

**Sixty-third Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 8, 2013**

HOUSE BILL NO. 1149  
(Representatives Anderson, Hofstad, Kreun)  
(Senator Laffen)

AN ACT to create and enact a new subsection to section 37-17.1-06 and a new subdivision to subsection 1 of section 37-17.1-07.1 of the North Dakota Century Code, relating to emergency response to hazardous chemical, oil, gas, and saltwater incidents.

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

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

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

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

For purposes of monitoring, determining if emergency response may be required, and notifying local officials, owners and operators or responsible parties shall report all spills or discharges to the appropriate state agency as required by law. The report must include the name of the reporting party, including phone number and address; date; time of release; location of release; containment status; waterways involved; and immediate potential threat. If the release occurs or travels offsite from a facility, the owner and operator or responsible party shall notify the surface owner within a reasonable time. State agencies that receive direct reports of spills or discharges shall provide the report information to the division within a time that is consistent with potential level of response needed.

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Speaker of the House

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President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

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Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-third Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1149.

House Vote:    Yeas 80            Nays 11            Absent 3

Senate Vote:    Yeas 47            Nays 0            Absent 0

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2013.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2013.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2013,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State