

**MINUTES OF THE
SENATE COMMITTEE ON GOVERNMENT AFFAIRS**

**Seventy-third Session
February 21, 2005**

The Senate Committee on Government Affairs was called to order by Chair Warren B. Hardy II, at 2:01 p.m. on Monday, February 21, 2005, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4406, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Warren B. Hardy II, Chair
Senator Sandra Tiffany, Vice Chair
Senator William J. Raggio
Senator Randolph J. Townsend
Senator Dina Titus
Senator Terry Care
Senator John Lee

GUEST LEGISLATORS PRESENT:

Assemblyman Tom Grady, Assembly District No. 38
Assemblyman Pete Goicoechea, Assembly District No. 35

STAFF MEMBERS PRESENT:

Kim Guinasso, Committee Counsel
Barbara Moss, Committee Secretary
Michael Stewart, Committee Policy Analyst
Catherine Barstad, Committee Secretary

OTHERS PRESENT:

Bjorn (BJ) Selinder, Churchill County
Andy Belanger, Las Vegas Valley Water District
Robert H. Erickson, City of Fallon
Kaitlin Backlund, Nevada Conservation League

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Steve K. Walker, Truckee Meadows Water Authority; Douglas County
Leo Drozdoff, Administrator, Division of Environmental Protection, State
Department of Conservation and Natural Resources
Bruce Scott, Board for Financing Water Projects
David Bennett, City Council, City of Mesquite
Marco Ruelas, City Council, City of Mesquite
Randall C. Robison, City of Mesquite
Anne C. Leonard, Vice President, Las Vegas Police Protective Association
Civilian Employees Inc.
Stan Olsen, Las Vegas Metropolitan Police Department
James Jackson, Cingular Wireless
Margaret A. McMillan, Sprint
Helen A. Foley, T-Mobile USA

CHAIR HARDY:

We have to begin as a subcommittee. Senator Care and Senator Raggio are here in subcommittee. Senator McGinness is not present today, however we will take testimony on Senate Bill (S.B.) 18, one of two bills he introduced on behalf of his constituents.

SENATE BILL 18: Revises provisions governing program that provides grants for water conservation and capital improvements to certain water systems. (BDR 30-707)

ASSEMBLYMAN TOM GRADY (Assembly District No. 38):

Senator McGinness and I had almost identical bills. We worked with a group of constituents to sponsor a combined bill. My bill was heard in the Assembly Committee on Government Affairs. In the interest of time, we took the dollar amount from Senator McGinness's bill and put it in my bill. We will use the bill you have today, as amended, to clear up some language for S.B. 18.

Legislation first came about in 1991 through an interim study committee chaired by Assembly Speaker Emeritus Joe Dini. Assembly Bill (A.B.) No. 198 of the 66th Session has proven to be successful. To date, 16 out of 17 counties have used this legislation. The only county not using A.B. No. 198 of the 66th Session is Carson City. Approximately \$9 million in grants were given through this legislation and a special appropriation from the 2003 Session went to Clark County, Humboldt County, Pershing County and Washoe County. The fund is now exhausted. It is funded through general obligation bonds, which

now stand at \$90 million. We are asking that this be brought up to \$125 million. This is not recurring, but has limits. Some of those bonds, since 1991, have probably been paid. Mr. Chair, we ask for your support on this legislation.

CHAIR HARDY:

Mr. Grady, please help the Committee understand this amendment. What does this represent? Does this bring your bill and Senator McGinness's bill together?

ASSEMBLYMAN GRADY:

My bill requests money only. Senator McGinness's original bill asked for money and some changes in language.

CHAIR HARDY:

Does this just change the language?

ASSEMBLYMAN GRADY:

This changes the language and takes the money part out.

CHAIR HARDY:

The money is in your bill, and we will have to process both bills.

ASSEMBLYMAN GRADY:

Correct.

