

Approved: April 2, 2003
Date

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES.

The meeting was called to order by Chairman Carl D. Holmes at 9:04 a.m. on February 14, 2003 in Room 526-S of the Capitol.

All members were present.

Committee staff present: Mary Galligan, 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

**HB 2019 - State Corporation Commission prohibited from regulating high speed Internet access/
broadband service**

The debate continued on **HB 2019**. The committee worked from the previously requested proposed substitute that included all of the adopted amendments (Attachment 1). Mary Torrence, Revisor of Statutes, detailed the changes made by the adopted amendments.

Representative Myers distributed a proposed amendment (Attachment 2). Representative Myers moved to adopt the amendment that added language to page 4, line 21. Representative P. Long seconded the motion. The motion failed.

Representative Kuether distributed a proposed amendment (Attachment 3). Representative Kuether moved to adopt the amendment that would strike the language on page 4, line 3 after the work 'elements' and through line 5 before the word 'the' and adding new language. Representative Kassebaum seconded the motion. The motion failed.

Representative Carter distributed a proposed amendment (Attachment 4). Representative Carter moved to adopt the amendment that would add language to page 4, line 22. Representative Krehbiel seconded the motion. Representative Carter withdrew the motion. Representative Carter moved to amend page 4, line 23 after the words 'splitter function' add the words 'on deployed equipment.' Representative Krehbiel seconded the motion. Motion carried.

Representative Dillmore moved to strike the work 'exclusive' on page 3, line 23. The motion died due to lack of a second.

Representative Carter moved to reconsider the inclusion of the new language in new Section 3 (c). Because the motion was not made by a committee member voting on the prevailing side, the motion was not accepted.

Representative Carter distributed a proposed amendment (Attachment 5). Representative Carter moved to include a severability clause into the bill subject to the Revisor's discretion of placement. Representative Myers seconded the motion. The motion carried. Representative Carter distributed another proposed amendment (Attachment 6). Representative Carter moved to adopt the proposed language. The motion died

due to a lack of second.

Representative Myers moved to recommend **Substitute for HB 2019**, as amended, favorably for passage. Representative Dillmore seconded the motion. On a substitute motion, Representative Carter moved to table **HB 2019**. Representative Neighbor seconded the motion. The motion failed.

The committee recessed to the House floor at 10:25 a.m. The committee reconvened at 11:10 a.m. and the discussion on the motion to pass continued. The motion failed.

The meeting adjourned at 11:29 a.m.

The next meeting will be Tuesday, February 18, 2003 at 9:00 a.m.