

**FIRST ENGROSSMENT
with Senate Amendments
ENGROSSED HOUSE BILL NO. 1149**

Introduced by

Representatives Anderson, Hofstad, Kreun

Senator Laffen

1 A BILL for an Act to create and enact a new subsection to section 37-17.1-06 and a new
2 subdivision to subsection 1 of section 37-17.1-07.1 of the North Dakota Century Code, relating
3 to emergency response to hazardous chemical, oil, gas, and salt water incidents.

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

5 **SECTION 1.** A new subsection to section 37-17.1-06 of the North Dakota Century Code is
6 created and enacted as follows:

7 The division of homeland security shall serve as a central information dissemination
8 point and repository for initial notification information for spills and discharges in the
9 state for hazardous chemicals as defined in section 37-17.1-07.1, oil, gas, and salt
10 water. The division shall develop processes to ensure proper state and federal
11 agencies that have oversight responsibilities are promptly notified. The division shall
12 also provide notice to local emergency management officials within a time that is
13 consistent with the level of emergency.

14 **SECTION 2.** A new subdivision to subsection 1 of section 37-17.1-07.1 the North Dakota
15 Century Code is created and enacted as follows:

16 For purposes of monitoring, determining if emergency response may be required,
17 and notifying local officials, owners and operators or responsible parties shall
18 report all spills or discharges to the appropriate state agency as required by law.
19 The report must include the name of the reporting party, including phone number
20 and address; date; time of release; location of release; containment status;
21 waterways involved; and immediate potential threat. If the release occurs or
22 travels off site from a facility, the owner and operator or responsible party shall
23 notify the surface owner within a reasonable time. State agencies that receive

- 1 direct reports of spills or discharges shall provide the report information to the
- 2 division within a time that is consistent with potential level of response needed.