

ASSEMBLY BILL NO. 65—ASSEMBLYMEN PIERCE, LESLIE, PARKS,
GIUNCHIGLIANI, CONKLIN, ANDERSON, ARBERRY JR.,
ATKINSON, BUCKLEY, GERHARDT, KIRKPATRICK,
KOIVISTO, MCCLAIN, OCEGUERA, OHRENSCHALL,
PARNELL, PERKINS AND SMITH

FEBRUARY 16, 2005

JOINT SPONSOR: SENATOR TITUS

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Requires State Environmental Commission to adopt
regulations prohibiting disposal of electronic waste
in landfills and establishing program for recycling of
such waste. (BDR 40-489)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
Effect on the State: No.

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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; requiring the State
Environmental Commission to adopt regulations
prohibiting the disposal of electronic waste at a municipal
solid waste landfill or other disposal site; requiring the
Commission to adopt regulations establishing a program
for the recycling of such waste; providing a penalty; and
providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law requires the State Environmental Commission to adopt regulations
- 2 that establish standards for the recycling or disposal of solid waste. (NRS
- 3 444A.020, 444A.080) Under existing law, any violation of a regulation adopted by
- 4 the Commission is a misdemeanor. (NRS 444.610)
- 5 This bill requires the State Environmental Commission to adopt regulations that
- 6 prohibit the disposal of electronic waste at solid waste landfills and other disposal



7 sites. The Commission must also establish a recycling program for the collection
8 and disposal of electronic waste. Electronic waste includes cathode ray tubes and
9 similar video devices, such as television sets and computer monitors. Because of
10 the general penalty provision in NRS 444.610, a violation of these regulations is a
11 misdemeanor.

12 This bill also authorizes the Commission to impose a fee on the retail sale of
13 any cathode ray tube, cathode ray tube device, flat panel screen or other similar
14 video display device. If such a fee is imposed, retail sellers must remit the fees to
15 the Department of Taxation in the manner provided by the Department of Taxation.
16 Any fees collected by the Department of Taxation must be deposited with the State
17 Treasurer and accounted for separately in the State General Fund. The money in the
18 account must be administered by the Director of the Division of Environmental
19 Protection of the State Department of Conservation and Natural Resources, who
20 may use the money only for purposes related to the collection, disposal and
21 recycling of electronic waste.

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

1 **Section 1.** Chapter 444A of NRS is hereby amended by
2 adding thereto a new section to read as follows:

3 ***1. The State Environmental Commission shall, to the extent***
4 ***consistent with federal law, adopt regulations:***

5 ***(a) Prohibiting the disposal at a municipal solid waste landfill***
6 ***or other disposal site of electronic waste; and***

7 ***(b) Establishing a recycling program for the collection and***
8 ***disposal of such waste.***

9 ***2. To carry out the provisions of this section, the State***
10 ***Environmental Commission may, by regulation:***

11 ***(a) Impose a reasonable fee on the retail sale of any cathode***
12 ***ray tube, cathode ray tube device, flat panel screen or other***
13 ***similar video display device;***

14 ***(b) Establish a program for the certification of facilities for the***
15 ***collection and recycling of electronic waste;***

16 ***(c) In any county whose population is 100,000 or more,***
17 ***establish a program of regular collection days or drop-off days for***
18 ***the collection of electronic waste; and***

19 ***(d) In any county whose population is less than 100,000,***
20 ***establish a program for the collection of electronic waste.***

21 ***3. If the State Environmental Commission imposes a fee on***
22 ***the retail sale of any cathode ray tube, cathode ray tube device, flat***
23 ***panel screen or other similar video display device:***

24 ***(a) A retail seller of any cathode ray tube, cathode ray tube***
25 ***device, flat panel screen or other similar video display device shall***
26 ***collect and account separately for the fee, and remit all such fees***
27 ***collected to the Department of Taxation in the manner prescribed***
28 ***by the Department.***



(b) *The Department of Taxation may:*

(1) *Collect such fees from a retail seller in the same manner as the Department collects sales tax pursuant to chapter 372 of NRS and the regulations adopted pursuant thereto; and*

(2) *Adopt such regulations as it determines necessary to carry out the provisions of this subsection.*

(c) *The Department of Taxation shall transfer all money it collects pursuant to this section to the State Treasurer for deposit into a separate account in the State General Fund. The money in the account does not revert to the State General Fund, and any interest earned on the money in the account must be credited to the account. The Director of the Division of Environmental Protection of the State Department of Conservation and Natural Resources shall administer the account and may use the money only for purposes related to the collection, disposal and recycling of electronic waste, including, without limitation, as matching money for related federal grants.*

4. *As used in this section, unless the context otherwise requires:*

(a) *“Disposal site” has the meaning ascribed to it in NRS 444.460.*

(b) *“Electronic waste” includes, without limitation, a cathode ray tube, cathode ray tube device, flat panel screen or other similar video display device.*

(c) *“Municipal solid waste landfill” has the meaning ascribed to it in NRS 444.465.*

Sec. 2. NRS 444A.010 is hereby amended to read as follows:

444A.010 As used in NRS 444A.010 to 444A.080, inclusive, **and section 1 of this act**, unless the context otherwise requires, the words and terms ~~described~~ **defined** in NRS 444A.011 to 444A.017, inclusive, have the meanings ascribed to them in those sections.

Sec. 3. NRS 444A.080 is hereby amended to read as follows:

444A.080 1. The State Environmental Commission shall adopt regulations necessary to enforce the provisions of NRS 444A.010 to 444A.070, inclusive ~~H~~, **and section 1 of this act**.

2. The State Environmental Commission may adopt any other regulations necessary to carry out the provisions of NRS 444A.010 to 444A.070, inclusive ~~H~~, **and section 1 of this act**.

Sec. 4. 1. The regulations required to be adopted pursuant to paragraph (a) of subsection 1 of section 1 of this act must:

(a) In any county whose population is 100,000 or more, become effective not later than December 31, 2005.

(b) In any county whose population is less than 100,000, become effective not later than December 31, 2006.



1 2. The regulations required to be adopted pursuant to paragraph
2 (b) of subsection 1 of section 1 of this act must become effective not
3 later than December 31, 2006.

4 3. The State Environmental Commission shall timely take all
5 actions necessary to ensure compliance with the requirements of this
6 section.

7 **Sec. 5.** This act becomes effective upon passage and approval.

