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

MARCH 17, 2017

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JOINT SPONSOR: ASSEMBLYMAN FLORES

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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.

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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 Commission and the Legislature; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

- 1 Existing law authorizes the governing body of a county, city or other
- 2 municipality to enter into agreements to provide a solid waste management system.
- 3 (NRS 444.510) **Section 4** of this bill requires the State Environmental Commission
- 4 to: (1) study agreements between municipalities in the United States and other



\* S B 3 1 5 \*

5 persons and entities for the collection and disposal of solid waste; and (2) make  
6 recommendations to municipalities in this State concerning such agreements.  
7 **Section 5** of this bill requires a person who owns or operates a disposal site and has  
8 entered into an agreement with a municipality to collect, haul and dispose of  
9 construction and demolition waste to submit a monthly declaration containing  
10 certain information to the Commission. **Section 5** requires the Commission to use  
11 that information to calculate the lowest rate that the person has advertised or  
12 solicited as a bid for the disposal of construction and demolition waste at the  
13 person's disposal site during the preceding month. Finally, **section 5** prohibits the  
14 person from charging certain competitors a higher rate to dispose of construction  
15 and demolition waste at the disposal site than the rate calculated by the  
16 Commission. **Section 6** of this bill establishes the Nevada Council on Recycling  
17 and Materials Management to provide recommendations to certain state and local  
18 governmental entities on matters relating to the disposal of solid waste.

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

34 Existing law requires the Commission to adopt regulations concerning  
35 recycling with the goal of recycling at least 25 percent of the total solid waste  
36 generated within each municipality in this State. (NRS 444A.020) **Section 15** of  
37 this bill raises that goal to at least 35 percent of the total solid waste generated  
38 within such a municipality. **Section 13** of this bill requires certain counties to divert  
39 at least 25 percent of the solid waste generated within or shipped into the county for  
40 disposal from landfills to recycling centers, facilities for the recovery of materials  
41 from solid waste or composting facilities. **Section 20** of this bill requires the board  
42 of county commissioners of each county to submit to the Commission and the  
43 Legislature a report concerning the efforts of the county to establish single-stream  
44 recycling programs and encourage recycling by businesses within the county.

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

1 **Section 1.** Chapter 444 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 6, inclusive, of this  
3 act.

4 **Sec. 2.** *“Commercial recyclable material” means recyclable*  
5 *material, as defined in NRS 444A.013, that is generated by a*  
6 *business.*



1     **Sec. 3. "Franchisee" means:**

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

7     2. *An affiliate of such a person.*

8     **Sec. 4. 1. The State Environmental Commission shall:**

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

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

18     2. *The Commission may accept gifts, grants and donations*  
19 *from any source for the purpose of administering and carrying out*  
20 *the provisions of this section and sections 5 and 6 of this act.*

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

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

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

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

36     (a) *Based on the information submitted pursuant to subsection*  
37 *1, calculate, for each franchisee, the effective monthly disposal*  
38 *rate; and*

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

41     3. *For the period beginning on the date that the effective*  
42 *monthly disposal rate for a franchisee is posted pursuant to*  
43 *subsection 2 and ending on the date that the next effective*  
44 *monthly disposal rate for that franchisee is posted, the franchisee*  
45 *shall not charge any other person who is in the business of*



1 *collecting and hauling construction and demolition waste a rate to*  
2 *dispose of such waste at the disposal site owned or operated by the*  
3 *franchisee that exceeds the effective monthly disposal rate.*

4 *4. The State Environmental Commission may:*

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

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

10 *5. All information submitted to the State Environmental*  
11 *Commission pursuant to subsection 1 is confidential.*

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

17 **Sec. 6. 1. The Nevada Council on Recycling and Materials**  
18 **Management is hereby created.**

19 **2. The Governor shall appoint to the Council:**

20 **(a) One member who represents a municipality;**

21 **(b) One member who represents a nonprofit organization that**  
22 **is engaged in or affected by the recycling and disposal of solid**  
23 **waste;**

24 **(c) One member who represents a business that is engaged in**  
25 **or affected by the recycling and disposal of solid waste;**

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

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

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

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

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

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



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

4       **7. A majority of the members of the Council constitutes a**  
5 **quorum, and a quorum may exercise all the powers conferred on**  
6 **the Council.**

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

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

14       **10. The Council shall:**

15       **(a) Study issues concerning the diversion of construction and**  
16 **demolition waste from landfills, waste hauling, waste management**  
17 **plans, recycling, composting and other issues relating to the**  
18 **disposal of solid waste; and**

19       **(b) Provide recommendations to the Governor, the Legislature,**  
20 **the State Environmental Commission and other state agencies and**  
21 **municipalities concerning those issues.**

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

23       444.440 **1.** It is hereby declared to be the policy of this State  
24 to regulate the collection and disposal of solid waste in a manner  
25 that will:

26       ~~1-1~~ **(a)** Protect public health and welfare.

