

**A-Engrossed**  
**Senate Bill 83**

Ordered by the Senate April 15  
Including Senate Amendments dated April 15

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor John A. Kitzhaber for Department of Environmental Quality)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires Department of Environmental Quality to establish grant and loan program for owners of subsurface sewage disposal systems. Requires department to develop program to assist communities in addressing certain problems associated with subsurface sewage disposal systems. Requires department to conduct training programs related to subsurface sewage disposal systems.

Establishes Subsurface Sewage Disposal System Improvement Fund. Continuously appropriates moneys in fund to department. Specifies uses of moneys.

*[Provides that certain civil penalties received by department be paid into fund.]*

**A BILL FOR AN ACT**

Relating to subsurface sewage disposal system improvement; and appropriating money.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1. Sections 2 and 3 of this 2011 Act are added to and made a part of ORS 454.605 to 454.755.**

**SECTION 2. (1)(a) The Department of Environmental Quality shall establish a grant and loan program to provide grants and loans for owners of subsurface sewage disposal systems to:**

**(A) Repair, replace and decommission subsurface sewage disposal systems.**

**(B) Develop, to the extent consistent with land use requirements, community-based solutions for sewage disposal problems.**

**(b) The department shall:**

**(A) Design the grants and loans specified in paragraph (a) of this subsection to protect public health and water quality.**

**(B) Award the grants and loans based on a demonstration of financial hardship.**

**(2) The department shall develop and implement a program to assist communities in addressing public health and water quality problems associated with subsurface sewage disposal systems.**

**(3) The department shall conduct training programs related to installation, operation and maintenance of, and technical assistance for, subsurface sewage disposal systems.**

**(4) The Environmental Quality Commission shall adopt rules to carry out the provisions of this section, including but not limited to rules that:**

**(a) Establish criteria for designing and awarding grants and loans under this section.**

**(b) Establish criteria for developing and implementing the program described in sub-**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **section (2) of this section to assist communities in addressing public health and water quality**  
2 **problems.**

3 **(c) Specify a fixed percentage of moneys in the Subsurface Sewage Disposal System Im-**  
4 **provement Fund established under section 3 of this 2011 Act that must be used for the**  
5 **training programs described in this section.**

6 **SECTION 3. (1) The Subsurface Sewage Disposal System Improvement Fund is estab-**  
7 **lished in the State Treasury, separate and distinct from the General Fund. Interest earned**  
8 **by the Subsurface Sewage Disposal System Improvement Fund shall be credited to the fund.**  
9 **Moneys in the fund are continuously appropriated to the Department of Environmental**  
10 **Quality to:**

11 **(a) Support the grant and loan program established under section 2 of this 2011 Act.**

12 **(b) Pay all costs incurred by the department in developing and implementing a program**  
13 **as required by section 2 of this 2011 Act to assist communities in addressing public health**  
14 **and water quality problems associated with subsurface sewage disposal systems.**

15 **(c) Fund training programs related to installation, operation and maintenance of, and**  
16 **technical assistance for, subsurface sewage disposal systems as required by section 2 of this**  
17 **2011 Act.**

18 **(2) The department may accept grants, donations, contributions or gifts from any source**  
19 **for deposit in the Subsurface Sewage Disposal System Improvement Fund.**

20 **(3) The Subsurface Sewage Disposal System Improvement Fund shall consist of moneys**  
21 **accepted by the department pursuant to subsection (2) of this section.**

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