

MINUTES OF THE HOUSE UTILITIES COMMITTEE

The meeting was called to order by Chairman Carl Holmes at 9:00 A.M. on March 17, 2006 in Room 231-N of the Capitol.

All members were present.

Committee staff present:

Mary Galligan, Kansas Legislative Research
Mary Torrence, Revisor's Office
Heather Klaasen, Research Intern
Rena Hansen, Committee Secretary

Conferees appearing before the committee: None

Others attending:

See attached list.

A neutral written testimony on **Sub SB 449**, Joe Allen Long, City of Wichita, (Attachment 1), was handed out to the committee.

Chairman Carl Holmes asked for a count of the number of amendments that might be offered to **Sub SB 449** and a brief explanation from each member offering the amendment. There were a total of 13 amendments to be offered with amendment(s) being offered by Representatives: Jason Watkins, Tom Sloan, Melody Miller, Joshua Svaty, Carl Krehbiel, Annie Kuether, and Margaret Long.

Action on:

Sub SB 449 **Sub for SB 449 by Committee on Commerce - Video competition act.**

Representative Jason Watkins offered an amendment to **Sub SB 449**, (Attachment 2) that would help protect the cable providers.

Representative Jason Watkins moved to accept the amendment to Sub SB 449 presented to the committee. Seconded by Representative Peggy Mast. Motion passed unanimously.

Representative Tom Sloan (Attachment 3), offered several amendments to **Sub SB 449**.

Representative Tom Sloan moved to amend Sub SB 449, page one. Seconded by Representative Jason Watkins. Motion passed unanimously.

Representative Tom Sloan moved to amend Sub SB 449, page seven, 5e, and re-lettering the remaining subsections which define the percentage of bundled package video services. Seconded by Representative Josh Svaty.

Discussion was offered by Representatives: Carl Holmes, Carl Krehbiel, and Josh Svaty.

Representative Tom Sloan closed on the motion.

Motion carried unanimously.

Representative Tom Sloan moved to amend Sub SB 449, page seven, lines 7, 8, 15, 16, and 18 changing the words "video service provider" to language suggested in attachment. . Seconded by Representative Annie Kuether.

Discussion followed with comments made by Representative Carl Krehbiel and Tom Sloan about the nature of the change being substantive and not just cosmetic in nature.

Representative Tom Sloan withdrew his motion.

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Representative Tom Sloan Moved to amend **Sub SB 449**, page 8, line 3 with added language suggested in the balloon. Seconded by Representative Carl Krehbiel.

Discussion followed by Representatives: Jason Watkins, Tom Sloan, Carl Holmes and Carl Krehbiel.

Representative Tom Sloan closed on the motion.

Motion passed favorably.

Representative Josh Svaty offered several (Attachment 4) amendments to **Sub SB 449**.

Representative Josh Svaty moved to amend **Sub SB 449** with the amendments presented on **Sub SB 449**. Seconded by Representative Jim Morrison.

Discussion followed by Representative Carl Krehbiel.

Representative Tom Sloan moved to divide the questions. Chairman Carl Holmes allowed the division.

The first question, page 8, deletion of language in lines 13 and 14:

Motion passed favorably.

The second question, page 5: whereby the bill would be changed to hold to the standards of the Federal Regulations.

Questions were asked and comments made by Representatives: Carl Krehbiel, and Annie Kuether. Clarification was offered by Revisor Mary Torrence.

Representative Joshua Svaty closed on the second question of the motion.

Motion failed with a called question 6-14.

Representative Melody Miller, (Attachment 5), moved to amend **Sub SB 449**, page 4, lines 2, 3, and 4. Seconded by Representative Annie Kuether.

Questions and comments were offered by Representatives: Melody Miller, and Tom Hawk. Representative Tom Sloan suggested that this amendment was similar to the amendment to be offered by Representative Carl Krehbiel.

Representative Carl Krehbiel offered his balloon amendments (Attachment 6) for committee members to review.

Debate ensued over the minimum number of Public Educational and Governmental (PEG) lines to be offered with comments and ideas offered by Representatives: Jason Watkins, Tom Sloan, Peggy Mast, Melody Miller, Carl Krehbiel, Lynne Oharah, Forrest Knox, Tom Hawk, and Josh Svaty. With interpretations of the intent of the language change by Revisor Mary Torrence.

Representative Melody Miller closed on her motion.

Motion to amend passes.

Representative Carl Krehbiel moved to change the language in **Sub SB 449** from three PEG channels to two. Seconded by Representative Rob Olson.

Discussion followed by Representatives: Don Myers and Carl Krehbiel.

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Representative Carl Krehbiel closed on the motion.

Motion passed 13-7.

Representative Carl Krehbiel moved to amend **Sub SB449**, page 7, line 22, striking the language to the end of (c) and inserting 5%. Seconded by Representative Jason Watkins. Motion passed unanimously.

Representative Annie Kuether (Attachment 7) moved to amend **Sub SB 449**, page 8, inserting a new section 6, renumber remaining sections. Seconded by Representative Tom Hawk.

Representative Tom Sloan preceded to explain why this amendment as worded did not do what Representative Annie Kuether wanted it to do.

Representative Kuether withdrew her motion.

Representative Annie Kuether (Attachment 8), moved to amend **Sub SB 449**, page 8, New Section 6 and pages 2 and 3 with the words Kansas Corporation Commission inserted where before were the words Secretary of State. Seconded by Representative Carl Krehbiel.

Comments were offered by Representatives: Carl Krehbiel and Tom Sloan.

Representative Annie Kuether closed on the amendments.

Motion passed unanimously.

Representative Margaret Long moved to amend **Sub SB 449**, page 8, line 20, changing the second “may” to “shall”. Seconded by Representative Melody Miller.

Comments were made and questions asked by Representatives: Melody Miller and Carl Krehbiel. Revisor Mary Torrence offered some explanation of intent and language.

Representative Margaret Long withdrew her motion to amend.

Representative Tom Sloan moved (Attachment 3), to amend **Sub SB 449**, page 5, lines 14 and 15 striking “and after a public hearing”. Seconded by Representative Peggy Mast. Motion passed unanimously.

Representative Carl Krehbiel moved to pass out of committee to the full house **Sub SB 449** favorable as amended. Seconded by Representative Peggy Mast.

Discussion to kill the bill and start over was suggested by Representative Tom Sloan.

Motion passed unanimously.

Representative Lynne Oharah will carry **Sub SB 449** on the House floor.

Action on **Sub SB 449** was finished.

Chairman Carl Holmes explained to the committee the plan to use previously heard exempt bills, to move out to the full body of the House some of the recently heard legislation. Additionally, it was briefly explained how this would then work with the Senate chamber.

Representative Tom Sloan moved to take **SB 70** off the table. Seconded by Representative Rob Olson. Motion passed unanimously.

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Representative Carl Krehbiel moved to take **SB 93** off the table. Seconded by Representative Josh Svaty. Motion passed.

Representative Rob Olson offered some clean up language amendments (Attachment 9) **for SB 70.**

Representative Rob Olson moved to pass the balloon language presented for **SB 70.** Seconded by Representative Josh Svaty.

Questions were asked and comments made by Representatives: Jason Watkins, Tom Sloan, Peggy Mast, Melody Miller, Rob Olson, and Carl Krehbiel.

Chairman Holmes called the question

Representative Rob Olson closed on his amendment to **SB 70.**

Motion carried.

Debate will continue on **SB 70** on March 20, 2006.

The next meeting is scheduled for March 20, 2006.

Meeting adjourned.