

2023 Kansas Statutes

55-1,118. Same; fee fund. (a) (1) There is hereby established in the state treasury the subsurface hydrocarbon storage fund to administer the provisions of K.S.A. 55-1,117 through 55-1,122, and amendments thereto. Such fund shall be administered by the secretary in accordance with the provisions of this section.

(2) All moneys received by the secretary as grants, gifts, bequests or state or federal appropriations for the purposes of K.S.A. 55-1,117 through 55-1,122, and amendments thereto, shall be remitted by the secretary to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of such fund. The secretary is authorized to receive from the federal government or any of its agencies or from any private or governmental source any funds made available for the purposes of K.S.A. 55-1,117 through 55-1,122, and amendments thereto.

(3) All expenditures from this fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary.

(b) The secretary is authorized to use moneys from the subsurface hydrocarbon storage fund to pay the cost of:

- (1) All activities related to permitting activities including but not limited to development and issuance of permits, compliance monitoring, inspections, well and well system closures, long term monitoring and enforcement actions;
- (2) review and witnessing of test procedures;
- (3) review and witnessing of routine workover or repair procedures;
- (4) investigation of violations, complaints, pollution and events effecting public health;
- (5) design and review of remedial action plans;
- (6) contracting for services needed to supplement the department's staff expertise in facility investigations;
- (7) consultation needed concerning remedial action at a permitted facility;
- (8) mitigation of adverse environmental impacts;
- (9) emergency or long-term remedial activities;
- (10) legal costs, including expert witnesses, incurred in administration of the provisions of K.S.A. 55-1,117 through 55-1,122, and amendments thereto; and
- (11) costs of program administration.

(c) On or before the 10th of each month, the director of accounts and reports shall transfer from the state general fund to the subsurface hydrocarbon storage fund interest earnings based on:

- (1) The average daily balance of moneys in the subsurface hydrocarbon storage fund for the preceding month; and
- (2) the net earnings rate of the pooled money investment portfolio for the preceding months.

History: L. 2001, ch. 191, § 10; July 1.