

SENATE BILL NO. 276—SENATOR TITUS

MARCH 13, 2003

Referred to Committee on Transportation

SUMMARY—Makes various changes to provisions relating to California-Nevada Super Speed Ground Transportation Commission. (BDR 58-820)

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

~

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

AN ACT relating to railroads; requiring that the route and terminals selected by the California-Nevada Super Speed Ground Transportation Commission must be approved by the appropriate governmental agencies in the state where the route and terminals are located; designating the Commission as an agency of this state under certain circumstances; and providing other matters properly relating thereto.

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

- 1     **Section 1.** Chapter 705 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:  
3     *The Commission is hereby designated as an agency of the State*  
4 *of Nevada for the purposes of carrying out the provisions of this*  
5 *section and NRS 705.4291 to 705.4296, inclusive.*  
6     **Sec. 2.** NRS 705.4292 is hereby amended to read as follows:  
7     705.4292 As used in NRS 705.4291 to 705.4296, inclusive,  
8 *and section 1 of this act*, unless the context otherwise requires:  
9     1. “Commission” means the California-Nevada Super Speed  
10 Ground Transportation Commission.  
11     2. “Southern California” means the counties of Los Angeles,  
12 Orange, Riverside and San Bernardino.



1 3. "Super Speed Ground Transportation System" means a  
2 system that:

- 3 (a) Is capable of sustained speeds of at least 240 miles per hour;
- 4 (b) Uses magnetic levitation technology;
- 5 (c) Carries primarily passengers; and
- 6 (d) Operates on a grade-separated, dedicated guideway.

7 **Sec. 3.** NRS 705.4293 is hereby amended to read as follows:

8 705.4293 1. There is hereby created the California-Nevada  
9 Super Speed Ground Transportation Commission as a separate legal  
10 entity. The governing body of the Commission consists of:

11 (a) The members from California appointed pursuant to the law  
12 of California ~~§~~ *and the bylaws of the Commission.*

13 (b) The same number of members from Nevada as are from  
14 California, appointed by the Governor of Nevada.

15 2. The members from Nevada serve for terms of 4 years and  
16 may be reappointed at the pleasure of the Governor.

17 3. The Commission shall elect one of its members ~~to be~~ *as*  
18 Chairman.

19 **Sec. 4.** NRS 705.4294 is hereby amended to read as follows:

20 705.4294 1. The Commission may:

21 (a) Subject to the provisions of subsection 2, secure a right-of-  
22 way and award a franchise for the construction and operation of a  
23 Super Speed Ground Transportation System principally following  
24 the route of Interstate Highway No. 15 between Las Vegas, Nevada,  
25 and a point in southern California.

26 (b) Acquire or gain control or use of land for rights-of-way,  
27 stations and ancillary uses through purchase, gift, lease, use permit  
28 or easement.

29 (c) Conduct engineering and other studies related to the  
30 selection and acquisition of rights-of-way and the selection of a  
31 franchisee, including, but not limited to, environmental impact  
32 studies, socioeconomic impact studies and financial feasibility  
33 studies. All local, state and federal environmental requirements must  
34 be met by the Commission.

35 (d) Evaluate alternative technologies, systems ~~§~~ and operators  
36 for a Super Speed Ground Transportation System, and select a  
37 franchisee to construct and operate the Super Speed Ground  
38 Transportation System between southern California and Las Vegas.

39 (e) Establish criteria for the award of the franchise.

40 (f) Accept grants, gifts, fees and allocations from Nevada or its  
41 political subdivisions, the Federal Government, foreign  
42 governments and any private source.

43 (g) Issue debt, but this debt does not constitute an obligation of  
44 the State of California or the State of Nevada, or any of their  
45 political subdivisions.



- 1 (h) Hire an Executive Officer, other staff and any consultants
- 2 deemed appropriate.
- 3 (i) Select the exact route and terminal sites.
- 4 (j) Obtain, or assist the selected franchisee in obtaining, all
- 5 necessary permits and certificates from governmental entities in
- 6 California and Nevada.
- 7 2. Before the:
- 8 (a) Commission or a franchisee begins construction ~~in~~ *in*
- 9 *Nevada;* and
- 10 (b) Receipt of any final certificates and permits necessary for the
- 11 construction or use of a public right-of-way,
- 12 the route and terminals selected by the Commission must be
- 13 ~~ratified~~ *approved* by the ~~[California Legislature and the Nevada~~
- 14 ~~Legislature, or the California Legislature and the Legislative~~
- 15 ~~Commission if the Nevada Legislature is not in session.]~~
- 16 *appropriate local, regional and state governmental entities in*
- 17 *Nevada which have jurisdiction over the route and terminals*
- 18 *located in this state.* As a condition of awarding a franchise, the
- 19 Commission shall require the franchisee to comply with this
- 20 subsection.
- 21 3. *Before the:*
- 22 (a) *Commission or a franchisee begins construction in*
- 23 *California; and*
- 24 (b) *Receipt of any final certificates and permits necessary for*
- 25 *the construction or use of a public right-of-way,*
- 26 *the route and terminals selected by the Commission must be*
- 27 *approved by the appropriate local, regional and state*
- 28 *governmental entities in California which have jurisdiction over*
- 29 *the route and terminals located in that state. As a condition of*
- 30 *awarding a franchise, the Commission shall require the*
- 31 *franchisee to comply with this subsection.*
- 32 **Sec. 5.** 1. This act becomes effective on July 1, 2003.
- 33 2. Sections 1 to 4, inclusive, of this act expire by limitation:
- 34 (a) One year after the date on which the Governor declares by
- 35 public proclamation that the Super Speed Ground Transportation
- 36 System connecting southern California with southern Nevada has
- 37 been completed; or
- 38 (b) On the date all borrowing made pursuant to NRS 705.42955
- 39 is retired,
- 40 whichever is later.

