

**MINUTES OF THE  
SENATE COMMITTEE ON NATURAL RESOURCES**

**Seventy-Seventh Session  
May 7, 2013**

The Senate Committee on Natural Resources was called to order by Vice Chair Mark A. Manendo at 2:08 p.m. on Tuesday, May 7, 2013, in Room 2144 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Aaron D. Ford, Chair  
Senator Mark A. Manendo, Vice Chair  
Senator Tick Segerblom  
Senator James A. Settelmeyer  
Senator Pete Goicoechea

**GUEST LEGISLATORS PRESENT:**

Assemblyman James Ohrenschall, Assembly District No. 12  
Assemblywoman Heidi Swank, Assembly District No. 16

**STAFF MEMBERS PRESENT:**

Michael J. Stewart, Policy Analyst  
Brenda Erdoes, Counsel  
Lynn Berry, Committee Secretary

**OTHERS PRESENT:**

Jeanette Dean, Intern for Assemblyman James Ohrenschall  
Randy Robison, America's Schools Program  
Kyle Davis, Nevada Conservation League  
John Pappageorge, Republic Services  
Ray Bacon, Nevada Manufacturers Association  
Jack LeVine

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Peter Barton, Administrator, Division of Museums and History, Department of  
Tourism and Cultural Affairs; Preserve Nevada  
Fred L. Hillerby, American Institute of Architects

**Senator Manendo:**

I will open the hearing on Assembly Concurrent Resolution (A.C.R.) 3.

**ASSEMBLY CONCURRENT RESOLUTION 3 (1st Reprint)**: Expresses support for  
the educational programs and partnerships of the International  
Environmental Youth Campaign of the America's Schools Program.  
(BDR R-122)

**Assemblyman James Ohrenschall (Assembly District No. 12):**

During the interim, I chaired the Legislative Commission's committee to study  
the Deposits and Refunds on Recycled Products. There was a lot of discussion  
regarding various options to increase recycling in Nevada, but there was no  
consensus. I have provided you with a copy of the study ([Exhibit C](#)).

**Jeanette Dean (Intern for Assemblyman James Ohrenschall):**

Assembly Bill No. 427 of the 76th Session began as a measure to establish  
a beverage container redemption and refund program for Nevada. The  
Legislative Commission's committee to study the Deposits and Refunds on  
Recycled Products was created to study the measure further.

The interim study committee was charged with evaluating the possible creation  
of a program to require the payment and refund of deposits on recyclable  
products in Nevada. The study committee also had the authority to consider  
other methods of encouraging recycling in Nevada.

The interim study committee considered over one dozen topics relating to  
recycling, waste management and the partnerships established by various  
corporations, nonprofit organizations and environmental groups relating to  
recycling. The Committee heard a presentation regarding the International  
Environmental Youth Campaign, which is sponsored by the America's Schools  
Program.

The America's Schools Program explained how the Campaign gives youth  
a voice and a vehicle by which they can promote environmental conservation  
and sustainability on local, state and national levels through recycling. The

Campaign serves to empower, inform and develop youth environmental ambassadors by increasing their knowledge of the environment. It provides a platform by which youth can have a dialogue with the environmental sciences community, businesses, political leaders and other organizations to promote and support conservation and environmental responsibility.

The mission of the International Environmental Youth Campaign is to help fund environmental education programs in kindergarten through Grade 12 schools through partnerships with like-minded businesses, organizations and institutions. The Campaign has created an educational curriculum on environmental issues and offers activities such as environmental youth summits and overseas student exchange programs. The Campaign also provides access to knowledge and skills to assist those students in becoming more responsible citizens who have an increased ability to engage in communication and take action concerning environmental issues. Among the Campaign's partners are leading recycling companies that can recycle plastic waste and create environmentally safe and useful products.

Assembly Concurrent Resolution 3 urges the Campaign and its partners to continue their efforts to educate and inspire young people about environmental issues and personal environmental responsibility. Additional information is in my written testimony ([Exhibit D](#)).

