

April 27, 1995

LB 629

CLERK: Okay. You want to withdraw 1647 and offer AM1763?

SENATOR MCKENZIE: Yes.

PRESIDENT ROBAK: It is so ordered.

CLERK: Your amendment, Senator, if found on page 1845 of the Journal.

PRESIDENT ROBAK: Chair recognizes Senator McKenzie to open on her amendment.

SENATOR MCKENZIE: Thank you, Madam President. The amendment, on page 1845, is basically the bill. And in light of the time, it makes more sense to look at all of the changes while we're dealing with this amendment to the amendment. This particular bill comes as a result of problems where municipalities have annexed surrounding areas, and those surrounding areas had private haulers, garbage collectors who had established their client list and established their business areas and were suddenly in a situation where the city, in particular the City of Omaha or those who have their own collection service have taken over their customers without any kind of due notice, without any kind of advance information saying, we are now going to take over your service area. So LB 629 attempts to ask those municipalities to provide notice. If the private entity has been in operation for 90-days, so it has to be an established company, and it provides then that they would provide notice to the company, and then for one year they allow the company to continue to operate their business as there's the transition over to the city collection, and that the contracts with the private entity would provide the same service under the same terms and conditions which the municipality would provide, that the municipality would provide for the service...excuse me, if the municipality, such as Omaha, uses property taxes or General Fund money to collect those...collect garbage then the city is exempt, and that the private entity currently provides...who is providing service discontinues the service to the area. There are some exemptions listed in Section 2 where they shall not be able to act for one year after the date of the proclamation of intent to serve. I would answer any questions you might have about the bill. It was advanced with unanimous support with committee amendments. This attempts to just clarify some concerns the City of Omaha had and the League of Municipalities,