

MINUTES OF THE SENATE COMMERCE COMMITTEE

The meeting was called to order by Chairperson Karin Brownlee at 8:30 a.m. on February 20, 2004 in Room 123-S of the Capitol.

All members were present except:

Senator Pete Brungardt- excused
Senator Susan Wagle- excused

Committee staff present:

Kathie Sparks, Legislative Research
Susan Kanarr, Legislative Research
Helen Pedigo, Revisor of Statutes
Nikki Kraus, Committee Secretary

Conferees appearing before the committee:

Sandy Jacquot, League of Kansas Municipalities
Trudy Aron, American Institute of Architects
Matt Jordan, Department of Commerce
Mary Galligan, Revisor of Statutes
David Kerr, SBC
Richard Lawson, Sprint
Janet Buchanan, KCC
Robert McCausland, Sage Telecom
Jeff Wick, Chief Operating Officer, Nex-tech, Inc.
Neal Larsen, Regional Director for Governmental Affairs, MCI

Others attending:

See Attached List.

Chairperson Brownlee opened the public hearing on:

SB 520--Creating the Kansas downtown redevelopment act

The committee was provided with a fiscal note for the bill. (Attachment 1)

Ms. Jacquot testified in favor of the bill. (Attachment 2)

Ms. Aron testified in favor of the bill. (Attachment 3)

Mr. Jordan provided the committee with written testimony in favor of the bill. (Attachment 4) He also provided a sheet entitled, "Comparison of the Neighborhood Revitalization Act and the Kansas Downtown Redevelopment Act (SB 520)." (Attachment 5)

Senator Barone moved to conceptually amend language from the revitalization amendment and change the tax situation to rebate. Senator Jordan seconded. The motion passed.

Senator Jordan moved SB 520 favorable as amended. Senator Barone seconded. The motion passed.

Chairperson Brownlee opened the public hearing on:

SB 483--Employment security laws; disqualification from receipt of benefits

Ms. Pedigo went over the balloon amendment to the bill. (Attachment 6)

Senator Jordan moved to amend the balloon into the bill. Senator Emler seconded. The motion passed.

Chairperson Brownlee asked the committee to address the balloon from yesterday regarding p.1, line 18 of the bill dealing with failure to return to work and considering it voluntary resignation. Senator Emler stated

CONTINUATION SHEET

MINUTES OF THE SENATE COMMERCE COMMITTEE at 8:30 a.m. on February 20, 2004 in Room 123-S of the Capitol.

that the amendment helps him, and that FMLA had its own rules.

Senator Emler moved to amend line 18 and delete bracketed language. Senator Buntun seconded. The motion passed.

The committee discussed the issue of workplace tardiness addressed in this bill. Senator Kerr stated that it would probably be okay for the committee to change the language, but he recommended the committee work to clarify the language a little more before putting the bill on the floor. Chairperson Brownlee said that she appreciated the feedback.

Chairperson Brownlee opened the public hearing on:

SB 525--Telecommunications; transmission of calling party numbers individual customer pricing, promotion offers and universal service fund

Ms. Galligan provided the committee an explanation of the bill. Ms. Pedigo provided the committee with a summary of the bill by section. (Attachment 7)

Mr. Kerr, SBC, testified in favor of the bill. (Attachment 8)

Mr. Lawson testified in favor of the bill. (Attachment 9) He also provided the committee with charts entitled "Change in Revenue Growth - 2000 to 2003, Change in Company Valuation - 2000 to 2003, Change in Consumer Spending 2004 to 2006, and Growth in Minutes of Use - 2004 through 2006" (Attachment 10)

Ms. Buchanan testified in opposition to the bill. (Attachment 11) She provided the committee with a sheet entitled, "Substitute Language for Individual Customer Pricing" (Attachment 12) and a letter dated February 18, 2004 from Martha J. Coffman to Brian Moline, John Wine, and Robert Krehbiel regarding "Administrative Meeting regarding *In the Matter of a General Investigation Into Winback/Retention Promotions and Practices*, Case No. 02-GIMT-678-GIT" (Attachment 13)

Mr. McCausland testified in opposition to the bill. (Attachment 14)

Mr. Wick testified in opposition to the bill. (Attachment 15)

Mr. Larsen testified in opposition to the bill. (Attachment 16) He explained to the committee that SBC had used similar methods to those they were employing here and now in the past. In Texas, SBC was successful in its efforts to undermine the state commission regarding winback practices by going to the Legislature and having laws passed before the commission's ruling was released. He warned the committee that SBC was trying to do the same thing through this legislation in Kansas.

Debra Schmidt, Worldnet L.L.C., submitted written testimony in opposition to the bill. (Attachment 17)

Marianne Deagle, Birch Telecom, Inc., submitted written testimony in opposition to the bill. (Attachment 18)

David Springe, Citizens' Utility Ratepayer Board, submitted written testimony in opposition to the bill. (Attachment 19)

Ernest Kutzley, AARP, submitted written testimony in opposition to the bill. (Attachment 20)

Wauneta Browne, AT&T, submitted written testimony in opposition to the bill. (Attachment 21)

Rachel Lipman Reiber, Everest Connections, L.L.C., submitted written testimony in opposition to the bill. (Attachment 22)

The meeting was adjourned at 9:30 a.m. The next meeting will be February 23, 2004 at 8:30 a.m.