**Randy Robison (America's Schools Program):**

I have been involved with the nonprofit organization, America's Schools Program, for over 10 years. One of the program's initiatives is the International Environmental Youth Campaign. The Environmental Youth Ambassadors were selected through a Clark County School District district-wide essay contest. They answered a question regarding environmental responsibilities. There were 500 entries. The winners were sent via student exchange to South Africa and the Gold Coast in Australia. I will show a video that shows these Ambassadors in those various locations learning about their environmental issues ([Exhibit E](#)).

**Assemblyman Ohrenschall:**

The University of Nevada, Las Vegas (UNLV) has a great recycling center. Recycle bins are located everywhere on campus to make recycling easier. They have a high recycling rate.

**Senator Manendo:**

I will close the hearing on A.C.R. 3 and open the hearing on Assembly Bill (A.B.) 487.

**ASSEMBLY BILL 487**: Makes various changes relating to recycling. (BDR 40-20)

**Ms. Dean:**

Assembly Bill 487 increases the State's recycling goal and requires each county in Nevada to submit a report regarding single-stream recycling to the Nevada Legislature.

Single-stream recycling, as opposed to multi-stream or curbside recycling, is a method of recycling in which all recyclable materials, including aluminum, glass and plastic beverage containers are placed unsorted into a single recycling bin or container instead of being sorted and separated at the source. Under the single-stream model, the collection and processing systems are designed to handle a fully comingled mixture of recyclables. The materials are separated for reuse at a materials recovery facility. Proponents of single-stream recycling have noted that it results in less confusion, less required sorting time by residents, less required space for multiple bins for customers and overall greater convenience in recycling.

Assembly Bill 487 contains two components. First, the measure increases the State's recycling goal for total solid waste generated within a municipality that has a recycling program from 25 to 40 percent. Second is a requirement that each county in Nevada submit a report to the Director of the Legislative Counsel Bureau on or before November 1, 2014, detailing the efforts and progress made by the county to establish programs for single-stream recycling.

The Legislative Commission's committee to study the Deposits and Refunds on Recycled Products learned that in 2010, Nevada's overall recycling rate was just under 21 percent. During the reporting period between 2010 and 2011, Nevada's recycling rate increased by 4.7 percent, making the total statewide recycling rate at 25.3 percent. The committee felt this increase, along with single-stream recycling programs, justified supporting an increase in the statutorily required recycling rate.

The required report will be transmitted to the 2015 Nevada Legislature. The committee believed that Nevada's counties should make all efforts possible to secure single-stream recycling in their jurisdictions.

Several jurisdictions in Nevada, including the cities of Elko, Henderson, North Las Vegas and Reno, have recently agreed to move forward with single-stream recycling. Recent media reports indicate a sixfold increase in the recycling rates in Henderson and North Las Vegas. Recently, the Clark County Board of Commissioners voted conditionally to begin single-stream recycling for the unincorporated areas of the county, pending the results of two studies related to the economic impacts of the collection schedule, and a survey of residents in incorporated areas who are already under a single-stream program. In addition to the studies, Clark County gives the waste collection service provider in the county until 2017 to roll out the program. It takes time to implement the program due primarily to the need to retrofit existing trash collection vehicles or acquire new ones and to supply each resident in the service area with the appropriate recycling container. Additional information is in my prepared testimony ([Exhibit F](#)).

**Assemblyman Ohrenschall:**

In 1991, then-Senator Vivian Freeman sponsored the bill that set the recycling goal at 25 percent. It has taken 20 years to attain that goal. Single-stream recycling seems to be a viable method to help us attain the 40 percent goal in much less time.

**Senator Settelmeyer:**

Is this a goal or a mandate? Would there be a penalty?

**Assemblyman Ohrenschall:**

It is a goal, not a mandate. There is no penalty. The recycling numbers are higher in the northern part of the State than in the southern part.

