

House Substitute for SENATE BILL No. 114

By Committee on Local Government

3-16

1 AN ACT concerning counties; relating to certain solid waste disposal
2 areas.

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

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

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

- 13 (1) The city or county owns the solid waste disposal area;
14 (2) such restrictions apply to the residents of the city or county; or
15 (3) such restrictions apply to residents outside of the city or county
16 and such residents have demonstrated consent by incorporating such
17 restrictions into their own solid waste management plan.

18 (c) Any city or county that adopts restrictions for any solid waste
19 disposal area under subsection (a) shall be responsible for all compliance
20 assessments and enforcement of such restrictions.

21 Sec. 2. (a) On or before January 14, 2013, the secretary of health and
22 environment shall prepare, with review and input from operators of
23 municipal solid waste landfills, haulers of solid waste, business and
24 residential consumers of haulers of solid waste, cities and counties, a
25 report to the senate committee on local government and the house
26 committee on local government on solid waste management in Kansas.
27 The report shall include, but not be limited to, the following:

28 (1) A review of statutes, rules and regulations and policies on solid
29 waste management, including, but not limited to, details on yard waste,
30 recycling, generation rates, composting, precipitation, source reduction
31 efforts, population, landfill capacity and gas recovery in landfills; and

32 (2) recommendations for legislative changes and estimates of the cost
33 of the state of implementing such changes.

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

1 Sec. 3. This act shall take effect and be in force from and after its
2 publication in the statute book.
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