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SENATE JOINT RESOLUTION NO. 1—SENATORS  
GOICOECHEA AND GUSTAVSON

PREFILED DECEMBER 20, 2014

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JOINT SPONSORS: ASSEMBLYMEN ELLISON, HANSEN, OSCARSON,  
WHEELER, HAMBRICK; DOOLING, FIORE AND KIRNER

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Referred to Committee on Legislative Operations and Elections

SUMMARY—Urges Congress to enact legislation transferring title to certain public lands to the State of Nevada in accordance with the report prepared by the Nevada Land Management Task Force. (BDR R-451)

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

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

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SENATE JOINT RESOLUTION—Urging Congress to enact legislation transferring title to certain public lands to the State of Nevada in accordance with the report prepared by the Nevada Land Management Task Force.

1 WHEREAS, The Federal Government manages and controls over  
2 80 percent of the land in this State; and

3 WHEREAS, The paucity of state and private land in the State of  
4 Nevada severely constrains the size and diversity of the State's  
5 economy; and

6 WHEREAS, In Section 10 of Chapter 36 of the 38th Congress,  
7 the Act enabling the formation of a constitution and state  
8 government in the territory of Nevada, Congress directed the  
9 Federal Government to pay to the State of Nevada, upon admission,  
10 a portion of the proceeds from the sale of public lands in the State;  
11 and

12 WHEREAS, In all states east of the State of Colorado, the Federal  
13 Government controls 4 percent of the land; and



1 WHEREAS, In the States of Alaska, Arizona, California,  
2 Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah,  
3 Washington and Wyoming, the Federal Government still controls a  
4 significant amount of public lands; and

5 WHEREAS, A July 2014 report prepared by the Nevada Land  
6 Management Task Force pursuant to Assembly Bill No. 227 of the  
7 77th Nevada Legislative Session concluded that the State of Nevada  
8 could generate significant net revenue if afforded the opportunity to  
9 manage an expanded state land portfolio; and

10 WHEREAS, The Nevada Land Management Task Force  
11 concluded in the report that a Congressional transfer to the State of  
12 Nevada of certain federally administered land should be  
13 accomplished in phases; now, therefore, be it

14 RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF  
15 NEVADA, JOINTLY, That the members of the 78th Session of the  
16 Nevada Legislature hereby urge Congress to enact legislation  
17 transferring title to certain public lands to the State of Nevada in  
18 accordance with the report prepared by the Nevada Land  
19 Management Task Force; and be it further

20 RESOLVED, That any such legislation should exclude the  
21 following lands from consideration for transfer:

- 22 1. Lands designated by Congress as wilderness;
- 23 2. Lands designated by Congress as National Conservation  
24 Areas;

25 3. Lands designated by the Bureau of Land Management as  
26 Areas of Critical Environmental Concern established to protect the  
27 desert tortoise; and

- 28 4. Lands administered by:
  - 29 (a) The United States Department of Energy;
  - 30 (b) The United States Department of Defense;
  - 31 (c) The Bureau of Indian Affairs of the United States  
32 Department of the Interior;
  - 33 (d) The United States Fish and Wildlife Service of the United  
34 States Department of the Interior; and
  - 35 (e) The National Park Service of the United States Department  
36 of the Interior; and be it further

37 RESOLVED, That the following public lands should be included  
38 in an initial phase for transfer to the State of Nevada:

- 39 1. All parcels of land, administered by the Bureau of Land  
40 Management, which remain within the original Central Pacific  
41 Railroad corridor along Interstate 80 in Northern Nevada;
- 42 2. All land previously identified by the Bureau of Land  
43 Management as suitable for disposal, or currently moving forward  
44 in planning documents for federal land use plans, that have not yet  
45 been disposed of in the State of Nevada;



1 3. All parcels of land in the State of Nevada, administered by  
2 the Bureau of Land Management that is under existing lease  
3 pursuant to the Recreation and Public Purposes Act;

4 4. All parcels of land in the State of Nevada, administered by  
5 the Bureau of Land Management that is authorized under rights-of-  
6 way granted to the State of Nevada and any political subdivisions of  
7 this State, and nonlinear rights-of-way granted to private parties  
8 within this State;

9 5. All subsurface estates managed by the Bureau of Land  
10 Management, where the surface estate is privately held within this  
11 State;

12 6. All land in the State of Nevada designated by the Secretary  
13 of the Interior as Solar Energy Zones and held by the Bureau of  
14 Land Management;

15 7. All parcels of land in the State of Nevada, administered by  
16 the Bureau of Land Management that is leased for geothermal  
17 exploration and utilization; and

18 8. All parcels of land in the State of Nevada, administered by  
19 the Bureau of Land Management which has been authorized for  
20 disposal within enacted and introduced federal legislation; and be it  
21 further

22 RESOLVED, That the State of Nevada should be authorized to  
23 select not less than 7.2 million acres from among the  
24 aforementioned classes of land to be transferred during the initial  
25 phase; and be it further