ASSEMBLYMAN PETE GOICOECHEA (Assembly District No. 35)

The federal appropriations for the Community Development Block Grants will probably go away. It makes the A.B. No. 198 of the 66th Session fund critical. Typically, this money is used to do the planning and to leverage that money which is available through the United States Department of Agriculture (USDA) and other areas. Without A.B. No. 198 of the 66th Session, the small water companies cannot function. The \$35-million increase is minor when you consider the \$90-million worth of bonds that were first issued. We spoke with Robin Reedy, Deputy of Debt Management, Office of the State Treasurer, and found that approximately 30 percent of those bonds have been retired. When talking about \$125 million or the \$35-million increase, it is not fair because a portion of that money has been spent. It is not \$125-million worth of indebtedness.

CHAIR HARDY:

This is an important program. It is not just the rural areas. In Mesquite, the Virgin Valley Water District received a grant that was important to that system. They are part of Clark County, but are considered rural. This goes beyond what we traditionally consider rural.

There are two bills which dealt with everything. Assemblyman Grady's bill covered the funding mechanism. This bill deals with the enhanced utilization of the funds.

BJORN (BJ) SELINDER (Churchill County):

Senator McGinness sponsored S.B. 18, which seeks to revise provisions governing programs for water grants. It would provide an increase in the bond limit from \$90 million to \$125 million for this program which has been in effect since 1991. In addition, we sought to change some language in the *Nevada Revised Statutes* (NRS) 349.981, allowing for other, smaller systems or well owners to qualify for the grant. We are not attempting to take away the authority of the State Board for Financing Water Projects. The language itself was changed. Any well that was used as a source of drinking water could be eligible to receive grant assistance for hooking up to a public water supply. This came with the passage of the federal Safe Drinking Water Act, which is administered as the Nevada Safe Drinking Water Program with the cooperation of the Division of Environmental Protection. The original language indicated that in certain circumstances there was a limitation on who might hook up to a water system. The particular qualifier was that it was limited only to those wells within a designated water basin rather than any well. The change in language would be more conducive to serving individual wells and smaller water systems that may not be located where there was a designated groundwater area.

CHAIR HARDY:

Can you give the Committee a real-life example of how that might work?

MR. SELINDER:

Churchill County is not an absolute closed groundwater basin. The State engineer still issues permits. It is limited in quantity for pumping to 4,000 gallons per day, but it is more than an individual water system would be allowed to produce, which is 1,800 gallons per day. Churchill County received \$2 million in November 2004 under this program. These funds were to assist with the hook up of five smaller problem water systems in the unincorporated

area of the county. There are gaps between the areas served by the little individual water systems. These residents could benefit from hooking into a system coming right past their front doors. Many of these individuals are of modest means, living in mobile homes, smaller homes, et cetera. By opening up the qualification process, those smaller systems could have the opportunity for a safer source of drinking water.

ANDY BELANGER (Las Vegas Valley Water District):

We are supportive of this bill and the amendments. The Southern Nevada Water Authority operates a program where we provide financial assistance to well owners within the Las Vegas basin who have been required to connect to a municipal water system because their wells have failed. Senate Bill 18 would also allow well owners with water quality not up to Water Act standards to take advantage of another program funding source. This is a good opportunity to expand that program, so we are for the bill.

ROBERT H. ERICKSON (City of Fallon):

We are in support of this bill, especially the provisions that would allow hooking up an existing groundwater well user or a small, privately-owned water system into a municipal system to alleviate water quality issues. We have a number of islands within the City of Fallon where the city is growing around the unincorporated area and operating on wells. These areas were developed 10 to 20 years ago, and the water quality is suffering. This would allow the individuals who maintain those residences on those private wells to have some assistance in connecting to a municipal water system, both with development of the infrastructure to deliver the water, as well as the connection fees. Many of the people who live in these island-type areas are senior citizens or people of limited means, and they are just unable to meet this financial obligation without some type of assistance.

KAITLIN BACKLUND (Nevada Conservation League):

We are a nonprofit organization looking to protect Nevada's land, water and air for future generations. We seek to advocate for balanced and sensible conservation policies, and we certainly feel this bill falls within those criteria. We support the bill and the amendments.

STEVE K. WALKER (Truckee Meadows Water Authority; Douglas County):

Truckee Meadows Water Authority and Douglas County are in favor of S.B. 18. We support the amendments and the language change.

