

HOUSE AMENDMENTS TO SENATE BILL 100

By COMMITTEE ON ENERGY AND ENVIRONMENT

May 24

1 On page 1 of the printed bill, delete lines 6 through 8 and insert:

2
3 **“TRANSFER OF DUTIES RELATED TO OIL-HEATED DWELLINGS**

4
5 **“SECTION 1. The duties, functions and powers of the State Department of Energy under**
6 **ORS 469.673 to 469.683 are imposed upon, transferred to and vested in the Housing and**
7 **Community Services Department.**

8
9 **“(Records and Property)**

10
11 **“SECTION 2. (1) The Director of the State Department of Energy shall deliver to the**
12 **Housing and Community Services Department all records and property within the jurisdic-**
13 **tion of the director that relate to the duties, functions and powers transferred by section 1**
14 **of this 2017 Act, and the Director of the Housing and Community Services Department shall**
15 **take possession of the records and property.**

16 **“(2) The Governor shall resolve any dispute between the State Department of Energy and**
17 **the Housing and Community Services Department relating to transfers of records and prop-**
18 **erty under this section, and the Governor’s decision is final.**

19
20 **“(Unexpended Revenues)**

21
22 **“SECTION 3. (1) The unexpended balances of amounts authorized to be expended by the**
23 **State Department of Energy for the biennium beginning July 1, 2017, from revenues dedi-**
24 **cated, continuously appropriated, appropriated or otherwise made available for the purpose**
25 **of administering and enforcing the duties, functions and powers transferred by section 1 of**
26 **this 2017 Act are transferred to and are available for expenditure by the Housing and Com-**
27 **munity Services Department for the biennium beginning July 1, 2017, for the purpose of ad-**
28 **ministering and enforcing the duties, functions and powers transferred by section 1 of this**
29 **2017 Act.**

30 **“(2) The expenditure classifications, if any, established by Acts authorizing or limiting**
31 **expenditures by the State Department of Energy remain applicable to expenditures by the**
32 **Housing and Community Services Department under this section.**

33
34 **“(Action, Proceeding, Prosecution)**

1 “**SECTION 4.** The transfer of duties, functions and powers to the Housing and Commu-
2 nity Services Department by section 1 of this 2017 Act does not affect any action, proceeding
3 or prosecution involving or with respect to the duties, functions and powers begun before
4 and pending at the time of the transfer, except that the Housing and Community Services
5 Department is substituted for the State Department of Energy in the action, proceeding or
6 prosecution.

7
8 “(Liability, Duty, Obligation)”

9
10 “**SECTION 5.** (1) Nothing in sections 1 to 7 of this 2017 Act relieves a person of a liability,
11 duty or obligation accruing under or with respect to the duties, functions and powers
12 transferred by section 1 of this 2017 Act. The Housing and Community Services Department
13 may undertake the collection or enforcement of any such liability, duty or obligation.

14 “(2) The rights and obligations of the State Department of Energy legally incurred under
15 contracts, leases and business transactions executed, entered into or begun before the op-
16 erative date of section 1 of this 2017 Act accruing under or with respect to the duties, func-
17 tions and powers transferred by section 1 of this 2017 Act are transferred to the Housing and
18 Community Services Department. For the purpose of succession to these rights and obli-
19 gations, the Housing and Community Services Department is a continuation of the State
20 Department of Energy and not a new authority.

21
22 “(Rules)”

23
24 “**SECTION 6.** Notwithstanding the transfer of duties, functions and powers by section 1
25 of this 2017 Act, the rules of the State Department of Energy with respect to such duties,
26 functions or powers that are in effect on the operative date of section 1 of this 2017 Act
27 continue in effect until superseded or repealed by rules of the Housing and Community Ser-
28 vices Department. References in the rules of the State Department of Energy to the State
29 Department of Energy or an officer or employee of the State Department of Energy are
30 considered to be references to the Housing and Community Services Department or an offi-
31 cer or employee of the Housing and Community Services Department.

32 “**SECTION 7.** Whenever, in any uncodified law or resolution of the Legislative Assembly
33 or in any rule, document, record or proceeding authorized by the Legislative Assembly, in
34 the context of the duties, functions and powers transferred by section 1 of this 2017 Act,
35 reference is made to the State Department of Energy, or an officer or employee of the State
36 Department of Energy, whose duties, functions or powers are transferred by section 1 of this
37 2017 Act, the reference is considered to be a reference to the Housing and Community Ser-
38 vices Department or an officer or employee of the Housing and Community Services De-
39 partment who by this 2017 Act is charged with carrying out the duties, functions and powers.

40
41 “**REPEALS**”.

42
43 In line 9, delete “1” and insert “8”.

44 After line 9, insert:
45

1 "AMENDMENTS TO STATUTES".

2
3 In line 10, delete "2" and insert "9".

4 In line 12, delete "State Department of Energy" and insert "Housing and Community Services
5 Department".

6 On page 3, line 1, delete "3" and insert "10".

7 In line 2, delete "State Department of Energy" and insert "Housing and Community Services
8 Department".

9 In line 16, delete "State Department of Energy" and insert "Housing and Community Services
10 Department".

11 In line 22, delete "State Department" and insert "Housing and Community Services
12 Department".

13 In line 23, delete "of Energy".

14 In line 31, delete "4" and insert "11".

15 In line 43, delete "State Department of Energy" and insert "Housing and Community Services
16 Department".

17 On page 4, line 8, delete "5" and insert "12" and delete "6" and insert "13".

18 In line 10, delete "6" and insert "13" and delete "State Department of Energy" and insert
19 "Housing and Community Services Department".

20 In line 15, delete "7" and insert "14".

21 In line 37, delete the second comma.

22 In line 38, delete "469.681".

23 In line 39, delete "fuel oil dealer".

24 In line 40, delete "or".

25 On page 5, line 15, delete "8" and insert "15".

26 In line 19, delete the comma and insert "or".

27 In line 20, delete "or 469.681".

28 After line 22, insert:

29
30 "OPERATIVE DATE

31
32 "**SECTION 16.** (1) Sections 1 to 7, 12 and 13 of this 2017 Act, the amendments to ORS
33 317.112, 469.673, 469.681, 469.683 and 469B.154 by sections 9 to 11, 14 and 15 of this 2017 Act
34 and the repeal of 469.675, 469.677 and 469.679 by section 8 of this 2017 Act become operative
35 January 1, 2018.

36 "(2) The State Department of Energy and the Housing and Community Services Depart-
37 ment may take any action before the operative date specified in subsection (1) of this section
38 that is necessary to enable the State Department of Energy and the Housing and Community
39 Services Department to exercise, on and after the operative date specified in subsection (1)
40 of this section, all the duties, functions and powers conferred on the State Department of
41 Energy and the Housing and Community Services Department by sections 1 to 7, 12 and 13
42 of this 2017 Act, the amendments to ORS 317.112, 469.673, 469.681, 469.683 and 469B.154 by
43 sections 9 to 11, 14 and 15 of this 2017 Act and the repeal of 469.675, 469.677 and 469.679 by
44 section 8 of this 2017 Act."

45 In line 26, delete "9" and insert "17".

1 In line 32, delete "10" and insert "18".

2 _____