

HOUSE BILL NO. 464

INTRODUCED BY J. KROTKOV

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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 AND A TERMINATION DATE."

WHEREAS, many hazardous material loads are transported on Montana's railways and highways, and rural fire departments have limited capacities to respond to hazardous material spills; and

WHEREAS, the State Emergency Response Commission established in 10-3-1204 has developed a hazardous materials response plan reliant on regional hazardous materials response teams for technical assistance, and those teams are not always able to reach remote locations in a timely fashion; and

WHEREAS, rural fire departments report that they are unable to respond to hazardous material spills adequately, and there is no plan in place to improve their ability to respond; and

WHEREAS, the state would benefit from new and diverse sources of information to offer a unique set of solutions to hazardous materials response challenges that are specific to Montana.

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

NEW SECTION. Section 1. Hazardous materials response and preparedness task force -- membership -- duties -- reporting. (1) There is a hazardous materials response and preparedness task force administratively attached to the department of transportation.

(2) Task force members are appointed as follows:

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

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

(c) 10 members appointed by the governor, none of whom may be a currently serving legislator. These members include:



1 (i) four representatives from local emergency response organizations, such as law enforcement,
2 emergency medical service providers, and hazardous response teams;

3 (ii) two representatives who are also members of a state-recognized or federally recognized Indian tribe
4 located within the boundaries of Montana;

5 (iii) one representative from a county or local government;

6 (iv) one representative from the public service commission;

7 (v) one representative from the railway industry; and

8 (vi) one representative from the trucking industry.

9 (3) The task force shall:

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

12 (b) assess any other areas the task force considers necessary to work toward reducing the risk of a rail
13 or roadway accident involving hazardous materials; and

14 (c) offer recommendations that include suggestions to improve responder retention, recruitment, and
15 capacity.

16 (4) The task force shall complete its work and issue a report of its findings and recommendations to the
17 state emergency response commission, the public service commission, and the state administration and veterans'
18 affairs interim committee provided for in 5-5-228 by September 15, 2020.

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20 **NEW SECTION. Section 2. Appropriation.** There is appropriated \$20,000 from the general fund to the
21 public service commission for the biennium beginning July 1, 2019, to convene the task force established in
22 [section 1].

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

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26 **NEW SECTION. Section 4. Termination.** [This act] terminates December 31, 2020.

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