

106TH CONGRESS
1ST SESSION

H. R. 2752

To give Lincoln County, Nevada, the right to purchase at fair market value certain public land located within that county, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 5, 1999

Mr. GIBBONS introduced the following bill; which was referred to the Committee on Resources

A BILL

To give Lincoln County, Nevada, the right to purchase at fair market value certain public land located within that county, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Lincoln County Land
5 Act of 1999”.

6 **SEC. 2. SALE OF PUBLIC LAND.**

7 (a) **RIGHT TO PURCHASE.**—For a period of 10 years
8 after the date of enactment of this Act, Lincoln County,
9 Nevada, shall have the exclusive right to purchase all or

1 part of the parcel of public land described in subsection
2 (b).

3 (b) LAND DESCRIPTION.—The parcel of public land
4 referred to in subsection (a) is that parcel at T. 12 S.,
5 R. 71 E., Mount Diablo Meridian, Nevada:

6 (1) Sec. 16: NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE
7 $\frac{1}{4}$.

8 (2) Sec. 17: SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE
9 $\frac{1}{4}$.

10 (3) Sec. 18: SE $\frac{1}{4}$.

11 (4) Sec. 19: E $\frac{1}{2}$.

12 (5) Sec. 20.

13 (6) Sec. 21: W $\frac{1}{2}$.

14 (7) Sec. 28: W $\frac{1}{2}$.

15 (8) Sec. 29.

16 (9) Sec. 30: E $\frac{1}{2}$.

17 (10) Sec. 31: E $\frac{1}{2}$.

18 (11) Sec. 32.

19 (12) Sec. 33: W $\frac{1}{2}$, SE $\frac{1}{4}$.

20 (13) Sec. 34: S $\frac{1}{2}$.

21 (c) NOTIFICATION.—Not later than 180 days after
22 the date of enactment of this Act, Lincoln County, Ne-
23 vada, shall notify the Secretary of the Interior which of
24 the parcels of public land described in subsection (b) the
25 county intends to purchase.

1 (d) TERMS AND CONDITIONS OF SALE.—All sales of
2 public land under this section—

3 (1) shall be subject to valid existing rights; and

4 (2) shall be made for fair market value, as de-
5 termined by the Secretary.

6 (e) CONVEYANCE.—Not later than 1 year after re-
7 ceiving notification by Lincoln County that the county
8 wishes to proceed with a purchase under subsection (a),
9 the Secretary of the Interior shall convey to Lincoln Coun-
10 ty the parcels of land selected for purchase.

11 (f) WITHDRAWAL.—Subject to valid existing rights,
12 until the date that is 10 years after the date of enactment
13 of this Act, the public land described in subsection (b) is
14 withdrawn from all forms of entry and appropriation
15 under the public land laws, including the mining laws, and
16 from operation of the mineral leasing and geothermal leas-
17 ing laws.

18 **SEC. 3. DISPOSITION OF PROCEEDS.**

19 (a) LAND SALES.—Of the gross proceeds of sales of
20 land under this Act in a fiscal year—

21 (1) 5 percent shall be paid directly to the State
22 of Nevada for use in the general education program
23 of the State;

24 (2) 10 percent shall be returned to Lincoln
25 County for use as determined through normal coun-

1 ty budgeting procedures, with emphasis given to
2 support of schools, of which no amount may be used
3 in support of litigation against the Federal Govern-
4 ment; and

5 (3) the remainder shall be deposited in a special
6 account in the Treasury of the United States (re-
7 ferred to in this section as the “special account”) for
8 use as provided in subsection (b).

9 (b) AVAILABILITY OF SPECIAL ACCOUNT.—

10 (1) IN GENERAL.—Amounts in the special ac-
11 count (including amounts earned as interest under
12 paragraph (3)) shall be available to the Secretary of
13 the Interior, without further Act of appropriation,
14 and shall remain available until expended, for—

15 (A) reimbursement of costs incurred by the
16 Bureau of Land Management in preparing sales
17 under this Act, or other authorized land sales
18 or exchanges within Lincoln County, Nevada,
19 including the costs of land boundary surveys,
20 compliance with the National Environmental
21 Policy Act of 1969 (42 U.S.C. 4321 et seq.);

22 (B) development of a multispecies habitat
23 conservation plan in Lincoln County, Nevada;
24 and

1 (C) the purchase of conservation easements
2 in Douglas County, Nevada.

3 (2) ACQUISITION FROM WILLING SELLERS.—An
4 acquisition under paragraph (1)(A) shall be made
5 only from a willing seller and after consultation with
6 the State of Nevada and units of local government
7 under the jurisdiction of which the environmentally
8 sensitive land is located.

9 (3) INTEREST.—Amounts in the special account
10 shall earn interest in the amount determined by the
11 Secretary of Treasury on the basis of current aver-
12 age market yield on outstanding marketable obliga-
13 tions of the United States of comparable maturities.

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