

LEGISLATIVE BILL 629

Approved by the Governor May 24, 1995

Introduced by McKenzie, 34

AN ACT relating to solid waste; to provide duties for municipalities which intend to provide or expand solid waste collection services into areas served by private entities.
Be it enacted by the people of the State of Nebraska,

Section 1. Any municipality which intends to provide or expand municipal solid waste collection service in an area where the collection of solid waste has been provided by a private entity for a minimum of ninety days shall, by resolution, proclaim its intent to begin municipal solid waste collection in the area, whether by the use of municipal employees and equipment or by contract. The resolution shall be made by a vote of the governing body at a public meeting.

Sec. 2. A municipality shall not commence municipal solid waste collection in an area described in section 1 of this act for one year after the date of the resolution of intent to serve the area unless (1) the municipality contracts with the private entity currently providing the service to continue the service for the same one-year period of time, (2) the municipality provides for the service through property taxes or other general funds in whole or in part, (3) the private entity currently providing such service discontinues the service to the area, or (4) the private entity currently providing such service fails to provide such service under the same terms and conditions which the municipality provides to residents of the municipality through the municipal solid waste collection service.