27       ~~1-2~~ **(b)** Prevent water or air pollution.

28       ~~1-3~~ **(c)** Prevent the spread of disease and the creation of  
29 nuisances.

30       ~~1-4~~ **(d)** Conserve natural resources.

31       ~~1-5~~ **(e)** Enhance the beauty and quality of the environment.

32       **2. The Legislature hereby finds and declares that displacing**  
33 **or limiting competition in the collection, transportation and**  
34 **disposal of commercial recyclable material does not facilitate the**  
35 **provision of adequate, economical and efficient services to the**  
36 **inhabitants of this State or any county, city or town therein or**  
37 **promote the general welfare of those inhabitants.**

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

39       444.450 As used in NRS 444.440 to 444.620, inclusive, **and**  
40 **sections 2 to 6, inclusive, of this act,** unless the context otherwise  
41 requires, the words and terms defined in NRS 444.460 to 444.501,  
42 inclusive, **and sections 2 and 3 of this act** have the meanings  
43 ascribed to them in those sections.



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

2       444.510 1. The governing body of every municipality or  
3 district board of health created pursuant to NRS 439.362 or 439.370  
4 shall develop a plan to provide for a solid waste management system  
5 which adequately provides for the management and disposal of solid  
6 waste within the boundaries of the municipality or within the area to  
7 be served by the system, whether generated within or outside of the  
8 boundaries of the area.

9       2. The plan may include ordinances adopted pursuant to NRS  
10 444.520 and 444.530.

11       3. ~~Such~~ *Except as otherwise provided in this section,* a  
12 governing body may enter into agreements with governing bodies of  
13 other municipalities, or with any person, or with a combination  
14 thereof, to carry out or develop portions of the plan provided for in  
15 subsection 1, or both, and to provide a solid waste management  
16 system, or any part thereof. *A governing body shall not enter into  
17 such an agreement that gives the governing body of another  
18 municipality or any person the exclusive right to collect, transport  
19 and dispose of commercial recyclable material generated within  
20 the municipality.*

21       4. Any plan developed by the governing body of a municipality  
22 or district board of health created pursuant to NRS 439.362 or  
23 439.370 must be submitted to the State Department of Conservation  
24 and Natural Resources for approval according to a schedule  
25 established by the State Environmental Commission. No action may  
26 be taken by that governing body or district board of health until  
27 the plan has been approved. The Department shall determine the  
28 adequacy of the plan within 90 days after receiving the plan. If the  
29 Department does not respond to the plan within 90 days, the plan  
30 shall be deemed approved and becomes effective immediately.

31       5. An approved plan remains in effect until the plan is revised  
32 and the revised plan is approved. A plan must not conflict with the  
33 statewide plan adopted by the State Environmental Commission  
34 pursuant to NRS 444.570. Plans must be revised to reflect proposed  
35 changes in the solid waste management system, and changes in  
36 applicable regulations.

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

38       444.600 In addition to any other remedies provided in NRS  
39 444.450 to 444.590, inclusive, *and sections 2 to 6, inclusive, of this  
40 act,* the State Department of Conservation and Natural Resources or  
41 a solid waste management authority may bring an action in a court  
42 of competent jurisdiction to enjoin a violation of NRS 444.450 to  
43 444.560, inclusive, *and sections 2 to 6, inclusive, of this act,* any  
44 term or condition of a permit issued pursuant to NRS 444.505,  
45 444.553 or 444.556, any order issued pursuant to NRS 444.592, or



1 any regulation adopted by the State Environmental Commission or  
2 solid waste management authority.

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

4 444.605 1. In carrying out the provisions of NRS 444.440 to  
5 444.620, inclusive, *and sections 2 to 6, inclusive, of this act*, the  
6 State Environmental Commission, a district board of health of a  
7 health district created pursuant to NRS 439.362 or 439.370, and a  
8 solid waste management authority may by subpoena require the  
9 attendance and testimony of witnesses and the production of reports,  
10 papers, documents and other evidence which they deem necessary.

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

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

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

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

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

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

34 4. If it appears to the court that the subpoena was properly  
35 issued and that the person's failure or refusal to appear, answer  
36 questions or produce evidence was without sufficient reason, the  
37 court shall order the person to appear at a time and place fixed by  
38 the court and to testify or produce the specified evidence. If the  
39 person fails to comply with the order of the court, the person may be  
40 punished as for a contempt of court.

