

SESSION OF 2014

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2597

As Amended by House Committee on Local
Government

Brief*

HB 2597 would amend existing law to allow municipalities that already provide solid waste collection services to immediately offer recycling collection services. In order for the municipality to immediately offer recycling services, the following conditions would have to be met:

- The municipality must conduct a public hearing on the proposed plan to provide recycling services;
- The municipality must provide 21 days prior notice of the hearing by publication in the official newspaper of the municipality and in the *Kansas Register*; and
- No existing recycling collector formally opposes the new recycling collection system within 21 days of the hearing.

If an objection is made to the municipality offering the service, the municipality would be required to comply with existing law, KSA 2013 Supp. 12-2036, which requires that a municipality wait 18 months or until the objection is withdrawn, whichever occurs first, before beginning the recycling service.

*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>

Background

At the hearing in the House Local Government Committee, Representative Henry, as well as representatives from the Atchison Chamber of Commerce, City of Atchison, the League of Kansas Municipalities, and two citizens, presented testimony in support of the bill. The Kansas Organization of Recyclers submitted written testimony in support of the bill. The proponents cited the beneficial environmental impacts associated with recycling, and stated the bill was introduced to allow local municipalities that already provide solid waste collection services to avoid the current 18-month waiting period and start recycling collection as soon as possible, as long as no existing recycling collector objects.

The National Waste and Recycling Association presented neutral testimony on the bill. The Association representative suggested the bill be amended to require publication of the notice of hearing for the municipal recycling program in the *Kansas Register*. The representative also suggested language allowing existing recyclers 21 days to express formal opposition to the municipal programs be added to the bill. The representative noted these changes would give private recyclers notice of the municipal programs and a chance to object.

There was no opponent testimony on the bill.

The House Local Government Committee amended the bill by requiring publication of the notice of hearing for the municipal recycling program also be published in the *Kansas Register* and by adding language allowing existing recyclers 21 days to express formal opposition to the municipal programs.

The fiscal note on the original bill states the League of Kansas Municipalities indicated passage of the bill would have little, if any, fiscal effect on Kansas cities.