

Enrolled
Senate Bill 286

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, M.D., for Public Utility Commission of Oregon)

CHAPTER

AN ACT

Relating to civil penalties imposed by the Public Utility Commission; creating new provisions; amending ORS 757.991; and declaring an emergency.

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

SECTION 1. ORS 757.991 is amended to read:

757.991. (1) Any person or municipality, or *[their agents, lessees, trustees or receivers]* **any agent, lessee, trustee or receiver of the person or municipality**, engaged in the management, operation, ownership or control of facilities for the transmission or distribution of gas by pipeline, or **of** facilities for the storage or treatment of gas to be transmitted or distributed by pipeline, who fails to *[do any act required by]* **comply with** ORS 757.039, or fails to comply with any *[orders, rules or regulations]* **order, rule or regulation** of the Public Utility Commission made *[in pursuance of]* **pursuant to** ORS 757.039, *[shall forfeit and pay into the State Treasury]* **is subject to** a civil penalty not to exceed *[\$10,000]* **\$200,000** for each such failure for each day *[such]* **that the** failure persists, except that the maximum civil penalty *[shall]* **may** not exceed *[\$500,000]* **\$2 million** for any related series of failures.

(2) Notwithstanding ORS 183.315 (6), 183.745 (7)(d) and 756.500 to 756.610, civil penalties under this section must be imposed by the commission as provided in ORS 183.745.

(3) Civil penalties collected under this section must be paid into the General Fund and credited to the Public Utility Commission Account as described in ORS 756.990 (7).

SECTION 2. The amendments to ORS 757.991 by section 1 of this 2015 Act apply to acts occurring on or after the effective date of this 2015 Act.

SECTION 3. This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect on its passage.

Passed by Senate April 2, 2015

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 20, 2015

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2015

Approved:

.....M,....., 2015

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2015

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Jeanne P. Atkins, Secretary of State