

As Amended by House Committee

Session of 2013

HOUSE BILL No. 2201

By Committee on Utilities and Telecommunications

2-1

1 AN ACT concerning telecommunications; relating to the state corporation
2 commission, regulation; concerning the Kansas universal service fund,
3 eligibility and disbursements; establishing the telecommunications
4 study committee; amending K.S.A. 66-1,188, **66-1,191, 66-1,195, 66-**
5 **2002, 66-2003 and 66-2007** and K.S.A. 2012 Supp. 66-1,187, 66-2005,
6 **66-2006, 66-2008 and 66-2009** and repealing the existing sections.
7

8 *Be it enacted by the Legislature of the State of Kansas:*

9 New Section 1. (a) There is hereby established the
10 telecommunications study committee. The committee shall study
11 telecommunications issues and ensure that the public policy of Kansas, as
12 expressed in K.S.A. 66-2001, and amendments thereto, is maintained, with
13 priority being given to advancing statewide telecommunications
14 infrastructure.

15 (b) The study committee shall be composed of 13 voting members, as
16 follows: (1) The chairperson, vice-chairperson and ranking minority
17 member of the senate committee on utilities;

18 (2) the chairperson, vice-chairperson and ranking minority member of
19 the house committee on utilities and telecommunications;

20 (3) two members appointed by the president of the senate;

21 (4) one member appointed by the minority leader of the senate;

22 (5) three members appointed by the speaker of the house of
23 representatives; and

24 (6) one member appointed by the minority leader of the house of
25 representatives.

26 (c) Members shall be appointed to the study committee on or before
27 August 1, 2013 for a term ending on June 30, 2016. The chairperson of the
28 senate committee on utilities and the chairperson of the house committee
29 on utilities and telecommunications shall serve as co-chairpersons of the
30 committee. The co-chairpersons shall determine the procedures for calling
31 a meeting to order and conducting committee business. The first meeting
32 of the study committee shall be called by the co-chairpersons of the
33 committee following the conclusion of the 2013 regular session of the
34 Kansas legislature. The committee shall have the authority to meet at any
35 time and at any place within the state on the call of the co-chairpersons.

36 (d) The provisions of the acts contained in article 12 of chapter 46 of

1 the Kansas Statutes Annotated, and amendments thereto, applicable to
2 special committees shall apply to the telecommunications study committee
3 to the extent that the same do not conflict with the specific provisions of
4 this act applicable to the study committee.

5 (e) A quorum of the telecommunications study committee shall be
6 seven members. All actions of the committee shall be taken by a majority
7 of all of the members of the committee.

8 (f) Any vacancy in the membership of the committee shall be filled
9 by appointment in the same manner prescribed by this section for the
10 original appointment.

11 (g) The telecommunications study committee shall provide an annual
12 report to the senate committee on utilities and the house committee on
13 utilities and telecommunications. The committee shall make
14 recommendations and may introduce such legislation as it deems
15 necessary in performing the committee's duties. The committee shall issue
16 a final report and policy recommendations for telecommunications to the
17 senate committee on utilities, the senate committee on ways and means,
18 the house committee on utilities and telecommunications and the house
19 committee on appropriations prior to January 31, 2016.

20 [4h] Members of the telecommunications study committee shall
21 receive compensation, travel expenses and subsistence expenses as
22 provided in K.S.A. 75-3212, and amendments thereto, when attending
23 meetings of the committee.

24 [4j] The staff of the office of the revisor of statutes, the legislative
25 research department and the division of legislative administrative services
26 shall provide such assistance as may be requested by the study committee.

27 [4t] The provisions of this section shall expire on June 30, 2016.
28 Sec. 2. K.S.A. 2012 Supp. 66-1,187 is hereby amended to read as
29 follows: 66-1,187. As used in this act:

30 (a) "Broadband" means the transmission of digital signals at rates
31 equal to or greater than 1.5 megabits per second.

32 (b) "CLASS services" means custom local area signaling services,
33 which include automatic callback, automatic recall, calling number
34 identification, selective call rejection, selective call acceptance, selective
35 call forwarding, distinctive ringing and customer originated trace.

36 (c) "Commission" means the state corporation commission.

37 (d) "Dialing parity" means that a person that is not an affiliate of a
38 local exchange carrier is able to provide telecommunications services in
39 such a manner that customers have the ability to route automatically,
40 without the use of any access code, their telecommunications to the
41 telecommunications carrier of the customer's designation from among two
42 or more telecommunications carriers, including such local exchange
43 carrier.

(1) The department of revenue shall conduct an audit of the Kansas
universal service fund. The audit shall examine the overall efficiency
and effectiveness of the KUSF. The department shall submit a final
audit report to the telecommunications study committee on or before
November 1, 2014.

(2) The telecommunications study committee shall determine the
scope of the audit. The audit may include an analysis of the
following:

(A) The total amount of KUSF support received expressed on a per-
line basis;

(B) the total amount of rural utilities service debt or other debt, by
recipient or related entity, and the maturity date, amortization and
security for such debt;

(C) the capital expenditures on technology by type;

(D) affiliate transactions and transfers; and

(E) the compensation received by the recipient's executives, partners,
members and board.

(3) The department may review or request any document filed with
the commission, including confidential data, so long as a non-
disclosure agreement is signed by the auditors.

(4) The cost of the audit shall be paid from the KUSF.
(h)