



**NEVADA LEGISLATURE
LEGISLATIVE COMMISSION'S INTERIM STUDY
CONCERNING THE FEASIBILITY STUDY OF LONG-RANGE MASS TRANSIT
WITHIN STATE AND TO URBAN AREAS OF
NEIGHBORING STATES**

(Senate Concurrent Resolution No. 31 [File No. 90, *Statutes of Nevada 2003*])

SUMMARY MINUTES AND ACTION REPORT

The final meeting and work session of the Legislative Commission's Interim Study Concerning the Feasibility Study of Long-Range Mass Transit within State and to Urban Areas of Neighboring States (Senate Concurrent Resolution No. 31 [File No. 90, *Statutes of Nevada 2003*]) was held on June 15, 2004, at 9:30 a.m., in Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's Web site at www.leg.state.nv.us/Session/72nd2003/Interim. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835).

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Senator Joseph M. Neal Jr., Chairman
Senator Warren B. Hardy II
Senator Mike McGinness
Senator Raymond D. Rawson
Senator Dina Titus
Assemblyman Kelvin D. Atkinson
Assemblyman Harry Mortenson
Assemblyman David R. Parks
Assemblyman Rod R. Sherer

COMMITTEE MEMBER ABSENT:

Assemblyman Chad Christensen

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Marjorie Paslov Thomas, Senior Research Analyst, Research Division
Brenda J. Erdoes, Legislative Counsel, Legal Division
Mary Alice McGreevy, Senior Deputy Legislative Counsel, Legal Division
Bonnie Borda Hoffercker, Senior Research Secretary, Research Division

OPENING REMARKS

APPROVAL OF MINUTES OF THE MARCH 2, 2004, AND APRIL 13, 2004, MEETINGS

The Committee **APPROVED THE FOLLOWING ACTION:**

SENATOR RAWSON MOVED FOR APPROVAL OF THE MINUTES OF THE LEGISLATIVE COMMISSION'S INTERIM STUDY CONCERNING THE FEASIBILITY STUDY OF LONG-RANGE MASS TRANSIT WITHIN STATE AND TO URBAN AREAS OF NEIGHBORING STATES (SENATE CONCURRENT RESOLUTION NO. 31 [FILE NO. 90, STATUTES OF NEVADA 2003]) MARCH 2, 2004, AND APRIL 13, 2004, MEETINGS. THE MOTION WAS SECONDED BY ASSEMBLYMAN PARKS, WHICH PASSED UNANIMOUSLY.

PRESENTATION ON OLD DOMINION UNIVERSITY'S (ODU) MAGLEV DEMONSTRATION PROJECT

- Dr. Robert L. Ash, Interim Vice President for Research, ODU, provided and discussed a Microsoft PowerPoint presentation on the maglev demonstration project at ODU. Dr. Ash noted the guideway (seven-tenths of a mile) was constructed in 39 days and the maximum speed of the train is 40 miles per hour. He also explained private funds were utilized since federal funding was unavailable at the time of construction. Please see [Exhibit B](#) for further details.
- Dr. Robert L. Fenning, Vice President for Administration and Finance, ODU, continued to discuss the Microsoft PowerPoint presentation. He noted the projected cost for maglev projects are approximately \$120 million per linear mile, the ODU Maglev Demonstration Project cost was \$20 million per mile.

PRESENTATION ON THE HYDROGEN SUPERHIGHWAY

- William M. McCulloch Jr., Regional Director, Interstate Traveler Company, provided and discussed a Microsoft PowerPoint presentation on The Hydrogen Superhighway system. Mr. McCulloch explained that each of the components for this type of transportation system are currently being utilized in other transportation systems. Further, the components have been completely tested. The train is powered by solar panels and a byproduct of this type of transportation is an excess of hydrogen, which could be sold separately to consumers. He indicated a prototype for this type of transportation would be available in a few months. Please see [Exhibit C](#) for further details.

