

SENATE BILL NO. 514—COMMITTEE ON GOVERNMENT AFFAIRS
(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON PUBLIC LANDS)

MARCH 26, 2007

Referred to Committee on Government Affairs

SUMMARY—Establishes Monte Cristo State Park in Esmeralda County, Nevada. (BDR 35-401)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State: Contains Appropriation not included in Executive Budget.

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

AN ACT relating to state parks; establishing Monte Cristo State Park in Esmeralda County, Nevada; providing for the administration of the Park; requiring the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources to enter into negotiations to purchase, lease or otherwise acquire land for the Park; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, four state parks are created by legislative enactment: (1) Cathedral Gorge State Park; (2) Kershaw Canyon-Ryan State Park; (3) Beaver Dam State Park; and (4) Boulder Dam-Valley of Fire State Park. (NRS 407.080, 407.090, 407.100, 407.110)

Section 1 of this bill establishes a new state park in Esmeralda County, Nevada, named Monte Cristo State Park. The new state park consists of approximately 6,000 acres of land. **Section 1** requires the Division of State Parks of the State Department of Conservation and Natural Resources to administer, protect and maintain the new state park in the same manner as any other state park administered by the Division. Because the land proposed to be included in the new state park is managed and controlled by the Federal Government, **section 2** of this bill requires the Administrator of the Division to enter into negotiations or take any other action required to purchase, lease or otherwise acquire the land for the new state park. After the land is purchased, leased or acquired, the State Land Registrar must issue a certificate verifying the completeness and accuracy of the legal description of the land so acquired and must submit a copy of the certificate to the Governor and the Legislative Counsel. **Section 2** further requires the Governor, as



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soon as practicable after receiving a copy of the certificate, to proclaim that the State of Nevada has acquired the land for use as a state park.

Section 3 of this bill makes an appropriation in the amount of \$500,000 to the Administrator for the purpose of establishing and maintaining the new state park.

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

Section 1. Chapter 407 of NRS is hereby amended by adding thereto a new section to read as follows:

The sections within Township 2 North, Range 38 East, M.D.B. & M., and Township 3 North, Range 38 East, M.D.B. & M., consisting of approximately 6,000 acres of land located in Esmeralda County, Nevada, are hereby designated as Monte Cristo State Park and are placed under the jurisdiction of the Division as a state park. The Division shall administer, protect and maintain Monte Cristo State Park in the same manner as any other state park placed under the jurisdiction of the Division pursuant to this chapter.

Sec. 2. 1. As soon as practicable after the effective date of this section, the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources shall enter into negotiations or take any other action required to purchase, lease or otherwise acquire the land specified in section 1 of this act for use as a state park pursuant to that section.

2. As soon as practicable after the land is purchased, leased or acquired pursuant to subsection 1, the State Land Registrar shall:

(a) Issue a certificate verifying the completeness and accuracy of the legal description of the land pursuant to subsection 3; and

(b) Submit a copy of the certificate to the Governor and the Legislative Counsel.

3. The certificate issued pursuant to subsection 2 must include the statement, "The attached or foregoing description has been verified as being a complete and accurate legal description of the land acquired for use as Monte Cristo State Park." The certificate must be signed by the State Land Registrar and the person who examined and verified the description set forth in the certificate.

4. As soon as practicable after receiving a copy of a certificate pursuant to subsection 3, the Governor shall proclaim that the State of Nevada has acquired land for use as a state park pursuant to section 1 of this act.

Sec. 3. Notwithstanding the amendatory provisions of section 1 of this act, if the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources purchases, leases or otherwise acquires land for use as a state park



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pursuant to that section, and if the land or a portion of the land so acquired by the Administrator includes land that is not within the boundaries of the land specified in section 1 of this act, the Legislative Counsel may, during codification of that section, conform the boundaries of the land specified in that section to include the boundaries of the land acquired by the Administrator and certified by the State Land Registrar pursuant to section 2 of this act.

Sec. 4. 1. There is hereby appropriated from the State General Fund to the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources the sum of \$500,000 for the purpose of establishing and maintaining a state park pursuant to section 1 of this act.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2009, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 18, 2009, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 18, 2009.

Sec. 5. 1. This section and sections 2 and 4 of this act become effective upon passage and approval.

2. Sections 1 and 3 of this act become effective upon proclamation by the Governor that the State of Nevada has acquired the land specified in section 1 of this act for use as a state park.

