

## MINUTES OF THE SENATE UTILITIES COMMITTEE

The meeting was called to order by Chairman Pat Apple at 1:30 p.m. on February 14, 2012 in Room 548-S of the Capitol.

All members were present except:

Committee staff present:

Matt Sterling, Office of the Revisor of Statutes  
Tamera Lawrence, Office of the Revisor of Statutes  
Cindy Lash, Kansas Legislative Research Department  
Heather O'Hara, Legislative Research Department  
Ann McMorris, Committee Assistant

Conferees appearing before the Committee:

Walter Way, Chair, 911 Coordinating Council  
Andy Tompkins, Kansas Board of Regents  
Tom Krebs, Kansas Association of School Boards  
Carol Barta, Kansas Library Association  
John Federico, Kansas Cable Telecommunications Association  
Jim Gartner, AT&T  
Harry Watts, SW Kansas Farm Bureau  
Cort Buffington, KanREN  
Dennis Stones, Superintendent USD 113, Prairie Hill  
Mike Hutfles, Kansas Rural Independent Telephone Companies

Others attending: See attached list.

Chair opened the hearing on:

**SB 384 – Concerning the 911 Act**

Matt Sterling, Assistant Revisor of Statutes, described the issues that would be clarified by **SB 384**. (Attachment 1)

Proponents

Walter Way, Chair, 911 Coordinating Council, spoke in support of **SB 384** and provided additional proposed clarification language. (Attachment 2)

Written testimony in support of **SB 384** was provided by Ed Klumpp, Kansas Association of Chiefs of Police, Kansas Sheriffs Association and Kansas Peace Officers Association. (Attachment 3)

Chair closed the hearing on SB 384.

Chair opened the hearing on:

**SB 398 -Amending the Kan-ed Act**

Tamera Lawrence, Assistant Revisor of Statutes, explained the amendments to the Kan-ed act in **SB 398**. (Attachment 4)

Proponents

Andy Tompkins, President and CEO, Kansas Board of Regents, discussed concerns that were expressed about the network and provided an update on actions that have been initiated to correct the concerns. He reviewed the guiding principles set forth by the Kan-ed Advisory Council for use during the transition in complying with the findings of the LPA report on Kan-ed. A plan has been proposed to transition Kan-ed to a new structure over the next 18 months and he briefed the committee on the various steps to be taken. He also reviewed the recommendations of the interim committee. (Attachment 5)

Tom Krebs, Governmental Relations Specialist, Kansas Association of School Boards, spoke in support of **SB 398**. (Attachment 6)

Carol Barta, Kansas Library Association Kan-ed Liaison, described how libraries have utilized this program and the benefits to the communities. (Attachment 7)

CONTINUATION SHEET

Minutes of the Senate Utilities Committee at 1:30 p.m. on February 14, 2012, in Room 548-S of the Capitol.

Opponents

John Federico, Kansas Cable Telecommunications Association, voiced concern that the delay in bringing about any real change could be corrected by addressing the effective implementation date. The other area of concern is the oversight of the Kan-ed program. (Attachment 8)

Neutral

Jim Gartner, contract lobbyist, AT&T, provided a list of recommendations that AT&T had developed for the future Kan-ed. (Attachment 9)

Harry Watts, Director Governmental Relations, Kansas Farm Bureau, stressed the need for this service in rural hospitals, schools and libraries. (Attachment 10)

Dennis Stones, Superintendent USD 113, Prairie Hill, provided insight on the implications and needs that K-12 has for the services, support and resources provided to school districts through Kan-ed. (Attachment 11)

Mike Hutfles, Kansas Rural Independent Telephone Companies, supplied written comments from Catherine Moyer, General Manager of Pioneer Communications in Ulysses, Kansas, and urged the committee to consider the need for broadband delivery of vital services in rural Kansas. (Attachment 12)

Written testimony only provided by:

Chad Austin, Senior Vice President, Government Relations, Kansas Hospital Association (Attachment 13)

Cort Buffington, Executive Director, KanREN, Inc. (Attachment 14)

Chair closed the hearing on **SB 398**.

**SB 374 – Concerning utilities; Kansas Corporation Commission; rules and regulations, penalties; fees**

*Moved by Senator Taddiken, seconded by Senator Emler, SB 374 be passed out favorably. Motion carried.* “No” vote recorded for Senator Merrick.

Adjournment.

Respectfully submitted,

Ann McMorris, Committee Secretary

Attachments - 14