

HOUSE BILL NO. 164

INTRODUCED BY LARSON
BY REQUEST OF THE PUBLIC SERVICE COMMISSION

IN THE HOUSE

JANUARY 13, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON NATURAL RESOURCES.
	FIRST READING.
JANUARY 21, 1993	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 22, 1993	PRINTING REPORT.
JANUARY 23, 1993	SECOND READING, DO PASS.
JANUARY 25, 1993	ENGROSSING REPORT.
JANUARY 26, 1993	THIRD READING, PASSED. AYES, 91; NOES, 6.
	TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 28, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON NATURAL RESOURCES.
	FIRST READING.
MARCH 6, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 8, 1993	SECOND READING, CONCURRED IN.
MARCH 9, 1993	THIRD READING, CONCURRED IN. AYES, 33; NOES, 15.
	RETURNED TO HOUSE.

IN THE HOUSE

MARCH 16, 1993	RECEIVED FROM SENATE.
	SENT TO ENROLLING.
	REPORTED CORRECTLY ENROLLED.

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5 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE
6 PENALTIES FOR VIOLATION OF THE NATURAL GAS PIPELINE SAFETY
7 ACT OF 1968; AMENDING SECTION 69-3-207, MCA; AND PROVIDING
8 AN IMMEDIATE EFFECTIVE DATE."
9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 **Section 1.** Section 69-3-207, MCA, is amended to read:

12 "69-3-207. Penalty for violation of natural gas
13 pipeline safety provisions and regulations. (1) Any A person
14 violating any safety regulation or provision adopted under
15 the Natural Gas Pipeline Safety Act of 1968, as amended,
16 which that applies to areas the commission has authority to
17 enforce ~~shall-be~~ is subject to a fine of not less than \$100
18 or more than ~~\$17,000~~ \$25,000. Each day in which a violation
19 of a safety regulation or provision continues is considered
20 a separate offense and is subject to the penalty prescribed
21 in this subsection, except that the maximum fine may not
22 exceed ~~\$200,000~~ \$500,000 for any related series of
23 violations.

24 (2) In determining the amount of the penalty, the
25 following ~~shall~~ must be considered: the nature,

1 circumstances, and gravity of the violation and, with
2 respect to the person found to have committed the violation,
3 the degree of culpability; any history of prior violations;
4 the effect on ability to continue to do business; any good
5 faith in attempting to achieve compliance; ability to pay
6 the penalty; and ~~such~~ other matters as justice may require.

7 (3) ~~Such~~ The fine ~~shall~~ must be recovered in a civil
8 action upon the complaint of the commission in any court of
9 competent jurisdiction.

10 (4) The commission may prescribe rules necessary to
11 effectively administer this section."

12 **NEW SECTION.** Section 2. Effective date. [This act] is
13 effective on passage and approval.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0164, as introduced.

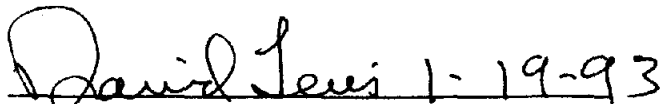
DESCRIPTION OF PROPOSED LEGISLATION:

The bill increases the penalties for violation of the natural gas pipeline safety act.

ASSUMPTIONS:

1. The bill increases the Montana civil penalties to equal maximum fines possible under federal law.
2. The bill will maintain consistency with obligations under the joint State/Federal safety program.

FISCAL IMPACT: None.


DAVID LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning


DON LARSON, PRIMARY SPONSOR DATE

Fiscal Note for HB0164, as introduced

HB 114

APPROVED BY COMM. ON
NATURAL RESOURCES

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