

Amendment No. 1004

Senate Amendment to Senate Bill No. 315 (BDR 40-989)

Proposed by: Senate Committee on Finance

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

Adoption of this amendment will MAINTAIN the unfunded mandate not requested by the affected local government to S.B. 315 (§ 13).

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) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

EWR/JWP



Date: 5/29/2017

S.B. No. 315—Revises provisions relating to waste disposal. (BDR 40-989)



SENATE BILL NO. 315—SENATORS FARLEY, DENIS,
PARKS, WOODHOUSE; AND CANCELA

MARCH 17, 2017

JOINT SPONSOR: ASSEMBLYMAN FLORES

Referred to Committee on Natural Resources

SUMMARY—Revises provisions relating to waste disposal. (BDR 40-989)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 13)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 waste disposal; ~~requiring the State Environmental Commission to study and make recommendations concerning certain agreements; limiting the amount that a franchisee may charge certain persons for the disposal of construction and demolition waste; prohibiting the governing body of a municipality from displacing or limiting competition in the collection, transportation and disposal of commercial recyclable material;~~ requiring a county whose population is 100,000 or more to divert a certain percentage of solid waste from landfills; revising the statutory goal for recycling solid waste; requiring the board of county commissioners of each county in this State to report certain information to the State Environmental Commission and the Legislature; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

~~Existing law authorizes the governing body of a county, city or other municipality to enter into agreements to provide a solid waste management system. (NRS 444.510) Section 4 of this bill requires the State Environmental Commission to: (1) study agreements between municipalities in the United States and other persons and entities for the collection and disposal of solid waste; and (2) make recommendations to municipalities in this State concerning such agreements. Section 5 of this bill requires a person who owns or operates a disposal site and has entered into an agreement with a municipality to collect, haul and dispose of construction and demolition waste to submit a monthly declaration containing certain information to the Commission. Section 5 requires the Commission to use that information to calculate the lowest rate that the person has advertised or solicited as a bid for the disposal of construction and demolition waste at the person's disposal site during the preceding month. Finally, section 5 prohibits the person from charging certain competitors a~~

higher rate to dispose of construction and demolition waste at the disposal site than the rate calculated by the Commission. Section 6 of this bill establishes the Nevada Council on Recycling and Materials Management to provide recommendations to certain state and local governmental entities on matters relating to the disposal of solid waste.

Existing law authorizes a board of county commissioners, the governing body of an incorporated city or a town board to displace or limit competition in the collection and disposal of garbage and other waste to provide adequate, economical and efficient services to the inhabitants of the county, city or town and to promote the general welfare. (NRS 244.187, 268.081, 269.128) Section 7 of this bill provides that the Legislature finds that displacing or limiting competition in the collection, transportation and disposal of commercial recyclable material does not achieve those objectives. Section 9 of this bill prohibits a board of county commissioners, the governing body of an incorporated city or a town board from entering into an agreement that provides another municipality or any person with the exclusive right to collect, transport and dispose of commercial recyclable material generated within the county, city or town. Sections 17-19 of this bill prohibit a board of county commissioners, the governing body of an incorporated city or a town board from displacing or limiting competition in the collection and disposal of commercial recyclable material.

Existing law requires the State Environmental Commission to adopt regulations concerning recycling with the goal of recycling at least 25 percent of the total solid waste generated within each municipality in this State. (NRS 444A.020) **Section 15** of this bill raises that goal to at least 35 percent of the total solid waste generated within such a municipality. **Section 13** of this bill requires ~~for certain counties~~ a county whose population is 100,000 or more (currently Clark and Washoe Counties) to divert ~~at least 25 percent~~ a certain percentage of the solid waste generated within ~~for shipped into~~ the county excluding construction and demolition waste, for disposal from landfills to recycling centers, facilities for the recovery of materials from solid waste or composting facilities. **Section 20** of this bill requires the board of county commissioners of each county to submit to the Commission and the Legislature a report concerning the efforts of the county to establish single-stream recycling programs and encourage recycling by businesses within the county.

