

MINUTES OF THE SENATE UTILITIES COMMITTEE

The meeting was called to order by Chairperson Robert Olson at 1:32pm on Thursday, February 12, 2015, 548-S of the Capitol.

All members were present

Committee staff present:

Heather O'Hara, Legislative Research Department
Natalie Nelson, Legislative Research Department
Michael Welton, Kansas Legislative Committee Assistant
Matt Sterling, Office of Revisor of Statutes

Conferees appearing before the Committee:

Mike Scott, AT&T and other utilities and telecommunications companies;
John Idoux, Century Link

Others in attendance:

[See Attached List](#)

Senator Olson opened the meeting with a welcome to all attendees. He called for discussion and consideration of minutes for 1 27 15, 1 28 15, 2 2 15, 2 3 15, 2 4 15 and 2 5 15.

Senator Francisco moved that all 5 days of minutes be passed with the amended language of: "4.) The Kansas Corporation Commission (KCC) will have information on cost savings from Southwest Power Pool (SPP) on the day-ahead market after March 1" be added on page 2 of February 3, 2015 draft minutes. Senator Petersen seconded the motion. The motion passed.

Senator Olson ordered that the minutes have been accepted and should be published.

Hearing on: SB109 — Emergencies and disasters and the Kansas disaster utilities response act.

Senator Olson opened the hearing on **SB109**. He called on Matt Sterling to provide an overview for the bill. Mr. Sterling provided an overview referencing 2 12 15 Revisor of Statutes Memorandum for Senate Bill 109 ([Attachment #1](#)).

In response to a question from Senator Hawk, Mr. Sterling clarified that this bill would only apply to the recovery and repair of critical infrastructure such as power and telecommunications, but not to personal or business properties.

Senator Olson called on proponent Mike Scott representing AT&T and a coalition of other utilities and telecommunications companies for testimony ([Attachment #2](#)).

Senator Olson called on proponent John Idoux representing Century Link for testimony ([Attachment #3](#)).

CONTINUATION SHEET

MINUTES of the Committee on Utilities at 1:32pm on Thursday, February 12, 2015, 548-S of the Capitol.

In response to questions and comments from Senators Wilborn, Francisco and Olson the conferees made the following points:

- 1.) The Kansas Municipal Utilities (KMU) does support passage of the this bill and should have been listed on testimony as such.
- 2.) Referring to "emergency-related work" it was clarified that this would include more than just work or repairs on damaged or destroyed infrastructure. It could include proactive measures such as sandbagging to protect an infrastructure asset that could be damaged by a disaster.
- 3.) The Fiscal Note for **SB109** stated that passage would have negligible effect on State General Fund revenues.
- 4.) The purpose of the balloon amendment was in responses from senators to clarify that this bill is intended to be tied to critical infrastructure and limited to a particular declared disaster. It was also pointed out that nothing in this bill provides any exemption from the Kansas Roofers Registration Act ([Attachment #4](#)).

Seeing no further questions or comments Senator Olson closed the hearing.

Possible action on bills previously heard

Senator Olson opened the discussion on **SB109**.

Senator Petersen motioned to adopt the balloon amendment and Senator Smith seconded the motion. The motion passed and the amendment was accepted.

Senator Francisco made a conceptual motion to include language to clarify that "work in preparation a disaster." Senator Lynn seconded the motion. The motion passed.

Senator Petersen motioned that the bill be passed favorably as amended and Senator Smith seconded the motion. The motion passed.

Seeing no further questions or comments Senator Olson closed the discussion on this bill.

Senator Olson adjourned the meeting at 2:17 pm. The next meeting is scheduled for February 17, 2014.