LEO DROZDOFF (Administrator, Division of Environmental Protection, State Department of Conservation and Natural Resources):

With me is Jon Palm, chief of our Bureau of Water Pollution Control and on my right is Bruce Scott, principal at Resource Concepts, Inc., and a member of the Board for Financing Water Projects. The Division of Environmental Protection has overseen the work of the Board for Financing Water Projects since 2000; however, the program, A.B. No. 198 of the 66th Session, has been in place since the 1991 Legislative Session.

Senate Bill 18, as amended, expands the kinds of projects that may receive grant funding from the Board for Financing Water Projects. Presently, the Board provides grants to predominantly small community water systems in order to build necessary infrastructure to ensure their customers are provided with a safe supply of drinking water and to comply with the requirements of Nevada's Safe Drinking Water Program. Grants are issued for public water systems that serve 15 or more customers. Small systems, serving fewer than 15 customers, are not eligible to receive grant funding from this program. There are areas in Nevada where the source of drinking water for these small systems does not meet the requirements of Nevada's Safe Drinking Water Program.

The amended bill will allow local governments to provide safe drinking water to reach more Nevadans in a cost-efficient way ([Exhibit C](#)).

CHAIR HARDY:

This is an evolving process of getting safe drinking water to all Nevadans.

BRUCE SCOTT (Board for Financing Water Projects):

Nevada is almost unique in its ability to allow things to happen with regard to water resource issues. Through the A.B. No. 198 of the 66th Session program, Assemblyman Dini left an important legacy. This body has extended our ability to have bonding capacity pretty well statewide ([Exhibit D](#)).

We are supportive of this addition. Our committee works with other funding agencies that are getting tighter and tighter. We work with the USDA, who has a loan-grant program. The U.S. Environmental Protection Agency has done some funding, but very little. The U.S. Army Corps of Engineers has provided funding in some cases, and we work together with the other funding agencies to ensure that we try to put a comprehensive program together. We do place some strings on the folks who receive the grant money. Namely, they are charged a monthly

water fee that is consistent with their ability to pay, which in many cases, represents an increase to water bills in some of these smaller systems. It is set at a fee that is affordable, based on USDA guidelines. We also require metering in order to ensure conservation and preservation of our resource as a long-term stewardship element. We support the bill.

CHAIR HARDY:

Mr. Palm, I want to extend my appreciation to your Bureau for the work it does. Your stewardship of this money is much appreciated. I do not know that \$125 million is enough. This is an evolving challenge and an evolving program. I do not know how we are going to finally deal with arsenic and some of these other issues. There has been some resistance to dabble in that, but at some point, there must be an answer.

MR. SCOTT:

You mentioned arsenic. I am sure you are aware the Board has, because of financial limitations, adopted a policy that basically says we need to be cautious about funding arsenic projects. As a member, I see a value in our funding preliminary engineering reports for areas where arsenic is an issue, to try to give those areas the solid technical report they are going to need to go grant-hunting. I would not represent to you that this is an arsenic-funding project, but it is moving us in the direction of obtaining better information.

CHAIR HARDY:

Correct. I fully endorse the strategy you have developed. Is there anyone else in support of or opposed to S.B. 18? Committee, I would like to move this bill as soon as possible unless there is an objection or question. We have a pretty substantial amendment. There is no action being taken. The proposed amendment will be brought back for Committee review. The next bill is Senate Bill 20.

Senate Bill 20: Revises provisions governing certain county fair and recreation boards. (BDR 20-682)

CHAIR HARDY:

This is an extremely meritorious bill. For the next two bills, I want to make a couple of introductions. Bill Nicholes, Mayor of the City of Mesquite, intended to be here, but could not. Randy Robison and Councilmen David Bennett and Marco Ruelas from the City of Mesquite are present. I do need to make a

disclosure as we begin. Randy Robison is the individual who purchased my consulting business when I decided to switch sides. I have consulted with our legal counsel. I have been advised that because Mr. Robison did pay a fixed price and I have no ongoing financial interest in the business, I can vote on issues he represents. There will be a letter on file with the Legislative Counsel Bureau. Providing representation for the City of Mesquite is an issue I have been involved with for ten years. The City of Mesquite contributes significantly to the Las Vegas Convention and Visitors Authority (LVCVA). They share an alternating seat on the LVCVA board of directors with Boulder City, and do not have full-time representation. It is not my intent with this legislation to displace anybody or to change the nature of the way business is conducted at the LVCVA. Senate Bill 20 simply intends to provide permanent, full-time representation for all of the stakeholders in this endeavor.

