

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT:

The Committee on **Federal and State Affairs** recommends **SB 381** be amended on page 1, in line 11, by striking all after "(b)"; by striking all in lines 12 through 19; in line 20, by striking all before the period and inserting:

"When a regional emergency response team contracting with the state fire marshal pursuant to subsection (a) is activated to respond to a hazardous materials or search and rescue incident caused by a negligent or willful act or omission, the party responsible for the incident shall be liable to the state fire marshal for the reasonable and necessary costs of the response. In the case of an incident caused by a natural disaster, a party shall not be liable for the costs of the response unless that party's acts or omissions contributed to or aggravated the incident";

By redesignating subsections accordingly;

Also on page 1, in line 22, by striking "subsections" and inserting "subsection"; also in line 22, by striking "and (c)"; in line 23, after "act" by inserting "after notice and an opportunity for a hearing"; in line 29, by striking all after "act"; in line 30, by striking "attorney fees"; in line 34, before "division" by inserting "emergency response"; following line 35, by inserting:

"(e) For purposes of this section, the term "hazardous materials" means any material defined as a hazardous substance under 29 C.F.R. § 1910.120(a)(3), as in effect on the effective date of this act or any later version adopted by the state fire marshal in rules and regulations."; and the bill be passed as amended.

Chairperson