

Amendment No. 220

Assembly Amendment to Assembly Bill No. 426

(BDR 40-466)

Proposed by: Assembly Committee on Natural Resources, Agriculture, and Mining

Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will REMOVE the 2/3s majority vote requirement from A.B. 426.

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date	
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/> _____		Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/> _____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/> _____		Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/> _____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/> _____		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/> _____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) green bold dashed underlining is newly added transitory language.

JRS/TMC



Date: 4/8/2009

A.B. No. 426—Enacts provisions governing the recycling of certain electronic devices. (BDR 40-466)



ASSEMBLY BILL NO. 426—ASSEMBLYMEN PIERCE; ARBERRY, ATKINSON, HOGAN, HORNE, KIHUEN, KIRKPATRICK, KOIVISTO, LESLIE, MCCLAIN, MORTENSON, MUNFORD, OCEGUERA, OHRENSCHALL AND SEGERBLOM

MARCH 16, 2009

JOINT SPONSORS: SENATORS PARKS; COPENING AND WIENER

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—~~[Enacts provisions governing the recycling of certain electronic devices.]~~ Requires the Division of Environmental Protection of the State Department of Conservation and Natural Resources to conduct a study concerning programs for reusing and recycling computers and other electronics. (BDR ~~[40-466]~~ S-466)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: 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 recycling; ~~[prohibiting a manufacturer from selling or offering or delivering for sale in this State certain electronic devices under certain circumstances; requiring a manufacturer of such an electronic device to register with the Division of Environmental Protection of the State Department of Conservation and Natural Resources under certain circumstances; requiring the payment of annual registration fees and recycling fees; prohibiting a retailer from selling or offering or delivering for sale in this State such an electronic device under certain circumstances; requiring the Division to prepare a monthly list of registered manufacturers; enacting other provisions relating to the recycling of such electronic devices; providing a penalty;]~~ requiring the Division of Environmental Protection of the State Department of Conservation and Natural Resources to conduct a study concerning programs for reusing and recycling computers and other electronics; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

~~[Sections 2-22 of this bill provide for the recycling of covered electronic devices by manufacturers of the devices through a manufacturer program of recycling in this State or by~~

the Division of Environmental Protection of the State Department of Conservation and Natural Resources through the state contractor program operated by the Division. Section 5 defines a covered electronic device as a computer monitor or television that has a viewing area which is greater than 4 inches measured diagonally and any desktop or portable computer. Section 21 prohibits a manufacturer from selling or offering or delivering for sale in this State any covered electronic device unless certain conditions are complied with. Section 22 requires each manufacturer to register with the Division and pay an annual registration fee. Section 23 authorizes certain manufacturers or a group of manufacturers to carry out a manufacturer program for recycling covered electronic devices by submitting a plan to the Division and complying with certain other requirements. Section 24 requires each manufacturer who participates in the state contractor program operated by the Division to pay a recycling fee in an amount determined by the Division. Section 26 prohibits a retailer from selling or offering or delivering for sale at retail in this State any covered electronic device unless certain conditions are complied with. Section 27 imposes several duties on the Division concerning the recycling of covered electronic devices in this State including: (1) preparing a monthly list of registered manufacturers and unregistered brands; (2) reviewing the plans of manufacturers who carry out a manufacturer program of recycling; (3) determining each manufacturer's return share and return share by weight of covered electronic devices for each calendar year; (4) establishing a state contractor program for recycling covered electronic devices; (5) determining the amount of annual registration fees and recycling fees; and (6) preparing a report for the Legislature concerning the operation of the statewide system for the collection, transportation and recycling of covered electronic devices. Section 31 specifies that the authority of incorporated cities and counties in this State to regulate the collection of solid waste is not limited by this bill. Section 32 provides a penalty for a violation of any provision of this bill. This bill requires the Division of Environmental Protection of the State Department of Conservation and Natural Resources to conduct a study concerning programs for reusing and recycling computers and other electronics. The study must include an inventory of any programs for donating or recycling computers and other electronics in this State and surrounding states and an evaluation of those programs. This bill also requires the Administrator of the Division to submit a report setting forth the results of the study and at least one recommendation for legislation to the Director of the Legislative Counsel Bureau for transmission to the 76th Session of the Nevada Legislature.