DAVID BENNETT (City Council, City of Mesquite):

Please refer to our handout ([Exhibit E](#)). Las Vegas Convention and Visitors Authority has been funded mainly by room tax revenue for two decades. We are tied into the LVCVA at this point. We are seeking adequate representation. The amount we contribute every year continues to increase on a regular basis. The City of Mesquite acquired a great deal of land through the U. S. Bureau of Land Management, in the last year or two. On that land, there will be some additional casinos, resorts and golf courses over the next five to ten years. Room tax revenues will continue to grow. The process is cyclical. The more we contribute, the more they have to give back to us in advance. The more room tax revenue generated, the more we contribute. We would like adequate representation on that board.

SENATOR TIFFANY:

The way the board is structured right now, who has the permanent positions and who has rotating positions?

MR. BENNETT:

There are 13 members on the board. Six members are from the private sector. There are two representatives from Clark County, two from the City of Las Vegas, one from the City of Henderson and one representative is from the city of North Las Vegas. The Cities of Mesquite and Boulder City trade off every two years. Refer to the graph attached to [Exhibit E](#).

SENATOR TIFFANY:

The permanent ones for the government sector are two for Clark County. Who usually represents Clark County?

MR. BENNETT:

Those appointments are made by county commissioners.

SENATOR TIFFANY:

Two from the City of Las Vegas are city councilmen. There is one permanent representative for the City of Henderson and one for North Las Vegas that is permanent. What you are advocating is to make the representatives for the Cities of Mesquite and Boulder City permanent. That would make 14 members. Is there a requirement to have an odd number for some reason? I do not want to turn it into a Board-of-Regents situation, with so many representatives.

MR. BENNETT:

I am not sure. As far as answering those questions, it is probably larger than the City of Mesquite.

CHAIR HARDY:

I have had some constituents contact me concerning this. I am certainly not opposed to adding a member from the private sector in order to keep it an odd number. My issue here is inclusion. I want to make sure all stakeholders who participate in this have a voice. Four years ago, the City of Mesquite contributed more to the LVCVA than Henderson and North Las Vegas combined. The City of Henderson contributes significant funds, now. The City of Mesquite, the City of Henderson and the City of Las Vegas are net contributors to the LVCVA. I want to make the point that we do not feel we have been inappropriately represented by the LVCVA. They have made a strong attempt to make sure the Mesquite story is out there. Since we are contributing almost \$1 million a year to the pot, there should be some full-time representation on behalf of the residents of the City of Mesquite. Then again, this is all about inclusion, and we want to make sure nobody is excluded. Boulder City needs representation.

SENATOR LEE:

Do you have opponents speaking against S.B. 20?

CHAIR HARDY:

There are none listed. I have spoken to some folks on the phone about it, and they have questions. What I committed to do today is to have a hearing on S.B. 20 to get all the facts and issues out. Then, we will continue to meet with some of the individuals who are interested to try to craft some language that will satisfy everyone's concerns.

SENATOR LEE:

We should have an odd number on the board. Limiting the board to 13 is a good number. Boulder City contributes \$137,000, but it receives \$325,000. Boulder City shuns gaming and shuns growth. Either remove Boulder City from the equation or remove one member from the private sector. We could add funds from the Las Vegas Events Center (LVEC) back into the bigger program to provide the funding needed for all these communities. Then again, we are talking about room tax. That is how this is funded. The LVEC is operated through the LVCVA. Why are we spending \$6.5 million on LVEC? The Convention Authority could do a better job with those funds. We should discuss a broader allocation of funds. In looking at section 1, subsection 4 of S.B. 20, I am interested when people who are actual residents sit on these boards rather than just anyone who happens to be in the business sector. You can live in San Diego and be on this board if appointed by the association.