FOLLOW-UP PRESENTATION ON RURAL TRANSIT IN NEVADA

- Keyth Durham, Chairman, State Advisory Committee on Transit, Nevada's Department of Transportation, introduced the members of the State Advisory Committee on Transit. He indicated that the state is not receiving all of the matching federal funding available to the state.
- Carol E. Dotson, Director, and Director of Planning, Lumos and Associates, provided and discussed a Microsoft PowerPoint presentation on the transportation needs in rural communities. Please see [Exhibit D](#) for further details.
- Chuck Ricker, Executive Director, Northern Nevada Transit Coalition, explained that some state agencies provide matching funds to rural transit programs. Most agencies had a decline in their budget, which caused a decrease in funding to rural transit programs. In addition, he noted that the reauthorization of federal funding has been delayed; thereby further decreasing funds for rural transit programs.

PUBLIC TESTIMONY

- Robert E. Erickson, Chairman of the Transportation Committee, Nevada Silver Haired Legislative Forum, requested the Committee's assistance in proposing legislation that supported transportation services for the aging population in the state.

WORK SESSION DOCUMENT

LEGISLATIVE COMMISSION'S INTERIM STUDY CONCERNING THE FEASIBILITY OF LONG-RANGE MASS TRANSIT WITHIN STATE AND TO URBAN AREAS OF NEIGHBORING STATES

**(SENATE CONCURRENT RESOLUTION NO. 31
[File No. 90, *Statutes of Nevada 2003*])**

June 15, 2004

The following “Work Session Document” has been prepared by the Chairman and staff of the Legislative Commission’s Interim Study Concerning the Feasibility of Long-Range Mass Transit Within State and to Neighboring States (Senate Concurrent Resolution No. 31 [File No. 90, *Statutes of Nevada 2003*]). It is designed to assist the Committee members in making decisions concerning recommendations to be forwarded to the Legislative Commission and ultimately to the 2005 Session of the Nevada Legislature.

The document contains recommendations within the scope of the study that were presented in hearings and submitted in writing during the course of the study for the Committee’s consideration. These recommendations do not necessarily have the support or opposition of the Committee. Rather, these recommendations simply are compiled and organized so the members may review them to decide if they should be adopted, changed, rejected, or further considered. The members of the Committee may vote to send as many Committee statements or letters as they choose; however, pursuant to *Nevada Revised Statutes* (NRS) 218.2429, the Committee is limited to five bill draft requests, including requests for the drafting of legislative resolutions.

RECOMMENDATIONS FOR LEGISLATIVE MEASURES AND RESOLUTIONS

Bills and Resolutions

1. **Request the drafting of a bill directing the Department of Motor Vehicles (DMV) to charge and collect a new fee of \$5 for every newly issued driver’s license, including a motorcycle driver’s license, to fund rural public transportation programs. This measure must require that the fee collected by the DMV be deposited into a newly created account in the State Highway Fund to be named the “Department of Transportation Transit Operations Account.” (Please refer to TAB A for further information.)** *(Recommended by the State Advisory Committee on Transit, Nevada Department of Transportation [NDOT].)*
2. **Request the drafting of a bill directing the DMV to charge and collect a new fee of \$1 per registered vehicle in a county with a population of less than 200,000 to fund rural public transportation operations in those counties. This measure must require that the fee collected would be deposited into a newly created account in the State Highway Fund to be named the “Department of Transportation Transit Operations Account” and be used to match funds apportioned by the Federal Transit Authority. (Please refer to TAB B for further information.)** *(Recommended by the State Advisory Committee on Transit, NDOT.)*
 - Marjorie Paslov Thomas, Senior Research Analyst, Research Division, explained recommendations number one and number two must be amended due to a conflict with recommendation number six. She suggested that a letter of support be sent to the members of the Legislature, rather than the drafting of a bill.
 - Senator Titus suggested the recommendations be included in the final report rather than sending letters.
 - Senator Hardy suggested additional language to recommendations number one and two that states “fees to be collected in rural counties with a population of less than 200,000.” Also, he recommended that the fees not be determined at this time since it may be appropriate to increase or decrease the amount in the future.

