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## Crimes; environmental protection-fines

The University of the Pacific, McGeorge School of Law

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## Crimes; environmental protection—fines

NEV. REV. STAT. § 445.601 (amended).

AB 72 (Committee on Natural Resources, Agriculture and Mining);  
1989 STAT. Ch. 357

Under existing law, the State Environmental Commission<sup>1</sup> can levy fines of not more than \$5000 against any person<sup>2</sup> for a violation of the state's air pollution<sup>3</sup> provisions.<sup>4</sup> Chapter 357 provides that any person<sup>5</sup> who fails to pay the fine within thirty days is guilty of a misdemeanor.<sup>6</sup>

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1. See NEV. REV. STAT. § 445.451 (1987) (creation and composition of the Environmental Commission).

2. See *id.* § 445.441 (1987) (definition of person).

3. See *id.* § 445.416 (1987) (definition of air pollution).

4. *Id.* §§ 445.401-.526, 445.546-.571, 445.581-.601 (1987) (air pollution control provisions). See also *id.* § 445.601 (1987) (amended by 1989 Nev. Stat. ch. 357, sec. 1, at 736) (the commission can establish a schedule of fines not exceeding \$500 for lesser violations, and can order injunctions or other remedies in addition to, or instead of, levying fines).

5. See 1989 Nev. Stat. ch. 357, sec. 1, at 736 (amending NEV. REV. STAT. § 445.601) (persons declared indigent by the court are excluded).

6. *Id.* See generally *Yakima County Clean Air Authority v. Glascam Builders, Inc.*, 85 Wash. 2d 255, 260, 534 P.2d 33, 36 (1975) (holding that it is constitutionally permissible to allow an administrative agency to impose civil and criminal penalties).

## Crimes; fire protection systems

NEV. REV. STAT. § 202.580 (amended).

AB 693; 1989 STAT. Ch. 487

Existing law makes it a misdemeanor<sup>1</sup> to maliciously remove<sup>2</sup> specified parts of a fire alarm system.<sup>3</sup> Chapter 487 makes it a gross

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1. See NEV. REV. STAT. § 202.580 (1987) (amended by 1989 Nev. Stat. ch. 487, sec. 1, at 1044) (the offense is determined by the monetary value of the property destroyed, or is a misdemeanor, whichever is greater).

2. See *id.* (including damaging or destroying a fire system).

3. *Id.* § 202.580 (1987) (amended by 1989 Nev. Stat. ch. 487, sec. 1, at 1044) (includes any object used to signal a fire). See 1989 Nev. Stat. ch. 487, sec. 1, at 1044 (amending NEV. REV. STAT. § 202.580) (definition of fire alarm system).