

MINUTES OF THE SENATE UTILITIES COMMITTEE

The meeting was called to order by Chairman Pat Apple at 1:30 p.m. on February 4, 2009, in Room 545-N of the Capitol.

All members were present.

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:

Leo Haynos, Kansas Corporation Committee
Tom Shimon, Kansas One-Call
George Melling, Kansas Gas Service, Overland Park
Mark Schreiber, Westar
Dave Breuer, K.C. Construction, Basehor, KS.
Darci Meese, Johnson County Water District #1
Speaker Doug Mays, Topeka

Others attending:

See attached list.

Chair opened the hearing on:

SB 58 - Underground utility damage prevention act, amending tolerance zone definition.

Proponents

Leo Haynos, Chief of Gas Operations and Pipeline Safety, Kansas Corporation Commission, noted KCC supports **SB 58** which makes a technical correction to the definition of the term “tolerance zone” found in K.S.A. 66-1802. (Attachment 1)

Tom Shimon, Executive Director, Kansas One-Call, provided (1) written information on Kansas One-Call operations and background; (2) A paper on the Kansas Underground Utility Damage Prevention Act with changes mandated by **HB 2637** and their proposed amendments; and (3) a power point presentation on **SB 58**. He briefed the committee on history, tier members, revenue analysis, and its five year plan. (Attachment 2)

George Melling, Kansas Gas Service, Overland Park, testified in support of **SB 58** and in support of the amendment introduced by Kansas One-Call. (Attachment 3)

Mark Schreiber, Westar, testified in support of the changes identified in **SB 58**. (Attachment 4)

Dave Breuer, contractor and owner, K.C. Construction, Basehor, KS., spoke of the procedure currently in place which requires the contractor to call Kansas One-Call, and then to call other utilities that are not Tier 1 members. Such a procedure is time consuming and costly. (Attachment 5)

Darci Meese, Johnson County Water District #1, spoke in support of **SB 58**.

Doug Mays, former Representative and House Speaker, who helped draft the original bill on Kansas One-Call, provided background, and spoke against further amendments to the bill..

Written Only -

Bob Totten, Kansas Contractors Association (Attachment 6)
Elmer Ronnebaum, Kansas Rural Water Assn., Seneca (Attachment 7)

CONTINUATION SHEET

Minutes of the Senate Utilities Committee at 1:30 p.m. on February 4, 2009, in Room 446-N of the Capitol.

Chair opened for discussion. Questions were asked on cost for calls, number of calls, cities opting out, time involved and location of utilities. Discussion occurred on changing the date **SB 58** becomes law to January 1, 2010 rather than on date of publication to lessen the impact on Tier 2 and Tier 3 members.

Chair closed the hearing on **SB 58**.

Nelson Krueger who served as Chairman of the E911 Task Force, provided a clarification memo on questions from Senators Brownlee, Emler and others about the State of Kansas E911 Task Force. (Attachment 8)

The next meeting is scheduled for February 5, 2009.

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

Respectfully submitted

Ann McMorris
Committee Assistant

Attachments - 8