CHAIR HARDY:

Certainly, S.B. 20 is funded through the room taxes. We need to remember it was originally called the Clark County Fair and Recreation Board; it still has fairs and recreation in its charge. We have to be careful not to stray from that mission. Boulder City does not have the gaming needs, but they do have a lot to offer in terms of recreation. They need help in tracking tourism. This may ultimately be sent to a subcommittee. I want to spend more time on the investigation of the issues.

SENATOR CARE:

If you follow that rationale, there is a case to be made for removing North Las Vegas. I do not think this is what we want to do. The same issues were raised four years ago when we amended this statute. What was the population of Las Vegas at that point, and what was the population of Henderson? If things continue the way they are, eventually, it will be Henderson with two seats and the City of Las Vegas with one seat. That does not go to this bill, but I would like to have staff provide that information to us. We would

now have eight elected officials, six appointed from the private sector. The Convention Authority does fall under the purview of the Open Meeting Law. I want some reassurance that is the case.

CHAIR HARDY:

The Legal Division has confirmed that is correct.

MARCO RUELAS (City Council, City of Mesquite):

Mesquite is growing rapidly and more representation is needed.

CHAIR HARDY:

The population of Mesquite has increased from 2,300 residents to over 20,000. Is there anyone else wishing to testify on S.B. 20? We will close the hearing on S.B. 20, and open the hearing on S.B. 30.

SENATE BILL 30: Authorizes certain cities to establish wireless enhanced 911 service and impose surcharge for certain telephone services to pay for such service. (BDR 21-740)

CHAIR HARDY:

Senate Bill 30 is being introduced by Senator McGinness. Our goal is to come up with an enhanced 911 system for the residents of the City of Mesquite. We are open for suggestions.

RANDALL C. ROBISON (City of Mesquite):

When a person calls 911, those public safety dispatch centers with enhanced 911 (E911) will receive the call with the phone number and location of the caller. Other information, such as previous health conditions or special disabilities, can also be stored and displayed when 911 is called. The benefits of E911 are obvious when considering the number of callers who are unable to provide a location address. These callers include young children, stroke victims and other people with medical emergencies. Using E911, the caller can be located within one second; otherwise, it could take up to several minutes.

Most states authorize cities and counties by statute to include a monthly charge on the telephone bill specifically for E911. The funds are then remitted to local governments and restricted to installation, maintenance and upgrades of the system. Existing law authorizes certain counties with a population from 20,000 to 400,000 to collect a surcharge on local telephone services in order to

enhance 911 services in the county. The enabling statutes place restrictions on how these revenues are used. Funding of E911 for cities and counties over 400,000 population does not authorize the surcharge. The establishment of a property-taxing district is required. Senate Bill 30 requires if a city council imposes this surcharge, all revenues must be deposited into a special fund to be used only for the E911 system. The proposed law also establishes an advisory committee to develop a plan for the system and to monitor the use of the surcharge revenue. An E911 system is critical for the City of Mesquite. The way the bill is currently drafted, particularly on page 2, section 8, the definition is "wireless enhanced 911." Within the industry, that would set off alarm bells. We need to upgrade the system we currently have in place. The wireless-enhanced 911 service is a second generation type of system. We do not want to enter the wireless arena at all.

CHAIR HARDY:

It will be difficult to look at the bills drafted today to get to any kind of real intent of what we are trying to do.

In terms of setting up E911 systems, the law treats counties differently. Counties with a population of fewer than 400,000 are allowed to use this mechanism and counties with a population over 400,000 are not. The City of Mesquite is like a city and a county under 400,000. They are required, by law, to act as a city and a county over 400,000. It is one of those situations where the City of Mesquite is caught in the middle. The city council of Mesquite would like this as an option. I ask representatives to go back to the table for a couple of days. The main objective is to come up with some resolution on the issues of concern.

SENATOR LEE:

Mr. Robison, could you delineate the difference between 911 and E911?

MR. BENNETT:

Most of the other entities in Clark County are part of the Las Vegas Metropolitan Police Department (METRO). When you dial 911 from anywhere in Las Vegas, you get into the METRO system. In the City of Mesquite, we operate our own dispatch center. That dispatcher has to go through a process of recognizing the incoming phone number and trying to identify the physical location. There is no history trail for reference. The E911 would bring all the

pertinent information into play within seconds. The necessary emergency organizations would be ready to roll immediately.

