

CHAPTER NO. 434

HOUSE BILL NO. 381

INTRODUCED BY KESSLER

IN THE HOUSE

January 24, 1979	Introduced and referred to Committee on Local Government.
February 13, 1979	Committee recommend bill do pass as amended. Report adopted.
February 15, 1979	Printed and placed on members' desks.
February 16, 1979	Second reading, do pass.
February 17, 1979	Considered correctly engrossed.
February 19, 1979	Third reading, passed. Transmitted to second house.

IN THE SENATE

February 20, 1979	Introduced and referred to Committee on Local Government.
March 16, 1979	Committee recommend bill be concurred in. Report adopted.
March 19, 1979	Motion pass consideration.
March 20, 1979	Second reading, concurred in.
March 22, 1979	Third reading, concurred in.

IN THE HOUSE

March 22, 1979	Returned from second house. Concurred in. Sent to enrolling. Reported correctly enrolled.
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1 HOUSE BILL NO. 381
2 INTRODUCED BY Keule

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
5 7-2-4736, MCA, RELATING TO GARBAGE AND SOLID WASTE SERVICE
6 IN THE EVENT OF ANNEXATION."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 7-2-4736, MCA, is amended to read:
10 "7-2-4736. Preservation of existing garbage or solid
11 waste service in the event of annexation. A municipality
12 that annexes or incorporates additional area receiving
13 garbage and solid waste disposal service by a motor carrier
14 authorized by the public service commission to conduct such
15 service may not provide competitive or similar garbage and
16 solid waste disposal service to the area for 3 years
17 following annexation except upon a proper showing to the
18 public service commission that the existing carrier is
19 unable or refuses to provide adequate service to the annexed
20 or incorporated area or unless a majority of the residents
21 of the annexed or incorporated area request in writing to
22 the municipality that such service be provided by the
23 municipality. If a proper showing is made that the existing
24 carrier is unable or refuses to provide adequate service to
25 the annexed or incorporated area or if a majority of the

1 ~~residents request service from the municipality, the~~
2 ~~municipality shall assume sole jurisdiction for garbage and~~
3 ~~solid waste disposal service to the entire annexed or~~
4 ~~incorporated area."~~

-End-

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HB 381
INTRODUCED BILL

Approved by Comm.
on Local Government

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INTRODUCED BY KESSLER

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waste service in the event of annexation. A municipality
that annexes or incorporates additional area receiving
garbage and solid waste disposal service by a motor carrier
authorized by the public service commission to conduct such
service may not provide competitive or similar garbage and
solid waste disposal service to the area for 5 years
following annexation except upon a proper showing to the
public service commission that the existing carrier is
unable or refuses to provide adequate service to the annexed
or incorporated area, ~~or unless~~ AND AFTER THE EXPIRATION OF
5 YEARS, THE MUNICIPALITY MAY PROVIDE SUCH SERVICE ONLY IF a
majority of the residents of the annexed or incorporated
area request in writing to the municipality that such
service be provided by the municipality. If a proper showing
is made that the existing carrier is unable or refuses to

provide adequate service to the annexed or incorporated area
or if a majority of the residents request service from the
municipality, the municipality shall MAY assume sole
jurisdiction for garbage and solid waste disposal service to
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 15 service may not provide competitive or similar garbage and
 16 solid waste disposal service to the area for 3 1/2 years
 17 following annexation except upon a proper showing to the
 18 public service commission that the existing carrier is
 19 unable or refuses to provide adequate service to the annexed
 20 or incorporated area, ~~or unless~~ AND AFTER THE EXPIRATION OF
 21 5 YEARS, THE MUNICIPALITY MAY PROVIDE SUCH SERVICE ONLY IF a
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