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

Section 1. ~~[Chapter 444 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this act.] (Deleted by amendment.)~~

Sec. 2. ~~["Commercial recyclable material" means recyclable material, as defined in NRS 444A.013, that is generated by a business.] (Deleted by amendment.)~~

Sec. 3. ~~["Franchisee" means:~~

~~1. A person who owns or operates, directly or through an affiliate, a disposal site and has, directly or through an affiliate, entered into an agreement with the governing body of a municipality pursuant to NRS 444.510 to collect, haul and dispose of construction and demolition waste; or~~

~~2. An affiliate of such a person.] (Deleted by amendment.)~~

Sec. 4. ~~1. The State Environmental Commission shall:~~

~~(a) Study agreements between municipalities in the United States and other governmental entities and persons for the collection and disposal of solid waste; and~~

~~(b) Before a municipality in this State enters into such an agreement pursuant to NRS 444.510, make recommendations to the municipality concerning the inclusion in the agreement of provisions likely to increase recycling. Those recommendations must be based on the information acquired through the studies conducted pursuant to paragraph (a).~~

~~2. The Commission may accept gifts, grants and donations from any source for the purpose of administering and carrying out the provisions of this section and sections 5 and 6 of this act.~~ **(Deleted by amendment.)**

Sec. 5. ~~1. On or before the fifth day of each month, a franchisee shall submit to the State Environmental Commission a declaration made under the penalty of perjury in the form prescribed by the Commission which must include:~~

~~(a) The total costs per ton of the franchisee for collecting, hauling and disposing of construction and demolition waste for the month immediately preceding the date on which the declaration is due; and~~

~~(b) All charges, rates, bids and fees for the disposal of construction and demolition waste advertised or submitted as a bid by the franchisee within the month immediately preceding the date on which the declaration is due.~~

~~2. Not later than 5 days after receiving the information submitted pursuant to subsection 1, the State Environmental Commission shall:~~

~~(a) Based on the information submitted pursuant to subsection 1, calculate, for each franchisee, the effective monthly disposal rate; and~~

~~(b) Post the effective monthly disposal rate for each franchisee on an Internet website maintained by the Commission.~~

~~3. For the period beginning on the date that the effective monthly disposal rate for a franchisee is posted pursuant to subsection 2 and ending on the date that the next effective monthly disposal rate for that franchisee is posted, the franchisee shall not charge any other person who is in the business of collecting and hauling construction and demolition waste a rate to dispose of such waste at the disposal site owned or operated by the franchisee that exceeds the effective monthly disposal rate.~~

~~4. The State Environmental Commission may:~~

~~(a) Investigate the accuracy of any information submitted pursuant to subsection 1; and~~

~~(b) Refer to the Attorney General any evidence that a franchisee has knowingly submitted false information pursuant to subsection 1.~~

~~5. All information submitted to the State Environmental Commission pursuant to subsection 1 is confidential.~~

~~6. As used in this section, "effective monthly disposal rate" means the lowest rate per ton for the disposal of construction and demolition waste at a disposal site owned by a franchisee that the franchisee has advertised or submitted as a bid during the immediately preceding month.~~ **(Deleted by amendment.)**

Sec. 6. ~~1. The Nevada Council on Recycling and Materials Management is hereby created:~~

~~2. The Governor shall appoint to the Council:~~

~~(a) One member who represents a municipality;~~

~~(b) One member who represents a nonprofit organization that is engaged in or affected by the recycling and disposal of solid wastes;~~

~~(c) One member who represents a business that is engaged in or affected by the recycling and disposal of solid wastes;~~

~~(d) One member who owns or operates a facility for the recovery of materials from solid waste and is not a franchisee;~~

~~(e) One member who is engaged in the recycling or disposal of solid waste in a county whose population is less than 100,000; and~~

~~(f) One member who represents a business that is engaged in the collection and hauling of construction and demolition waste and is not a franchisee.~~

~~3. The Director of the State Department of Conservation and Natural Resources is an ex officio member of the Council and shall serve as Chair.~~

~~4. The appointed members of the Council serve terms that expire on the date on which the term of the Governor expires. The Governor shall appoint members to the Council as soon as practicable after beginning a term. A member may be reappointed to the Council and any vacancy must be filled in the same manner as the original appointment.~~

~~5. The members of the Council serve without compensation. If sufficient money is available, members are entitled to the per diem allowance and travel expenses provided for state officers and employees generally while attending meetings of the Council.~~

~~6. The members of the Council shall meet at the call of the Chair. The Council shall prescribe regulations for its own management and government.~~

~~7. A majority of the members of the Council constitutes a quorum, and a quorum may exercise all the powers conferred on the Council.~~

