

HB 2209-5
(LC 2729)
3/26/19 (MAM/ps)

Requested by HOUSE COMMITTEE ON VETERANS AND EMERGENCY PREPAREDNESS (at the request of Representatives Mark Meek and Rick Lewis)

**PROPOSED AMENDMENTS TO
HOUSE BILL 2209**

1 On page 10 of the printed bill, after line 43, insert:

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3 **“RAILROAD SAFETY ASSESSMENT**

4
5 **“SECTION 13a. (1) Subject to subsections (2) and (3) of this section,**
6 **each railroad that is required to submit a contingency plan for a high**
7 **hazard train route under section 5 of this 2019 Act shall pay to the**
8 **Department of Transportation in each year a fee equal to the amount**
9 **that the Department of Environmental Quality finds and determines**
10 **to be necessary to defray the costs of only those duties imposed on the**
11 **Department of Environmental Quality by law with respect to the rail-**
12 **roads for which costs may be paid from the High Hazard Train Route**
13 **Oil Spill Preparedness Fund established under section 14 of this 2019**
14 **Act.**

15 **“(2) In each calendar year, the percentage rate of the fee required**
16 **to be paid shall be determined by orders entered by the Department**
17 **of Transportation on or after March 1 of each year. The department**
18 **shall provide notice of the order to each railroad. Each railroad shall**
19 **pay to the Department of Transportation the fee or portion of the fee**
20 **as computed pursuant to this subsection on a date, as specified in the**
21 **notice, that is at least 15 days after the date of mailing the notice.**

1 **“(3) The total of the fee payable by railroads described in subsection**
2 **(1) of this section may not exceed five hundredths of one percent of**
3 **the combined gross operating revenues derived within this state of all**
4 **railroads described in subsection (1) of this section.**

5 **“(4) Payment of each fee or portion of the fee, verification of gross**
6 **operating revenues by the railroad and any refunds of overpayment**
7 **of the fee shall be made in the manner provided for and at the same**
8 **time as payment of the fee required under ORS 824.010 and subject to**
9 **ORS 824.012. Notwithstanding ORS 824.010 (1) and (4), the fee provided**
10 **for in this section shall be in addition to all other fees paid or payable**
11 **by railroads to the Department of Transportation.**

12 **“(5) Fees collected under this section shall be paid into the State**
13 **Treasury and deposited in the High Hazard Train Route Oil Spill**
14 **Preparedness Fund established under section 14 of this 2019 Act.**

15 **“SECTION 13b. (1) Section 13a of this 2019 Act is repealed on Jan-**
16 **uary 2, 2027.**

17 **“(2) Any moneys remaining in the High Hazard Train Route Oil**
18 **Spill Preparedness Fund established under section 14 of this 2019 Act**
19 **on the date of the repeal specified in subsection (1) of this section that**
20 **were collected pursuant to section 13a of this 2019 Act and that are**
21 **unexpended, unobligated and not subject to any conditions shall be**
22 **refunded to the payors without interest.”.**

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