

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES.

The meeting was called to order by Chairperson Don Myers at 9:00 a.m. on March 7, 1997 in Room 514-S of the Capitol.

All members were present except: Rep. Klein - excused
Rep. Mayans - excused
Rep. Stone - excused

Committee staff present: Lynne Holt, Legislative Research Department
Mary Ann Torrence, Revisor of Statutes
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

Chairperson Don Myers mentioned to the Committee that he had planned to work SB 177 in the meeting, but the bill will be worked next week with SB 212. Staff distributed copies of the amendment to SB 177 (Attachment#1)

The Chair indicated that since he was unable to attend the hearing on SB 147 due to his attendance at a funeral, he turned the meeting over to Vice-Chairperson Clay Aurand who had chaired the hearing on SB 147 and he had consented to chair the working of SB 147.

SB 147 - oil and gas; information provided royalty owners with payments from sales of oil and gas

The Vice Chair mentioned that Staff, Mary Ann Torrence, Revisor, had distributed copies of the amendment to SB 147 regarding the language on Page 1, lines 18 through 21. (Attachment#2)

Representative Sloan made a motion to accept the amendment language on Page 1, lines 18 through 21 and restore Section 4 which was deleted by the Senate. Representative Johnson seconded the motion. Discussion followed. Motion passed.

Representative Alldritt made a motion to recommend SB 147 favorable for passage as amended. Representative Johnson seconded the motion. Motion passed.

The Vice Chair turned the meeting back over to the Chair.

The Chair mentioned that the Committee has received an invitation from Western Resources to visit Wolf Creek Nuclear Power Plant. With interest from the Committee to tour Wolf Creek, the Chair asked Ed Schaub if March 17th could be a tentative date to plan the tour. The Chair indicated that he will check with House Leadership to check out the time the House would be in session that day. The Chair recognized Mr. Schaub who mentioned that the tour would need to begin around 11:30 a.m. and will return by 5:00 p.m. that evening and also invited spouses and staff.

Representative Dreher made a motion to accept the Committee minutes that were distributed last week covering February 11 through February 25. Representative Kuether seconded the motion. Motion passed.

The meeting was adjourned at 9:20 a.m.

The next meeting is scheduled for March 11, 1997.

PROPOSED AMENDMENT TO SENATE BILL NO. 177

Add a section to read as follows:

"Sec. 2. K.S.A. 1996 Supp. 77-529 is hereby amended to read as follows: 77-529. (a) Any party, within 15 days after service of a final order, may file a petition for reconsideration with the agency head, stating the specific grounds upon which relief is requested. The filing of the petition is not a prerequisite for seeking administrative or judicial review except as provided in K.S.A. 44-1010 and 44-1115, and amendments thereto, concerning orders of the Kansas human rights commission, K.S.A. 55-606 and 66-118b, and amendments thereto, concerning orders of the corporation commission and K.S.A. 74-2426, and amendments thereto, concerning orders of the board of tax appeals.

(b) Within 20 days after the filing of the petition, the agency head shall render a written order denying the petition, granting the petition and dissolving or modifying the final order, or granting the petition and setting the matter for further proceedings. The petition may be granted, in whole or in part, only if the agency head states, in the written order, findings of fact, conclusions of law and policy reasons for the decision if it is an exercise of the state agency's discretion, to justify the order. In proceedings before the Kansas corporation commission, the petition is deemed to have been denied if the agency head does not dispose of it within ~~20~~ 30 days after the filing of the petition.

An order under this section shall be served on the parties in the manner prescribed by K.S.A. 77-531 and amendments thereto.

(c) Any order rendered upon reconsideration or any order denying a petition for reconsideration shall state the agency officer to receive service of a petition for judicial review on behalf of the agency.

(d) For the purposes of this section, "agency head" shall include a presiding officer designated in accordance with subsection (g) of K.S.A. 77-514, and amendments thereto."

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Attachment 1

PROPOSED AMENDMENT TO S. B. 147

Amend page 1, lines 18-21, to read as follows:

“When a payment is made for proceeds attributable to oil or gas production, the payment shall be accompanied by the following information, or the following information shall be calculable from the information provided with the payment...”

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Attachment 2