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

Section 1. ~~[Chapter 444A of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 32, inclusive, of this act.] (Deleted by amendment.)~~

Sec. 2. ~~[As used in sections 2 to 32, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 to 20, inclusive, of this act have the meanings ascribed to them in those sections.] (Deleted by amendment.)~~

Sec. 3. ~~["Brand" means any name, symbol, word or mark that identifies a covered electronic device, other than any of its components, and attributes the device to the owner of the brand as the manufacturer.] (Deleted by amendment.)~~

Sec. 4. ~~["Collector" means any entity that collects a covered electronic device as part of a manufacturer program or the state contractor program.] (Deleted by amendment.)~~

Sec. 5. ~~1. "Covered electronic device" means:~~

~~(a) A computer monitor of any type that has a viewable area which is greater than 4 inches measured diagonally;~~

~~(b) A desktop computer or portable computer; or~~

~~(c) A television of any type that has a viewable area which is greater than 4 inches measured diagonally.~~

~~2. The term does not include:~~

~~(a) Any part of a motor vehicle;~~

~~(b) Any part of a larger piece of equipment designed and intended for use in an industrial, commercial or medical setting, including, without limitation, any diagnostic, monitoring or control equipment;~~

~~(c) A telephone or personal digital assistant of any type unless the telephone or personal digital assistant contains a viewable area which is greater than 4 inches measured diagonally; or~~

~~(d) Any part of a clothes washer, clothes dryer, refrigerator, freezer, microwave oven, conventional oven or range, dishwasher, room air conditioner, dehumidifier or air purifier.] (Deleted by amendment.)~~

~~Sec. 6. ["Covered entity" means:~~

~~1. Any household;~~

~~2. Any business that employs 10 or fewer persons;~~

~~3. Any not-for-profit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code that employs 10 or fewer persons; or~~

~~4. Any person who provides seven or fewer covered electronic devices to a collector at any one time.] (Deleted by amendment.)~~

~~Sec. 7. ["Division" means the Division of Environmental Protection of the State Department of Conservation and Natural Resources.] (Deleted by amendment.)~~

~~Sec. 8. ["Environmentally sound management practice" means any practice or other activity that complies with all applicable laws, including, without limitation:~~

~~1. Accurate recordkeeping;~~

~~2. Tracking of the disposition of recycled materials;~~

~~3. Conducting performance audits and inspections;~~

~~4. Complying with any applicable provisions for reuse and refurbishment;~~

~~5. Complying with any applicable employee health and safety requirements;~~

~~6. Maintaining liability insurance and financial assurances; and~~

~~7. Any other practice or activity specified in a regulation adopted by the Division pursuant to section 29 of this act.] (Deleted by amendment.)~~

~~Sec. 9. [1. "Manufacturer" means any person, regardless of the selling technique used by the person, including by means of a remote sale:~~

~~(a) Who manufactures a covered electronic device under a brand that the person owns or is licensed to use;~~

~~(b) Who sells a covered electronic device which is manufactured by another person under a brand that the seller owns;~~

~~(c) Who manufactures a covered electronic device without affixing a brand;~~

~~(d) Who manufactures a covered electronic device to which the person affixes a brand that he does not own; or~~

~~(e) On whose account a covered electronic device that is manufactured outside the United States is imported into the United States, except that if, at the time the covered electronic device is imported into the United States, another person is registered as the manufacturer of the brand of the covered electronic device.~~

~~2. The term does not include a person with a license to manufacture a covered electronic device for delivery exclusively to or at the order of the issuer of the license.] (Deleted by amendment.)~~

~~Sec. 10. ["Manufacturer program" means a statewide program for collecting, transporting and recycling covered electronic devices that is carried~~

1 ~~out by a single manufacturer or group of manufacturers pursuant to section 23~~
2 ~~of this act.~~ (Deleted by amendment.)

3 Sec. 11. ~~["Orphan device" means a covered electronic device the~~
4 ~~manufacturer of which is not identified.]~~ (Deleted by amendment.)

5 Sec. 12. ~~["Person" includes a government, governmental agency and a~~
6 ~~political subdivision of a government.]~~ (Deleted by amendment.)

7 Sec. 13. ~~["Portable computer" means any of the following devices which~~
8 ~~has a viewable area that is greater than 4 inches measured diagonally and which~~
9 ~~can be carried as a single unit by a person:~~

10 ~~1. A laptop computer;~~

11 ~~2. A notebook computer; or~~

12 ~~3. A notepad computer.]~~ (Deleted by amendment.)

