

Amendment No. 917

Assembly Amendment to Assembly Bill No. 427 First Reprint (BDR 40-1079)

Proposed by: Assembly Committee on Ways and Means**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. 427.

ASSEMBLY ACTION		Initial and Date		SENATE ACTION		Initial and Date	
Adopted	☐	Lost	☐	Adopted	☐	Lost	☐
Concurred In	☐	Not	☐	Concurred In	☐	Not	☐
Receded	☐	Not	☐	Receded	☐	Not	☐

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 underlining*** is newly added transitory language.

EGO



Date: 6/4/2011

A.B. No. 427—Enacts provisions requiring the payment of deposits and refunds on certain beverage containers sold in this State. (BDR 40-1079)



ASSEMBLY BILL NO. 427—ASSEMBLYMAN OHRENSCHALL

MARCH 21, 2011

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—~~[Enacts provisions]~~ **Directs the Legislative Commission to conduct an interim study concerning the establishment of a program** requiring the payment of deposits and refunds on ~~[certain beverage containers]~~ **recyclable products** sold in this State. (BDR ~~[40-1079]~~ **S-1079**)

FISCAL NOTE: Effect on Local Government: No.
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 programs for recycling; ~~[enacting provisions requiring]~~ **directing the Legislative Commission to conduct an interim study concerning the establishment of a program requiring the payment and refund** of deposits ~~[and refunds]~~ on ~~[certain beverage containers]~~ **recyclable products** sold in this State; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This bill ~~[establishes]~~ **directs the Legislative Commission to conduct an interim study concerning the establishment of** a program for requiring deposits to be paid and then refunded on ~~[certain]~~ recyclable ~~[beverage containers]~~ **products** sold in this State. ~~[Under section 10 of this bill, every beverage container, with certain exceptions, has a refund value of 5 cents. Section 11 of this bill requires every beverage container sold in this State to be clearly labeled with that refund value and with the word "Nevada" or the abbreviation "NV." Section 12 of this bill requires a consumer to deposit the refund value of each beverage container when purchasing a filled container and requires a dealer who receives that deposit to submit the amount of the deposit to the Director of the State Department of Conservation and Natural Resources for deposit in the Beverage Container Recycling Fund. Section 12 also authorizes a consumer to return the beverage container to a redemption center and requires the Division of Environmental Protection of the Department to adopt regulations for the certification of those redemption centers. Section 13 of this bill provides for the refunding of the value of the empty beverage container to the consumer by a redemption center. Section 14 of this bill prohibits a person from attempting to return for a refund more than a certain number of empty beverage containers that the person knows or has reason to know were not originally sold in this State. Section 15 of this bill creates the Beverage Container Recycling Fund and requires the money in the Fund to be used for recycling and recycling promotion and education programs. Section 16 of this bill requires certain reports to be made to the Director of the Department, and section 17 of this bill requires the Division to adopt regulations necessary to carry out the provisions of this bill.]~~

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

Delete existing sections 1 through 18 of this bill and replace with the following new sections 1 and 2.

Section 1. 1. The Legislative Commission shall appoint a committee to conduct an interim study concerning the establishment of a program for requiring the payment and refund of deposits on recyclable products sold in this State.

2. The committee appointed by the Legislative Commission pursuant to subsection 1 must be composed of six Legislators as follows:

(a) Three members appointed by the Majority Leader of the Senate, at least one of whom must be appointed from the membership of the Senate Standing Committee on Natural Resources during the 76th Session of the Nevada Legislature; and

(b) Three members appointed by the Speaker of the Assembly, at least one of whom must be appointed from the membership of the Assembly Standing Committee on Natural Resources, Agriculture, and Mining during the 76th Session of the Nevada Legislature.

3. The study:

(a) Must include, without limitation:

(1) Consideration of the recyclable products to be included in the program, including, without limitation, plastic, glass, aluminum or tin containers and paper or plastic grocery and shopping bags.

(2) An analysis of the process for the payment and refund of the deposits on the recyclable products, including, without limitation, the creation of redemption centers.

(b) May include consideration of other methods of encouraging recycling.

4. The Legislative Commission shall submit a report of the results of the study and any recommendations for legislation to the 77th Session of the Nevada Legislature.

Sec. 2. This act becomes effective on July 1, 2011.