

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

MARCH 15, 1999

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Broadens applicability of provisions relating to availability of programs for recycling or disposal of solid waste. (BDR 40-1341)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

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:

- 1 **Section 1.** NRS 444A.020 is hereby amended to read as follows:
2 444A.020 1. The state environmental commission shall adopt
3 regulations establishing minimum standards for:
4 (a) Separating at the source recyclable material from other solid waste
5 originating from residential premises ***and public buildings*** where services
6 for the collection of solid waste are provided.
7 (b) Establishing recycling centers for the collection and disposal of
8 recyclable material.
9 (c) The disposal of hazardous household products which are capable of
10 causing harmful physical effects if inhaled, absorbed or ingested.
11 2. The regulations adopted pursuant to subsection 1 must be adopted
12 with the goal of recycling at least 25 percent of the total solid waste

1 generated within a municipality after the second full year following the
2 adoption of such standards.

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

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

6 444A.030 1. The division of environmental protection of the state
7 department of conservation and natural resources shall, by regulation, adopt
8 a model plan for:

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

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

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

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

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

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

23 444A.040 1. The board of county commissioners in a county whose
24 population is more than 100,000, or its designee, shall make available for
25 use in that county a program for:

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

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

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

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

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

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

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

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

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

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

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

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

21 4. Any program made available pursuant to this section:

22 (a) Must not:

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

25 (2) Become effective until approved by the department.

26 (b) May be based on the model plans adopted pursuant to NRS
27 444A.030.

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

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

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

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

42 444A.050 1. A county or health district that adopts a program
43 pursuant to NRS 444A.040

shall:

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

4 (b) Within 6 months after adopting the program, and at least once every
5 6 months thereafter, notify all persons occupying residential, commercial ,
6 **governmental** and institutional premises within the area covered by the
7 program of the local recycling opportunities and the need to reduce the
8 amount of waste generated.

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

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

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

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

17 444A.110 1. The division of environmental protection of the state
18 department of conservation and natural resources shall develop a program
19 of public education to provide information, increase public awareness of
20 the individual responsibility of properly disposing of solid waste and
21 encouraging public participation in recycling, reuse and waste reduction.
22 The program must be designed in accordance with the plans to provide for
23 a solid waste management system approved pursuant to NRS 444.510 to
24 communicate the importance of conserving natural resources, in addition to
25 the importance of protecting public health and the environment. The
26 program must include promotion of the private and public efforts to
27 accomplish conservation, recovery and reuse.

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

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

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

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

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

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

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

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

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

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

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

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

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

16 1.115 1. Except as otherwise provided in this section, each court of
17 justice for this state shall recycle or cause to be recycled the paper and
18 paper products it uses. This subsection does not apply to confidential
19 documents if there is an additional cost for recycling those documents.

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

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

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

37 5. As used in this section:

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

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

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

7 218.655 1. Except as otherwise provided in this section, the
8 legislative counsel bureau shall recycle or cause to be recycled the paper
9 and paper products it uses. This subsection does not apply to confidential
10 documents if there is an additional cost for recycling those documents.

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

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

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

27 5. As used in this section:

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

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

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

39 232.007 1. Except as otherwise provided in this section, each state
40 agency shall recycle or cause to be recycled the paper and paper products it
41 uses. This subsection does not apply to confidential documents if there is
42 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.

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

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

9 **5. As used in this section:**

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

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

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

22 396.437 1. Except as otherwise provided in this section, the system
23 shall recycle or cause to be recycled the paper and paper products it uses.
24 This subsection does not apply to confidential documents if there is an
25 additional cost for recycling those documents.

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

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

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

39 5. As used in this section:

40 (a) "Paper" includes newspaper, high-grade office paper, fine paper,
41 bond paper, offset paper, xerographic paper, mimeo paper, duplicator paper
42 and any other cellulosic material which contains not more than 10 percent

1 by weight or volume of a noncellulosic material, including, but not limited
2 to, a laminate, binder, coating and saturant.

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

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