

Amendments to Senate Bill No. 234
1st Reading Copy

Requested by Senator Art Wittich

For the Senate Local Government Committee

Prepared by Leanne Kurtz
February 16, 2011 (12:43pm)

1. Page 1, line 12.

Following: "~~(1)~~"

Insert: "(1)"

2. Page 1, line 16 through line 19.

Strike: "until" on line 16 through "69-12-314." on line 19

3. Page 1.

Following: line 29

Insert: "for 5 years following annexation or incorporation except upon a proper showing to the public service commission that the existing carrier is unable to or refuses to provide adequate service to the annexed or incorporated area.

(2) In order to provide garbage and solid waste disposal service to the annexed or incorporated area, the municipality shall first fully compensate the private motor carrier for the resulting damage to its business, including but not limited to the diminished fair market value of the business and diminished value of the Class D certificate issued by the public service commission under 69-12-314.

(3) For the purposes of determining whether an existing motor carrier provides adequate service, those services provided by the carrier prior to annexation are considered adequate services."

- END -