

MINUTES OF THE SENATE COMMITTEE ON COMMERCE.

The meeting was called to order by Chairperson Senator Karin Brownlee at 8:00 a.m. on February 14, 2001 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: April Holman, Legislative Research Department
Robert Nugent, Revisor of Statutes
Lea Gerard, Secretary

Conferees appearing before the committee: Doug VanderLinden, Director of Educational
Technology, Burlington USD #244
Tom Gleason, Lobbyist Gleason & Doty, Chartered

Others attending: See Attached List

Doug VanderLinden, Director of Education Technology, Burlington USD #244, gave an overview of the Coffey County Area Network ([Attachment 1](#)).

Mr. VanderLinden responded to questions from Senator Kerr concerning content possibilities, content governance and who should be deciding what the content availability is for schools. He stated there are a variety of different content ideas such as interactive distance. For example, they have taken their students on electronic field trips to NASA and the Garden City Zoo. Mr. VanderLinden stated from the standpoint of governance, he believes in bringing all the players together to represent education along with the library and hospital members. There needs to be representation across the board to determine the level of content.

Tom Gleason, Lobbyist for Gleason & Doty, Chartered submitted testimony in support of **SB 48** on behalf of Jim Dahmen, General Manager of Columbus Telephone Company in Columbus, Kansas and Kendall S. Mikesell, Chairman of the Rural Telephone Company State Affairs Committee ([Attachment 2](#)).

In response to a question from the Committee, Susan Mahoney, Liaison to the Governor, clarified that Governor Graves' intent for the \$500,000 would allow the end users and the industry to come together, gather information and perform a study in order to build the infrastructure and design the network.

Senator Kerr stated that \$500,000 is in the education budget and the education subcommittee has met and drafted recommendations of plan of action and design.

Bob Nugent, Revisor went over the changes made to **SB 48**.

- change the governance, Page 1, Line 16, the KAN-ED Board becomes an advisory board.
- Page 1, Line 39 replace language to read "The information technology executive council, by and through the chief information technology architect shall" and strike *The purpose of KAN-ED shall be*.

The KAN-ED agency would no longer exist and would be replaced by ITEC who would be the authority to oversee the creation of the network and would be charged with the responsibility of entering into contracts.

- Page 2, Section 4 (a) the KAN-ED board no longer governs the KAN-ED network but has hereby created a KAN-ED advisory board. The board shall advise ITEC on technical content and policy issues to ensure that the KAN-ED network benefits from a broad spectrum of expertise and experience.
- Two changes made to the make-up of the board. First one deals with representatives from the industry. One member shall represent a small telecommunications provider and one member will represent a large telecommunications service provider.
- Page 2, Line 19, (4) (7) shall be changed to three residents.

- Page 3, Line 5 (b) the board shall report any recommendations to ITEC on a quarterly basis.
- Page 3, Line 9, Section 6 (a) Language change regarding ethics and competitive bidding law.
- Page 4, Line 19 after “duties” insert Language requiring DISC to provide staffing and resources necessary for the KAN-ED network.
- Page 5, Line 39, insert requirement that ITEC submit growth, maintenance and subsistence level budget request.
- Throughout the bill, references to “the board” were changed to ITEC.

The Committee proceeded to work the bill, beginning with the proposed amendments on Page 1:

Senator Jenkins moved, seconded by Senator Jordan, that SB 48 be amended on Page 1, Section C (4) Line 23 thru Line 25 strike that wording and to make the changes the House Bill made after Line 33 add “Kansas educational institution, as defined in K.S.A. 2000 Supp. 74-32,120”. The voice vote was in favor of the motion.

Senator Kerr moved, seconded by Senator Wagle that SB 48 be amended on Page 1, Line 16 to add the word *Advisory* after KAN-ED. The voice vote was in favor of the motion.

Senator Brungardt moved, seconded by Senator Wagle that SB 48 be amended on Page 1, Line 34, Section 3 (a) striking that section and replacing it with a balloon amendment starting with Line 39 and strike the working “The Purpose of KAN-ED shall be to and replace with “*The information technology executive council, by and through the chief information technology architect shall*”. The voice vote was in favor of the motion.

Senator Emler moved, seconded by Senator Steineger that SB 48, Page 2, Line 2, Section C the work KAN-ED be stricken and replaced with “*The network*”. The voice vote was in favor of the motion.

Senator Kerr moved, seconded by Senator Jordan that SB 48, Page 2, Line 8, Section 4 (a) KAN-ED shall be governed by the KAN-ED board and replaced with “*There is hereby established the KAN-ED advisory board. The board shall advise ITEC and DISC on technical, content and policy issues to ensure that the KAN-ED network benefits from a broad spectrum of experience and expertise*”. The voice vote was in favor of the motion.

Senator Emler moved, seconded by Senator Brungardt that SB 48, will be amended on Page 2, Line 17 to read “*communications industries: one member shall represent a small telecommunications service provider and one member shall represent a large telecommunications service provider*”. The voice vote was in favor of the motion.

Senator Emler moved, seconded by Senator Steineger that SB 48, will be amended on Page 2, Line 19 (7) to read *three residents*. The voice vote was in favor of the motion.

Senator Jenkins moved, seconded by Senator Kerr that SB 48, will be amended on Page 3, Line 5 by adding “*The board shall report any recommendations to ITEC on a quarterly basis.*” And Line 9, by adding (d) “*If any member of the board is employed by or holds a substantial interest in a company which may bid on a portion of the network...*”.

Senator Kerr moved, seconded by Senator Wagle that SB 48 be amended by changing “*The board*” to “*ITEC*” starting on Page 3, Line 9, Section 6 (a) and starting with Line 21 through Line 27 striking and making this change for the remainder of the bill where “*The board*” appears.

Senator Kerr moved, seconded by Senator Wagle that Page 4, Line 19 be amended to read “*The division of systems and communications shall provide such staff and other resources as may be necessary to effectuate the purposes of this act.*” The voice vote was in favor of the motion.

The Committee meeting adjourned at 9:30 a.m.

The next meeting is scheduled for February 15, 2001 at 8:30 a.m.