

SESSION OF 2002

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2705

As Amended by House Committee on
Environment

Brief*

HB 2705 would create a new law that requires the owner or operator of specified types of recycling businesses or facilities to make an annual report to the Department of Health and Environment on receipt of a report form from the Department.

The report would include information on the types, amounts, sources, and destinations of material recycled, reused, or composted. Businesses or facilities required to report under the provisions of HB 2705 would be: those that are end users of recyclables and those that collect, store, process, or broker materials for recycling, reuse, or composting, including scrap material processors, city and county regional programs, nonprofit and for-profit buy-back centers, and those large generators of material that directly transfer such material to an end user. All information submitted to the Department of Health and Environment pursuant to the new legislation created by HB 2705 would be confidential and not available under the Open Records Act, but the Department could make summaries that do not identify any individual or facility available to the public.

A new subsection added to HB 2705 by Committee amendments would disqualify any business or facility that fails to report from receiving any solid waste grants or any monetary distribution from grants already awarded.

Background

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.accesskansas.org/legislature/>

HB 2705 was introduced at the request of the Department of Health and Environment whose representative also appeared in support of the bill. Testimony revealed the Department has conducted a voluntary survey over the last four years. Participation initially was quite high, with about two-thirds of material handlers known to the Department responding in the first year. Voluntary participation has decreased sharply since the first year to a response rate of less than 33 percent. According to the testimony, it is not possible to develop an accurate estimate of the amount of waste reduction that has occurred or the benefits resulting from the state's expenditures over the past five years in assisting local governments and private companies to implement waste reduction programs without data. A representative of the Kansas Association of Counties also appeared in support of HB 2705. A written communication raising questions about the application of the bill to military installations in Kansas was submitted to the Committee by the Department of the Army.

The fiscal note indicates the passage of HB 2705 would have no effect on the Department of Health and Environment. The Kansas Association of Counties indicates it could have a fiscal effect on those counties that currently do not submit reports, but is not able to estimate the effect.