

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2842

To direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, for continued use as a cemetery.

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## IN THE SENATE OF THE UNITED STATES

JULY 10, 2000

Mr. REID introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, for continued use as a cemetery.

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. FINDINGS.**

4       Congress finds that—

5               (1) the historical use by settlers and travelers  
6       since the late 1800's of the cemetery known as  
7       “Kingston Cemetery” in Kingston, Nevada, predates  
8       incorporation of the land on which the cemetery is  
9       situated within the jurisdiction of the Forest Service;

1           (2) it is appropriate that that use be continued  
2 through local public ownership of the parcel rather  
3 than through the permitting process of the Federal  
4 agency; and

5           (3) to ensure that all areas that may have un-  
6 marked gravesites are included and to ensure the  
7 availability of adequate gravesite space in future  
8 years, a parcel of approximately 10 acres, the acre-  
9 age included in the original permit issued by the  
10 Forest Service for the cemetery, should be conveyed  
11 for that purpose.

12 **SEC. 2. CONVEYANCE TO LANDER COUNTY, NEVADA.**

13           (a) CONVEYANCE.—Notwithstanding any other provi-  
14 sion of law, the Secretary of Agriculture, acting through  
15 the Chief of the Forest Service (referred to in this section  
16 as the “Secretary”), simultaneously with or as soon as  
17 practicable after the conveyance of the core parcel under  
18 subsection (b), shall convey, without consideration, subject  
19 to valid existing rights, to Lander County, Nevada (re-  
20 ferred to in this section as the “county”), all right, title,  
21 and interest of the United States in and to the remaining  
22 parcel of the land described in subsection (c).

23           (b) CONVEYANCE OF CORE PARCEL.—The making of  
24 the conveyance under subsection (a) is contingent on the  
25 making of a conveyance, under Public Law 85–569 (com-

1 monly known as the “Townsite Act”) (16 U.S.C. 478a),  
2 of 1.25 acres of the land described in subsection (c) in  
3 which gravesites have been identified.

4 (c) DESCRIPTION OF LAND.—The parcel of land re-  
5 ferred to in subsection (a) is the parcel of National Forest  
6 System land (including any improvements on the land)  
7 known as “Kingston Cemetery,” consisting of approxi-  
8 mately 10 acres and more particularly described as SW1/  
9 4SE1/4SE1/4 of section 36, T. 16N., R. 43E., Mount Dia-  
10 blo Meridian.

11 (d) USE OF LAND.—

12 (1) IN GENERAL.—The county (including its  
13 successors) shall continue the use of the parcel con-  
14 veyed under subsection (a) as a cemetery.

15 (2) REVERSION.—If the Secretary, after notice  
16 to the county and an opportunity for a hearing,  
17 makes a finding that the county has discontinued  
18 the use of the parcel conveyed under subsection (a)  
19 as a cemetery, title to the parcel shall revert to the  
20 Secretary.

21 (e) ACCESS.—At the time of the conveyance under  
22 subsection (a), the Secretary shall grant the county an  
23 easement granting access for persons desiring to visit the  
24 cemetery and other cemetery purposes over Forest Devel-

- 1 opment Road #20307B, notwithstanding any future clos-
- 2 ing of the road for other use.

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