

**CHAPTER 303**  
**HB 1376 – FINAL VERSION**

12Mar2014... 0645h  
05/15/14 1775s  
05/15/14 1838s  
4June2014... 1932CofC

2014 SESSION

14-2079  
08/04

HOUSE BILL            ***1376***

AN ACT                establishing a committee to study the safe delivery of oil and gas, including natural gas and propane, throughout the state of New Hampshire and making a technical correction in the oil pipeline facility spill response plan.

SPONSORS:            Rep. Hammon, Coos 5; Rep. Rappaport, Coos 1; Rep. Raymond, Belk 4; Rep. Shepardson, Ches 10; Rep. Lauer, Graf 15; Rep. Massimilla, Graf 1; Rep. Ford, Graf 3; Rep. Ratzki, Merr 1; Rep. Rideout, Coos 7; Sen. Woodburn, Dist 1; Sen. Fuller Clark, Dist 21

COMMITTEE:          Science, Technology and Energy

---

AMENDED ANALYSIS

This bill establishes a committee to study the safe delivery of oil and gas, including natural gas and propane, throughout the state of New Hampshire.

This bill also makes a technical correction in the oil pipeline facility spill response plan.

-----

Explanation:          Matter added to current law appears in ***bold italics***.  
                         Matter removed from current law appears [~~in brackets and struck through~~].  
                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

**CHAPTER 303**  
**HB 1376 – FINAL VERSION**

12Mar2014... 0645h  
05/15/14 1775s  
05/15/14 1838s  
4June2014... 1932CofC

14-2079  
08/04

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Fourteen*

AN ACT                    establishing a committee to study the safe delivery of oil and gas, including natural gas and propane, throughout the state of New Hampshire and making a technical correction in the oil pipeline facility spill response plan.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1            303:1 Committee Established. There is established a committee to study the safe delivery of oil  
2 and gas, including natural gas and propane, throughout the state of New Hampshire.

3            303:2 Membership and Compensation.

4            I. The members of the committee shall be as follows:

5                    (a) Three members of the house of representatives, appointed by the speaker of the  
6 house of representatives.

7                    (b) One member of the senate, appointed by the president of the senate.

8            II. Members of the committee shall receive mileage at the legislative rate when attending to  
9 the duties of the committee.

10           303:3 Duties. The committee shall, in consultation with the department of environmental  
11 services, the public utilities commission, the office of energy and planning, the department of  
12 transportation, and the department of safety:

13            I. Review existing Pipeline and Hazardous Materials Safety Administration reports on  
14 New Hampshire pipeline safety, and Federal Railroad Administration reports on New Hampshire  
15 rail safety.

16            II. Review the safety of the existing pipeline system and other means for the delivery of both  
17 oil and gas throughout New Hampshire.

18            III. Review the safety, environmental, and economic impact of any expansion or repurposing  
19 of pipelines and rail lines for the delivery of oil and gas. As part of this review, determine, in  
20 conjunction with the department of transportation, the feasibility and cost of repurposing a section of  
21 rail known as the Portsmouth Bypass Spur Rail line. The department of transportation may seek a  
22 request for a proposal to determine such feasibility and cost, the expense of which shall be covered by  
23 any or all interested parties.

24            IV. Review the safety record and management plans for New Hampshire and the other  
25 Northeastern states of Pennsylvania, New York, Massachusetts, Vermont, and Maine for the moving

**CHAPTER 303**  
**HB 1376 – FINAL VERSION**  
**- Page 2 -**

1 of gas and oil, including but not limited to diluted bitumen, over land transport, meaning rail or  
2 road.

3 V. Review the adequacy of state and municipal emergency plans to deal with spills, leaks,  
4 fires, and explosions caused by either oil or gas accidents.

5 VI. Determine the adequacy of financial responsibility requirements for cleanup and  
6 damages caused by either oil or gas accidents.

7 303:4 Chairperson. The members of the study committee shall elect a chairperson from among  
8 the members. The first meeting of the committee shall be called by the first-named house member.  
9 The first meeting of the committee shall be held within 45 days of the effective date of this section.

10 303:5 Report. The committee shall report its findings and any recommendations for proposed  
11 legislation to the speaker of the house of representatives, the president of the senate, the house  
12 clerk, the senate clerk, the governor, the state library, the websites of the department of  
13 environmental services, the public utilities commission, and the office of energy and planning, and  
14 newspapers of general circulation in the state on or before May 1, 2015.

15 303:6 Oil Pipeline Facility; Spill Response Plan. Amend RSA 146-A:3-f, I to read as follows:

16 I. Oil pipeline facility owners shall submit a spill response plan to the department [~~of safety~~]  
17 that provides spill protection equivalent to or greater than a facility response plan under 49 C.F.R.  
18 section 194.101. A person who has contracted with an oil pipeline facility to provide containment  
19 and cleanup services may submit the spill response plan, on behalf of the owner, for any oil pipeline  
20 facility for which the person is contractually obligated to provide services.

21 303:7 Contingency. If SB 325-FN-LOCAL of the 2014 legislative session becomes law, section 6  
22 of this act shall take effect at 12:01 on the date such act takes effect. If SB 325-FN-LOCAL of the  
23 2014 legislative session does not become law, section 6 of this act shall not take effect.

24 303:8 Effective Date.

25 I. Section 6 of this act shall take effect as provided in section 7 of this act.

26 II. The remainder of this act shall take effect upon its passage.

27

28 Approved: August 1, 2014

29 Effective Date: I. Section 6 shall take effect as provided in section 7.

30 II. Remainder shall take effect August 1, 2014.