

Assembly Bill No. 564—Assemblymen Thomas, Giunchigliani, Evans, de Braga, Goldwater, Buckley, Chowning, Mortenson, Claborn, McClain, Koivisto, Parnell, Freeman, Bache, Anderson, Collins, Manendo, Ohrenschall, Price, Neighbors, Berman, Lee, Carpenter, Segerblom, Beers, Leslie, Humke and Perkins

CHAPTER.....

AN ACT relating to programs for recycling; broadening the applicability of provisions regarding the availability of programs for recycling; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 444A.020 is hereby amended to read as follows:

444A.020 1. The state environmental commission shall adopt regulations establishing minimum standards for:

(a) Separating at the source recyclable material from other solid waste originating from residential premises *and public buildings* where services for the collection of solid waste are provided.

(b) Establishing recycling centers for the collection and disposal of recyclable material.

(c) The disposal of hazardous household products which are capable of causing harmful physical effects if inhaled, absorbed or ingested.

2. The regulations adopted pursuant to subsection 1 must be adopted with the goal of recycling at least 25 percent of the total solid waste generated within a municipality after the second full year following the adoption of such standards.

3. The state environmental commission shall, by regulation, establish acceptable methods for disposing of used or waste tires.

Sec. 2. NRS 444A.030 is hereby amended to read as follows:

444A.030 1. The division of environmental protection of the state department of conservation and natural resources shall, by regulation, adopt a model plan for:

(a) Separating at the source recyclable material from other solid waste originating from residential premises *and public buildings* where services for the collection of solid waste are provided.

(b) Establishing recycling centers for the collection and disposal of recyclable material in areas where there are no centers.

(c) The disposal of hazardous household products which are capable of causing harmful physical effects if inhaled, absorbed or ingested.

(d) The disposal of infectious waste, hazardous waste which is not regulated pursuant to NRS 459.485 and liquid waste which is not regulated pursuant to NRS 445A.300 to 445A.730, inclusive.

2. The model plans adopted pursuant to subsection 1 must not conflict with the standards adopted by the state environmental commission pursuant to NRS 444A.020.

Sec. 3. NRS 444A.040 is hereby amended to read as follows:

444A.040 1. The board of county commissioners in a county whose population is more than 100,000, or its designee, shall make available for use in that county a program for:

(a) The separation at the source of recyclable material from other solid waste originating from the residential premises *and public buildings* where services for the collection of solid waste are provided.

(b) The establishment of recycling centers for the collection and disposal of recyclable material where existing recycling centers do not carry out the purposes of the program.

(c) The disposal of hazardous household products which are capable of causing harmful physical effects if inhaled, absorbed or ingested. This program may be included as a part of any other program made available pursuant to this subsection.

2. The board of county commissioners of a county whose population is more than 25,000 but not more than 100,000, or its designee:

(a) May make available for use in that county a program for the separation at the source of recyclable material from other solid waste originating from the residential premises *and public buildings* where services for the collection of solid waste are provided.

(b) Shall make available for use in that county a program for:

(1) The establishment of recycling centers for the collection and disposal of recyclable material where existing recycling centers do not carry out the purposes of the program established pursuant to paragraph (a).

(2) The disposal of hazardous household products which are capable of causing harmful physical effects if inhaled, absorbed or ingested. This program may be included as a part of any other program made available pursuant to this subsection.

3. The board of county commissioners of a county whose population is not more than 25,000, or its designee, may make available for use in that county a program for:

(a) The separation at the source of recyclable material from other solid waste originating from the residential premises *and public buildings* where services for the collection of solid waste are provided.

(b) The establishment of recycling centers for the collection and disposal of recyclable material where existing recycling centers do not carry out the purposes of the program.

(c) The disposal of hazardous household products which are capable of causing harmful physical effects if inhaled, absorbed or ingested. This program may be included as a part of any other program made available pursuant to this subsection.

4. Any program made available pursuant to this section:

(a) Must not

:

(1) Conflict with the standards adopted by the state environmental commission pursuant to NRS 444A.020; and

(2) Become effective until approved by the department.

(b) May be based on the model plans adopted pursuant to NRS 444A.030.

5. The governing body of a municipality may adopt and carry out within the municipality such programs made available pursuant to this section as are deemed necessary and appropriate for that municipality.

6. Any municipality may, with the approval of the governing body of an adjoining municipality, participate in any program adopted by the adjoining municipality pursuant to subsection 5.

7. Persons residing on an Indian reservation or Indian colony may participate in any program adopted pursuant to subsection 5 by a municipality in which the reservation or colony is located if the governing body of the reservation or colony adopts an ordinance requesting such participation. Upon receipt of such a request, the governing body of the municipality shall make available to the residents of the reservation or colony those programs requested.

Sec. 4. NRS 444A.050 is hereby amended to read as follows:

444A.050 1. A county or health district that adopts a program pursuant to NRS 444A.040 shall:

(a) On or before July 1 of each year, submit a report to the department of the number of tons of material disposed of in the area covered by the program.