The Committee **APPROVED THE FOLLOWING ACTION:**

SENATOR HARDY MOVED FOR APPROVAL OF RECOMMENDATIONS NUMBER ONE AND TWO AS AMENDED. THE MOTION WAS SECONDED BY ASSEMBLYMAN MORTENSON, WHICH PASSED WITH ALL MEMBERS VOTING AYE EXCEPT SENATOR RAWSON AND ASSEMBLYMAN PARKS WHO VOTED NAY.

3. **Request the drafting of a bill appropriating from the State General Fund \$761,391 for the 2006-2007 biennium for Rural Transit Operation, which would be allocated in the following manner:**

- \$61,391 – State funding to match local money for Section 5309 Federal Funds under The Capital Bus Program. The program provides grants to assist in financing capital projects that will benefit the state's transit systems in both urban and nonurbanized areas. There are three categories of projects: (1) bus and bus-related facilities; (2) modernization of fixed guideway systems; and, (3) construction of new fixed guideway systems and extensions. The Capital Bus Program is a discretionary program.
- \$72,000 – State funding to match local money for Section 5310 Federal Funds under The Elderly and Persons with Disabilities Formula Program. The Program makes funds available to private, nonprofit organizations and associations, and designated public entities for the purchase of capital equipment for use in transporting the elderly and persons with disabilities, where existing services are unavailable, insufficient, or inappropriate. Eligible capital items include buses, vans, vehicle rehabilitation, initial installation costs, vehicle procurement, testing, inspection and acceptance costs, preventive maintenance, bus shelters, radio equipment, wheelchair lifts, lease of equipment when lease is more effective, and acquisition of transportation services under a contract, lease, or other agreement.
- \$430,000 – State funding to match local money for Section 5311 Federal Funds under the Rural and Nonurbanized Rural Public Transportation Program. Section 5311 provides funds for capital and operating assistance to state agencies, local public bodies, nonprofit organizations, and operators of public transportation services. The goals of the program are to: (1) enhance the access of people in nonurbanized areas, especially elderly persons, persons with disabilities, and economically disadvantaged persons to health care, shopping, education, employment, public services and recreation; (2) assist in the maintenance, development, improvement, and use of public transportation systems in rural and small urban areas; (3) encourage and facilitate the most efficient use of all federal funds used to provide passenger transportation in nonurbanized areas through the coordination of programs and services; (4) assist in the development and support of intercity bus transportation; and (5) provide for the participation of private transportation providers in nonurbanized transportation.
- \$198,000 – State funding to match local money for Job Access Reverse Commute (JARC) Discretionary Funds.

(Please refer to TAB C for further information.) *(Recommended by the State Advisory Committee on Transit, NDOT.)*

- Mr. Ricker noted with assistance from the state, the cities and counties would be able to provide matching funds.
- Senators Hardy and McGinness, and Assemblyman Sherer expressed concern that rural communities may not meet the required match.
- Senator Hardy suggested exploring all types of alternate funding prior to utilizing the State General Fund for matching funding.
- Mr. Kent L. Cooper, Assistant Director, Planning and Program Development, NDOT, clarified the amount requested was for one Fiscal Year. Therefore, the amount requested should be \$1,522,782.

The Committee **APPROVED THE FOLLOWING ACTION:**

SENATOR MCGINNESS MOVED FOR APPROVAL OF RECOMMENDATION NUMBER THREE. THE MOTION WAS SECONDED BY ASSEMBLYMAN SHERER, WHICH PASSED UNANIMOUSLY.