41 **Sec. 12.** NRS 444.620 is hereby amended to read as follows:

42 444.620 1. No plan for a solid waste management system  
43 adopted pursuant to NRS 444.440 to 444.620, inclusive, *and*  
44 *sections 2 to 6, inclusive, of this act* applies to:

45 (a) Any agricultural activity or agricultural waste.



1 (b) A vehicle that is:

2 (1) Owned by an automobile wrecker licensed pursuant to  
3 chapter 487 of NRS or in the possession of a salvage pool licensed  
4 pursuant to chapter 487 of NRS; and

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

6 2. No provision of NRS 444.440 to 444.620, inclusive, *and*  
7 *sections 2 to 6, inclusive, of this act* prevents a mining operation  
8 from dumping waste from its operation on its own lands.

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

11 *1. Each county whose population is 100,000 or more shall*  
12 *maintain a waste diversion rate of at least 25 percent.*

13 *2. The State Environmental Commission shall adopt any*  
14 *regulations necessary to carry out the provisions of this section,*  
15 *including, without limitation, regulations establishing*  
16 *administrative sanctions that may be imposed against a county*  
17 *that fails to comply with the requirements of subsection 1.*

18 *3. As used in this section, "waste diversion rate" means the*  
19 *percentage of solid waste generated within a county or shipped*  
20 *into the county for disposal that is diverted from a landfill to a*  
21 *recycling center, facility for the recovery of recyclable materials*  
22 *from solid waste or composting facility.*

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

24 444A.010 As used in NRS 444A.010 to 444A.080, inclusive,  
25 *and section 13 of this act*, unless the context otherwise requires, the  
26 words and terms defined in NRS 444A.0103 to 444A.017, inclusive,  
27 have the meanings ascribed to them in those sections.

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

29 444A.020 1. The State Environmental Commission shall  
30 adopt regulations establishing minimum standards for:

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

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

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

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





1 3. The State Environmental Commission shall, by regulation,  
2 establish acceptable methods for disposing of used or waste tires  
3 consistent with the provisions of NRS 444.505, 444.507 and  
4 444.509.

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

6 239.010 1. Except as otherwise provided in this section and  
7 NRS 1.4683, 1.4687, 1A.110, 41.071, 49.095, 62D.420, 62D.440,  
8 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320,  
9 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246,  
10 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355,  
11 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730,  
12 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260,  
13 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370,  
14 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161,  
15 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817,  
16 130.312, 130.712, 136.050, 159.044, 172.075, 172.245, 176.015,  
17 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715,  
18 178.5691, 179.495, 179A.070, 179A.165, 179A.450, 179D.160,  
19 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651,  
20 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040,  
21 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350,  
22 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270,  
23 228.450, 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300,  
24 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140,  
25 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020,  
26 241.030, 241.039, 242.105, 244.264, 244.335, 250.087, 250.130,  
27 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195,  
28 281A.350, 281A.440, 281A.550, 284.4068, 286.110, 287.0438,  
29 289.025, 289.080, 289.387, 289.830, 293.5002, 293.503, 293.558,  
30 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335,  
31 338.070, 338.1379, 338.16925, 338.1725, 338.1727, 348.420,  
32 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100,  
33 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610,  
34 365.138, 366.160, 368A.180, 372A.080, 378.290, 378.300, 379.008,  
35 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259,  
36 388.501, 388.503, 388.513, 388.750, 391.035, 392.029, 392.147,  
37 392.264, 392.271, 392.850, 394.167, 394.1698, 394.447, 394.460,  
38 394.465, 396.3295, 396.405, 396.525, 396.535, 398.403, 408.3885,  
39 408.3886, 408.3888, 408.5484, 412.153, 416.070, 422.2749,  
40 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872,  
41 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430,  
42 432B.560, 433.534, 433A.360, 439.840, 439B.420, 440.170,  
43 441A.195, 441A.220, 441A.230, 442.330, 442.395, 445A.665,  
44 445B.570, 449.209, 449.245, 449.720, 450.140, 453.164, 453.720,  
45 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866,