(b) Within 6 months after adopting the program, and at least once every 6 months thereafter, notify all persons occupying residential, commercial, **governmental** and institutional premises within the area covered by the program of the local recycling opportunities and the need to reduce the amount of waste generated.

2. The governing body of a municipality that adopts a program pursuant to NRS 444A.040 shall:

(a) Adopt such ordinances as are necessary for the enforcement of the program.

(b) At least once every 36 months, conduct a review of the program and make such revisions to the program and any ordinances adopted pursuant thereto as are deemed necessary and appropriate.

Sec. 5. NRS 444A.110 is hereby amended to read as follows:

444A.110 1. The division of environmental protection of the state department of conservation and natural resources shall develop a program of public education to provide information, increase public awareness of the individual responsibility of properly disposing of solid waste and encouraging public participation in recycling, reuse and waste reduction. The program must be designed in accordance with the plans to provide for a solid waste management system approved pursuant to NRS 444.510 to communicate the importance of conserving natural resources, in addition to

the importance of protecting public health and the environment. The program must include promotion of the private and public efforts to accomplish conservation, recovery and reuse.

2. The division of environmental protection of the state department of conservation and natural resources shall encourage the reduction of waste and litter by:

(a) Providing, upon request, advice to persons regarding techniques to reduce waste and general information on recycling.

(b) Establishing a computer data base to process related information.

(c) Establishing a toll-free telephone line to assist in the dissemination of information.

(d) Sponsoring or cosponsoring technical workshops and seminars on waste reduction.

(e) Assisting local programs for the research and development of plans to reduce waste.

(f) Coordinating the dissemination of publications on waste reduction, regardless of the source of those publications.

(g) Assisting in the development and promotion of programs of continuing education for educators and administrators to enable them to teach and encourage methods of waste reduction.

(h) Developing an emblem to signify and advertise the efforts in Nevada to encourage recycling.

(i) Recommending to educational institutions courses and curricula relating to recycling and the reduction of waste.

(j) Assisting state agencies, upon request, to develop and carry out programs for recycling within state buildings.

3. The division of environmental protection of the state department of conservation and natural resources shall coordinate the technical assistance available from the various state agencies. The administrator of that division shall prepare and deliver biennial reports to the governor regarding the progress of the program.

Sec. 6. NRS 1.115 is hereby amended to read as follows:

1.115 1. Except as otherwise provided in this section, each court of justice for this state shall recycle or cause to be recycled the paper and paper products it uses. This subsection does not apply to confidential documents if there is an additional cost for recycling those documents.

2. A court of justice may apply for a waiver from the requirements of subsection 1. For such a waiver, the supreme court must apply to the interim finance committee, a district court or a justice's court must apply to the board of county commissioners of the county in which it is located and a municipal court must apply to the governing body of the city in which it is located. A waiver must be granted if it is determined that the cost to recycle or cause to be recycled the paper and paper products used by the court is unreasonable and would place an undue burden on the operations of the court.

3. The court administrator shall, after consulting with the state department of conservation and natural resources, prescribe the procedure for the disposition of the paper and paper products to be recycled. *The court administrator may prescribe a procedure for the recycling of other waste materials produced on the premises of the court building.*

4. Any money received by a court of justice for recycling or causing to be recycled the paper and paper products it uses must be paid by the clerk of that court to the state treasurer for credit to the state general fund.

5. As used in this section:

(a) "Paper" includes newspaper, high-grade office paper, fine paper, bond paper, offset paper, xerographic paper, mimeo paper, duplicator paper and any other cellulosic material which contains not more than 10 percent by weight or volume of a noncellulosic material, including, but not limited to, a laminate, binder, coating and saturant.

(b) "Paper product" means any paper article or commodity, including, but not limited to, paper napkins, towels, cardboard, construction material, paper and any other cellulosic material which contains not more than 10 percent by weight or volume of a noncellulosic material, including, but not limited to, a laminate, binder, coating and saturant.

Sec. 7. NRS 218.655 is hereby amended to read as follows:

218.655 1. Except as otherwise provided in this section, the legislative counsel bureau shall recycle or cause to be recycled the paper and paper products it uses. This subsection does not apply to confidential documents if there is an additional cost for recycling those documents.

2. The director of the legislative counsel bureau may apply to the legislative commission for a waiver from the requirements of subsection 1. The legislative commission shall grant a waiver if it determines that the cost to recycle or cause to be recycled the paper and paper products used by the bureau is unreasonable and would place an undue burden on the operations of the bureau.

3. The legislative commission shall, after consulting with the state department of conservation and natural resources, adopt regulations which prescribe the procedure for the disposition of the paper and paper products to be recycled. *The legislative commission may prescribe a procedure for the recycling of other waste materials produced on the premises of the legislative building.*

4. Any money received by the legislative counsel bureau for recycling or causing to be recycled the paper and paper products it uses must be paid by the director of the legislative counsel bureau to the state treasurer for credit to the state general fund.

5. As used in this section:

(a) "Paper" includes newspaper, high-grade office paper, fine paper, bond paper, offset paper, xerographic paper, mimeo paper, duplicator paper and any other cellulosic material which contains not more than 10 percent by weight or volume of a noncellulosic material, including, but not limited to, a laminate, binder, coating and saturant.

