

MINUTES OF THE SENATE UTILITIES COMMITTEE

The meeting was called to order by Chairman Jay Scott Emler at 9:30 A.M. on February 3, 2005 in Room 526-S of the Capitol.

Committee members absent:

Committee staff present: Athena Andaya, Kansas Legislative Research Department
Raney Gilliland, Kansas Legislative Research Department
Bruce Kinzie, Revisor of Statutes' Office
Diana Lee, Revisor of Statutes' Office
Ann McMorris, Committee Secretary

Conferees appearing before the committee: none

Others in attendance: See attached list

Approval of Minutes

Moved by Senator Pine, seconded by Senator Petersen, the minutes of the meetings of the Senate Utilities Committee held on February 1, 2005 and February 2, 2005 be approved. Motion carried.

Chair opened for discussion and possible action on:

SB 63 - Public Utilities, excluding certain landlords from definition

During the discussion on introduction of **S.B. 63**, the committee requested the staff to research four areas not covered in the current language of **SB 63** - (1) landlords must install submeters at their own expense; (2) Utilities should not be allowed to surcharge submeters; (3) accountability of the landlord; and (4) grievance procedures.

The committee discussed accountability for landlords to bill each tenant the correct charge, conservation of water, grievances to the small claims court, submeters in single building, renegotiation of rental contracts . Legislative intent was that this law would go into effect after current rental agreement has expired.

Moved by Senator Taddiken, seconded by Senator Reitz, amend **S.B. 63** on line 19 after "landlord." to include language "no current lease may be affected by the provisions of this section." Motion carried.

Moved by Senator Apple, seconded by Senator Pyle, amend **S.B. 63** to include language regarding landlord accountability and documentation. "The landlord must provide the tenant with a bill each month that states the current month's reading of the submeter, the prior month's reading of the submeter and reading of the master meter."

Substitute motion by Senator Taddiken, seconded by Senator Pine, amend **S.B. 63** by including the language "upon the tenant's request, the landlord shall provide water usage records for the past year". Motion carried.

Conceptual motion by Senator Francisco, seconded by Senator Lee, to limit submeters to be within one building. Motion failed.

Moved by Senator Lee, seconded by Senator Petersen, amend **S.B. 63** to include language, "the landlord is responsible for the expense of installation of submeters," and "the landlord cannot charge surcharge." Motion carried.

Due to lack of time, no further action was taken on **S.B. 63**. Chairman noted discussion would be continued on February 8 when the committee would review the bill with the proposed amendments and discuss two other items of concern - (1) Utilities not authorized to place surcharge on submeters; and (2) master meter to be located on same property as the submeters.

Adjournment.

Respectfully submitted,
Ann McMorris, Secretary