

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES.

The meeting was called to order by Chairman Carl D. Holmes at 9:09 a.m. on March 14, 2001 in Room 526-S of the Capitol.

All members were present.

Committee staff present: Lynne Holt, Legislative Research
Mary Torrence, Revisor of Statutes
Jo Cook, Committee Secretary

Conferees appearing before the committee: None

Others attending: See Attached List

HB 2521 - Kansas Underground Utility Damage Prevention Act revision

The debate on **HB 2521** continued, using the listing of proposed amendments previously distributed (Attachment 1). Rep. Myers moved to adopt proposed amendment #3, Rep. Long seconded the motion, motion failed. Rep. Myers moved to include under the definition of facility, the option for rural water districts to be allowed to opt in or out of the One-Call program at the effective date of the statute and if they choose to opt in, they must stay in. Rep. Compton seconded the motion, motion carried. There was no motion on proposed amendment #4. Rep. Loyd moved to adopt proposed amendment #5, Rep. Alldritt seconded the motion. Request to divided the question by subsection was granted. Motion on amendment #5 subsection (B), with added language "...marked in the right of way in a manner....." carried. Motion on amendment #5 subsection (C) carried. There was no motion on proposed amendment #6. Rep. Sloan moved to adopt proposed amendment #7. Rep. Long seconded the motion, motion carried. Rep. Sloan moved to adopt proposed technical amendments #'s 8 and 9. Rep. Dreher seconded the motion, motion carried. Rep. Loyd moved to adopt proposed amendment #10 striking the words 'into lots of less than 1/2 acre', Rep. Long seconded the motion. Motion carried. Rep. Sloan moved to adopt the language in the first half of proposed amendment #11. Rep. Dahl seconded the motion, motion carried. Rep. Sloan moved to adopt proposed technical amendments #'s 12 and 13. Rep. Dreher seconded the motion, motion carried. Rep. Krehbiel moved to adopt proposed amendment #14, Rep. Dahl seconded and the motion carried. Rep. Sloan moved to adopt proposed amendment #15. Rep. Dahl seconded the motion, motion carried. Rep. Sloan moved to adopt the remaining proposed technical amendments (#'s 16, 19, 20, 23 & 24). Rep. Dahl seconded the motion and the motion carried. Rep. Sloan moved to adopt proposed amendment #17 with grammatical corrections and Rep. Dreher seconded the motion. The motion carried. Rep. Sloan moved to adopt proposed amendment #18. Rep. Myers seconded the motion, motion failed. Rep. Krehbiel moved to adopt proposed amendment #21 with Rep. Dillmore seconding. Motion carried. Rep. Dreher moved to adopt proposed amendment #22. Rep. O'Brien seconded the motion, motion carried. Rep. Compton moved to adopt proposed amendment #25. Rep. Long seconded the motion, the motion carried. Rep. Compton moved to adopt proposed amendment #26 and Rep. Alldritt seconded the motion. The motion failed. Rep. Sloan moved to adopt proposed amendment #27. Rep. Dreher seconded the motion and the motion carried. Rep. Sloan moved to adopt proposed amendment #28. Rep. Kuether seconded the motion. The motion carried. Rep. Sloan moved to adopt proposed amendment #29 with the second by Rep. Dreher. Motion carried. Rep. Dillmore moved to adopt proposed amendment #30. Rep. Krehbiel seconded the motion and the motion carried. Rep. Loyd moved to strike from page 4, lines 40 to 42 the words 'including telephone and facsimile' and Rep. Kuether seconded the motion. The motion carried. Rep. Loyd moved to strike from page 3, line 17 the word 'initial meeting' and replace them with 'the meeting in accordance with subsection 1. Rep. Kuether seconded the motion and the motion carried. Rep. Loyd moved to strike the language on page 6, lines 32-33, subsection (p) that reads '....results in gross negligence or willful and wanton disregard of underground facilities.' and replace it with '...results in negligent disregard of underground facilities.' Rep. Dillmore seconded the motion. Motion carried. Due to time constraints, the debate on **HB 2521** will continue at the next meeting.

Meeting adjourned at 10:57 a.m.

Next meeting is Thursday, March 15, 2001