

1999 HOUSE FINANCE AND TAXATION

HB 1450

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1450

House Finance and Taxation Committee

Conference Committee

Hearing Date February 1, 1999

Tape Number	Side A	Side B	Meter #
1	x		19
Committee Clerk Signature <i>Janice Stein</i>			

Minutes:

REP. BELTER Opened the hearing.

REP. MICK GROSZ, DIST. 8, Introduced the bill. This bill simply sets down the requirements for telecommunications carriers to track universal service. This section of law comes, practically verbatim, from the federal code. The reason I put this in, is to insure that we have universal service throughout North Dakota. What we are protecting against here, is the cherry picking, while receiving universal service. A telecommunications company may not be an eligible telecommunications carrier unless the company offers all services afforded by federal universal service mechanisms throughout the service area. They can't leave somebody, out in the countryside, out.

REP. WINRICH What are some of the services that, typically, might not be offered?

REP. GROSZ It is not concerned with what might not be offered, a wireless company might provide the universal service as needed, the only thing this says is that they have to serve everyone out there.

REP. FROELICH Would this require West River Telephone, they have the wireless service in Hazen and also service our country, it would require them to have wireless service down there?

REP. GROSZ No, it would only mandate it, in this case, West River Telephone doesn't do it, only if they wanted to get money from the universal service fund, then they would have to service everyone. West River owns part of Comnet, if Comnet wanted to draw from the universal service fund, they would have to serve everyone in the service area.

DAVID CROUTHERS, NORTH DAKOTA TELEPHONE COOPERATIVES ASSOCIATION

Testified in support of the bill. We think it is critical that language such as this be adopted on a state level, as it is very similar to the federal language that exists. There is one thing we want to offer for your consideration is one line 8, where it says "service area" that that language be changed to "study areas".

REP. GRANDE What is the difference?

DAVID CROUTHERS There is not a definition in state law right now for service area or service territory. For a study area, that is how we recover the federal universal service fund support today.

REP. WINRICH Is study area defined in federal law then or in state law?

DAVID CROUTHERS It is defined in federal law. I don't know if it is state law or not.

With no further testimony, the hearing was closed.

COMMITTEE ACTION 2-1-99, Tape #2, Side A, Meter 9.6

REP. GROSZ Stated he would have amendments drafted to line 8, to insert "study areas" instead of "service areas"

The bill will be acted on at a later date.

COMMITTEE ACTION 2-2-99, Tape #1, Side B, Meter #52.8

REP. GROSZ Presented amendments to the committee members.

On page 2, line 8, it would replace "service area" with "study area"

REP. GROSZ Made a motion to adopt the amendments as present.

REP. MICKELSON Second the motion. MOTION CARRIED BY VOICE VOTE.

REP. MICKELSON Made a motion for a DO PASS AS AMENDED.

REP. GRANDE Second the motion. MOTION CARRIED

14 Yes 0 No 1 Absent

REP. WARNER Was given the floor assignment.

Please type or use black pen to complete

Date 2-2-99
Roll call vote # 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1450

House HOUSE FINANCE & TAX Committee

- Subcommittee on _____
- Conference Committee

} Identify or check where appropriate

Legislative Council Amendment Number _____

Action Taken Do Pass as amended

Motion Made By Rep. Mickelson Seconded By Rep. Grande

Representatives	Yes	No	Representatives	Yes	No
BELTER	✓		WINRICH	✓	
RENNERFELDT	✓				
CLARK	✓				
FROELICH	✓				
GRANDE	✓				
GROSZ	✓				
HERBEL	✓				
KROEBER	✓				
MICKELSON	✓				
NICHOLAS	A				
RENNER	✓				
SCHMIDT	✓				
WARNER	✓				
WIKENHEISER	✓				

Total 14 0
(Yes) (No)

Absent 1

Floor Assignment Rep. Warner

If the vote is on an amendment, briefly indicate intent:

DO NOT USE HIGHLIGHTER ON ANY FORMS

REPORT OF STANDING COMMITTEE (410)
February 3, 1999 12:36 p.m.

Module No: HR-22-1789
Carrier: Warner
Insert LC: 90748.0101 Title: .0200

REPORT OF STANDING COMMITTEE

HB 1450: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1450 was placed on the Sixth order on the calendar.

Page 1, line 8, replace the second "service" with "study"

Renumber accordingly

1999 SENATE INDUSTRY, BUSINESS AND LABOR

HB 1450

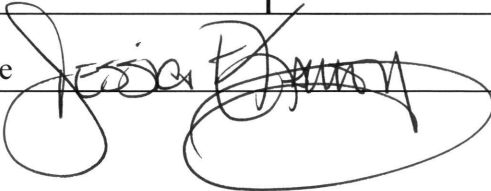
1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1450

Senate Industry, Business and Labor Committee

Conference Committee

Hearing Date March 10, 1999

Tape Number	Side A	Side B	Meter #
1	x		1600-4000
Committee Clerk Signature 			

Minutes:

Senator Mutch opened the hearing on HB1450. All senators were present.

Representative Grosz introduced HB1450. He said he introduced this because universal service is the foundation of telecommunications policy in the United States. A 1934 act states that universal service is the goal in the United States. He said that by putting this in would show that it is also our states goal.

Senator Krebsbach asked Representative Grosz why it was changed throughout the study and not the service. He told her that Legislative Council told him that "study area" would be better terminology because it would define a larger area.

Senator Heitkamp asked Representative Grosz if they would be getting ahead of themselves. (in terms of universal service) He said that he did not feel that they would be. He feels that sometimes it is better to get ahead and be proactive instead of reactive.

Page 2

Senate Industry, Business and Labor Committee

Bill/Resolution Number Hb1450

Hearing Date March 10, 1999

Senator Tomac testified in support of HB1450. He said that this is a common sense type of an approach to an important issue.

Senator Mutch concluded the hearing on HB1450.

Senator Heitkamp motioned for a do pass committee recommendation on HB1450. Senator Sand seconded his motion. The motion carried with a 7-0-0 vote.

Senator Thompson will carry the bill.

SR44327

Date: 3/10

Roll Call Vote #: ~~450~~ 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
HOUSE BILL/RESOLUTION NO. 450

Senate INDUSTRY, BUSINESS AND LABOR COMMITTEE Committee

- Subcommittee on _____
- or
- Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By HEITKAMP Seconded By DAUD

Senators	Yes	No	Senators	Yes	No
Senator Mutch	X				
Senator Sand	X				
Senator Krebsbach	X				
Senator Klein	X				
Senator Mathern	X				
Senator Heitkamp	X				
Senator Thompson	X				

Total (Yes) 7 No 0

Absent 0

Floor Assignment THOMPSON

REPORT OF STANDING COMMITTEE (410)
March 11, 1999 11:16 a.m.

Module No: SR-44-4527
Carrier: Thompson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1450, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1450 was placed on the Fourteenth order on the calendar.