13 Sec. 14. ~~["Premium service" means any at-location system upgrade service~~
14 ~~and at-home pickup service, including curbside pickup service, for the collection,~~
15 ~~transportation and recycling of covered electronic devices.]~~ (Deleted by
16 amendment.)

17 Sec. 15. ~~[1. "Recycling" means:~~

18 ~~(a) Any processing of a covered electronic device by disassembling,~~
19 ~~dismantling, shredding, transforming or remanufacturing the covered electronic~~
20 ~~device, or any processing of any component or by-product of the covered~~
21 ~~electronic device, into a usable or marketable raw material or product; or~~

22 ~~(b) Any smelting of materials from a component that is removed from a~~
23 ~~covered electronic device to recover metals for reuse in accordance with any~~
24 ~~applicable law or regulation.~~

25 ~~2. The term does not include:~~

26 ~~(a) Any disposal in a landfill or incineration of a covered electronic device;~~
27 ~~or~~

28 ~~(b) Any recovery or generation of energy by means of combusting a covered~~
29 ~~electronic device, or any component or by-product thereof, with or without other~~
30 ~~waste.]~~ (Deleted by amendment.)

31 Sec. 16. ~~["Retailer" means any person who offers a new covered electronic~~
32 ~~device for sale at retail in this State by any means, including, without limitation,~~
33 ~~any sale through a sales outlet, catalog, the Internet or any other remote offering~~
34 ~~of the covered electronic device.]~~ (Deleted by amendment.)

35 Sec. 17. ~~["Return share" means the minimum percentage of covered~~
36 ~~electronic devices that a manufacturer is responsible for collecting, transporting~~
37 ~~and recycling.]~~ (Deleted by amendment.)

38 Sec. 18. ~~["Return share by weight" means the minimum total weight of~~
39 ~~covered electronic devices that a manufacturer is responsible for collecting,~~
40 ~~transporting and recycling.]~~ (Deleted by amendment.)

41 Sec. 19. ~~["Sale" or "sell" means any transfer of title for consideration,~~
42 ~~including, without limitation, a remote sale conducted through a sales outlet,~~
43 ~~catalog, the Internet or any other electronic means. The term does not include a~~
44 ~~lease.]~~ (Deleted by amendment.)

45 Sec. 20. ~~["State contractor program" means a statewide program for the~~
46 ~~collection, transportation and recycling of covered electronic devices that is~~
47 ~~established by the Division pursuant to section 27 of this act.]~~ (Deleted by
48 amendment.)

49 Sec. 21. ~~[1. Sections 2 to 32, inclusive, of this act apply to all~~
50 ~~manufacturers engaging in activities as a manufacturer on or after October 1,~~
51 ~~2009.~~

52 ~~2. Sections 2 to 32, inclusive, of this act do not apply to a reused or~~
53 ~~refurbished covered electronic device.~~

~~3. A manufacturer shall not sell or offer or deliver for sale in this State a covered electronic device unless:~~

~~(a) The covered electronic device is labeled with a brand and the label is permanently affixed to and readily visible on the covered electronic device; and~~

~~(b) The brand is included on the list prepared by the Division pursuant to section 27 of this act. (Deleted by amendment.)~~

~~Sec. 22. [1. On or before December 31 of each year, each manufacturer of a covered electronic device that is sold or offered for sale in this State shall register with the Division, for a period to cover the upcoming calendar year, on a form provided by the Division. The registration must include:~~

~~(a) A list of each brand that is manufactured, sold or imported by the manufacturer, including any brand that is offered for sale in this State by the manufacturer;~~

~~(b) A statement indicating whether the manufacturer will carry out a manufacturer program or use the state contractor program for recycling covered electronic devices; and~~

~~(c) Any other information required by the Division for the registration.~~

~~2. Not later than July 1 of each year, each manufacturer of a covered electronic device that is sold or offered for sale in this State shall pay to the Division:~~

~~(a) For calendar years 2010 to 2013, inclusive:~~

~~(1) An annual registration fee of \$15,000 if the manufacturer sold at least 1 percent of the total number of units of covered electronic devices sold in this State during the preceding calendar year;~~

~~(2) An annual registration fee of \$5,000 if the manufacturer sold at least 0.1 percent but less than 1 percent of the total number of units of covered electronic devices sold in this State during the preceding calendar year;~~