**Senator Goicoechea:**

What will the required report entail? Is there a fiscal note? What about remote and rural areas?

**Assemblyman Ohrenschall:**

The report will describe the efforts that have been made toward single-stream recycling. It does not mandate that any county or municipality establish

single-stream recycling. The details are left up to the counties. If recycling is impractical in some areas, that is what the report should say. There are no penalties.

**Senator Goicoechea:**

I still see difficulties in areas like White Pine County.

**Assemblyman Ohrenschall:**

We had testimony from one rural county that has established an automated can and plastic bottle recycling center. It did not require anyone to operate it. A person could sell their cans and bottles for the weight value at the center.

**Kyle Davis (Nevada Conservation League):**

The Nevada Conservation League supports A.B. 487. We have attained our legislative recycling goal, and it has been effective in creating more recycling infrastructure in the State. It is appropriate to increase the goal. We understand it may not be appropriate in all areas, but it should be promoted in areas where recycling makes sense.

**John Pappageorge (Republic Services):**

I would emphasize that the increase to the recycling rate is a goal, not a mandate. We support A.B. 487. We have increased our recycling rate to 26 percent and are on our way to attaining the 40 percent goal. This is due to single-stream recycling, which we have implemented in many areas in Clark County.

**Ray Bacon (Nevada Manufacturers Association):**

Douglas County has been one of the leaders in recycling. They have containers located in various areas throughout the county. The bins have multiple compartments. It is not a single-stream operation. The containers get filled and are removed each week.

**Senator Manendo:**

I will close the hearing on A.B. 487 and open the hearing on Assembly Joint Resolution (A.J.R.) 7.

**ASSEMBLY JOINT RESOLUTION 7**: Urges recognition of the importance of mid-20th century architecture in Nevada. (BDR R-609)

**Assemblywoman Heidi Swank (Assembly District No. 16):**

Assembly Joint Resolution 7 encourages the National Park Service to recognize the importance of mid-century architecture as an important cultural resource in Nevada.

I have provided you a copy of my presentation about mid-century modernism ([Exhibit G](#)). Mid-century modernism emerged in post-World War II America. Mortgages became affordable. The number of homes available increased, and the styles changed. California's car culture emerged, and there was an international influence on American architecture.

Mid-century modern architecture focused on functionality and utilization of space, simplification of form and meeting the needs of the ordinary citizen. It characteristically used open floor plans, relied upon natural materials and blurred the boundaries between indoors and outdoors by utilizing large windows.

Pages 4 and 5 of [Exhibit G](#) show the different mid-century architectural styles found in Nevada: desert modern, ranch home, googie and brutalist. The desert modern style is also found in Palm Springs, California. The ranch styles were usually one level elongated homes. The googie style is futuristic, similar to the Jetson's cartoon. The brutalist style looks like a fortress. The building in the center right side photo on page 5 of [Exhibit G](#) was built after the riots at Kent State University. It houses the office of the president of the University of Nevada, Las Vegas (UNLV).

The interest in mid-century modernism is happening nationwide. Page 6 of [Exhibit G](#) lists organizations and publications that are interested in modernism.

Nevada has some mid-century architecture listed on the National Register of Historic Places. There are several neighborhoods also listed on the Register. One neighborhood in particular, Berkley Square, was designed specifically to make homes available to African Americans living in Las Vegas.

The purpose of A.J.R. 7 is to bring the importance of mid-century modernism architecture as a cultural resource in Nevada to the attention of the National Park Service. It would also encourage the Governor to establish a mid-century day of observance on May 20, 2014. This date was chosen because May is Historic Preservation Month and it is the birthday of Betty Willis, who designed

the “Fabulous Las Vegas” sign. I realize I need an amendment to make the day of observance an annual event.

**Brenda Erdoes (Counsel):**

To make a day of observance permanent, you would have to amend chapter 236 of the *Nevada Revised Statutes* (NRS). In order to amend the NRS, you need a bill. You cannot change a resolution into a bill.