~~8. The Director of the State Department of Conservation and Natural Resources shall, upon the request of the Governor, provide the Council with meeting rooms, staff and clerical assistance.~~

~~9. The Council may engage the services of volunteer workers and consultants without compensation as is necessary from time to time.~~

~~10. The Council shall:~~

~~(a) Study issues concerning the diversion of construction and demolition waste from landfills, waste hauling, waste management plans, recycling, composting and other issues relating to the disposal of solid wastes; and~~

~~(b) Provide recommendations to the Governor, the Legislature, the State Environmental Commission and other state agencies and municipalities concerning those issues. (Deleted by amendment.)~~

Sec. 7. [NRS 444.440 is hereby amended to read as follows:

~~444.440 1. It is hereby declared to be the policy of this State to regulate the collection and disposal of solid waste in a manner that will:~~

~~[1.] (a) Protect public health and welfare.~~

~~[2.] (b) Prevent water or air pollution.~~

~~[3.] (c) Prevent the spread of disease and the creation of nuisances.~~

~~[4.] (d) Conserve natural resources.~~

~~[5.] (e) Enhance the beauty and quality of the environment.~~

~~2. The Legislature hereby finds and declares that displacing or limiting competition in the collection, transportation and disposal of commercial recyclable material does not facilitate the provision of adequate, economical and efficient services to the inhabitants of this State or any county, city or town therein or promote the general welfare of those inhabitants. (Deleted by amendment.)~~

Sec. 8. [NRS 444.450 is hereby amended to read as follows:

~~444.450 As used in NRS 444.440 to 444.620, inclusive, and sections 2 to 6, inclusive, of this act, unless the context otherwise requires, the words and terms defined in NRS 444.460 to 444.501, inclusive, and sections 2 and 3 of this act have the meanings ascribed to them in those sections. (Deleted by amendment.)~~

Sec. 9. [NRS 444.510 is hereby amended to read as follows:

~~444.510 1. The governing body of every municipality or district board of health created pursuant to NRS 439.362 or 439.370 shall develop a plan to provide for a solid waste management system which adequately provides for the management and disposal of solid waste within the boundaries of the municipality or within the area to be served by the system, whether generated within or outside of the boundaries of the area.~~

~~2. The plan may include ordinances adopted pursuant to NRS 444.520 and 444.530.~~

~~2. [Such] Except as otherwise provided in this section, a governing body may enter into agreements with governing bodies of other municipalities, or with any person, or with a combination thereof, to carry out or develop portions of the plan provided for in subsection 1, or both, and to provide a solid waste management system, or any part thereof. 4. governing body shall not enter into such an agreement that gives the governing body of another municipality or any person the exclusive right to collect, transport and dispose of commercial recyclable material generated within the municipality.~~

~~4. Any plan developed by the governing body of a municipality or district board of health created pursuant to NRS 439.362 or 439.370 must be submitted to the State Department of Conservation and Natural Resources for approval according to a schedule established by the State Environmental Commission. No action may be taken by that governing body or district board of health until the plan has been approved. The Department shall determine the adequacy of the plan within 90 days after receiving the plan. If the Department does not respond to the plan within 90 days, the plan shall be deemed approved and becomes effective immediately.~~

~~5. An approved plan remains in effect until the plan is revised and the revised plan is approved. A plan must not conflict with the statewide plan adopted by the State Environmental Commission pursuant to NRS 444.570. Plans must be revised to reflect proposed changes in the solid waste management system, and changes in applicable regulations.] (Deleted by amendment.)~~

Sec. 10. ~~NRS 444.600 is hereby amended to read as follows:~~

~~444.600 In addition to any other remedies provided in NRS 444.450 to 444.590, inclusive, and sections 2 to 6, inclusive, of this act, the State Department of Conservation and Natural Resources or a solid waste management authority may bring an action in a court of competent jurisdiction to enjoin a violation of NRS 444.450 to 444.560, inclusive, and sections 2 to 6, inclusive, of this act, any term or condition of a permit issued pursuant to NRS 444.505, 444.553 or 444.556, any order issued pursuant to NRS 444.592, or any regulation adopted by the State Environmental Commission or solid waste management authority.] (Deleted by amendment.)~~

