

SENATE BILL No. 374

By Committee on Utilities

2-2

1 AN ACT concerning utilities, relating to the Kansas corporation
2 commission; rules and regulations; amending K.S.A. 66-1,150, 66-
3 1,151 and 66-1,153 and repealing the existing sections.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 66-1,150 is hereby amended to read as follows: 66-
7 1,150. (a) The state corporation commission is hereby authorized to adopt
8 such rules and regulations as may be necessary to be in conformance with
9 the natural gas pipeline safety act of 1968 (~~49 USCA 1671 et seq.~~) (*49*
10 *U.S.C. § 60101 et seq.*), as amended. Notwithstanding the exemption
11 provisions of K.S.A. 66-104 and 66-131, and amendments thereto, and
12 related statutes, for the purpose of gas pipeline safety such rules and
13 regulations shall be applicable to: (1) All public utilities and all municipal
14 corporations or quasi-municipal corporations transporting natural gas or
15 rendering gas utility service; (2) all operators of master meter systems, as
16 defined by 49 C.F.R. §191.3; (3) all operators of privately or publicly
17 owned pipelines providing natural gas service or transportation directly to
18 the ultimate consumer for the purpose of manufacturing goods or
19 generating power; and (4) providers of rural gas service under the
20 provisions of K.S.A. 66-2101 through 66-2106, and amendments thereto.

21 (b) As used in subsection (a)(3), "manufacturing goods" does not
22 include farming or activities associated with production of oil or gas.

23 (c) Nothing in this section shall be construed as invalidating any
24 present rules or regulations of the state corporation commission,
25 concerning the regulation of pipelines and pipeline companies.

26 Sec. 2. K.S.A. 66-1,151 is hereby amended to read as follows: 66-
27 1,151. Any person who violates any rule or regulation adopted pursuant to
28 this act, or any rule and regulation adopted by the commission and in
29 effect on July 1, 1969, shall be subject to a civil penalty not to exceed
30 \$25,000 for each violation for each day that the violation persists.
31 However, the maximum civil penalty shall not exceed ~~\$500,000~~
32 *\$1,000,000* for any related series of violations.

33 Sec. 3. K.S.A. 66-1,153 is hereby amended to read as follows: 66-
34 1,153. Every public utility person engaged in the operation of gas pipeline
35 systems in this state which is subject to the jurisdiction and control of the
36 state corporation commission; *under K.A.R. 82-11-1 et seq.* shall pay

1 ~~annually to the commission a fee~~ *annually pay a fee to the commission* for
2 the inspection and supervision of the standards of safety prescribed by
3 rules and regulations adopted in conformance with the natural gas pipeline
4 safety act of 1968 (~~49 U.S.C.A. § 1671 et seq.~~): ~~Provided, That~~ (*49 U.S.C.*
5 *§ 60101 et seq.*), *as amended*. Nothing in this act shall apply to any public
6 utility required to pay the fee provided for by K.S.A. 66-1503, *and*
7 *amendments thereto*. ~~Said~~ *Such* fee shall be due and payable on or before
8 September 1 of each year, commencing in the year 1973, and shall be for
9 the fiscal year in which payment is due. Such fee shall be in addition to
10 any and all property, franchise or license fees and other taxes, fees and
11 charges fixed, assessed or charged by law against such utility.

12 Sec. 4. K.S.A. 66-1,150, 66-1,151 and 66-1,153 are hereby repealed.

13 Sec. 5. This act shall take effect and be in force from and after its
14 publication in the statute book.