

Date

MINUTES OF THE SENATE UTILITIES COMMITTEE

The meeting was called to order by Chairman Pat Apple at 1:30 p.m. on February 11, 2009, in Room 545-N of the Capitol.

All members were present except:

Senator Marci Francisco - excused

Senator Janis Lee - 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:

Others attending:

See attached list.

Approval of Minutes

Moved by Senator Bruce, seconded by Senator Masterson, approve the minutes of the meetings of the Senate Utilities Committee held on January 26, 2009; January 29, 2009; February 2, 2009; February 3, 2009; and February 4, 2009. Motion carried.

Chair opened for discussion and possible action on:

SB 48 - Enhanced wireless and VoIP 911 service amendments, collection and disbursement of certain funds.

Mike Corrigan, Office of Revisor of Statutes, provided a draft of the Proposed **Substitute for S.B. 48** and explained the proposed changes in language. (Attachment 1)

Moved by Senator Brownlee, seconded by Senator Taddiken, to adopt the proposed **Substitute for S.B. 48**. Motion carried.

Moved by Senator Emler, seconded by Senator Masterson, adopt the language in **Substitute for S.B. 48** on appointment of joint committee in New Sec. 6 (a) and in New Sec. 6 (b)(2) to change 9-1-1 to 911. Motion carried.

Moved by Senator Brownlee, seconded by Senator Petersen, in **Substitute for S.B. 48**, New Sec. 6. (b) (5) to change the word “systems” to “statutory requirement”. Motion carried.

Moved by Senator Bruce, seconded by Senator Taddiken, in **Substitute for S.B. 48**, New Sec. 6 (f) to add “and a representative of the Kansas Corporation Commission” after post audit. Motion carried..

Some discussion on “primary place of use” rather than “primary residence”. This matter was tabled for interim study.

Moved by Senator Emler, seconded by Senator Taddiken, adopt amendments to **Substitute for S.B. 48**. Motion carried.

Moved by Senator Brownlee, seconded by Senator Petersen, move **Substitute for S.B. 48** out as amended. Motion carried..

CONTINUATION SHEET

Minutes of the Senate Utilities Committee at 1:30 p.m. on February 11, 2009, in Room 545-N of the Capitol.

Chair opened for discussion and possible action on
SB 58 - Underground utility damage prevention act, amending tolerance zone definition.

Leo Haynos, KCC, reported on the meeting with conferees of **SB 58** in an effort to reach consensus on the various amendments offered by Kansas One Call. He summarized the results of their meeting and explained the alternative proposals being offered for the review of the Senate Utilities Committee. (Attachment 2)

Moved by Senator Taddiken, seconded by Senator Petersen, in S.B. 58 to approve the change of date to 2010. Motion carried.

Moved by Senator Bruce, seconded by Senator Brownlee, for S.B. 58 to adopt the proposal as set forth in Attachment 1 of the KCC testimony regarding the Open Records Act and drafted in balloon by the Revisor. Motion carried (Attachment 3)

Moved by Senator Emler, seconded by Senator Reitz, for S.B. 58 adopt the balloon prepared by the Revisor regarding the change in Tier 3. Motion carried. (Attachment 4)

Moved by Senator Brownlee, seconded by Senator Emler, adopt as Substitute for S.B. 58 and pass out favorably as amended. Motion carried.

The next meeting is scheduled for February 12, 2009.

The meeting was adjourned at 2:30 p.m.

Respectfully submitted,

Ann McMorris
Committee Assistant

Attachments - 4