

108TH CONGRESS
2D SESSION

S. 3003

To direct the Secretary of the Interior to convey to the City of Henderson, Nevada, certain Federal land located in the City, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 18, 2004

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

A BILL

To direct the Secretary of the Interior to convey to the City of Henderson, Nevada, certain Federal land located in the City, 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 “Southern Nevada Lim-
5 ited Transition Area Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) CITY.—The term “City” means the City of
9 Henderson, Nevada.

1 (2) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior.

3 (3) SPECIAL ACCOUNT.—The term “Special Ac-
4 count” means the special account established under
5 section 4(e)(1)(C) of the Southern Nevada Public
6 Land Management Act of 1998 (112 Stat. 2345).

7 (4) STATE.—The term “State” means the State
8 of Nevada.

9 (5) TRANSITION AREA.—The term “Transition
10 Area” means the approximately 547 acres of Fed-
11 eral land located in Henderson, Nevada, and identi-
12 fied as “Limited Transition Area” on the map enti-
13 tled “Southern Nevada Limited Transition Area
14 Act” and dated November 16, 2004.

15 **SEC. 3. SOUTHERN NEVADA LIMITED TRANSITION AREA.**

16 (a) CONVEYANCE.—Notwithstanding the Federal
17 Land Policy and Management Act of 1976 (43 U.S.C.
18 1701 et seq.), on request of the City, the Secretary shall,
19 without consideration and subject to all valid existing
20 rights, convey to the City all right, title, and interest of
21 the United States in and to the Transition Area.

22 (b) USE OF LAND FOR NONRESIDENTIAL DEVELOP-
23 MENT.—

24 (1) IN GENERAL.—After the conveyance to the
25 City under subsection (a), the City may sell any por-

1 tion or portions of the Transition Area for purposes
2 of nonresidential development.

3 (2) METHOD OF SALE.—The sale of land under
4 paragraph (1) shall be—

5 (A) through a competitive bidding process;
6 and

7 (B) for not less than fair market value.

8 (3) COMPLIANCE WITH CHARTER.—Except as
9 provided in paragraphs (2) and (4), the City may
10 sell parcels within the Transition Area only in ac-
11 cordance with the procedures for conveyances estab-
12 lished in the City Charter.

13 (4) DISPOSITION OF PROCEEDS.—Of the gross
14 proceeds from the sale of land under paragraph (1),
15 the City shall—

16 (A) deposit 85 percent in the Special Ac-
17 count;

18 (B) retain 10 percent as compensation for
19 the costs incurred by the City—

20 (i) in carrying out land sales under
21 paragraph (1); and

22 (ii) for the provision of public infra-
23 structure to serve the Transition Area, in-
24 cluding planning, engineering, surveying,

1 and subdividing the Transition Area for
2 nonresidential development; and

3 (C) pay 5 percent to the State for use in
4 the general education program of the State.

5 (c) USE OF LAND FOR RECREATION OR OTHER PUB-
6 LIC PURPOSES.—The City may elect to retain parcels in
7 the Transition Area for public recreation or other public
8 purposes consistent with the Act of June 14, 1926 (com-
9 monly known as the “Recreation and Public Purposes
10 Act”) (43 U.S.C. 869 et seq.) by providing to the Sec-
11 retary written notice of the election.

12 (d) NOISE COMPATIBILITY REQUIREMENTS.—The
13 City shall—

14 (1) plan and manage the Transition Area in ac-
15 cordance with section 47504 of title 49, United
16 States Code (relating to airport noise compatibility
17 planning), and regulations promulgated in accord-
18 ance with that section; and

19 (2) agree that if any land in the Transition
20 Area is sold, leased, or otherwise conveyed by the
21 City, the sale, lease, or conveyance shall contain a
22 limitation to require uses compatible with that air-
23 port noise compatibility planning.

24 (e) REVERSION.—

1 (1) IN GENERAL.—If any parcel of land in the
2 Transition Area is not conveyed for nonresidential
3 development under this Act or reserved for recre-
4 ation or other public purposes under subsection (c)
5 within 20 years after the date of the enactment of
6 this Act, the parcel of land shall, if determined to
7 be appropriate by the Secretary, revert to the United
8 States.

9 (2) INCONSISTENT USE.—If the City uses any
10 parcel of land within the Transition Area in a man-
11 ner that is inconsistent with the uses specified in
12 this section—

13 (A) at the election of the Secretary, the
14 parcel shall revert to the United States; or

15 (B) if the Secretary does not make an elec-
16 tion under paragraph (1), the City shall sell the
17 parcel of land in accordance with subsection
18 (b)(2).

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