

SENATE BILL NO. 122—SENATOR DENIS

FEBRUARY 5, 2015

JOINT SPONSOR: ASSEMBLYWOMAN SWANK

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Revises provisions relating to recycling. (BDR 54-893)

FISCAL NOTE: Effect on Local Government: No. Effect on the State: No.

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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 contractors; requiring a contractor to dispose of solid waste at a materials recovery facility under certain circumstances; making an appropriation for a study relating to materials recovery facilities; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law regulates the actions of licensed contractors in this State. (Chapter  
2 624 of NRS) If a person engages in any acts which constitute a violation of that  
3 chapter, the person may be subject to an injunction restraining the person from  
4 engaging in those acts. (NRS 624.212) **Section 1** of this bill requires a contractor to  
5 dispose of certain solid waste produced by construction, demolition or similar work  
6 at a materials recovery facility that has been approved to operate pursuant to  
7 regulations of the State Environmental Commission, if such a facility is located  
8 within 30 miles of the site of the work. **Section 2** of this bill makes an appropriation  
9 for a study concerning the promotion of the use of materials recovery facilities.

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

1 **Section 1.** Chapter 624 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:  
3 *1. A contractor who undertakes the construction, alteration,  
4 repair, maintenance or demolition of any building, structure or  
5 other work of improvement shall dispose of the solid waste*



\* S B 1 2 2 \*

1 *resulting from the work at a materials recovery facility, if a*  
2 *materials recovery facility is located within 30 miles of the site of*  
3 *the work.*

4 *2. As used in this section, "materials recovery facility" means*  
5 *a solid waste management facility that provides for the extraction*  
6 *from solid waste of recyclable materials, materials suitable for use*  
7 *as a fuel or soil amendment, or any combination of those*  
8 *materials, and that has been approved to operate in accordance*  
9 *with regulations adopted by the State Environmental Commission*  
10 *pursuant to NRS 444.560. The term does not include:*

11 *(a) A facility that receives only recyclable materials that have*  
12 *been separated at the source of waste generation if further*  
13 *processing of the materials generates less than 10 percent waste*  
14 *residue by weight on an annual average;*

15 *(b) A salvage yard for the recovery of used motor vehicle parts;*

16 *(c) A facility that receives, processes or stores only concrete,*  
17 *masonry waste, asphalt pavement, brick, uncontaminated soil or*  
18 *stone for the recovery of recyclable materials; or*

19 *(d) A facility that recovers less than 10 percent by weight of the*  
20 *recyclable material from the solid waste received on an annual*  
21 *average.*

22 **Sec. 2.** 1. There is hereby appropriated from the State  
23 General Fund to the Legislative Fund the sum of \$10,000 for the  
24 purpose of contracting with a consultant to conduct a study  
25 concerning the promotion of the use of materials recovery facilities.  
26 The study must include, without limitation, an assessment of the  
27 economic and environmental impacts of a program for requiring the  
28 disposal of solid waste resulting from the work of a contractor who  
29 undertakes the construction, alteration, repair, maintenance or  
30 demolition of any building, structure or other work of improvement  
31 in this State.

32 2. Any remaining balance of the appropriation made by  
33 subsection 1 must not be committed for expenditure after June 30,  
34 2017, by the entity to which the appropriation is made or any  
35 entity to which money from the appropriation is granted or  
36 otherwise transferred in any manner, and any portion of the  
37 appropriated money remaining must not be spent for any purpose  
38 after September 15, 2017, by either the entity to which the money  
39 was appropriated or the entity to which the money was subsequently  
40 granted or transferred, and must be reverted to the State General  
41 Fund on or before September 15, 2017.