CHAIR HARDY:

Much of the growth in the City of Mesquite is related to retirees. They could definitely use that service. Would the enhanced system be dependent upon a prior call? How does that work?

ANN C. LEONARD (Vice President, Las Vegas Police Protective Association Civilian Employees Inc.):

Phone calls in Las Vegas come into METRO on 911, but they are all entered through the phone company for the addresses. That gives a display of address, phone number and name of the account holder. As far as prior calls, they are in the Computer Assisted Dispatch (CAD) system. Calls coming into METRO will promote a display on CAD. This has nothing to do with the phone display itself. If people have never dialed 911 before, there will be a display the first time they dial.

CHAIR HARDY:

If I have a heart condition, at some point can I call that information into 911 and attach it to my phone number?

MS. LEONARD:

No, you cannot.

SENATOR TIFFANY:

Computer Aided Dispatch is the enhanced system. What does that include?

MS. LEONARD:

That is the computer system itself, where the information is stored and routed.

SENATOR TIFFANY:

The computer dispatch system is the integrator for all the information systems. If there is some medical history, it will not be in the computer at the dispatch system. Could it be part of the enhanced system?

STAN OLSEN (Las Vegas Metropolitan Police Department):

The system probably could do that, to a point. Virtually all 911 calls on cellular phones come into METRO. The City of Las Vegas, the City of Henderson, the

City of Mesquite and Boulder City have a 911 hard-line system. When a cellular call comes into METRO, it is routed to the appropriate agency, whether it is medical or police. There is no way to keep that information in the database for future reference. We do nothing like that.

CHAIR HARDY:

This could lead to liability issues. Is it possible for the City of Mesquite to be put on the METRO system?

MR. OLSEN:

There were some discussions in late 1997. A strategic planning committee was part of the plan, and discussion moved toward a regional communication center. At that time, METRO did make the offer to the mayor. There was no response.

SENATOR TITUS:

How do the people who live in Senate District No. 7 pay for 911?

MR. OLSEN:

There is a 911 tax implemented for METRO. It augments the cost, but pays nowhere near the cost to run 911 in southern Nevada.

SENATOR TITUS:

Where will the phone charge be assessed to pay for the City of Mesquite's 911 service?

MR. BENNETT:

Only the residents of Mesquite, subscribing to the Rio Virgin Telephone Company, would be billed. The funds generated will only supplement our hard costs and annual ongoing costs. It would cover no maintenance or updated equipment costs.

SENATOR TITUS:

Why does the City of Mesquite want to go this route instead of the way all the other cities and counties handle 911?

MR. BENNETT:

We have a small hospital and can handle basic trauma. Someone who is in full cardiac arrest or in a severe accident has a better chance if the information is as complete and accessible as possible.

SENATOR TITUS:

If the people of the City of Mesquite really feel this would be beneficial, why not establish it by a vote? Why come to us and ask us to increase their phone bills to pay for it?

CHAIR HARDY:

This is a more equitable way to deal with this issue. A charge on a phone system they use anyway is preferable to a property tax system.

MR. BENNETT:

Property tax issues are not really an option at this time.

SENATOR TOWNSEND:

I have a number of questions with the way the bill is drafted. The point Senator Titus has made is interesting. Please refer to page 3, line 3 of S.B. 30, where it states that "if a city council imposes a surcharge pursuant to this section, the city council shall adopt a 5-year master plan for the establishment" Why has the master plan not been drafted before you apply the surcharge? That would be a better direction.

SENATOR TIFFANY:

The way I interpret S.B. 30 is that whoever the wireless company is for that area would be charged a franchise fee. Out of that franchise fee, would the wireless customers be charged a surcharge?

MR. ROBISON:

What section 11 does is delineate between the surcharge and any business fee the city council may impose upon a wireless provider. Currently, there are no wireless providers within the City of Mesquite. Section 11 would cover if, at some point in the future, a wireless provider comes to the City of Mesquite. There would be a business license fee or franchise fee imposed upon it. We would have to divide the money. The surcharge money and the business franchise fee could not be commingled. It would have to go into separate accounts.

