

SENATE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

February 17, 2005

Date

Committee on Local Government.

After consideration on the merits, the Committee recommends the following:

SB05-152 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 3, strike line 6;
- 2 line 7, strike "(a) ENSURE" and substitute "STATE TO ENSURE";
- 3 line 11, strike "FRAMEWORK; AND" and substitute "FRAMEWORK.";
- 4 strike lines 12 through 17.
- 5 Page 4, strike lines 13 through 27.
- 6 Page 5, strike lines 1 through 9.
- 7 Renumber succeeding subsections accordingly.
- 8 Page 6, strike line 27.
- 9 Strike page 7.
- 10 Page 8, strike lines 1 through 13.
- 11 Renumber succeeding C.R.S. section accordingly.
- 12 Page 8, line 14, strike "AFTER A LOCAL" and substitute "BEFORE A LOCAL
- 13 GOVERNMENT MAY ENGAGE OR OFFER TO ENGAGE IN PROVIDING CABLE
- 14 TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCED

1 SERVICE, AN ELECTION SHALL BE CALLED";

2 strike lines 15 and 16;

3 Page 9, after line 10, insert the following:

4 "29-27-204. Exemption for unserved areas. (1) A LOCAL  
5 GOVERNMENT SHALL BE EXEMPT FROM THE REQUIREMENTS OF THIS PART  
6 2 AND MAY ENGAGE OR OFFER TO ENGAGE IN PROVIDING CABLE  
7 TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, OR ADVANCE  
8 SERVICE IF:

9 (a) THE AREA TO BE SERVED IS CURRENTLY UNSERVED BY A  
10 PRIVATE PROVIDER OF THE SERVICE;

11 (b) THE GOVERNING BODY OF THE LOCAL GOVERNMENT HAS  
12 SUBMITTED A WRITTEN REQUEST TO PROVIDE THE SERVICE TO ANY  
13 INCUMBENT PROVIDER OF CABLE TELEVISION SERVICE,  
14 TELECOMMUNICATIONS SERVICE, OR ADVANCED SERVICE WITHIN THE  
15 BOUNDARIES OF THE LOCAL GOVERNMENT; AND

16 (c) THE INCUMBENT PROVIDER HAS NOT AGREED WITHIN SIXTY  
17 DAYS OF THE RECEIPT OF A REQUEST SUBMITTED PURSUANT TO PARAGRAPH  
18 (b) OF THIS SUBSECTION (1) THE TO PROVIDE THE SERVICE OR, IF THE PROVIDER HAS  
19 AGREED, IT HAS NOT COMMENCED PROVIDING THE SERVICE WITHIN FOURTEEN  
20 MONTHS OF THE RECEIPT OF THE REQUEST.";

21 strike lines 11 through 27.

22 Strike page 10.

23 Page 11, strike lines 1 through 13 and substitute the following:

24 "PART 3";

25 line 16, strike "29-27-401." and substitute "29-27-301.".

26 Page 12, strike lines 9 through 27.

27 Page 13, strike lines 1 through 21.

28 line 22, strike "29-27-404." and substitute "29-27-302.".

- 1 Page 14, line 9, strike "**29-27-405.**" and substitute "**29-27-303.**".

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