

HOUSE BILL No. 2080

By Committee on Agriculture and Natural Resources

1-26

9 AN ACT; concerning solid waste; relating to the waste tire management
10 fund; amending K.S.A. 2008 Supp. 65-3424g and repealing the existing
11 section.

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

14 Section 1. K.S.A. 2008 Supp. 65-3424g is hereby amended to read
15 as follows: 65-3424g. (a) There is hereby established in the state treasury
16 the waste tire management fund.

17 (b) Money from the following sources shall be credited to the waste
18 tire management fund:

19 (1) Revenue collected from the excise tax by K.S.A. 65-3424d, and
20 amendments thereto;

21 (2) permit application and renewal fees provided for by K.S.A. 65-
22 3424b, and amendments thereto;

23 (3) interest provided for by subsection (f);

24 (4) additional sources of funding such as reimbursements and appro-
25 priations intended to be used for the purposes of the fund;

26 (5) any recoveries from abatement and enforcement actions provided
27 for by K.S.A. 65-3424k, and amendments thereto; and

28 (6) any other moneys provided by law.

29 (c) Moneys in the waste tire management fund shall be used only for
30 the purpose of:

31 (1) Paying compensation and other expenses of employing personnel
32 to carry out the duties of the secretary pursuant to K.S.A. 65-3424 through
33 65-3424h, and amendments thereto, but not more than \$250,000;

34 (2) action by the department to implement interim measures to min-
35 imize nuisances or risks to public health or the environment that are or
36 could be created by waste tire accumulations, until the responsible party
37 can fully abate the site or until a state clean-up occurs pursuant to K.S.A.
38 65-3424k, and amendments thereto;

39 (3) action by the department to pay for the removal and disposal or
40 on-site stabilization of waste tires which have been illegally accumulated
41 or illegally managed, when the responsible party is unknown or unwilling
42 or unable to perform the necessary corrective action;

43 (4) the costs of using contractors to provide: (A) Public education

1 regarding proper management of waste tires; (B) technical training of
2 persons on the requirements of solid waste laws and rules and regulations
3 relating to waste tires; and (C) services described in subsection (i) of
4 K.S.A. 65-3424k, and amendments thereto;

5 (5) grants to public or private entities for up to 50% of the cost to
6 start-up or enhance projects to recycle waste tires or recover energy
7 through waste tire combustion; and

8 (6) grants to local units of government *and any public or private*
9 *school for grades kindergarten through twelve* to pay up to 50% of the
10 costs to purchase tire derived products made from recycled waste tires.
11 As used in this section, "tire derived products" means athletic field sur-
12 facing, playground cover, horticulture products and molded or extruded
13 rubber products made from recycled waste tires. ~~The provisions of this~~
14 ~~paragraph shall expire on June 30, 2010.~~

15 (d) All grant applications received for waste tire recycling grants shall
16 be reviewed by the solid waste grants advisory committee established
17 pursuant to K.S.A. 65-3426, and amendments thereto. Waste tire recy-
18 cling grants shall be subject to the requirements set forth in subsection
19 (g) of K.S.A. 65-3415, and amendments thereto, related to the misuse of
20 grant funds with the exception that any grant funds recovered by the
21 secretary shall be deposited to the waste tire management fund. Waste
22 tire management funds shall be used only for waste tire recycling grants.
23 Waste tire grants shall not be awarded, nor shall waste tire funds be
24 disbursed to a grant recipient, if the department determines that the grant
25 applicant or recipient is operating in substantial violation of applicable
26 environmental laws or regulations administered by the department.

27 (e) All expenditures from the waste tire management fund shall be
28 made in accordance with appropriations acts upon warrants of the direc-
29 tor of accounts and reports issued pursuant to vouchers approved by the
30 secretary.

31 (f) On or before the 10th of each month, the director of accounts and
32 reports shall transfer from the state general fund to the waste tire man-
33 agement fund interest earnings based on: (1) The average daily balance
34 of moneys in the waste tire management fund for the preceding month;
35 and (2) the net earnings rate for the pooled money investment portfolio
36 for the preceding month.

37 Sec. 2. K.S.A. 2008 Supp. 65-3424g is hereby repealed.

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