

SESSION OF 2002

**SUPPLEMENTAL NOTE ON
SUBSTITUTE FOR HOUSE BILL NO. 3002**

As Amended by House Committee of the Whole

Brief*

Sub. for HB 3002 would provide that prior to July 1, 2003, no municipality could displace or enact an ordinance or resolution to displace a private solid waste services provider who provides solid waste services within the municipality on April 1, 2002. Under the bill, "municipality" would include any city of the second class organized under the laws of the State of Kansas and located in Sedgwick County. Also under the bill, the definition of "displace" does include some circumstances where a private solid waste services provider could be displaced.

The bill also would require municipalities and private solid waste services providers to confer to develop recommendations for resolving their differences regarding displacement of private waste services providers by municipalities. These representatives would have to report on their discussions and recommendations to the House Environment Committee, the House Local Government Committee, the Senate Natural Resources Committee, and the Senate Elections and Local Government Committee.

The provisions of the bill would not apply to any city located in a county having a population of less than 45,000.

The bill would become effective upon publication in the *Kansas Register*.

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.kslegislature.org/cgi-bin/fulltext/bills.cgi>

After the hearing on the original bill, the Chairperson of the House Environment Committee appointed a subcommittee to determine if the interested parties could work out their differences. The subcommittee met several times trying to resolve differences between the two parties. The parties involved were unable to come to an agreement, and as a result the subcommittee recommended to the full committee a substitute bill which would require the interested parties to meet and make recommendations regarding displacement of solid waste services. These parties would report to various committees of the Legislature at the beginning of the 2003 Legislative Session.

The House Committee of the Whole amended the definition of "municipality" to limit it to cities of the second class located in Sedgwick County. In addition, the provisions of the bill would not apply to any city located in a county having a population of less than 45,000.