Sec. 11. ~~NRS 444.605 is hereby amended to read as follows:~~

~~444.605 1. In carrying out the provisions of NRS 444.440 to 444.620, inclusive, and sections 2 to 6, inclusive, of this act, the State Environmental Commission, a district board of health of a health district created pursuant to NRS 439.362 or 439.370, and a solid waste management authority may by subpoena require the attendance and testimony of witnesses and the production of reports, papers, documents and other evidence which they deem necessary.~~

~~2. If any person to whom a subpoena has been directed pursuant to subsection 1 refuses to attend, testify or produce any evidence specified in the subpoena, the person who issued the subpoena may present a petition, to a court of competent jurisdiction where the person to whom the subpoena was directed is subject to service of process, setting forth that:~~

~~(a) Notice has been given of the time and place at which the person was required to attend, testify or produce evidence;~~

~~(b) A subpoena has been mailed to or personally served on the witness or custodian of the evidence in sufficient time to enable the person to comply with its provisions; and~~

~~(c) The person has failed or refused to attend, answer questions or produce evidence specified in the subpoena;~~

~~and asking that the court issue an order compelling the person to attend and to testify or produce the evidence specified in the subpoena.~~

1 ~~3. When a court receives a petition pursuant to subsection 2, it shall order the~~
2 ~~person to whom the subpoena was directed to appear at a time and place fixed by~~
3 ~~the court in its order, which must be not more than 10 days after the date of the~~
4 ~~order, and show cause why the person should not be held in contempt. A certified~~
5 ~~copy of the order must be mailed to or personally served on the person to whom the~~
6 ~~subpoena was directed.~~

7 ~~4. If it appears to the court that the subpoena was properly issued and that the~~
8 ~~person's failure or refusal to appear, answer questions or produce evidence was~~
9 ~~without sufficient reason, the court shall order the person to appear at a time and~~
10 ~~place fixed by the court and to testify or produce the specified evidence. If the~~
11 ~~person fails to comply with the order of the court, the person may be punished as~~
12 ~~for a contempt of court.] (Deleted by amendment.)~~

13 **Sec. 12.** ~~[NRS 444.620 is hereby amended to read as follows:~~

14 ~~444.620 1. No plan for a solid waste management system adopted pursuant~~
15 ~~to NRS 444.440 to 444.620, inclusive, and sections 2 to 6, inclusive, of this act~~
16 ~~applies to:~~

17 ~~(a) Any agricultural activity or agricultural waste.~~

18 ~~(b) A vehicle that is:~~

19 ~~(1) Owned by an automobile wrecker licensed pursuant to chapter 487 of~~
20 ~~NRS or in the possession of a salvage pool licensed pursuant to chapter 487 of~~
21 ~~NRS; and~~

22 ~~(2) Designated for dismantling as a source of parts.~~

23 ~~2. No provision of NRS 444.440 to 444.620, inclusive, and sections 2 to 6,~~
24 ~~inclusive, of this act prevents a mining operation from dumping waste from its~~
25 ~~operation on its own lands.] (Deleted by amendment.)~~

26 **Sec. 13.** Chapter 444A of NRS is hereby amended by adding thereto a new
27 section to read as follows:

28 **1. Each county whose population is 100,000 or more shall maintain a waste**
29 **diversion rate of at least ~~25~~ :**

30 **(a) Twenty-three percent ~~for~~ for calendar year 2023;**

31 **(b) Twenty-four percent for calendar year 2024; and**

32 **(c) Twenty-five percent for calendar year 2025 and for each calendar year**
33 **thereafter.**

34 **2. The State Environmental Commission shall adopt ~~any~~ regulations**
35 **~~necessary to carry out the provisions of this section, including, without~~**
36 **~~limitation, regulations establishing administrative sanctions that may be imposed~~**
37 **~~against a~~ requiring each county ~~that fails to comply with~~ subject to the**
38 **requirements of subsection 1 ~~for~~ to report to the Commission the waste diversion**
39 **rate maintained by the county for each calendar year.**

40 **3. As used in this section, "waste diversion rate" means the percentage of**
41 **solid waste , excluding construction and demolition waste, generated within a**
42 **county ~~for shipped into the county for disposal~~ that is diverted from a landfill to**
43 **a recycling center, facility for the recovery of recyclable materials from solid**
44 **waste or composting facility.**

45 **Sec. 14.** NRS 444A.010 is hereby amended to read as follows:

46 **444A.010** As used in NRS 444A.010 to 444A.080, inclusive, ***and section 13***
47 ***of this act***, unless the context otherwise requires, the words and terms defined in
48 NRS 444A.0103 to 444A.017, inclusive, have the meanings ascribed to them in
49 those sections.

