

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 ~~superecede~~ **{supersede}** or impair the local legislation of another city or
10 county being 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~~ **{the**
15 **city or county receives consent by each governing body of a city or**
16 **county outside its corporate boundaries which may be affected by**
17 **such restrictions}; or**

18 (3) such restrictions apply to ~~residents outside of the city or county~~
19 ~~and such residents have demonstrated consent by incorporating such~~
20 ~~restrictions into their own solid waste management plan~~ **{the residents**
21 **of such city or county but not to residents of another city or county**
22 **being serviced by the same solid waste disposal area}.**

23 (c) ~~Any city or county that adopts restrictions for any solid waste~~
24 ~~disposal area under subsection (a) shall be responsible for all compliance~~
25 ~~assessments and enforcement of such restrictions~~ **{This section shall be**
26 **part of and supplemental to the provisions of article 34 or chapter 65**
27 **of the Kansas Statutes Annotated, and amendments thereto}.**

28 Sec. 2. (a) On or before January 14, 2013, the secretary of health and
29 environment shall prepare, with review and input from operators of
30 municipal solid waste landfills, haulers of solid waste, business and
31 residential consumers of haulers of solid waste, cities and counties, a
32 report to the senate committee on local government and the house
33 committee on local government on solid waste management in Kansas.
34 The report shall include, but not be limited to, the following:

35 (1) A review of statutes, rules and regulations and policies on solid
36 waste management, including, but not limited to, details on yard waste,

1 recycling, generation rates, composting, precipitation, source reduction
2 efforts, population, landfill capacity and gas recovery in landfills; and

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

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

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

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