

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

5 Be it enacted by the Legislature of the State of Kansas:

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

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

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

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

Proposed Amendments to HB 2662
for Committee on Local Government
RE: Representative Grosserode (Protest petition)
March 14, 2012
Prepared by: Eunice Peters
Office of Revisor of Statutes
**Revisor's note: If this committee adopted this balloon, it is recommended
that a substitute balloon be passed so that the only amendment to K.S.A.
65-3405 would be the proposed new subsection (b).

Strike section 1; and renumber sections accordingly.

Insert: "(b) (1) Prior to approval by the department, the adoption of a solid
waste management plan under this section (by annual review) five-year
update or revision in accordance with subsection (f) shall become effective
upon passage of a resolution of the governing body of each county
adopting such plan. No such resolution shall take effect until 60 days after
its publication in the official county newspaper, and if within 60 days of its
publication a petition signed by a number of electors of the county equal to
not less than 5% of the number of electors who voted at the last preceding
regular county election is filed with the county election officer of the county
demanding that such resolution be submitted to a vote of the electors, such
resolution shall not take effect until submitted to a referendum and
approved by a majority of the electors voting thereon."
(2) Prior to approval by the department, the adoption of a solid waste
management plan under this section by annual review, five-year update or
revision in accordance with subsection (f) shall become effective upon
passage of an ordinance of the governing body of a designated city
adopting such plan. No such ordinance shall take effect until 60 days after
its publication in the official city newspaper, and if within 60 days of its
publication a petition signed by a number of electors of the city equal to not
less than 5% of the number of electors who voted at the last preceding
regular city election is filed with the county election officer of the county in
which such city is entirely or primarily located demanding that such
ordinance be submitted to a vote of the electors, such ordinance shall not
take effect until submitted to a referendum and approved by a majority of
the electors voting thereon."; and by relettering the remaining subsections
accordingly

HS

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

"2"
"3"