

Senate Bill 286

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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 **as introduced**.

Increases amount of civil penalty for violating statute that provides for regulation of hazardous substances by Public Utility Commission. Clarifies process for imposition of civil penalty and where civil penalty moneys collected by commission are deposited.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to civil penalties imposed by the Public Utility Commission; creating new provisions;
3 amending ORS 757.991; and declaring an emergency.

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

5 **SECTION 1.** ORS 757.991 is amended to read:

6 757.991. (1) Any person or municipality, or [*their agents, lessees, trustees or receivers*] **any agent,**
7 **lessee, trustee or receiver of the person or municipality,** engaged in the management, operation,
8 ownership or control of facilities for the transmission or distribution of gas by pipeline, or **of** facil-
9 ities for the storage or treatment of gas to be transmitted or distributed by pipeline, who fails to
10 [*do any act required by*] **comply with** ORS 757.039, or fails to comply with any [*orders, rules or*
11 *regulations*] **order, rule or regulation** of the Public Utility Commission made [*in pursuance of*]
12 **pursuant to** ORS 757.039, [*shall forfeit and pay into the State Treasury*] **is subject to** a civil penalty
13 not to exceed [*\$10,000*] **\$200,000** for each such failure for each day [*such*] **that the** failure persists,
14 except that the maximum civil penalty [*shall*] **may not exceed** [*\$500,000*] **\$2 million** for any related
15 series of failures.

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

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

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

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

25

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.