

HB 1454 -- COMMUNICATION INFRASTRUCTURE

SPONSOR: Swan

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Utilities by a vote of 18 to 2.

This bill clarifies that the resolution of disputes currently allowed in circuit court will be held in Missouri courts and that disputes under Section 67.5102 where the parties do not agree on an appraisal will be determined in an expedited fashion in Missouri circuit court.

PROPOSERS: Supporters say that the bill is similar to portions of HB 331 from last session and is being passed to avoid procedural court challenges. It represents a well debated compromise to encourage the expansion of wireless broadband and does not significantly impede planning and zoning regulations.

Testifying for the bill were Representative Swan, AT&T, U.S. Cellular, Missouri Telecommunications Industry Association, Century Link, Google, and the Missouri Broadcasters Association.

OPPOSERS: Opponents say that the bill violates the longstanding principle of local control over planning and zoning issues. Uniform rules imposed by the state do not account for local needs. There is little conflict between municipalities and communications companies at the current time so no significant problems exist that are in urgent need of state action to resolve.

Testifying in opposition to the bill were the Missouri Municipal League; Missouri Rural Water Association; Boone County; legal council representing Kansas City; Randall Thompson of Gladstone; John Alvery from Osage Beach; and representatives from Cape Girardeau.