

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

A Bill

Act 766 of 2001
SENATE BILL 618

5 By: Senator P. Malone
6
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 23-15-214 CONCERNING
10 ANNUAL ASSESSMENT FEES CHARGED NATURAL GAS PIPELINE
11 OWNERS AND COLLECTED BY THE ARKANSAS PUBLIC SERVICE
12 COMMISSION; AND FOR OTHER PURPOSES.
13

Subtitle

14 AN ACT TO AMEND ARKANSAS CODE 23-15-214
15 CONCERNING ANNUAL ASSESSMENT FEES
16 CHARGED NATURAL GAS PIPELINE OWNERS AND
17 COLLECTED BY THE ARKANSAS PUBLIC SERVICE
18 COMMISSION.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code 23-15-214 is amended to read as follows:
25 23-15-214. Fees.

26 (a)(1) There is levied and charged and shall be collected by the
27 Arkansas Public Service Commission an annual assessment fee, against each
28 natural gas pipeline transporter, owner, or operator subject to the
29 provisions of this subchapter, to provide for the cost of operating the
30 pipeline safety program of the commission.

31 (2) Each natural gas pipeline transporter, owner, or operator
32 shall pay the annual assessment fee authorized in this section for the
33 pipeline safety program, which shall be in addition to any assessment fee
34 authorized by § 23-3-110. This annual assessment, together with any
35 assessment fee charged under § 23-3-110, shall not exceed in any year an
36 amount in excess of that which could be charged and collected pursuant to §

1 23-3-110, as amended.

2 (3) All annual assessment fees levied under this section shall
3 be in addition to all property, franchise, license, or other taxes, fees, or
4 charges prescribed by law.

5 (4) Except for natural gas pipeline facilities consisting of
6 less than fifty (50) miles, The the annual assessment fee shall be levied and
7 charged in an amount which shall be equivalent to that proportion of the
8 total pipeline safety program's costs that each natural gas pipeline
9 transporter's, owner's, or operator's ~~gross earnings resulting from the~~
10 ~~transporting of natural gas in Arkansas or resulting from owning or operating~~
11 ~~a natural gas pipeline facility in Arkansas~~ miles of natural gas pipeline in
12 Arkansas, not including service lines in distribution systems, bear to the
13 total ~~of such Arkansas assessable gross earnings~~ number of miles of natural
14 gas pipeline in Arkansas of all natural gas pipeline transporters, owners, or
15 operators who are subject to the provisions of this section. Each natural gas
16 transporter, owner or operator of natural gas pipeline facilities totaling
17 less than fifty (50) miles, shall pay an annual assessment fee equal to
18 fifteen ten-thousandths (.0015) times the total cost of operating the
19 pipeline safety program of the commission for the assessment year.

20 (b) Each natural gas pipeline transporter, owner, or operator ceasing
21 to engage in activities subject to the provisions of this subchapter during
22 any calendar year shall, within fifteen (15) days of ceasing such activities,
23 pay to the commission all assessments then owing, and shall at the same time
24 file with the commission ~~an operating a~~ statement of the number of its miles
25 of natural gas pipeline in Arkansas for the current year and for the previous
26 year if it has not theretofore been filed.

27 (c)(1) ~~Each natural gas pipeline transporter, owner, or operator shall~~
28 ~~submit a certified statement of its gross earnings resulting from~~
29 ~~transporting natural gas in Arkansas or from owning or operating a natural~~
30 ~~gas pipeline facility in Arkansas to the commission annually on or before~~
31 ~~March 31 for the preceding calendar year ending December 31.~~ The calculation
32 of annual assessment fees will be based on the pipeline miles reported to the
33 Office of Pipeline Safety on or before February 15 of each year.

34 (2) After determining the amount of the annual assessment
35 imposed by this section, the commission, annually on or before June 1, shall
36 prepare and transmit to each natural gas pipeline transporter, owner, or

1 operator a statement of the assessment due for the cost of operating the
2 pipeline safety program of the commission.

3 (3) Thereafter, on or before June 30, each natural gas pipeline
4 transporter, owner, or operator who was billed under subdivision (c)(2) of
5 this section shall pay to the secretary of the commission any annual
6 assessment fee due under this section.

7 (4) In the event any natural gas pipeline transporter, owner, or
8 operator shall fail or refuse to pay the annual assessment fee provided for
9 in this section on or before June 30, the commission shall add to such annual
10 assessment fee a penalty of twenty-five percent (25%) thereof and certify the
11 amount of such delinquent tax and penalty to the Attorney General for
12 collection.

13 (d) For purposes of this section, the term "natural gas pipeline
14 transporter, owner, or operator" shall mean any individual, firm, joint
15 venture, partnership, corporation, association, state, municipality,
16 cooperative association, joint-stock association, or any business segment
17 thereof, and includes any trustee, receiver, assignee, or personal
18 representative who engages in the transportation of natural gas in Arkansas
19 or who owns or operates natural gas pipeline facilities in Arkansas. The
20 term "natural gas pipeline transporter, owner, or operator" shall not include
21 the owner or operator of a master-metered facility.

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24 APPROVED: 3/14/2001
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