

SENATE BILL 114

Introduced by Weeding, et al.

1/16	Introduced
1/17	Referred to Natural Resources
1/17	First Reading
1/25	Hearing
2/08	Committee Report--Bill Passed
2/09	2nd Reading Passed
2/11	3rd Reading Passed
	Transmitted to House
2/12	First Reading
2/12	Referred to Natural Resources
3/12	Hearing
3/12	Tabled in Committee

1 *Senate* BILL NO. *114*
 2 INTRODUCED BY *Wendy Raven Yellowtail HARP*
 3 BY REQUEST OF THE ENVIRONMENTAL QUALITY COUNCIL
 4 *Rufe Brady*

5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A LOCAL
 6 REFERENDUM ON THE ESTABLISHMENT OF A MEGALANDFILL; AND
 7 PROVIDING AN IMMEDIATE EFFECTIVE DATE."
 8

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

10 NEW SECTION. **Section 1.** Local approval by referendum
 11 of establishment of megalandfill. (1) Upon petition by 15%
 12 of the eligible voters in the county in which the
 13 establishment of a megalandfill is proposed, a referendum
 14 must be held to determine whether a megalandfill may be
 15 located in the county.

16 (2) The referendum must be conducted pursuant to
 17 7-5-132 through 7-5-137.

18 (3) If a majority of the legal votes cast in the
 19 referendum are against the siting of a megalandfill within
 20 the county, then the department of health and environmental
 21 sciences may not proceed any further with the license
 22 application process set forth under 75-10-221.

23 (4) If a majority of the legal votes cast in the
 24 referendum are for the siting of a megalandfill within the
 25 county, then the license application process set forth under

1 75-10-221 may proceed, but the vote does not require the
 2 department of health and environmental sciences to approve
 3 the application to establish a megalandfill.

4 (5) As used in this section, "megalandfill" means any
 5 new or existing municipal solid waste landfill that accepts
 6 for disposal more than 200,000 tons of solid waste a year.

7 NEW SECTION. **Section 2.** Codification instruction.
 8 [Section 1] is intended to be codified as an integral part
 9 of Title 75, chapter 10, and the provisions of Title 75,
 10 chapter 10, apply to [section 1].

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

-End-



APPROVED BY COMM. ON
NATURAL RESOURCES

SENATE BILL NO. 114

INTRODUCED BY WEEDING, RANEY, YELLOWTAIL,

HARP, O'KEEFE, GRADY, REA

BY REQUEST OF THE ENVIRONMENTAL QUALITY COUNCIL

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A LOCAL
REFERENDUM ON THE ESTABLISHMENT OF A MEGALANDFILL; AND
PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. **Section 1.** Local approval by referendum
of establishment of megalandfill. (1) Upon petition by 15%
of the eligible voters in the county in which the
establishment of a megalandfill is proposed, a referendum
must be held to determine whether a megalandfill may be
located in the county.

(2) The referendum must be conducted pursuant to
7-5-132 through 7-5-137.

(3) If a majority of the legal votes cast in the
referendum are against the siting of a megalandfill within
the county, then the department of health and environmental
sciences may not proceed any further with the license
application process set forth under 75-10-221.

(4) If a majority of the legal votes cast in the
referendum are for the siting of a megalandfill within the

county, then the license application process set forth under
75-10-221 may proceed, but the vote does not require the
department of health and environmental sciences to approve
the application to establish a megalandfill.

(5) As used in this section, "megalandfill" means any
new or existing municipal solid waste landfill that accepts
for disposal more than 200,000 tons of solid waste a year.

NEW SECTION. **Section 2.** Codification instruction.
[Section 1] is intended to be codified as an integral part
of Title 75, chapter 10, and the provisions of Title 75,
chapter 10, apply to [section 1].

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

-End-



SECOND READING

1 SENATE BILL NO. 114
 2 INTRODUCED BY WEEDING, RANEY, YELLOWTAIL,
 3 HARP, O'KEEFE, GRADY, REA
 4 BY REQUEST OF THE ENVIRONMENTAL QUALITY COUNCIL

5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A LOCAL
 7 REFERENDUM ON THE ESTABLISHMENT OF A MEGALANDFILL; AND
 8 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

9
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 NEW SECTION. **Section 1.** Local approval by referendum
 12 of establishment of megalandfill. (1) Upon petition by 15%
 13 of the eligible voters in the county in which the
 14 establishment of a megalandfill is proposed, a referendum
 15 must be held to determine whether a megalandfill may be
 16 located in the county.

17 (2) The referendum must be conducted pursuant to
 18 7-5-132 through 7-5-137.

19 (3) If a majority of the legal votes cast in the
 20 referendum are against the siting of a megalandfill within
 21 the county, then the department of health and environmental
 22 sciences may not proceed any further with the license
 23 application process set forth under 75-10-221.

24 (4) If a majority of the legal votes cast in the
 25 referendum are for the siting of a megalandfill within the

1 county, then the license application process set forth under
 2 75-10-221 may proceed, but the vote does not require the
 3 department of health and environmental sciences to approve
 4 the application to establish a megalandfill.

5 (5) As used in this section, "megalandfill" means any
 6 new or existing municipal solid waste landfill that accepts
 7 for disposal more than 200,000 tons of solid waste a year.

8 NEW SECTION. **Section 2.** Codification instruction.
 9 [Section 1] is intended to be codified as an integral part
 10 of Title 75, chapter 10, and the provisions of Title 75,
 11 chapter 10, apply to [section 1].

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

-End-

THIRD READING

