

HOUSE BILL NO. 296

INTRODUCED BY D. HAYMAN

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A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A HAZARDOUS MATERIALS RESPONSE AND PREPAREDNESS TASK FORCE; ESTABLISHING MEMBERSHIP, DUTIES, AND REPORTING REQUIREMENTS; PROVIDING AN APPROPRIATION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, a legislative audit in October 2015 on railroad safety found that the lack of statewide emergency planning for hazardous material incidents leads to weaknesses in local emergency planning systems, including the lack of properly trained and equipped emergency responders when a hazardous material incident occurs; and

WHEREAS, the railroad safety audit recommended that the Department of Military Affairs complete all emergency support functions, set a cyclical update process for the Montana Emergency Response Framework and the annexes, and establish a system for determining local jurisdiction capability statewide in order to address capability limitations at the local, county, and regional level; and

WHEREAS, the railroad safety audit recommended that local governments report annually on local jurisdictional capability to the Division of Disaster and Emergency Services; and

WHEREAS, a large portion of the state, including much of rural Montana, lacks adequate hazardous material response capabilities; and

WHEREAS, the railroad safety audit found that 183,047 residents, about 20% of the state population, live in evacuation zones for an oil train derailment, and in those zones are 47 medical centers, 169 fire stations, and 353 schools; and

WHEREAS, information related to hazardous waste transported on roadways is not always readily available to first responders because an electronic version of the Uniform Hazardous Waste Manifest does not exist; and

WHEREAS, the Division of Disaster and Emergency Services should be enabled to fully address the risk of accidents involving the railroad and roadway transport of hazardous materials.

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



1 NEW SECTION. **Section 1. Hazardous materials response and preparedness task force --**
2 **membership -- duties -- reporting.** (1) The division of disaster and emergency services established in 2-15-1204
3 shall convene a hazardous materials response and preparedness task force.

4 (2) Task force members are appointed as follows:

5 (a) two members of the house of representatives appointed by the speaker with the concurrence of the
6 minority leader, one from the majority party and one from the minority party;

7 (b) two senators appointed by the president with the concurrence of the minority leader, one from the
8 majority party and one from the minority party;

9 (c) four regional representatives selected by the administrator of the division of disaster and emergency
10 services who represent different areas of the state; and

11 (d) four members selected by the administrator of the division of disaster and emergency services who
12 represent local emergency response organizations, including but not limited to fire departments, emergency
13 medical service providers, and hazardous material response teams.

14 (3) The task force shall:

15 (a) examine state railroad inspections to determine if inspections are adequate to address safety issues
16 and prevent derailments;

17 (b) determine the level of reporting from local, state, and regional authorities necessary to track
18 hazardous emergency response capacity annually;

19 (c) determine what resources are needed to respond to a derailment with hazardous material in rural
20 Montana in less than 6 hours; and

21 (d) assess any other areas of disaster and emergency services the task force considers necessary to
22 work toward reducing the risk of a rail or roadway accident involving hazardous materials.

23 (4) The task force shall complete its work and issue a report of its findings and recommendations to the
24 state administration and veterans' affairs interim committee provided for in 5-5-228 by September 15, 2018.

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26 NEW SECTION. **Section 2. Appropriation.** There is appropriated \$20,000 from the general fund to the
27 department of military affairs for the biennium beginning July 1, 2017, to convene the task force established in
28 [section 1].

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30 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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