26 RESOLVED, That upon request by a local government or the  
27 Nevada Legislature within 10 years after the initial phase, the  
28 following public lands should be transferred in subsequent phases:

29 1. Other land in the State of Nevada administered by the  
30 Bureau of Land Management;

31 2. Land in the State of Nevada administered by the United  
32 States Forest Service;

33 3. Land in the State of Nevada deemed by the Bureau of  
34 Reclamation of the United States Department of the Interior to be  
35 surplus; and

36 4. Any other federally managed and controlled lands in this  
37 State; and be it further

38 RESOLVED, That any such transfer of public lands to the State of  
39 Nevada must include both the surface and subsurface estate and any  
40 federally held water rights appurtenant to the land; and be it further

41 RESOLVED, That the public lands included in the initial phase  
42 must be managed for long-term maximization of net revenue; and be  
43 it further



1 RESOLVED, That the public lands subsequently transferred must  
2 be managed for on-going net revenue generation and environmental  
3 health, function, productivity and sustainability; and be it further

4 RESOLVED, That payments to local governments to replace  
5 revenue lost through reduced federal payments pursuant to the  
6 Payments in Lieu of Taxes Act, 31 U.S.C. § 6901 et seq., will be  
7 made by the State of Nevada from gross revenues derived through  
8 the management of federal public lands transferred to the State of  
9 Nevada; and be it further

10 RESOLVED, That payments to local governments to replace the  
11 revenue which would otherwise be shared with local governments in  
12 this State by the Bureau of Land Management from the sale of  
13 materials, mineral leases and permits, grazing permits and other  
14 revenues from public lands transferred to the State of Nevada will  
15 be made by the State of Nevada from the gross revenues derived by  
16 the State of Nevada from managing those public lands; and be it  
17 further

18 RESOLVED, That the payments to local governments to replace  
19 the revenue which would otherwise have been shared with local  
20 governments in this State by the Office of Natural Resources  
21 Revenue of the United States Department of the Interior from  
22 royalties, rents and bonuses generated throughout the life of energy  
23 and mineral leases on public lands transferred to the State of Nevada  
24 will be made by the State of Nevada from the gross revenues  
25 derived by the State of Nevada from managing those public lands;  
26 and be it further

27 RESOLVED, That consistent with the Southern Nevada Public  
28 Land Management Act of 1998, Public Law 105-263, 112 Stat.  
29 2343, the Lincoln County Conservation, Recreation, and  
30 Development Act of 2004, Public Law 108-424, 118 Stat. 2403, and  
31 the White Pine County Conservation, Recreation, and Development  
32 Act of 2006, Public Law 109-432, 120 Stat. 3028, 10 percent of the  
33 proceeds of the sale of transferred land by the State of Nevada  
34 which is identified in those Acts for disposal by the Bureau of Land  
35 Management will be provided to the Southern Nevada Water  
36 Authority, Lincoln County and White Pine County for uses  
37 identified by each respective act; and be it further

38 RESOLVED, That the following principles will guide the State of  
39 Nevada in the management of transferred lands:

40 1. All transferred land will be subject to applicable State of  
41 Nevada and local government statutes, regulations, ordinances and  
42 codes;

43 2. All transferred land will be subject to valid existing federal,  
44 state and local government permits, land use authorizations, existing  
45 authorized multiple uses, rights of access and property rights;



1 3. The administration and management, including without  
2 limitation, the disposal, of transferred land by the State of Nevada  
3 must be subject to review by the governing board of any local  
4 government within which public lands to be disposed of are located  
5 for consistency with local master plans, resource management plans,  
6 open space plans, land disposal lists, ordinances and land use  
7 policies; and

8 4. Any costs incurred by the State of Nevada in administering  
9 transferred land will be covered by gross revenue derived from  
10 managing the land, and will not be passed on to any local  
11 government; and be it further

12 RESOLVED, That any net revenue derived from the management  
13 of transferred public lands must be deposited into a permanent trust  
14 fund and held for the benefit of the following beneficiaries:

15 1. Public primary and secondary education;

16 2. Public higher education, including the Nevada System of  
17 Higher Education;

18 3. Public specialized education;

19 4. Public mental and medical health services;

20 5. Social, senior and veteran services;

21 6. Public programs to preserve any species that is listed as, or  
22 is a candidate species for listing as, threatened or endangered under  
23 the Endangered Species Act of 1973, 16 U.S.C. §§ 1531 et seq.; and

24 7. Local governments, to pay for any services and  
25 infrastructure provided on transferred public lands; and be it further

26 RESOLVED, That the Secretary of the Senate prepare and  
27 transmit a copy of this resolution to the Vice President of the United  
28 States as the presiding officer of the United States Senate, the  
29 Speaker of the House of Representatives and each member of the  
30 Nevada Congressional Delegation; and be it further

31 RESOLVED, That this resolution become effective upon passage.

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