

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

MARCH 11, 2013

JOINT SPONSORS: SENATORS GOICOECHEA, GUSTAVSON, ROBERSON, HUTCHISON, HAMMOND; ATKINSON, BROWER, CEGAVSKE, DENIS, HARDY, JONES, KIECKHEFER, KIHUEN, MANENDO, PARKS, SETTELMAYER, SPEARMAN AND WOODHOUSE

Referred to Committee on Legislative Operations and Elections

SUMMARY—Creates the Nevada Land Management Task Force to conduct a study addressing the transfer of certain public lands in this State. (BDR S-594)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

~

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

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:

1 This bill creates the Nevada Land Management Task Force, consisting of a
2 representative from each county in this State appointed by the board of county
3 commissioners, to conduct a study during the 2013-2014 legislative interim to
4 address the transfer of public lands in Nevada from the Federal Government to the
5 State of Nevada, in contemplation of Congress turning over the management and
6 control of those public lands to the State of Nevada on or before June 30, 2015. The
7 Task Force is required to submit a report of its findings and recommendations to the
8 Legislative Committee on Public Lands on or before September 1, 2014. The



* A B 2 2 7 R 1 *

9 Task Force is similar to an interim commission that is being recommended for
10 creation in the State of Utah to study issues relating to the transfer of public lands
11 in Utah from the Federal Government to the State of Utah. (House Bill No. 148,
12 2012 Utah Laws, ch. 353, § 5)

1
2 WHEREAS, Unlike the eastern states that received dominion over
3 their lands upon joining the Union, the western states have been
4 placed in an inferior position as a result of the Federal Government
5 withholding a significant portion of land from those states as a
6 condition of admission to the Union; and

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

11 WHEREAS, The highest concentration of land managed and
12 controlled by the Federal Government is in Alaska (61.8 percent)
13 and the 11 coterminous western states, namely Arizona (42.3
14 percent), California (47.7 percent), Colorado (36.2 percent), Idaho
15 (61.7 percent), Montana (28.9 percent), Nevada (81.1 percent), New
16 Mexico (34.7 percent), Oregon (53.0 percent), Utah (66.5 percent),
17 Washington (28.5 percent) and Wyoming (48.2 percent); and

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

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

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

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

39 WHEREAS, Other western states are considering the enactment
40 of similar laws and momentum is building towards the Federal



1 Government turning over management and control of certain public
2 lands to the western states; and

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

9
10 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
11 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
12

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

