

CHAPTER NO. 448

HOUSE BILL NO. 707

INTRODUCED BY SOUTH

IN THE HOUSE

February 9, 1979	Introduced and referred to Committee on Local Government.  Rereferred to Committee on Business and Industry.
February 16, 1979	Committee recommend bill do pass as amended. Report adopted.
February 17, 1979	Printed and placed on members' desks.
February 20, 1979	Second reading, do pass.
February 21, 1979	Considered correctly engrossed.  Third reading, passed. Transmitted to second house.

IN THE SENATE

February 22, 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.
----------------	---

1 House BILL NO. 707  
2 INTRODUCED BY Seetha

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROTECT PRIVATE  
5 MOTOR CARRIERS AUTHORIZED BY THE PUBLIC SERVICE COMMISSION  
6 TO PROVIDE GARBAGE AND SOLID WASTE SERVICES TO A  
7 MUNICIPALITY FROM COMPETITION FROM OR REPLACEMENT BY PUBLIC  
8 SERVICES WITHOUT FAIR COMPENSATION FOR EQUIPMENT OR WITHOUT  
9 A DELAYED EFFECTIVE DATE."

10  
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
12 Section 1. Protection of private waste disposal  
13 service in municipality. A municipality that receives  
14 garbage and solid waste disposal services from a private  
15 motor carrier authorized by the public service commission to  
16 provide such service may not provide competitive or similar  
17 garbage and solid waste service unless the municipality pays  
18 the private motor carrier fair market value for his  
19 equipment or unless the municipality delays commencing the  
20 public service for a period of 5 years from the date of the  
21 decision by the municipality to provide the garbage and  
22 solid waste services.

-End-

HB 707  
INTRODUCED BILL

Approved by Committee  
on Business and Industry

1 HOUSE BILL NO. 707  
2 INTRODUCED BY SOUTH  
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROTECT PRIVATE  
5 MOTOR CARRIERS AUTHORIZED BY THE PUBLIC SERVICE COMMISSION  
6 TO PROVIDE GARBAGE AND SOLID WASTE SERVICES TO A  
7 MUNICIPALITY FROM COMPETITION FROM OR REPLACEMENT BY PUBLIC  
8 SERVICES WITHOUT FAIR COMPENSATION FOR EQUIPMENT OR WITHOUT  
9 A DELAYED EFFECTIVE DATE."

10

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

12 Section 1. Protection of private waste disposal  
13 service in municipality. A municipality, AS OF JANUARY 1,  
14 1979, that receives garbage and solid waste disposal  
15 services from a private motor carrier authorized by the  
16 public service commission to provide such service may not  
17 provide-competitive-or-similar, BY ORDINANCE OR OTHERWISE,  
18 ELECT TO PROVIDE EXCLUSIVE garbage and solid waste service  
19 unless the municipality pays the private motor carrier fair  
20 market value for his equipment or unless the municipality  
21 delays commencing the public service for a period of 5 years  
22 from the date of the decision by the municipality to provide  
23 the garbage and solid waste services. THE PRIVATE MOTOR  
24 CARRIER SHALL BE GIVEN NOTICE OF THE DECISION BY THE  
25 MUNICIPALITY TO PROVIDE EXCLUSIVE GARBAGE AND SOLID WASTE

1 SERVICES NO LATER THAN 10 DAYS AFTER THE DECISION HAS BEEN  
2 MADE BY THE MUNICIPALITY.

-End-

1 HOUSE BILL NO. 707  
2 INTRODUCED BY SOUTH

1 SERVICES NO LATER THAN 10 DAYS AFTER THE DECISION HAS BEEN  
2 MADE BY THE MUNICIPALITY.

-End-

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROTECT PRIVATE  
5 MOTOR CARRIERS AUTHORIZED BY THE PUBLIC SERVICE COMMISSION  
6 TO PROVIDE GARBAGE AND SOLID WASTE SERVICES TO A  
7 MUNICIPALITY FROM COMPETITION FROM OR REPLACEMENT BY PUBLIC  
8 SERVICES WITHOUT FAIR COMPENSATION FOR EQUIPMENT OR WITHOUT  
9 A DELAYED EFFECTIVE DATE."

10  
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
12 Section 1. Protection of private waste disposal  
13 service in municipality. A municipality, AS OF JANUARY 1,  
14 1979, that receives garbage and solid waste disposal  
15 services from a private motor carrier authorized by the  
16 public service commission to provide such service may not  
17 ~~provide competitive or similar~~ BY ORDINANCE OR OTHERWISE,  
18 ELECT TO PROVIDE EXCLUSIVE garbage and solid waste service  
19 unless the municipality pays the private motor carrier fair  
20 market value for his equipment or unless the municipality  
21 delays commencing the public service for a period of 5 years  
22 from the date of the decision by the municipality to provide  
23 the garbage and solid waste services. THE PRIVATE MOTOR  
24 CARRIER SHALL BE GIVEN NOTICE OF THE DECISION BY THE  
25 MUNICIPALITY TO PROVIDE EXCLUSIVE GARBAGE AND SOLID WASTE

1 HOUSE BILL NO. 707  
2 INTRODUCED BY SOUTH

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROTECT PRIVATE  
5 MOTOR CARRIERS AUTHORIZED BY THE PUBLIC SERVICE COMMISSION  
6 TO PROVIDE GARBAGE AND SOLID WASTE SERVICES TO A  
7 MUNICIPALITY FROM COMPETITION FROM OR REPLACEMENT BY PUBLIC  
8 SERVICES WITHOUT FAIR COMPENSATION FOR EQUIPMENT OR WITHOUT  
9 A DELAYED EFFECTIVE DATE."

10

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

12 Section 1. Protection of private waste disposal  
13 service in municipality. A municipality AS OF JANUARY 1,  
14 1972, that receives garbage and solid waste disposal  
15 services from a private motor carrier authorized by the  
16 public service commission to provide such service may not  
17 provide-competitive-or-similar, BY ORDINANCE OR OTHERWISE,  
18 ELECT TO PROVIDE EXCLUSIVE garbage and solid waste service  
19 unless the municipality pays the private motor carrier fair  
20 market value for his equipment or unless the municipality  
21 delays commencing the public service for a period of 5 years  
22 from the date of the decision by the municipality to provide  
23 the garbage and solid waste services. THE PRIVATE MOTOR  
24 CARRIER SHALL BE GIVEN NOTICE OF THE DECISION BY THE  
25 MUNICIPALITY TO PROVIDE EXCLUSIVE GARBAGE AND SOLID WASTE

1 SERVICES NO LATER THAN 10 DAYS AFTER THE DECISION HAS BEEN  
2 MADE BY THE MUNICIPALITY.

-End-