

HOUSE MESSAGE SUMMARY

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BILL: SB 1322, 1st Engrossed
SPONSOR: Governmental Oversight Committee & Communications & Public Utilities Committee,
SUBJECT: Public Service Commission
PREPARED BY: Senate Committee on Communications And Public Utilities
DATE: May 5, 2005

I. Amendments Contained in Message:

House Amendment 1 – 625405 (body with title)

II. Summary of Amendments Contained in Message:

House amendment 1 incorporates in SB 1322, 1st Eng., the substance of HB 1649, 1st Eng, as amended and passed by the Senate on May 4, 2005. This is the bill on regulation of communications, including provisions on the Public Service Commission, government-owned communications services, lifeline, and broadband. The House did make changes to the Senate language, including:

- the House amendment requires that the joint Committee on Public Service Commission Oversight send the Governor “three or more” nominees for appointment to the Commission, while the Senate amendment required three nominees;
- the House amendment only allows a governmental entity that provides a communications service to provide such service, without complying with all the bill’s prerequisites, to itself and “any governmental law enforcement agency or governmental emergency services entity,” whereas the Senate amendment allows providing the service to “any other governmental agency”;
- the House amendment revises the language with respect to consent from governmental entities before providing communications services within their territory;
- the House amendment requires that a governmental entity operating a communications system that is losing money after 4 years of operations continue to operate the system only upon approval by a majority vote of the governing body of the governing authority;
- the House amendment revises the grandfather provisions, including limiting the grandfather provision for a government entity that has purchased equipment by a specified date to a government entity with a population of less than 7,500;
- the House amendment made changes to the antitrust provisions in the Senate language; and
- the House amendment deletes from the effective date the Senate language that the provisions creating Public Service Commission member standards of conduct or creating penalties relating to Commissioner standards of conduct apply only to violations after the effective date.