

Approved: April 2, 2003  
Date

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES.

The meeting was called to order by Chairman Carl D. Holmes at 9:04 a.m. on February 11, 2003 in Room 526-S of the Capitol.

All members were present.

Committee staff present: Mary Galligan, Legislative Research  
Dennis Hodgins, Legislative Research  
Mary Torrence, Revisor of Statutes  
Jo Cook, Administrative Assistant

Conferees appearing before the committee: None

Others attending: See Attached List

Several items were distributed to the committee: The Hutchinson News - Power lines could bring Web access from Chairman Holmes (Attachment 1); listing of fines imposed by the FCC from Representative Morrison (Attachment 2); letter from Sprint to Representative Krehbiel (Attachment 3); and a Topeka Capitol-Journal article on broadband from Representative Sloan (Attachment 4).

Representative Neighbor moved to introduce a resolution creating the Broadband High-Speed Internet Access Task Force. Representative Kuether seconded the motion. The motion carried.

**HB 2019 - State Corporation Commission prohibited from regulating high speed Internet access/broadband service**

Chairman Holmes opened the debate on **HB 2019**.

Representative Myers distributed a balloon amendment (Attachment 5). Representative Myers moved to adopt the amendments. Representative P. Long seconded the motion. Upon request, the motion was divided into three parts. On Part One to change page 3, line 7 from 150 to 200, motion carried. On Part Two to add new language on page 3 at line 15, motion carried. On Part Three to strike language on page 3 part of line 20 and the first word on line 21 and add additional language at the end of line 21, motion carried.

Representative Kuether distributed three amendments (Attachment 6), (Attachment 7), and (Attachment 8). Representative Kuether moved to adopt the first amendment, which would strike all of Section 2 and replace with proposed language. Representative Sloan seconded the motion, the motion failed. Representative Kuether moved to adopt the second amendment, which would add a new Section 3. Representative Carter seconded the motion, the motion failed. Representative Kuether moved to adopt the third amendment, which would add a new subsection (d) to page 3 Section 2. Representative Carter seconded the motion. The motion carried.

Representative Sloan distributed a proposed substitute bill (Attachment 9). Representative Sloan moved to adopt the substitute. Representative Reitz seconded the motion. The motion failed. Representative Sloan requested his 'yes' vote be recorded.

The debate on **HB 2019** will remain open.

The meeting adjourned at 10:58 a.m.

The next meeting will be Wednesday, February 12, 2003 at 9:00 a.m.