

Introduced by

1 A BILL for an Act to amend and reenact subdivision c of subsection 2 of section 37-17.1-07.1 of  
2 the North Dakota Century Code, relating to hazardous chemicals preparedness and response  
3 program fees.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subdivision c of subsection 2 of section 37-17.1-07.1 of  
6 the North Dakota Century Code is amended and reenacted as follows:

7 c. Each owner and operator of a facility, as defined in SARA title III, shall pay an  
8 annual hazardous chemicals fee to the division of homeland security by  
9 March first of each year. The fee is ~~twenty-five~~ fifty-two dollars for each  
10 chemical within the meaning of 40 CFR 355.20 or its successor which is  
11 required under section 312 of SARA title III, to be listed on the hazardous  
12 chemical inventory form (tier II) which the owner or operator must submit to  
13 the division. The federal requirements must be used for completing the tier II  
14 form, including the threshold amounts, as outlined in 40 CFR 370.20. The  
15 maximum fee for a facility under this section is ~~one~~ four hundred ~~fifty~~ sixteen  
16 dollars. The division of homeland security shall transfer one-third of the funds  
17 collected to the county hazardous chemicals preparedness and response  
18 account ~~one-half of the funds collected from the state's hazardous chemicals~~  
19 ~~fee system~~ and one-third of the funds collected to the North Dakota  
20 firefighters association. The North Dakota firefighters association shall use  
21 the funds to support training and response capabilities for incidents involving  
22 hazardous chemicals.