(b) "Paper product" means any paper article or commodity, including, but not limited to, paper napkins, towels, cardboard, construction material, paper and any other cellulosic material which contains not more than 10 percent by weight or volume of a noncellulosic material, including, but not limited to, a laminate, binder, coating and saturant.

Sec. 8. NRS 232.007 is hereby amended to read as follows:

232.007 1. Except as otherwise provided in this section, each state agency shall recycle or cause to be recycled the paper and paper products it uses. This subsection does not apply to confidential documents if there is an additional cost for recycling those documents.

2. A state agency may apply to the chief of the budget division of the department of administration for a waiver from the requirements of subsection 1. The chief shall grant a waiver to the state agency if he determines that the cost to recycle or cause to be recycled the paper and paper products used by the agency is unreasonable and would place an undue burden on the operations of the agency.

3. The state environmental commission shall, through the state department of conservation and natural resources, adopt regulations which prescribe the procedure for the disposition of the paper and paper products to be recycled. In adopting such regulations, the commission ~~{shall}~~ :

(a) Shall consult with any other state agencies which are coordinating or have coordinated programs for recycling paper and paper products.

(b) May prescribe a procedure for the recycling of other waste materials produced by state agencies.

4. Any money received by a state agency for recycling or causing to be recycled the paper and paper products it uses must be paid by the chief administrative officer of that agency to the state treasurer for credit to the state general fund.

5. As used in this section:

(a) "Paper" includes newspaper, high-grade office paper, fine paper, bond paper, offset paper, xerographic paper, mimeo paper, duplicator paper and any other cellulosic material which contains not more than 10 percent by weight or volume of a noncellulosic material, including, but not limited to, a laminate, binder, coating and saturant.

(b) "Paper product" means any paper article or commodity, including, but not limited to, paper napkins, towels, cardboard, construction material, paper and any other cellulosic material which contains not more than 10 percent by weight or volume of a noncellulosic material, including, but not limited to, a laminate, binder, coating and saturant.

(c) "State agency" means every public agency, bureau, board, commission, department, division, officer or employee of the executive department of state government.

Sec. 9. Chapter 386 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in this section, each school district shall recycle or cause to be recycled the paper and paper products it uses. This subsection does not apply to confidential documents if there is an additional cost for recycling those documents.

2. A school district is not required to comply with the requirements of subsection 1 if the board of trustees of the school district determines that the cost to recycle or cause to be recycled the paper and paper products used by the schools in the district is unreasonable and would place an undue burden on the operations of the district or a particular school.

3. The board of trustees shall adopt rules which prescribe the procedure for the disposition of the paper and paper products to be recycled. The board of trustees may prescribe a procedure for the recycling of other waste material produced on the premises of the schools in the school district and the administrative offices of the school district.

4. Any money received by the school district for recycling or causing to be recycled the paper and paper products it uses must be paid by the board of trustees for credit to the general fund of the school district.

5. As used in this section:

(a) "Paper" includes newspaper, high-grade office paper, fine paper, bond paper, offset paper, xerographic paper, mimeo paper, duplicator paper and any other cellulosic material which contains not more than 10 percent by weight or volume of a noncellulosic material, including, but not limited to, a laminate, binder, coating and saturant.

(b) "Paper product" means any paper article or commodity, including, but not limited to, paper napkins, towels, cardboard, construction material, paper and any other cellulosic material which contains not more than 10 percent by weight or volume of a noncellulosic material, including, but not limited to, a laminate, binder, coating and saturant.

Sec. 10. NRS 396.437 is hereby amended to read as follows:

396.437 1. Except as otherwise provided in this section, the system shall recycle or cause to be recycled the paper and paper products it uses. This subsection does not apply to confidential documents if there is an additional cost for recycling those documents.

2. The system is not required to comply with the requirements of subsection 1 if the board of regents determines that the cost to recycle or cause to be recycled the paper and paper products used by the system or one of its branches or facilities is unreasonable and would place an undue burden on the operations of the system, branch or facility.

3. The board of regents shall adopt regulations which prescribe the procedure for the disposition of the paper and paper products to be recycled. *The board of regents may prescribe a procedure for the recycling of other waste material produced on the premises of the system, a branch or a facility.*

4. Any money received by the system for recycling or causing to be recycled the paper and paper products it uses must be paid by the board of regents to the state treasurer for credit to the state general fund.

5. As used in this section:

(a) "Paper" includes newspaper, high-grade office paper, fine paper, bond paper, offset paper, xerographic paper, mimeo paper, duplicator paper and any other cellulosic material which contains not more than 10 percent by weight or volume of a noncellulosic material, including, but not limited to, a laminate, binder, coating and saturant.

(b) "Paper product" means any paper article or commodity, including, but not limited to, paper napkins, towels, cardboard, construction material, paper and any other cellulosic material which contains not more than 10 percent by weight or volume of a noncellulosic material, including, but not limited to, a laminate, binder, coating and saturant.

~