~~(3) An annual registration fee of \$200 if the manufacturer sold at least 0.01 percent but less than 0.1 percent of the total number of units of covered electronic devices sold in this State during the preceding calendar year;~~

~~(4) An annual registration fee of \$40 if the manufacturer sold less than 0.01 percent of the total number of units of covered electronic devices sold in this State during the preceding calendar year;~~

~~(b) For calendar year 2014 and each calendar year thereafter, the amounts specified in paragraph (a) or an amount specified by the Division that the Division determines is necessary so that the total amount of annual registration fees collected will be approximately equal to the costs of the Division in carrying out the provisions of sections 2 to 32, inclusive, of this act, other than any costs incurred by the Division in carrying out the state contractor program.~~

~~3. If a manufacturer ceases to manufacture, sell or import a covered electronic device and a covered electronic device that was manufactured, sold or imported by the manufacturer is collected for recycling under a manufacturer program or the state contractor program, the manufacturer shall register with the Division and pay a registration fee of \$250.~~

~~4. Any manufacturer subject to subsection 3 who receives a notice from the Division specifying the manufacturer's return share and return share by weight and who has not previously registered pursuant to this section shall, within 30 days after receiving the notice, register with the Division and pay to the Division a registration fee of \$250. (Deleted by amendment.)~~

~~Sec. 23. [1. A manufacturer who chooses to carry out a manufacturer program shall submit a plan to the Division at the time the manufacturer pays the annual registration fee required pursuant to section 22 of this act.~~

~~2. A plan submitted pursuant to subsection 1 must describe the manner in which the manufacturer will:~~

~~(a) Finance, manage and conduct a statewide program to collect covered electronic devices from covered entities in this State;~~

~~(b) Provide for environmentally sound management practices to collect, transport and recycle covered electronic devices;~~

~~(c) Provide for advertising and promotion of collection opportunities statewide and on a regular basis; and~~

~~(d) Include convenient service in each county in this State which includes at least one collection site for each city whose population is 10,000 or more. A collection site for a county may be the same as the collection site for a city in the county. Each collection site must be staffed and open to the public at a frequency that is adequate to meet the needs of the area being served. A program may provide collection service jointly with another program.~~

~~3. In addition to the requirements of subsection 2, a manufacturer choosing to carry out a manufacturer program shall:~~

~~(a) Meet or exceed the requirements for collection sites specified in subsection 2;~~

~~(b) Provide for the collection, transportation and recycling of covered electronic devices for covered entities free of charge, except that a manufacturer who provides premium service for a covered entity may charge for any additional cost of providing that premium service; and~~

~~(c) Carry out the plan required pursuant to this section.~~

~~4. A group of manufacturers may choose to carry out a manufacturer program as a single entity, if in doing so the manufacturers meet the sum of their individual return shares by weight pursuant to subsection 3 of section 27 of this act and that sum is at least 5 percent.~~

~~5. On or before July 1 of each year, a manufacturer who does not meet its return share by weight for the preceding calendar year shall pay to the Division for the amount not met at a rate determined by the Division to be equal to the amount the manufacturer would have paid, plus 10 percent, to be part of the state contractor program pursuant to section 27 of this act.~~

~~6. A manufacturer participating in the state contractor program pursuant to section 27 of this act shall, at the time of submitting the manufacturer's annual registration pursuant to section 22 of this act, notify the Division of the participation of the manufacturer in the state contractor program.~~

~~7. Except as otherwise provided in subsection 4, a manufacturer who has less than a 5 percent return share during a year shall participate in the state contractor program pursuant to section 27 of this act. (Deleted by amendment.)~~

~~Sec. 24. (On or before September 1 of each year, a manufacturer who participates in the state contractor program shall pay a recycling fee to the Division in an amount determined by the Division pursuant to section 27 of this act to cover the costs of collecting, transporting and recycling the manufacturer's annual return share of covered electronic devices for the following year.) (Deleted by amendment.)~~

~~Sec. 25. (1. Except as authorized in subsection 2, the operator of a manufacturer program or the state contractor program or a collector participating in a manufacturer program or the state contractor program shall not charge a fee to a covered entity for the collection, transportation or recycling of a covered electronic device.~~

~~2. A collector who provides a premium service to a covered entity may charge the covered entity a fee for any additional cost of providing the premium service.) (Deleted by amendment.)~~

