

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES.

The meeting was called to order by Chairman Carl D. Holmes at 9:05 a.m. on January 30, 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: Steve Rarrick, Attorney General's Office
Ernest Pogge, AARP
Mike Murray, Sprint
Doug Smith, Direct Marketing Association

Others attending: See Attached List

Chairman Holmes asked for bill introductions from the committee. Rep. Alldritt requested that a committee bill be introduced that would revoke the service portability charge that local exchange carriers levy where there is no local portability. Rep. Alldritt moved that this bill be introduced. Rep. O'Brien seconded the motion, motion carried. Rep. Alldritt requested that the committee introduce a House Concurrent Resolution asking the governor to declare an energy resource emergency, under K.S.A. 74-619. Rep. Alldritt moved that this resolution be introduced. Rep. O'Brien seconded the motion, motion carried. Chairman Holmes requested that a resolution be introduced that would allow the utility companies to operate a loan program for insulation going into attics. Rep. Sloan moved that the resolution be introduced. Rep. Alldritt seconded the motion, motion carried.

HB 2100 -Telemarketer no-call list

Steve Rarrick, Deputy Attorney General- Consumer Protection Division of the Attorney General's office, testified in support of **HB 2100 (Attachment 1)**. Mr. Rarrick stated there are 23 states that have do-not-call laws in place. He also stated that the Attorney General supports the bill as drafted, but would not support it if additional exemptions were added.

Dr. Ernest Pogge, appearing on behalf of AARP in Kansas, appeared as a proponent of **HB 2100 (Attachment 2)**. Dr. Pogge stated they believe that consumers have a right to personal privacy and should be able to reject intrusive marketing practices and communications.

Mike Murray, Director of Governmental Affairs for Sprint, spoke to the committee in opposition to **HB 2100 (Attachment 3)**. Mr. Murray outlined activities that would have to be done if this bill is passed. He also included with his testimony a Direct Marketing Association Telephone Preference Service form, a proposed balloon amendment and a copy of the Session 2000 **House Bill 2580**.

Doug Smith, appearing on behalf of the Direct Marketing Association (D.M.A.), spoke against **HB 2100 (Attachment 4)**. Mr. Smith stated that the D.M.A. is not opposed to do-not-call lists, but is opposed to state specific lists as outlined in the bill. Mr. Smith cited the expense and duplicate paper work that could be involved with **HB 2100**.

The conferees responded to questions from the committee.

Chairman Holmes reminded the committee that they would work **HB 2034** on Thursday. He also set the agenda for Wednesday. The entire committee will meet at the regular time, with sub-committee assignments made. At approximately 10:15, the sub-committees will adjourn and the whole committee will reconvene to introduce any bills recommended.

Meeting adjourned at 10:34 a.m. Next meeting will be Wednesday, January 31, 2001.