

Amendment No. 818

Assembly Amendment to Assembly Concurrent Resolution No. 3	(BDR R-568)
<b>Proposed by:</b> Assembly Committee on Legislative Operations and Elections	
<b>Amends:</b> Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No	

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.

SLD/ERS



Date: 5/28/2021

A.C.R. No. 3—Requires the Legislative Commission to appoint an interim committee to conduct a study concerning environmental justice.  
(BDR R-568)





ASSEMBLY CONCURRENT RESOLUTION NO. 3—ASSEMBLYMEN PETERS; AND WATTS

MARCH 8, 2021

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Referred to Committee on Legislative Operations and Elections

SUMMARY—Requires the Legislative Commission to appoint an interim committee to conduct a study concerning environmental justice. (BDR R-568)

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

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ASSEMBLY CONCURRENT RESOLUTION—Requiring the Legislative Commission to appoint an interim committee to conduct a study concerning environmental justice.

1 WHEREAS, Technological progress has advanced society, bringing economic  
2 prosperity to some but also resulting in significant degradation to the environment,  
3 the effects of which have been disproportionately borne by a subset of the  
4 population globally and in the State of Nevada; and

5 WHEREAS, The United States Environmental Protection Agency defines  
6 environmental justice as the fair treatment and meaningful involvement of all  
7 people regardless of race, color, national origin or income with respect to the  
8 development, implementation and enforcement of environmental laws, regulations  
9 and policies; and

10 WHEREAS, Environmental justice will be achieved only when all people have  
11 the same degree of protection from environmental and health hazards and an equal  
12 opportunity to have meaningful involvement in the development, implementation  
13 and enforcement of environmental laws, regulations and policies; and

14 WHEREAS, The State has not historically contemplated principles of  
15 environmental justice, especially with regard to the exploitation of its natural  
16 resources, the appropriation of land from indigenous communities and pollution  
17 from various industries; and

18 WHEREAS, The State has broad powers related to natural resources,  
19 technological progress and environmental equity, including powers related to  
20 permitting, proposing legislation, promulgating regulations and enforcing such laws  
21 and regulations which impact the air, climate, land and water of this State; and

22 WHEREAS, In the exercise of such powers, the State must examine the impact  
23 of state and local decision-making to determine whether the actions of the State and  
24 local governments degrade the quality of the environment, in order to provide the  
25 information necessary to ensure such actions minimize habitat and ecosystem  
26 destruction, respect community perspectives and promote environmental justice;  
27 and

28 WHEREAS, Given the State's unique environment, natural resources and  
29 indigenous and other underserved communities, a state-level environmental review  
30 process incorporating environmental justice principles and broad input from a  
31 diverse array of stakeholders would enable the State to receive much-needed input

1 from experts on environmental impact review, state and federal agencies and local  
2 communities, resulting in a more transparent and consistent process; and

3 WHEREAS, the Legislature has an inherent interest in the health, safety and  
4 general welfare of all Nevadans; now, therefore, be it

5 RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE  
6 CONCURRING, That the Legislative Commission is hereby directed to appoint an  
7 interim committee composed of three members of the Assembly and three members  
8 of the Senate, one of whom must be appointed by the Legislative Commission as  
9 Chair of the interim committee, to conduct an interim study concerning  
10 environmental justice in this State; and be it further

11 RESOLVED, That the study must include, without limitation, an examination of:

12 1. Recommendations for legislation to develop an environmental justice  
13 review process for use in any proposed environmental action or review undertaken  
14 by the State or a political subdivision of the State, which ~~may~~ :

15 (a) Must include , without limitation, a requirement that the proposed  
16 environmental action or review mitigate environmental degradation and  
17 promote principles of environmental justice; and

18 (b) May include, without limitation, a consideration of ~~additional~~ any costs  
19 resulting from the review process and the subsequent need to revise any associated  
20 fees;

21 2. Criteria to trigger a state, county or other local review process, including  
22 projects that are subject to Federal review under the National Environmental Policy  
23 Act of 1969, 42 U.S.C. §§ 4321 et seq.;

24 3. Gaps in existing programs, policies, ~~for~~ activities or investments that  
25 may impede the achievement of environmental justice, with special attention to  
26 identifying any reasons for a lack of engagement from marginalized communities;

27 4. Procedures to ensure public documents, notices and public hearings  
28 relating to human health or the environment are concise, understandable and readily  
29 accessible to the public;

30 5. Procedures for the review of projects that provide for effective coordination  
31 with local governments, consistency in the review process and accountability to  
32 affected communities, project proponents and regulators;

33 6. Procedures for collecting, maintaining, analyzing and coordinating  
34 information relating to an environmental justice strategy in this State;

35 7. Barriers to developing an interagency environmental justice strategy for the  
36 State; and

37 8. Any other matters related to environmental justice; and be it further

38 RESOLVED, That the interim committee shall, in a series of public hearings  
39 conducted throughout the State, consult with and solicit the input of state, federal  
40 and local agencies, affected communities, the public as a whole and other interested  
41 stakeholders, including, without limitation:

42 1. State and local government agencies which oversee state, local or regional  
43 air quality regulations, environmental protection requirements, housing, land use  
44 planning, natural resources and transportation;

45 2. Representatives from environmental organizations;

46 3. Representatives from the business community; and

47 4. Representatives from community organizations, including indigent  
48 populations and other underserved communities; and be it further

49 RESOLVED, That the interim committee shall conduct such hearings in a  
50 manner that allows for optimal public engagement and the sharing of perspectives;  
51 and be it further

1       RESOLVED, That the Chair may appoint such subcommittees or technical  
2 advisory groups as the Chair determines necessary to assist the interim committee  
3 in carrying out the duties prescribed by this resolution; and be it further

4       RESOLVED, That the members of any technical advisory group appointed  
5 pursuant to this resolution are not required to be members of the interim committee  
6 and any members who are not members of the interim committee serve without  
7 compensation; and be it further

8       RESOLVED, That any recommended legislation proposed by the interim  
9 committee be approved by a majority of the members of the Assembly and a  
10 majority of the members of the Senate appointed to the interim committee; and be it  
11 further

12       RESOLVED, That the Legislative Commission submit a report of the results of  
13 the study and any recommendations for legislation to the 82nd Session of the  
14 Nevada Legislature; and be it further

15       RESOLVED, That this resolution becomes effective upon adoption.