SENATOR TIFFANY:

If there is not a wireless service there now, then who will generate the surcharge and to which customers?

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MR. ROBISON:

Many City of Mesquite wireless users receive their wireless service out of Saint George, Utah, or from a Las Vegas company. On page 2, section 4 of S.B. 30, there is a definition of "place of primary use." This means the address where the customer receives the bill. The surcharge would apply to that address.

SENATOR TIFFANY:

Does the City of Mesquite or the telephone company apply the surcharge?

MR. ROBISON:

It would be the service provider.

SENATOR TIFFANY:

You would have to request the Utah company provide a surcharge in your area and collect it?

MR. BENNETT:

Yes. If it were a place of primary use, we would require the phone company to remit the fee.

SENATOR TIFFANY:

Could landline customers be expected to pay for this service?

MR. BENNETT:

Yes.

SENATOR TOWNSEND:

The materials provided to the Committee on behalf of this bill came from the City of Mesquite. Total installation estimates ran from \$150,000 to \$300,000; annual estimated cost was from \$50,000 to \$125,000. These figures should be tighter. What does it mean to their "landline"? Is it ten cents a month or a dollar a month? That is the way you need to break this out.

CHAIR HARDY:

Everybody agrees with the intent and the need for this service.

SENATOR TITUS:

When writing amendments to this bill, a consideration would be to have the voters decide.

JAMES JACKSON (Cingular Wireless):

On behalf of Cingular Wireless, we have indicated to Mr. Robison that we will work with him on this bill.

MARGARET A. McMILLAN (Sprint):

We have the same concerns as previously raised. We support 911, but are concerned about the funding.

HELEN A. FOLEY (T-Mobile USA):

We also would like a seat at the table.

CHAIR HARDY:

We will close the hearing on S.B. 30. It is the intention of the Chair to ask the parties involved to come up with a proposal.

Committee, we have some bill draft requests (BDR) to consider, BDR 19-601, BDR 28-532, BDR 28-231, BDR 18-579 and BDR 31-164.

BILL DRAFT REQUEST 19-601: Authorizes governing bodies of local governments and advisory bodies to such governing bodies to hold closed meetings concerning matters relating to security and terrorism in certain circumstances. (Later introduced as [Senate Bill 115](#).)

SENATOR TIFFANY MOVED TO INTRODUCE BDR 19-601.

SENATOR LEE SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR CARE WAS ABSENT FOR THE VOTE.)

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BILL DRAFT REQUEST 28-532: Clarifies that certain hiring preferences apply to all circumstances under which persons are employed in construction of public works. (Later introduced as [Senate Bill 114](#).)

SENATOR TOWNSEND MOVED TO INTRODUCE BDR 28-532.

SENATOR TIFFANY SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR CARE WAS ABSENT FOR THE VOTE.)

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BILL DRAFT REQUEST 28-231: Makes various changes to labor laws and powers and duties of Labor Commissioner. (Later introduced as [Senate Bill 116](#).)

SENATOR TOWNSEND MOVED TO INTRODUCE BDR 28-231.

SENATOR TIFFANY SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR CARE WAS ABSENT FOR THE VOTE.)

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BILL DRAFT REQUEST 18-579: Revises various provisions relating to Office of State Treasurer. (Later introduced as [Senate Bill 113](#).)

SENATOR TIFFANY MOVED TO INTRODUCE BDR 18-579.

SENATOR TOWNSEND SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR CARE WAS ABSENT FOR THE VOTE.)

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BILL DRAFT REQUEST 31-164: Requires State Controller to apply fee for returned checks to other methods of payment that are returned or dishonored. (Later introduced as [Senate Bill 112](#).)

SENATOR TIFFANY MOVED TO INTRODUCE BDR 31-164.

SENATOR TOWNSEND SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR CARE WAS ABSENT FOR THE VOTE.)

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CHAIR HARDY:

Are there any further recommendations, suggestions or business for the Committee? As there is no further business, this meeting is adjourned at 3:24 p.m.

RESPECTFULLY SUBMITTED:

Catherine T. Barstad,
Committee Secretary

APPROVED BY:

Senator Warren B. Hardy II, Chair

DATE: _____