

**Adopted
AMENDMENT NO 1 PROPOSED TO**

House Bill No. 949

BY: Representative Barton

1 **AMEND** by deleting lines 190 through 198 in their entirety and
2 inserting in lieu thereof the following language:

3 "(13) (a) Notwithstanding any provision of this chapter, no
4 solid waste management plan shall include any proposed new
5 nonhazardous solid waste sanitary landfill if such new landfill is
6 located within a county having two (2) or more existing permitted
7 nonhazardous solid waste sanitary landfills that are actively
8 receiving household waste unless a referendum election has been
9 conducted and approved pursuant to Section 17-17-237. This
10 subsection (13) shall not apply to the proposed expansion or
11 replacement of any permitted landfill by the permit holder, and
12 shall not apply to any rubbish disposal facilities, transfer
13 stations, land application sites, composting facilities, solid



14 waste processing facilities, chipping/mulching facilities,
15 industrial/institutional/special waste landfills,
16 industrial/institutional/special waste rubbish sites, waste tire
17 processing facilities, commercial waste tire collection sites,
18 local government waste tire collection sites or generator waste
19 tire collection sites, and none of those facilities, stations,
20 landfills or sites shall be counted as a landfill within a county
21 for the purpose of determining whether a referendum election is
22 required to be conducted in the county as provided in this
23 section.

24 (b) The Legislature finds that the residents of
25 counties that already have at least two (2) existing pemitted
26 nonhazardous solid waste sanitary landfills that are actively
27 receiving household waste have a greater interest in determining
28 whether another such landfill will be located in their county than
29 those in counties with fewer such landfills and therefore should
30 have the right to have direct input on that determination through
31 a referendum election as provided in this section."

32 **AMEND FURTHER** by deleting lines 229 through 237 in their
33 entirety and inserting in lieu thereof the following language:

34 "(3) (a) Notwithstanding any provision of this chapter, no
35 solid waste management plan shall include any proposed new
36 nonhazardous solid waste sanitary landfill if such new landfill is
37 located within a county having two (2) or more existing permitted



38 nonhazardous solid waste sanitary landfills that are actively
39 receiving household waste unless a referendum election has been
40 conducted and approved pursuant to Section 17-17-237. This
41 subsection (3) shall not apply to the proposed expansion or
42 replacement of any permitted landfill by the permit holder, and
43 shall not apply to any rubbish disposal facilities, transfer
44 stations, land application sites, composting facilities, solid
45 waste processing facilities, chipping/mulching facilities,
46 industrial/institutional/special waste landfills,
47 industrial/institutional/special waste rubbish sites, waste tire
48 processing facilities, commercial waste tire collection sites,
49 local government waste tire collection sites or generator waste
50 tire collection sites, and none of those facilities, stations,
51 landfills or sites shall be counted as a landfill within a county
52 for the purpose of determining whether a referendum election is
53 required to be conducted in the county as provided in this
54 section.

55 (b) The Legislature finds that the residents of
56 counties that already have at least two (2) existing permitted
57 nonhazardous solid waste sanitary landfills that are actively
58 receiving household waste have a greater interest in determining
59 whether another such landfill will be located in their county than
60 those in counties with fewer such landfills and therefore should
61 have the right to have direct input on that determination through
62 a referendum election as provided in this section."



63 **AMEND FURTHER** on lines 248 and 263 by inserting the following
64 language after the word "landfills": "that are actively receiving
65 household waste"

66 **AMEND FURTHER** on line 248 by changing the words "shall be" to
67 "has been"

68 **AMEND FURTHER** on line 303 by changing the word "chapter" to
69 "section"

70 **AMEND FURTHER** the title on lines 5 and 11 by inserting the
71 following language after the word "LANDFILLS": "THAT ARE ACTIVELY
72 RECEIVING HOUSEHOLD WASTE"