50 **Sec. 15.** NRS 444A.020 is hereby amended to read as follows:

51 **444A.020 1.** The State Environmental Commission shall adopt regulations
52 establishing minimum standards for:

(a) Separating at the source recyclable material from other solid waste originating from residential premises and public buildings where services for the collection of solid waste are provided, including, without limitation, the placement of recycling containers on the premises of apartment complexes and condominiums where those services are provided.

(b) Establishing recycling centers for the collection and disposal of recyclable material.

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

2. The regulations adopted pursuant to subsection 1 must be adopted with the goal of recycling at least ~~25~~ **35** percent of the total solid waste generated within a municipality after the second full year following the adoption of such standards.

3. The State Environmental Commission shall, by regulation, establish acceptable methods for disposing of used or waste tires consistent with the provisions of NRS 444.505, 444.507 and 444.509.

Sec. 16. ~~NRS 239.010 is hereby amended to read as follows:~~

~~239.010 1. Except as otherwise provided in this section and NRS 1.4682, 1.4687, 1A.110, 41.071, 49.095, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.230, 75A.100, 75A.150, 76.160, 78.152, 80.112, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.2355, 88.5927, 88.6067, 88A.345, 88A.7245, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 130.312, 130.712, 136.050, 159.044, 172.075, 172.245, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179A.450, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 232.190, 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 250.087, 250.130, 250.140, 250.150, 268.095, 268.400, 268.910, 271A.105, 281.195, 281A.350, 281A.440, 281A.550, 284.068, 286.110, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.5002, 293.503, 293.558, 293B.135, 293D.510, 331.110, 332.061, 332.351, 332.332, 333.335, 338.070, 338.1379, 338.16925, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180, 372A.080, 378.290, 378.300, 379.008, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750, 391.035, 392.029, 392.147, 392.264, 392.271, 392.850, 394.167, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535, 398.403, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 433.534, 433A.360, 439.840, 439B.420, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 445A.665, 445B.570, 449.209, 449.245, 449.720, 450.140, 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.2403, 463.2407, 463.790, 467.1005, 480.365, 481.063, 482.170, 482.5536, 483.340, 483.363, 483.575, 483.659, 483.800, 484E.070, 485.316, 503.452, 522.040, 524A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090, 603.070,~~

~~603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.220, 628B.760, 629.047, 629.069, 630.122, 630.30665, 630.336, 630A.555, 631.368, 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085, 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730, 640C.400, 640C.745, 640C.760, 640D.190, 640E.340, 641.090, 641A.191, 641B.170, 641C.760, 642.524, 643.189, 644.446, 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.125, 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.022, 648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115, 665.120, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.430, 675.380, 676A.340, 676A.370, 677.243, 679B.122, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.206, 687A.110, 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 692A.117, 692C.190, 692C.3536, 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 703.196, 704B.320, 704B.325, 706.1725, 706A.230, 710.159, 711.600 [.] and section 5 of this act, sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied or an abstract or memorandum may be prepared from those public books and public records. Any such copies, abstracts or memoranda may be used to supply the general public with copies, abstracts or memoranda of the records or may be used in any other way to the advantage of the governmental entity or of the general public. This section does not supersede or in any manner affect the federal laws governing copyrights or enlarge, diminish or affect in any other manner the rights of a person in any written book or record which is copyrighted pursuant to federal law.~~

~~2. A governmental entity may not reject a book or record which is copyrighted solely because it is copyrighted.~~

~~3. A governmental entity that has legal custody or control of a public book or record shall not deny a request made pursuant to subsection 1 to inspect or copy or receive a copy of a public book or record on the basis that the requested public book or record contains information that is confidential if the governmental entity can redact, delete, conceal or separate the confidential information from the information included in the public book or record that is not otherwise confidential.~~

~~4. A person may request a copy of a public record in any medium in which the public record is readily available. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:~~

~~(a) Shall not refuse to provide a copy of that public record in a readily available medium because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium;~~

~~(b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare the copy of the public record and shall not require the person who has requested the copy to prepare the copy himself or herself. (Deleted by amendment.)~~

Sec. 17. [NRS 244.187 is hereby amended to read as follows:

~~244.187 A board of county commissioners may, to provide adequate, economical and efficient services to the inhabitants of the county and to promote the general welfare of those inhabitants, displace or limit competition in any of the following areas:~~