**Assemblywoman Swank:**

I could do that next Session.

**Jack LeVine:**

I support A.J.R. 7. I am a realtor in Las Vegas. I specialize in mid-century modern homes in historic neighborhoods. This bill is specifically about the architecture of mid-century modern, but many other cultural phenomena were happening during that era. There is a resurgence of interest in this post World War II culture. There are subsets of cultural interest in mid-century modernism. These include the light jazz and swing of Frank Sinatra and the Rat Pack, rockabilly and the early rock and roll of Elvis (Presley) and Jerry Lee Lewis and the Polynesian-influenced tiki styles favored by veterans who served in the Pacific. The architecture binds these subsets together. Children are learning about the mid-century. It is different from the suburban life they were brought up with. They want to live in simpler homes. Preservation of this culture is needed.

**Peter Barton (Administrator, Division of Museums and History, Department of Tourism and Cultural Affairs; Preserve Nevada):**

I am the staff liaison for the Nevada Sesquicentennial Commission. I am here as a member of the Board of Directors of Preserve Nevada. Preserve Nevada is a statewide nonprofit organization conceived in 2001 in partnership with UNLV’s public history program. It is dedicated to the preservation of Nevada’s cultural, historical and archeological heritage. The diversity of our State and its heritage, its “boom and bust” cycles and its rapid growth present unique challenges and opportunities for preservation.

Preserve Nevada is managed by a 15-member Board of Directors, whose members represent a broad cross section of interests but share a common interest in preservation. Preserve Nevada is chaired by former Nevada Governor and U.S. Senator Richard H. Bryan.



Preserve Nevada supports A.J.R. 7 and the preservation of mid-twentieth century architecture in Nevada. Preserve Nevada reviews threatened heritage assets every 2 years and publishes a list of the 11 most endangered historic places in Nevada. Statewide, several mid-century roadside motor courts and UNLV's Maude Frazier Hall were recognized as significant and threatened in 2008.

In 2012, Preserve Nevada convened a preservation symposium in Las Vegas. Presenters from across the Nation joined with nearly 100 interested professionals and other persons to discuss historic preservation as a strategy for sustainability. Included in the conference were sessions on regaining control of the urban environment, renovating without compromise, sustainable cities and a case study on preserving the La Concha Motel lobby in Las Vegas as a cornerstone of the Neon Museum.

National recognition has increased regarding the importance of preserving the recent past. The National Trust for Historic Preservation and the National Park Service had a conference in the mid-1990s on the preservation of these assets. Since that time, much has been written and professional conferences have been addressing the issue.

Nevada's upcoming 150th anniversary of statehood affords a unique opportunity to reflect on the past, gain an appreciation for the importance of preservation and the reuse of assets. It is important for future generations.

**Fred L. Hillerby (American Institute of Architects):**

The American Institute of Architects Nevada supports A.J.R. 7. It is important to understand the role Nevada's architects have played in the building environment. The mid-century modernism was an important time in Nevada's history as well as the Country.

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**Senator Manendo:**

I will close the hearing on A.J.R. 7. There being no more business, the Senate Committee of Natural Resources is adjourned at 3:07 p.m.

RESPECTFULLY SUBMITTED:

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Lynn Berry,  
Committee Secretary

APPROVED BY:

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Senator Aaron D. Ford, Chair

DATE: \_\_\_\_\_

<u>EXHIBITS</u>				
Bill	Exhibit		Witness / Agency	Description
	A	1		Agenda
	B	2		Attendance Roster
A.C.R. 3	C	25	Assemblyman James Ohrenschall	Report on Study of Deposits and Refunds on Recycled Products
A.C.R. 3	D	3	Jeanette Dean	Written Testimony
A.C.R. 3	E	1	Randy Robison	DVD of International Environmental Youth Campaign
A.B. 487	F	5	Jeanette Dean	Written Testimony
A.J.R. 7	G	11	Assemblywoman Heidi Swank	Preserving our Mid- Century History Presentation