1 Sec. 26. ~~{1. A retailer shall not sell or offer or deliver for sale in this State~~
2 ~~any covered electronic device unless:~~

3 ~~(a) The covered electronic device is labeled with a brand and the label is~~
4 ~~permanently affixed to and readily visible on the covered electronic device;~~

5 ~~(b) The brand is included on the list prepared by the Division pursuant to~~
6 ~~section 27 of this act; and~~

7 ~~(c) The list prepared by the Division pursuant to section 27 of this act~~
8 ~~specifies that the manufacturer of the covered electronic device is in compliance~~
9 ~~with the requirements of sections 2 to 32, inclusive, of this act.~~

10 ~~2. A retailer shall provide to a customer at the time of the sale of a covered~~
11 ~~electronic device information provided by the Division that sets forth details~~
12 ~~concerning where and how the customer may recycle a covered electronic device~~
13 ~~in this State. The information must be provided in printed form for in-store sales~~
14 ~~and in printable form for Internet sales and other sales where the Internet is~~
15 ~~used.} (Deleted by amendment.)~~

16 Sec. 27. ~~{The Division shall:~~

17 ~~1. Maintain and make available to the public the following lists, which must~~
18 ~~be revised on or before the first day of each month:~~

19 ~~(a) A list of each registered manufacturer and the brand of that~~
20 ~~manufacturers;~~

21 ~~(b) A list of each brand for which a manufacturer has not registered; and~~

22 ~~(c) A list that identifies each manufacturer who has complied with sections 2~~
23 ~~to 32, inclusive, of this act.~~

24 ~~2. Review and approve all manufacturer plans that comply with the~~
25 ~~provisions of section 23 of this act and are submitted annually by manufacturers~~
26 ~~who choose to carry out a manufacturer program.~~

27 ~~3. Except as otherwise provided in this section, determine the return share~~
28 ~~and return share by weight for each calendar year for each manufacturer. The~~
29 ~~return share must be determined by dividing the total weight of covered electronic~~
30 ~~devices of each manufacturer's brands by the total weight of covered electronic~~
31 ~~devices for all manufacturers' brands. The return share by weight must be~~
32 ~~determined by multiplying the return share for each manufacturer by the total~~
33 ~~weight in pounds of covered electronic devices, including orphan devices,~~
34 ~~collected from covered entities during the preceeding calendar year.~~

35 ~~4. For calendar years 2010 and 2011, determine the return share and~~
36 ~~return share by weight for each manufacturer based on the best available public~~
37 ~~return share data and public weight data from within the United States for~~
38 ~~covered electronic devices from covered entities. For subsequent years, the return~~
39 ~~share of covered electronic devices for each manufacturer must be based on the~~
40 ~~most recent annual sampling or count of covered electronic devices and the total~~
41 ~~weight in pounds of covered electronic devices must be based on the total weight~~
42 ~~of covered electronic devices, including orphan devices, determined by the~~
43 ~~Division.~~

44 ~~5. On or before May 1 of each year, provide to each manufacturer that had~~
45 ~~a return share determined pursuant to this section the amount of the return share~~
46 ~~and return share by weight of the manufacturer for the next year.~~

47 ~~6. Establish a state contractor program for the collection, transportation~~
48 ~~and recycling of covered electronic devices from covered entities in this State.~~
49 ~~The state contractor program must:~~

50 ~~(a) To the extent practicable, use existing collection and transportation~~
51 ~~services and recycling centers;~~

52 ~~(b) Use environmentally sound management practices to collect, transport~~
53 ~~and recycle covered electronic devices;~~

~~(c) Provide for covered entities, free of charge, convenient and available collection services and sites for covered electronic devices in both rural and urban areas of this State;~~

~~(d) Advertise and promote collection opportunities statewide and on a regular basis; and~~

~~(e) Conduct a statistically significant sampling or actual count of the covered electronic devices collected and recycled by the state contractor program during each calendar year using a method approved by the Division and prepare a report not later than March 1 of the following calendar year that includes:~~

~~(1) A list of all brands identified during the sampling or count;~~

~~(2) The weight of covered electronic devices identified for each brand during the sampling or count; and~~

~~(3) The total weight of covered electronic devices, including orphan devices, collected from covered entities in this State by the state contractor program during the preceding calendar year.~~