~~1. Ambulance service.~~

~~2. Taxicabs and other public transportation, unless regulated in that county by an agency of the State.~~

~~3. Collection and disposal of garbage and other waste [.] , other than commercial recyclable material, as defined in section 2 of this act.~~

~~4. Operations at an airport, including, but not limited to, the leasing of motor vehicles and the licensing of concession stands, but excluding police protection and fire protection.~~

~~5. Water and sewage treatment, unless regulated in that county by an agency of the State.~~

~~6. Concessions on, over or under property owned or leased by the county.~~

~~7. Operation of landfills.~~

~~8. Except as otherwise provided in NRS 277A.330, construction and maintenance of benches and shelters for passengers of public mass transportation.]~~

~~(Deleted by amendment.)~~

Sec. 18. ~~[NRS 268.081 is hereby amended to read as follows:~~

~~268.081 The governing body of an incorporated city may, to provide adequate, economical and efficient services to the inhabitants of the city and to promote the general welfare of those inhabitants, displace or limit competition in any of the following areas:~~

~~1. Ambulance service.~~

~~2. Taxicabs and other public transportation, unless regulated in that city by an agency of the State.~~

~~3. Collection and disposal of garbage and other waste [.] , other than commercial recyclable material, as defined in section 2 of this act.~~

~~4. Operations at an airport, including, but not limited to, the leasing of motor vehicles and the licensing of concession stands, but excluding police protection and fire protection.~~

~~5. Water and sewage treatment, unless regulated in that city by an agency of the State.~~

~~6. Concessions on, over or under property owned or leased by the city.~~

~~7. Operation of landfills.~~

~~8. Search and rescue.~~

~~9. Inspection required by any city ordinance otherwise authorized by law.~~

~~10. Except as otherwise provided in NRS 277A.330, construction and maintenance of benches and shelters for passengers of public mass transportation.~~

~~11. Any other service demanded by the inhabitants of the city which the city itself is otherwise authorized by law to provide.] (Deleted by amendment.)~~

Sec. 19. ~~[NRS 269.128 is hereby amended to read as follows:~~

~~269.128 A town board or board of county commissioners may, to provide adequate, economical and efficient services to the inhabitants of the town and to promote the general welfare of those inhabitants, displace or limit competition in any of the following areas:~~

~~1. Ambulance service.~~

~~2. Taxicabs and other public transportation, unless regulated in that town by an agency of the State.~~

~~3. Collection and disposal of garbage and other waste [.] , other than commercial recyclable material, as defined in section 2 of this act.~~

~~4. Operations at an airport, including, but not limited to, the leasing of motor vehicles and the licensing of concession stands, but excluding police protection and fire protection.~~

~~5. Water and sewage treatment, unless regulated in that town by an agency of the State.~~

~~6. Concessions on, over or under property owned or leased by the town.~~

~~7. Operation of landfills.~~

~~8. Except as otherwise provided in NRS 277A.330, construction and maintenance of benches and shelters for passengers of public mass transportation.]~~
(Deleted by amendment.)

Sec. 20. 1. On or before November 1, 2018, the board of county commissioners of each county in this State shall submit to the State Environmental Commission and the Director of the Legislative Counsel Bureau for transmittal to the 80th Session of the Nevada Legislature a report concerning:

(a) The efforts made by the county to establish programs of single-stream recycling and encourage businesses within the county to recycle; and

(b) The results of the efforts described in paragraph (a).

2. As used in this section:

(a) "Recycling center" means a facility designed and operated to receive, store, process or transfer recyclable material which has been separated at the source from other solid waste.

(b) "Single-stream recycling" means a system in which all recyclable materials are collected, mixed in the collection vehicle and separated at a recycling center.

Sec. 21. ~~[The amendatory provisions of this act do not apply to any contract entered into before October 1, 2017.]~~ **(Deleted by amendment.)**

Sec. 22. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 23. 1. This section and section 6 of this act become effective upon passage and approval.

2. Sections 1 to 5, inclusive, 7 to 12, inclusive, and 15 to 22, inclusive, of this act become effective on October 1, 2017.

3. Sections 13 and 14 of this act become effective upon passage and approval for the purpose of adopting regulations and performing any other administrative tasks that are necessary to carry out the provisions of those sections and on October 1, 2023, for all other purposes.