



AN ACT PROHIBITING THE DEPARTMENT OF ENVIRONMENTAL QUALITY FROM COLLECTING ANNUAL LICENSE FEES FOR A SOLID WASTE FACILITY UNTIL THE FACILITY RECEIVES SOLID WASTE; AMENDING SECTION 75-10-115, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

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

**Section 1.** Section 75-10-115, MCA, is amended to read:

**"75-10-115. Solid waste management fee.** (1) The department may prepare rules for adoption by the board, pursuant to 75-10-104 and 75-10-106, that set fees for the management and regulation of solid waste at facilities subject to regulation pursuant to part 2 of this chapter. Upon adoption by the board, the department may collect the fees. These fees may include:

(a) a license application fee that reflects the cost of reviewing a new solid waste management system or a substantial change to an existing facility; from the time an application is made until the license is issued or denied;

(b) a flat annual license renewal fee that reflects a minimal base fee related to the fixed costs of an annual inspection and license renewal, ~~and that is~~ The initial annual fee year for a new facility commences on the date that the facility initially receives waste. The fee must be based upon the categorization of solid waste management systems into separate classes identified by the following criteria:

- (i) the quantity of solid waste received by the solid waste management system;
- (ii) the nature of the solid waste received; and
- (iii) the nature of the waste management occurring within the solid waste management system; ~~and,~~
- (c) a tonnage or volume-based fee on solid waste disposal.

~~(2)~~(2) All fees collected must be deposited in the solid waste management account provided for in 75-10-117."

**Section 2. Effective date.** [This act] is effective on passage and approval.

**Section 3. Applicability.** [This act] applies to fees collected after [the effective date of this act].

- END -

I hereby certify that the within bill,  
HB 0146, originated in the House.

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Chief Clerk of the House

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2013.

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2013.

HOUSE BILL NO. 146

INTRODUCED BY K. HANSEN

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