

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2551** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Amended by Senate Committee of the Whole, as follows:

On page 1, following line 9, by inserting:

"Section 1. K.S.A. 65-3425 is hereby amended to read as follows: 65-3425. (a) As used in this section:

- (1) "Code" means a molded, imprinted or raised symbol.
 - (2) "Person" means any individual, association, partnership, limited partnership, corporation or other entity.
 - (3) "Plastic" means any material made of polymeric organic compounds and additives that can be shaped by flow.
 - (4) "Plastic bottle" means a plastic container which: (A) Has a neck that is smaller than the body of the container; (B) accepts a screw-type, snap-cap or other closure; and (C) has a capacity of 16 fluid ounces or more but less than five gallons.
 - (5) "Rigid plastic container" means any formed or molded container other than a bottle, intended for single use, composed predominantly of plastic resin and having a relatively inflexible finite shape or form with a capacity of eight ounces or more but less than five gallons.
- (b) ~~On or after July 1, 1994,~~ No person shall distribute, sell or offer for sale in this state any plastic bottle or rigid plastic container, unless it is labeled with a nationally recognized code

indicating the plastic resin used to produce the bottle or container. The nationally recognized code shall appear on or near the bottom of the bottle or container. ~~The code used for plastic bottles or rigid plastic containers with labels and basecaps of a different material shall be determined by the basic material of the bottle or container. The code shall consist of a number placed within a triangle of arrows and letters placed below the triangle of arrows. The triangle shall be equilateral, formed by three arrows with the apex of each point of the triangle at the midpoint of each arrow, rounded with a short radius. The arrowhead of each arrow shall be at the midpoint of each side of the arrow. The triangle, formed by the three arrows curved at their midpoints, shall depict a clockwise path around the code number. The numbers and letters used shall be as follows: 1 = PETE (polyethylene terephthalate), 2 = HDPE (high density polyethylene), 3 = V (vinyl), 4 = LDPE (low density polyethylene), 5 = PP (polypropylene), 6 = PS (polystyrene), 7 = OTHER.~~

(c) If the attorney general or county or district attorney has reason to believe that a person is violating the provisions of this section, the attorney general or county or district attorney shall give the person written notice thereof. If, after such notice is given, the attorney general or county or district attorney has reason to believe that the person is continuing to violate the provisions of this section, the attorney general or county or district attorney may bring an action to enjoin the violation and to recover a civil penalty of \$50 for each violation but not exceeding a total of \$500. Any such penalty recovered by the attorney general shall be deposited in the state treasury and credited to the state general fund. Any such penalty recovered by the county or district attorney shall be deposited in the general fund of the county in which the violation occurred.

Sec. 2. K.S.A. 2013 Supp. 65-3410a is hereby amended to read as follows: 65-3410a.

(a) Except as provided by subsection (b), no city or county shall adopt by ordinance, resolution or in a solid waste management plan under K.S.A. 65-3405 or 65-3410, and amendments thereto, restrictions for any solid waste disposal area within its boundaries if such restrictions supersede or impair the local legislation of another city or county being serviced by the same solid waste disposal area or require another city or county to adopt new solid waste management requirements not currently required by statewide rules and regulations.

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

(1) The city or county owns the solid waste disposal area;~~or~~ and

(2) such restrictions apply to the residents of such city or county but not to residents of another city or county being serviced by the same solid waste disposal area.

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

(d) This section shall apply to any solid waste disposal area, including those in operation prior to July 1, 2014.";

On page 2, in line 6, after "K.S.A." by inserting "65-3425,"; in line 7, after "Supp." by inserting "65-3410a,"; in line 10, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "department of health and environment,"; by striking all in line 2; in line 3, by striking "section" and inserting "environment; relating to the department of health and environment; atmospheric mercury deposition monitoring network;

plastic bottles and containers; solid waste; amending K.S.A. 65-3425 and K.S.A. 2013 Supp. 65-3410a and 75-5673 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

Conferees on part of Senate

Conferees on part of House