

State of Arizona  
House of Representatives  
Forty-second Legislature  
Second Regular Session  
1996

**FILED**

Jane Dee Hull  
Secretary of State

CHAPTER 98

**HOUSE BILL 2321**

AN ACT

AMENDING LAWS 1995, CHAPTER 246, SECTIONS 5 AND 7; RELATING TO COMPETITIVE TELECOMMUNICATIONS SERVICES.

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Laws 1995, chapter 246, section 5 is amended to read:

3 Sec. 5. Joint legislative study committee on competitive  
4 telecommunications services; members; duties; report

5 A. The joint legislative study committee on competitive  
6 telecommunications services is established consisting of:

7 1. Three members of the senate appointed by the president of the  
8 senate and three members of the house of representatives appointed by the  
9 speaker of the house of representatives. No more than two members of each  
10 house shall be members of the same political party. The president of the  
11 senate and speaker of the house of representatives shall designate the  
12 cochairs of the committee.

13 2. The chairman of the Arizona corporation commission or his designee  
14 who is an advisory member of the committee and is not eligible to vote and  
15 is not a member of the committee for the purposes of determining a quorum.

16 B. The committee shall meet and study:

17 1. Steps that should be taken in this state to encourage new  
18 telecommunications entry, progressively lessen the regulatory burdens on the  
19 dominant telecommunications carriers as they face effective competition and  
20 ensure that, in the transition to an open telecommunications marketplace, no  
21 one provider maintains an unfair competitive advantage.

1           2. Laws and rules that encourage the transition to a competitive  
2 telecommunications marketplace by minimizing procedural obstacles for  
3 providing competitive telecommunications services, minimizing administrative  
4 and regulatory filing requirements and minimizing regulatory oversight of the  
5 transition while providing safeguards that are needed to assure a competitive  
6 marketplace and end user protections.

7           3. A reduction in the property tax rate disparity between local and  
8 other telecommunications carriers as new providers enter the local telephone  
9 market that impedes the advancement of telecommunications in this state and  
10 that, in a competitive marketplace, places one class of providers at an  
11 unfair advantage or disadvantage.

12           4. The terms and conditions by which this state and local governments  
13 grant rights-of-way to communications providers.

14           5. Concerns about disparities in the manner in which  
15 telecommunications providers are given access to commercial buildings.

16           6. Arizona laws dealing with the theft of utility services, privacy  
17 protection and other related concerns as they apply to telecommunications  
18 service providers.

19           7. Any other matters related to effective telecommunications services  
20 in this state.

21           C. EACH YEAR the committee shall submit a report of its findings and  
22 recommendations, including recommendations for legislation, to the governor,  
23 the president of the senate and the speaker of the house of representatives  
24 by December 31, ~~1995~~.

25           D. The senate and house of representatives shall provide staff  
26 support.

27           Sec. 2. Laws 1995, chapter 246, section 7 is amended to read:

28           Sec. 7. Repeal

29           Section 5 of this act is repealed from and after December 31, ~~1995~~  
30 1998.

31           Sec. 3. Retroactivity

32           This act is effective retroactively to from and after December 31,  
33 1995.

APPROVED BY THE GOVERNOR APRIL 5, 1996

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 8, 1996