1 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240,  
2 463.3403, 463.3407, 463.790, 467.1005, 480.365, 481.063, 482.170,  
3 482.5536, 483.340, 483.363, 483.575, 483.659, 483.800, 484E.070,  
4 485.316, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655,  
5 587.877, 598.0964, 598.098, 598A.110, 599B.090, 603.070,  
6 603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315,  
7 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.137, 624.110,  
8 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,  
9 628B.760, 629.047, 629.069, 630.133, 630.30665, 630.336,  
10 630A.555, 631.368, 632.121, 632.125, 632.405, 633.283, 633.301,  
11 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085,  
12 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075,  
13 640A.220, 640B.730, 640C.400, 640C.745, 640C.760, 640D.190,  
14 640E.340, 641.090, 641A.191, 641B.170, 641C.760, 642.524,  
15 643.189, 644.446, 645.180, 645.625, 645A.050, 645A.082,  
16 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135,  
17 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945,  
18 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110,  
19 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310,  
20 671.170, 673.430, 675.380, 676A.340, 676A.370, 677.243,  
21 679B.122, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690,  
22 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873,  
23 685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115,  
24 687C.010, 688C.230, 688C.480, 688C.490, 692A.117, 692C.190,  
25 692C.3536, 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615,  
26 696B.550, 703.196, 704B.320, 704B.325, 706.1725, 706A.230,  
27 710.159, 711.600 **H** and section 5 of this act, sections 35, 38 and  
28 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter  
29 391, Statutes of Nevada 2013 and unless otherwise declared by law  
30 to be confidential, all public books and public records of a  
31 governmental entity must be open at all times during office hours to  
32 inspection by any person, and may be fully copied or an abstract or  
33 memorandum may be prepared from those public books and public  
34 records. Any such copies, abstracts or memoranda may be used to  
35 supply the general public with copies, abstracts or memoranda of the  
36 records or may be used in any other way to the advantage of the  
37 governmental entity or of the general public. This section does not  
38 supersede or in any manner affect the federal laws governing  
39 copyrights or enlarge, diminish or affect in any other manner the  
40 rights of a person in any written book or record which is  
41 copyrighted pursuant to federal law.

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

44 3. A governmental entity that has legal custody or control of a  
45 public book or record shall not deny a request made pursuant to



1 subsection 1 to inspect or copy or receive a copy of a public book or  
2 record on the basis that the requested public book or record contains  
3 information that is confidential if the governmental entity can  
4 redact, delete, conceal or separate the confidential information from  
5 the information included in the public book or record that is not  
6 otherwise confidential.

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

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

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

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

20 244.187 A board of county commissioners may, to provide  
21 adequate, economical and efficient services to the inhabitants of the  
22 county and to promote the general welfare of those inhabitants,  
23 displace or limit competition in any of the following areas:

24 1. Ambulance service.

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

27 3. Collection and disposal of garbage and other waste **H** ,  
28 *other than commercial recyclable material, as defined in section 2*  
29 *of this act.*

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

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

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

37 7. Operation of landfills.

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

41 **Sec. 18.** NRS 268.081 is hereby amended to read as follows:

42 268.081 The governing body of an incorporated city may, to  
43 provide adequate, economical and efficient services to the  
44 inhabitants of the city and to promote the general welfare of those



1 inhabitants, displace or limit competition in any of the following  
2 areas:

- 3 1. Ambulance service.
- 4 2. Taxicabs and other public transportation, unless regulated in  
5 that city by an agency of the State.
- 6 3. Collection and disposal of garbage and other waste **H** ,  
7 *other than commercial recyclable material, as defined in section 2*  
8 *of this act.*
- 9 4. Operations at an airport, including, but not limited to, the  
10 leasing of motor vehicles and the licensing of concession stands, but  
11 excluding police protection and fire protection.
- 12 5. Water and sewage treatment, unless regulated in that city by  
13 an agency of the State.
- 14 6. Concessions on, over or under property owned or leased by  
15 the city.
- 16 7. Operation of landfills.
- 17 8. Search and rescue.
- 18 9. Inspection required by any city ordinance otherwise  
19 authorized by law.
- 20 10. Except as otherwise provided in NRS 277A.330,  
21 construction and maintenance of benches and shelters for passengers  
22 of public mass transportation.
- 23 11. Any other service demanded by the inhabitants of the city  
24 which the city itself is otherwise authorized by law to provide.

25 **Sec. 19.** NRS 269.128 is hereby amended to read as follows:

26 269.128 A town board or board of county commissioners may,  
27 to provide adequate, economical and efficient services to the  
28 inhabitants of the town and to promote the general welfare of those  
29 inhabitants, displace or limit competition in any of the following  
30 areas:

- 31 1. Ambulance service.
- 32 2. Taxicabs and other public transportation, unless regulated in  
33 that town by an agency of the State.
- 34 3. Collection and disposal of garbage and other waste **H** ,  
35 *other than commercial recyclable material, as defined in section 2*  
36 *of this act.*
- 37 4. Operations at an airport, including, but not limited to, the  
38 leasing of motor vehicles and the licensing of concession stands, but  
39 excluding police protection and fire protection.
- 40 5. Water and sewage treatment, unless regulated in that town  
41 by an agency of the State.
- 42 6. Concessions on, over or under property owned or leased by  
43 the town.
- 44 7. Operation of landfills.



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

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

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

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

13 2. As used in this section:

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

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

20 **Sec. 21.** The amendatory provisions of this act do not apply to  
21 any contract entered into before October 1, 2017.

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

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

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

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

