

MINUTES OF THE SENATE UTILITIES COMMITTEE

The meeting was called to order by Chairman Pat Apple at 1:30 p.m. on February 5, 2009, in Room 545-N of the Capitol.

All members were present except
Senator Jay Emler, excused
Senator Carolyn McGinn, excused

Committee staff present:
Mike Corrigan, Office of the Revisor of Statutes
Raney Gilliland, Kansas Legislative Research Department
Cindy Lash, Kansas Legislative Research Department
Ann McMorris, Committee Assistant

Conferees appearing before the committee: none
Others attending: See attached list.

Chair announced the committee would be considering two bills -
SB 48 - Enhanced wireless and VoIP 911 service amendments, collection and disbursement of certain funds.

Chair called on Revisor Mike Corrigan to review the amendments to **SB 48** made by the Senate Utilities Committee at their meeting on February 3, 2009. After reviewing the actions of the committee, Revisor reviewed other changes that were considered: (1) number of members for a task force; (2) charge to the task force; (3) schedule of meetings; (4) budget and funding for the committee; (5) payment of committee members; (6) staff required.

Committee discussed recommendations for language in a balloon. Consideration to funding radio purchase; methods to address changing technology; differing needs of support in communities; funding of services; current funding may not be sufficient to cover cost and committee needs to address this area; parity between wireline and wireless for both customers and providers.

Revisor provided information (1)12-5309 - Enhanced 911 Task Force; and (2) 46-33401.2010 commission; membership; appointment meetings. (Attachment 1)

Research provided information on makeup of former task forces. (Attachment 2)

Discussed the language regarding task force charges as enumerated in the first paragraph of 12-5309 under items (1) thru (5). Suggestion that a study be included on services delivered on a regional basis, consolidation of PSAFs and cost. Revisor to prepare a balloon to incorporate these recommendations for the committee's consideration. It was determined the Task Force would include 3 House and 3 Senate members to be appointed as follows: 2 by Senate President; 2 by House Speaker; and 1 each by Ranking minority of House and Senate; appointment of industry representatives by KCC.. Funding would be requested from the grant and the number of meetings during the interim will be determined. Task Force to report to the Senate and House Utilities Committees at start of 2010 Session.

SB 58 - Underground utility damage prevention act, amending tolerance zone definition.

KCC was requested to get industry members together and reach some common ground for changes in the bill. Leo Haynos agreed to convene the group and give a report to the committee on February 11.

It was agreed that the implementation date of **SB 58** be changed from July 2009 to Jan. 1, 2010.

Senator Lee noted the committee will need to deal with the Home Rule out for some municipalities. Question was asked: Is a fee funded agency subject to the Open Records Act? Research will provide information on this question.

Adjournment.

CONTINUATION SHEET

Minutes of the Senate Utilities Committee at 1:30 p.m. on February 5, 2009, in Room 545-N of the Capitol.

The next meeting is scheduled for February 9, 2009.

The meeting was adjourned at 2:30 p.m

Respectfully submitted,

Ann McMorris
Committee Assistant

Attachments - 2