

HOUSE BILL No. 2662

By Committee on Local Government

2-8

1 AN ACT concerning counties; relating to certain solid waste disposal  
2 areas; pertaining to solid waste management plans; amending K.S.A.  
3 65-3405 and repealing the existing section.

4 *Be it enacted by the Legislature of the State of Kansas:*

5 ~~New Section 1. (a) No county or group of counties shall adopt  
6 restrictions in a solid waste management plan under K.S.A. 65-3405, and  
7 amendments thereto, relating to recyclables or yard waste for any solid  
8 waste disposal area which is not owned or operated by such county or  
9 group of counties.~~

10 (b) This section shall be part of and supplemental to the provisions of  
11 article 34 of chapter 65 of the Kansas Statutes Annotated, and amendments  
12 thereto.

13 ~~Sec. 2. K.S.A. 65-3405 is hereby amended to read as follows: 65-  
14 3405-(a) Each county of this state or a designated city shall submit to the  
15 secretary a workable plan for the management of solid waste in such  
16 county. The plan developed by each county or designated city shall be  
17 adopted by the governing body of such county or designated city if so  
18 authorized. Two or more counties, by interlocal agreement entered into  
19 pursuant to K.S.A. 12-2901 et seq., and amendments thereto, may develop  
20 and adopt a regional plan in lieu of separate county plans.~~

21 (b) There shall be established in each county or group of counties  
22 cooperating in a regional plan a solid waste management committee. A  
23 county which cooperates in a regional plan may establish its own county  
24 committee in addition to cooperating in the required regional committee. A  
25 county which does not cooperate in a regional plan may designate by  
26 interlocal agreement a city as the solid waste management planning  
27 authority for the county. Subject to the requirements of this section, the  
28 membership of the committee, the terms of committee members, the  
29 organization of the committee and selection of its officers shall be  
30 determined by the county or counties by interlocal agreement entered into  
31 pursuant to K.S.A. 12-2901 et seq., and amendments thereto. The number  
32 of members on the committee, whether an individual county committee or  
33 a regional committee, shall be not fewer than five or a number equal to the  
34 total number of counties cooperating in the regional plan, whichever is  
35 more, and shall not exceed 30. The membership shall include: (1)

Proposed Amendments to HB 2662  
for Committee on Local Government  
**RE: Subcommittee recommendation**  
March 13, 2012  
Prepared by: Eunice Peters  
Office of Revisor of Statutes  
*\*Revisor's note: If adopted by committee, it is recommended that the  
committee adopt such language by substitute bill*

Insert the following:

"Sec. 1. (a) Except as provided by subsection (b), no city or county shall  
adopt by ordinance, resolution or in a solid waste management plan under  
K.S.A. 65-3405 or 65-3410, and amendments thereto, restrictions for any solid  
waste disposal area within its boundaries if such restrictions supersede or impair  
the local legislation of another city or county being serviced by the same solid  
waste disposal area.

(b) A city or county may adopt restrictions for a solid waste disposal area  
under subsection (a) if:

- (1) the city or county owns the solid waste disposal area;
- (2) the city or county receives consent by each governing body of a city or  
county outside its corporate boundaries which may be affected by such  
restrictions; or
- (3) such restrictions apply to the residents of such city or county but not to  
residents of another city or county being serviced by the same solid waste  
disposal area."

"(c)"  
By removing K.S.A. 65-3405 from the bill and inserting the following:  
"Sec. 2. (a) On or before January 14, 2013, the secretary of health and  
environment shall prepare, with review and input from operators of municipal solid  
waste landfills, haulers of solid waste, business and residential consumers of  
haulers of solid waste, cities and counties, a report to the senate committee on  
local government and the house committee on local government on solid waste  
management in Kansas. The report shall include, but not be limited to, the  
following:

- (1) A review of statutes, rules and regulations and policies on solid waste  
management, including, but not limited to, details on yard waste, recycling,  
generation rates, composting, precipitation, source reduction efforts, population,  
landfill capacity and gas recovery in landfills; and
- (2) recommendations for legislative changes and estimates of the cost of the  
state of implementing such changes.

(b) This section shall be part of and supplemental to the provisions of article  
34 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto."

Handwritten initials or mark.

1 and submitted to the department for review and approval addressing solid  
2 waste management in counties which have decided to plan individually or  
3 in any newly-formed regions.  
4 ~~Sec. 3. K.S.A. 65-3405 is hereby repealed.~~  
5 Sec. 4. This act shall take effect and be in force from and after its  
6 publication in the statute book.  
7

Insert: "3"