

Assembly Bill No. 227—Assemblymen Ellison, Wheeler, Hansen, Hickey, Hardy; Paul Anderson, Bustamante Adams, Carrillo, Duncan, Fiore, Flores, Grady, Hambrick, Healey, Kirkpatrick, Kirner, Livermore, Neal, Ohrenschall, Oscarson, Spiegel, Stewart and Woodbury

Joint Sponsors: Senators Goicoechea, Gustavson, Roberson, Hutchison, Hammond; Atkinson, Brower, Cegavske, Denis, Hardy, Jones, Kieckhefer, Kihuen, Manendo, Parks, Settlemeyer, Spearman and Woodhouse

CHAPTER.....

AN ACT relating to public lands; creating the Nevada Land Management Task Force to conduct a study addressing the transfer of public lands in Nevada from the Federal Government to the State of Nevada; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

This bill creates the Nevada Land Management Task Force, consisting of a representative from each county in this State appointed by the board of county commissioners, to conduct a study during the 2013-2014 legislative interim to address the transfer of public lands in Nevada from the Federal Government to the State of Nevada, in contemplation of Congress turning over the management and control of those public lands to the State of Nevada on or before June 30, 2015. The Task Force is required to submit a report of its findings and recommendations to the Legislative Committee on Public Lands on or before September 1, 2014. The Task Force is similar to an interim commission that is being recommended for creation in the State of Utah to study issues relating to the transfer of public lands in Utah from the Federal Government to the State of Utah. (House Bill No. 148, 2012 Utah Laws, ch. 353, § 5)

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

WHEREAS, Unlike the eastern states that received dominion over their lands upon joining the Union, the western states have been placed in an inferior position as a result of the Federal Government withholding a significant portion of land from those states as a condition of admission to the Union; and

WHEREAS, According to the Congressional Research Service, as of 2010, the Federal Government manages and controls approximately 640 million acres, or about 28 percent of the 2.27 billion acres, of land in the United States; and

WHEREAS, The highest concentration of land managed and controlled by the Federal Government is in Alaska (61.8 percent) and the 11 coterminous western states, namely Arizona



(42.3 percent), California (47.7 percent), Colorado (36.2 percent), Idaho (61.7 percent), Montana (28.9 percent), Nevada (81.1 percent), New Mexico (34.7 percent), Oregon (53.0 percent), Utah (66.5 percent), Washington (28.5 percent) and Wyoming (48.2 percent); and

WHEREAS, In contrast, the Federal Government only manages and controls 4 percent of the land in the states east of those western states; and

WHEREAS, The state with the highest percentage of lands within its boundaries that is managed and controlled by the Federal Government is Nevada, with over 80 percent of its lands being managed and controlled by various federal agencies, including the Bureau of Land Management, the National Park Service, the United States Forest Service, the United States Fish and Wildlife Service and the Department of Energy; and

WHEREAS, Increased control by the State of Nevada over the public lands within its borders would benefit the residents of Nevada significantly by allowing the State to balance the economic, recreational and other critical interests of its residents, with special emphasis on the multiple uses that are allowed presently on the public lands; and

WHEREAS, In March 2012, legislation was enacted in the State of Utah that, among other things, requires the Federal Government to turn over management and control of the public lands in Utah to the State of Utah and requires the study of various issues that may arise during such a transfer; and

WHEREAS, Other western states are considering the enactment of similar laws and momentum is building towards the Federal Government turning over management and control of certain public lands to the western states; and

WHEREAS, In light of the magnitude of federal management and control of public lands in Nevada, a study by the State of Nevada, in contemplation of Congress turning over the management and control of public lands in Nevada to the State of Nevada on or before June 30, 2015, would assist in ensuring that the transfer proceeds in a timely and orderly manner; now therefore

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

Section 1. 1. The Nevada Land Management Task Force, consisting of 17 members, is hereby created. Within 30 days after the effective date of this act, the board of county commissioners of each county shall appoint one member to the Task Force.



2. A vacancy on the Task Force must be filled in the same manner as the original appointment.

3. The Task Force shall hold its first meeting on or before July 1, 2013. At the first meeting, the Task Force shall elect a Chair and Vice Chair from among its members.

4. While engaged in the business of the Task Force, each member of the Task Force is entitled to receive such per diem allowance and travel expenses as provided by the board of county commissioners that appointed the member. Each board of county commissioners shall pay the per diem allowance and travel expenses required by this subsection to the member that is appointed by that board of county commissioners.

5. The board of county commissioners of each county, in conjunction with the Nevada Association of Counties, shall provide such administrative support to the Task Force as is necessary to carry out the duties of the Task Force.

6. The Task Force shall conduct a study to address the transfer of public lands in Nevada from the Federal Government to the State of Nevada in contemplation of Congress turning over the management and control of those public lands to the State of Nevada on or before June 30, 2015. The study must include, without limitation:

(a) An identification of the public lands to be transferred and the interests, rights and uses associated with those lands;

(b) The development of a proposed plan for the administration, management and use of the public lands, including, without limitation, the designation of wilderness or other conservation areas or the sale, lease or other disposition of those lands; and

(c) An economic analysis concerning the transfer of the public lands, including, without limitation:

(1) The identification of the costs directly incident to the transfer of title of those lands;

(2) The identification of sources of revenue to pay for the administration and maintenance of those lands by the State of Nevada;

(3) A determination of the amount of any revenue that is currently received by the State of Nevada or a political subdivision of this State in connection with those lands, including, without limitation, any payments made in lieu of taxes and mineral leases; and

(4) The identification of any potential revenue to be received from those lands by the State of Nevada after the transfer of the lands and recommendations for the distribution of those revenues.



7. The Task Force shall report periodically to the Legislative Committee on Public Lands established by NRS 218E.510 concerning the activities of the Task Force.

8. On or before September 1, 2014, the Task Force shall submit a report of its findings and recommendations to the Legislative Committee on Public Lands for inclusion in the final report of that Committee for the 2013-2014 legislative interim. During the 78th Session of the Nevada Legislature, one or more members of the Task Force must be available, upon request, to present the recommendations of the Task Force to the Legislature or the appropriate standing committees with jurisdiction over public lands matters.

Sec. 2. This act becomes effective upon passage and approval and expires by limitation on June 30, 2015.

