

Approved: April 1, 2011
Date

MINUTES OF THE HOUSE ENERGY AND UTILITIES COMMITTEE

The meeting was called to order by Chairman Carl Holmes at 9:00 A.M. on March 17, 2011, in Room 785 of the Docking State Office Building.

All members were present except:

Representative Reynaldo Mesa-excused

Committee staff present:

Matt Sterling, Office of the Revisor of Statutes
Mary Torrence, Office of the Revisor of Statutes
Cindy Lash, Kansas Legislative Research Department
Corey Carnahan, Kansas Legislative Research Department
Renaë Hansen, Committee Assistant

Conferees appearing before the Committee:

Dave Springe, CURB
Steve Hahn, AT&T
Christine Aarnes, KCC
Bruce Nye, AT&T

Others attending:

Thirty eight including the attached list.

Continued Hearing on::

SubSB72-Telecommunications

Questions were asked and comments made by Representatives: Forrest Knox, Don Hineman, Gail Finney, and Greg Smith.

Dave Springe-CURB, Steve Hahn-AT&T, Christine Aarnes-KCC, Bruce Nye-AT&T, answered committee questions.

The hearing on **SubSB72** was closed.

The rules were handed out again to the committee and gallery ([Attachment 1](#)).

The committee was given followup information on 911 ([Attachment 2](#)) from the research office and other information from the League of Kansas Municipalities ([Attachment 3](#)) pertaining to questions that were asked on Monday March 14, 2011.

Action on:

SubSB50-Emergency communications service; relating to fees, charges, collection and distribution.

Representative Tom Sloan commented about the email that was sent out by the Kansas Association of Counties that noted that if the bill did not come out as the Senate version was presented, that no bill would be passed. He felt that message was opposed to the nature of the process of creating good legislation. Representative Forrest Knox supported Representative Sloan's comment that the committee needs to do the work of the committee as best as they see fit.

Representative Mike Slattery moved to amend SubSB50 (Attachment 4) to raise the 50 cents to 55 cents and allows 2% of the fee to be used for administrative purposes. Seconded by Representative Stan Frownfelter.

Matt Sterling clarified the specific intent of the proposed amendment.

Discussion ensued between Representatives: Annie Kuether, Mike Slattery, Don Hineman, Stan Frownfelter, Forrest Knox, and Mike Burgess.

CONTINUATION SHEET

The minutes of the House Energy and Utilities Committee at 9:00 A.M. on March 17, 2011, in Room 785 of the Docking State Office Building.

Representative Tom Sloan moved to divide the question into 2 parts. Seconded by Representative Mike Burgess.

On the motion of part A which includes the 55 cents and 1.1% the motion carried.

On the motion of part B which includes the 2% fee, the motion carried 9-8.

Representative Forrest Knox moved to amend (Attachment 5) **SubSB50** limiting the fee to a maximum of 55 cents and allows them to lower the fee if there is an overage. Seconded by Representative Don Hineman.

Discussion ensued between Representatives: Stan Frownfelter, Mike Slattery, Tom Sloan, Greg Smith, and Forrest Knox.

The motion to amend failed.

Representative Tom Sloan moved to raise the cap to 60 cents and remove the floor. Seconded by Representative Gail Finney.

Discussion ensued between Representatives: Mike Slattery and Tom Sloan.

Motion carried.

Representative Tom Sloan moved to amend **SubSB50** on page 3(Attachment 6), to address the 911 coordinating council membership to include what the house passed out last year. Seconded by Representative Mike Slattery. Motion to amend passed.

Representative Tom Sloan moved to amend **SubSB50** (Attachment 6) on page 4 that the chair shall be an administrator of a PSAP with no salary and just expense reimbursement for attending meeting. Seconded by Representative Don Hineman.

Discussion ensued by Representatives: Forrest Knox, Tom Sloan, and Phil Hermanson.

Motion to amend passed.

Representative Tom Sloan moved to amend **SubSB50** (Attachment 6) on page 8 to address the length of time of the contract and the LCPA shall be subject to open meetings act, records act, and treat money as public funds. Seconded by Representative Forrest Knox.

Discussion ensued by Representatives: Vern Swanson, Tom Sloan, Carl Holmes, Mike Slattery, Mike Burgess, and Nile Dillmore.

Mary Torrence and Matt Sterling helped answer questions.

Motion to amend passed.

Representative Vern Swanson moved to amend **SubSB50** (Attachment 7), on page 4 to address the selection of the vendor via the legislative coordinating council and page 8 to address the annual report be sent to the legislative coordinating council. Seconded by Representative Annie Kuether.

Discussion ensued between Representatives: Tom Sloan and Nile Dillmore.

Motion to amend passed.

CONTINUATION SHEET

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Representative Tom Sloan moved to amend **SubSB50** (Attachment 6), page 3 line 37 to page 4 lines 1-10 moving to strike those lines. Seconded by Representative Mike Slattery.

Discussion ensued between Representatives: Nile Dillmore, Tom Sloan, Don Hineman, Stan Frownfelter, Annie Kuether, Forrest Knox, and Mike Slattery.

Matt Sterling answered some questions the committee presented.

Motion to amend failed.

Representative Forrest Knox moved to amend **SubSB50** by removing non voting members from being able to receive reimbursement. Seconded by Representative Stan Frownfelter.

Discussion ensued between Representatives: Nile Dillmore, Forrest Knox, Vern Swanson, and Stan Frownfelter.

Motion to amend failed 6-11.

Representative Forrest Knox moved to amend **SubSB50** (Attachment 8) page 6 addressing the reporting of the expenditures of 911 fees. Seconded by Representative Vern Swanson.

Discussion ensued between Representatives: Annie Kuether, Forrest Knox, Tom Sloan, and Nile Dillmore.

Matt Sterling answered some questions the committee presented and clarified the proposed amendment.

Motion to amend passed.

Representative Forrest Knox moved to amend **SubSB50** (Attachment 9) page 20 to include a sunset of July 1, 2017. Seconded by Representative Vern Swanson.

Discussion ensued between Representatives: Tom Sloan, Forrest Knox, Annie Kuether, Greg Smith, Nile Dillmore, and Stan Frownfelter.

Motion to amend failed 8-9.

Representative Tom Sloan moved to amend **SubSB50** on bottom of page 14 per Representative Carl Holmes suggestion, (Attachment 10) addressing the penalty for misusing the 911 funds by PSAP's making the PSAP return funds plus 10%. Seconded by Representative Stephen Alford.

Discussion ensued between Representatives: Vern Swanson, Carl Holmes, and Annie Kuether.

Motion to amend passed.

Discussion ensued between Representatives: Annie Kuether, Carl Holmes, and Nile Dillmore.

A suggested recommendation by a conferee was handed out, (Attachment 11) addressing reporting by the PSAPs and the council.

Discussion ensued between Representatives: Nile Dillmore, Annie Kuether, Tom Sloan, Phil Hermanson,

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and Vern Swanson.

Representative Nile Dillmore moved to amend (Attachment 11) page 6, addressing to whom the PSAP sends a report and the councils report to the legislature by adding the parts on lines 3-5. Seconded by Representative Annie Kuether. Motion passed.

The action on **SubSB50** was suspended.

The next meeting is scheduled for March 18, 2011.

The meeting was adjourned at 10:55 A.M.