

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES.

The meeting was called to order by Chairman Carl D. Holmes at 9:07 a.m. on March 15, 2002 in Room 526-S of the Capitol.

All members were present except: Representative Carl Krehbiel

Committee staff present: Robert Chapman, 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

SB 490 - Kansas underground utility damage prevention act, regulations

Representative Kuether moved to recommend SB 490 favorable for passage. Representative Sloan seconded the motion. Motion carried. Representative Kuether will carry the bill.

HB 2100 - Unsolicited consumer telephone calls; do-not call list

Representative Myers moved to adopt the previously adopted balloon (Irs2322) with one change on page 4 line 6 deleting the words 'or the attorney general.' Representative Lightner seconded the motion. The motion carried. Representative Loyd requested that his 'yes' vote on the DMA list be recorded. Representative Sloan moved to amend page 2 item 6 to include 'within the preceding 36 months.' Representative McClure seconded the motion. The motion carried. Representative Sloan moved to add language on page 4 to read: 'The attorney general and the Direct Marketing Association shall insure that consumers are given clear notice that telephone numbers are not immediately added to the no-call database upon the submission of the consumer's notice of objection and that it may be as long as 90 days before telephone solicitors receive a new no-call database which includes the consumers telephone number.' Representative Lightner seconded the motion. Motion carried. Representative Sloan moved to amend page 3 letter c to read: A telephone solicitor shall not withhold the display of the telephone solicitor's telephone number from a caller identification service when that number is being used for telemarketing purposes except that before January 1, 2004, a telephone solicitor's telephone number shall not be required to be displayed when the solicitor's equipment is not capable of displaying the number. Representative Kuether seconded the motion. Representative Sloan distributed a copy of a Lawrence Journal-World article about the Sprint office closing (Attachment 1). On Call of the Question, motion carried. Representative McLeland requested his 'no' vote be recorded. Representative Sloan moved amend page 5 letter e to add language '.....and the employee was trained'. There being no second the motion was lost. Representative Myers moved to amend page 5 letter e, at the end, to read "such defense may be exercised no more than one time within a 12 month period within the state of Kansas. Representative Lightner seconded the motion. Motion carried.

Neil Woerman, Director of Budget and Special Projects for the Office of the Attorney General, distributed a memorandum on the Fiscal Note for the recently adopted substitute (Attachment 2).

Due to time constraints and the number of amendments the committee has indicated they have, the debate on **HB 2100** was suspended and will be resumed on Monday.

The meeting adjourned at 9:55 a.m.

The next meeting will be March 18, 2002.