"

*House self/comm. Telecomm.  
3-14-1996  
Attachment 4*

New Section 6. (a) Each local exchange carrier shall file a network infrastructure plan with the commission on or after January 1, 1997 and prior to January 1, 1998. Each plan, as a part of universal service protection, shall include schedules, which shall be approved by the commission, for deployment of the universal service and enhanced universal service capabilities defined pursuant to ~~subsection~~ subsections (p) and (q) of section 2. Each plan shall demonstrate the capability of the local exchange carrier to comply on an ongoing basis with quality of service standards to be adopted by the commission no later than January, 1 1997.

*House sel/comm. Telecomm.  
3.14.1996  
Attachment 5*

*Exhibit*  
Bryant #1

On page 1, after line 16, by inserting, "(a) Ensure that every Kansan will have access to a first class telecommunications infrastructure that provides excellent services at an affordable price;" and by relettering the subsections accordingly.

*House sel/comm. Telecomm.  
3-14-1996  
Attachment 6*

New Section 6. (a) Each local exchange carrier shall file a network infrastructure plan with the commission on or after January 1, 1997 and prior to January 1, 1998. Each plan, as a part of universal service protection, shall include schedules, which shall be approved by the commission, for deployment of the universal service and enhanced universal service capabilities defined pursuant to ~~subsection~~ subsections (p) and (q) of section 2. Each plan shall demonstrate the capability of the local exchange carrier to comply on an ongoing basis with quality of service standards to be adopted by the commission no later than January, 1 1997.

*House subcomm. Telecomm.  
3-14-1996  
Attachment 7*