4. **Request the drafting of a bill amending NRS 408.271 to allow NDOT to use money earned from interest from the State Highway Fund, when approved by the Legislature, to match money apportioned by the federal government for rural transit operations in counties with populations less than 200,000. Currently, Nevada law allows NDOT to use this money only for conducting studies of transportation or to match for**

capital acquisition. (Please refer to TAB D for further information.) *(Recommended by the State Advisory Committee on Transit, NDOT.)*

- Senator Hardy requested that the recommendation not be limited to counties with less than 200,000 population.
- Susan G. Martinovich, P.E., Deputy Director, NDOT, indicated approximately \$8 to \$10 million per year, in interest, is applied to the highway program. She also noted the passage of recommendation number four would prompt less funding to be available to NDOT for projects throughout the state.

The Committee **APPROVED THE FOLLOWING ACTION:**

SENATOR HARDY MOVED FOR APPROVAL OF RECOMMENDATION NUMBER FOUR AS AMENDED. THE MOTION WAS SECONDED BY SENATOR TITUS, WHICH PASSED UNANIMOUSLY.

5. **Request the drafting of a bill directing the Department of Taxation to charge and collect from each gaming licensee a fee of 10 percent based upon all the gross revenue per year for five years to fund mass transit and rural transit programs in Nevada.** *(Recommended by Chairman Neal for discussion purposes.)*

There was no motion made on recommendation number five.

6. **Request the drafting of a joint resolution amending the *Constitution of the State of Nevada* to allow revenue collected from gasoline taxes to be utilized for other transportation needs, in addition to road maintenance. (Please refer to TAB E for further information.)** *(Proposed at the meetings on December 2, 2003, and January 20, 2004.)*

- Senator Hardy amended recommendation number six to include that all constitutionally limited transportation funds be allowed to be utilized for alternative transportation programs.
- Senator Titus suggested deleting the dollar amounts and use general terms such as “to add a fee” or “charge a fee.”

The Committee **APPROVED THE FOLLOWING ACTION:**

SENATOR HARDY MOVED FOR APPROVAL OF RECOMMENDATION NUMBER SIX AS AMENDED. THE MOTION WAS SECONDED BY ASSEMBLYMAN MORTENSON, WHICH PASSED UNANIMOUSLY.

7. **Request the drafting of a concurrent resolution directing the Legislative Commission to continue studying the feasibility of long-range mass transit needs of Nevada. The study would concentrate on Nevada’s rural communities and the transportation needs within and between the communities. It must include a comprehensive evaluation of the available transportation options, such as vehicle types, routes, and frequency of service. The Commission must utilize this information as a basis for rural public transit services throughout the state. (Please refer to TAB F for further information.)** *(Recommended by NDOT.)*

- Senator Hardy suggested additional language that addresses advances in technology.
- Assemblyman Mortenson suggested the deletion of the term “rural.”
- Chairman Neal expressed concern rural communities may receive less funding if the language does not include the term “rural communities” and the state as a whole.
- Senator Rawson expressed concern there may be an emphasis placed on the rural communities in recommendation number seven.

- Senator Titus suggested legal draft language that would include rural communities without adding emphasis.
- Mr. Cooper explained NDOT discovered, through a needs assessment conducted in the rural communities, the need for intercity transportation services.

The Committee **APPROVED THE FOLLOWING ACTION:**

SENATOR HARDY MOVED FOR APPROVAL OF RECOMMENDATION NUMBER SEVEN AS AMENDED. THE MOTION WAS SECONDED BY ASSEMBLYMAN MORTENSON, WHICH PASSED UNANIMOUSLY.

8. **Request the drafting of a resolution expressing support for the California-Nevada Super Speed Ground Transportation Commission's efforts in constructing the 269 mile California-Nevada Interstate Magnetic Levitation (Maglev) Project between Anaheim, California, and Las Vegas, Nevada. (Please refer to TAB G for further information.)** *(Recommended by the California-Nevada Super Speed Ground Transportation Commission.)*

The Committee **APPROVED THE FOLLOWING ACTION:**

SENATOR RAWSON MOVED FOR APPROVAL OF RECOMMENDATION NUMBER EIGHT. THE MOTION WAS SECONDED BY SENATOR HARDY, WHICH PASSED UNANIMOUSLY.