~~7. Determine a manufacturer's annual registration fee for purposes of section 22 of this act using national market data prorated for this State based on statewide population.~~

~~8. Determine the amount of the recycling fee required to be paid pursuant to section 24 of this act by each manufacturer who participates in the state contractor program established pursuant to subsection 6. The Division shall determine the recycling fees as follows:~~

~~(a) Except as otherwise provided in paragraph (b), for each manufacturer the Division shall determine the recycling fee based on the manufacturer's annual return share and return share by weight determined pursuant to subsection 3; and~~

~~(b) For each manufacturer whose manufacture of covered electronic devices specified in paragraph (c) of subsection 1 of section 5 of this act exceeds its manufacture of covered electronic devices specified in paragraphs (a) and (b) of that subsection, the Division shall determine the recycling fee based on the total return share and return share by weight determined pursuant to subsection 3 for all manufacturers described in this paragraph and allocated according to each manufacturer's percentage of the total number of covered electronic devices specified in paragraph (c) of subsection 1 of section 5 of this act and sold in this State during the preceding calendar year. The Division may use any national sales data to determine those percentages. The Division may assess a surcharge on the annual registration fee for manufacturers described in this paragraph to pay any additional costs incurred by the Division in carrying out this paragraph.~~

~~9. Maintain on its website information relating to collection opportunities for covered electronic devices, including, without limitation, collection site locations and hours. The information must be made available in a printable format for retailers.~~

~~10. On or before January 10 of each odd-numbered year, prepare and submit a report to the Director of the Legislative Counsel Bureau for transmittal to the next session of the Legislature concerning the operation of the statewide system for the collection, transportation and recycling of covered electronic devices.~~ (Deleted by amendment.)

Sec. 28. 1. The Division shall evaluate any federal law or regulation that establishes a national program for the collection, transportation and recycling of electronic devices.

2. If the Division determines that the federal law or regulation substantially meets or exceeds the requirements of sections 2 to 32, inclusive, of this act, the Division shall include information concerning that determination in the next

~~biennial report it submits to the Legislature pursuant to section 27 of this act.]~~
~~(Deleted by amendment.)~~

~~Sec. 29. [The Division may adopt regulations to carry out the provisions of~~
~~sections 2 to 32, inclusive, of this act.] (Deleted by amendment.)~~

~~Sec. 30. [Any fees received pursuant to sections 2 to 32, inclusive, of this~~
~~act must be accounted for separately and may be used only to carry out the~~
~~provisions of sections 2 to 32, inclusive, of this act.] (Deleted by amendment.)~~

~~Sec. 31. [Sections 2 to 32, inclusive, of this act do not limit the authority of~~
~~an incorporated city or any county in this State to regulate the collection of solid~~
~~waste in the city or county.] (Deleted by amendment.)~~

~~Sec. 32. [A person who violates any provision of sections 2 to 32, inclusive,~~
~~of this act or any regulation adopted pursuant to those provisions is guilty of a~~
~~misdemeanor and, in addition to any other penalty, shall be fined not more than~~
~~\$100 for each day on which the violation continues.] (Deleted by amendment.)~~

~~Sec. 33. [This act becomes effective:~~

~~1. Upon passage and approval for the purpose of adopting regulations and~~
~~carrying out any preliminary administrative tasks that are required to carry out the~~
~~provisions of this act; and~~

~~2. On October 1, 2009, for all other purposes.] (Deleted by amendment.)~~

~~Sec. 34. 1. The Division of Environmental Protection of the State~~
~~Department of Conservation and Natural Resources shall, within the limits of~~
~~available money, conduct or cause to be conducted a study concerning~~
~~programs for reusing and recycling computers and other electronics.~~

~~2. The study must include, without limitation:~~

~~(a) An inventory of any programs for donating or recycling computers~~
~~and other electronics in this State and surrounding states; and~~

~~(b) An evaluation of those programs and their effectiveness, including,~~
~~without limitation, an assessment of the environmental effect of those~~
~~programs.~~

~~3. The Administrator of the Division shall submit a report setting forth~~
~~the results of the study and at least one recommendation for legislation to~~
~~carry out a program for reusing and recycling computers and other electronics~~
~~in this State to the Director of the Legislative Counsel Bureau for transmission~~
~~to the 76th Session of the Nevada Legislature.~~

~~Sec. 35. This act becomes effective on July 1, 2009.~~