OTHER POSSIBLE COMMITTEE STATEMENTS OR LETTERS

Action Items for Committee Discussion

9. **Send a Committee letter to members of Nevada's Congressional Delegation encouraging them to support efforts to obtain federal funding for a high-speed rail between Nevada's urban areas and rural areas. The funding would be utilized for construction of two high speed rail lines using Maglev technology. One line would operate between Las Vegas and Mesquite, Nevada, and the other line would operate between Las Vegas and Pahrump, Nevada.** *(Recommended by Chairman Neal for discussion purposes.)*
- Senator Rawson suggested the remaining recommendations be included in the final report rather than sending letters.

The Committee **APPROVED THE FOLLOWING ACTION:**

SENATOR TITUS MOVED FOR APPROVAL OF RECOMMENDATION NUMBERS NINE, TEN, AND ELEVEN AS AMENDED. THE MOTION WAS SECONDED BY SENATOR MCGINNESS, WHICH PASSED UNANIMOUSLY.

10. **Send a Committee letter to NDOT, the Regional Transportation Commission of Southern Nevada, the Regional Transportation Commission of Washoe County, and other transportation organizations encouraging their support for transportation services for senior citizens between the rural and urban areas of Nevada. (Please refer to TAB H for further information.)** *(Recommended by the Nevada Silver Haired Legislative Forum.)*
11. **Send a Committee letter to the Regional Transportation Commission of Southern Nevada expressing support for its Alternative Mode Plan, which is a master plan for bikes and pedestrians in urbanized southern Nevada.** *(Recommended by Erin Breen at the January 20, 2004, meeting.)*

Chairman Neal suggested that Assemblyman Mortenson travel to Richmond, Virginia, to investigate the maglev train project at ODU.

Senator Titus thanked Senator Neal for his years of service to the Nevada Legislature and his continued service as a county commissioner, possibly. She noted that Senator Neal is an inspiration to several generations of law makers;

envied for his oratorical skills; and respected for his knowledge of parliamentary procedure. Senator Titus also stated that his greatest quality is his courage; he takes on issues and interests, which he believes are unjust and unfair. She noted that Senator Neal would be receiving many honors over the next year, and among them is a resolution, which she has requested with the Legal Division. Senator Titus suggested Senator Neal write an oral history for the University of Nevada, Las Vegas, and write a book to tell all of the secrets and stories from his years in the Nevada Legislature.

Chairman Neal thanked the members of the Committee.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 12:12 p.m.

Respectfully submitted,

Bonnie Borda Hoffecker
Senior Research Secretary

Marjorie Paslov Thomas
Senior Research Analyst

APPROVED BY:

Senator Joseph M. Neal Jr., Chairman

Date: _____

LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda” for this meeting.

[Exhibit B](#) is a Microsoft PowerPoint presentation titled “Maglev Briefing,” provided by Dr. Robert L. Ash, Interim Vice President for Research, Old Dominion University.

[Exhibit C](#) is a Microsoft PowerPoint presentation titled “The Hydrogen Superhighway system,” provided by William M. McCulloch Jr., Regional Director, Interstate Traveler Company.

[Exhibit D](#) is a Microsoft PowerPoint presentation titled “Presentation to the Representatives of the Nevada Rural Transit Program,” provided by Carol E. Dotson, Director, and Director of Planning, Lumos and Associates.

This set of “Summary Minutes and Action Report” is supplied as an informational service. Exhibits in electronic format may not be complete. Copies of the complete exhibits, other materials distributed at the meeting, and the audio record are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the Library online at www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm or telephone: 775/684-6827.

