

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—118th Cong., 1st Sess.

S. 1760

To amend the Apex Project, Nevada Land Transfer and Authorization Act of 1989 to include the city of North Las Vegas, Nevada, and the Apex Industrial Park Owners Association, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the following:
2

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Apex Project, Nevada
5 Land Transfer and Authorization Act Amendments Act”.

6 **SEC. 2. AMENDMENTS TO THE APEX PROJECT, NEVADA**
7 **LAND TRANSFER AND AUTHORIZATION ACT**
8 **OF 1989.**

9 (a) DEFINITIONS.—Section 2(b) of the Apex Project,
10 Nevada Land Transfer and Authorization Act of 1989
11 (Public Law 101–67; 103 Stat. 169) is amended—

1 (1) in the matter preceding paragraph (1), by
2 striking “As used in this Act, the following terms
3 shall have the following meanings—” and inserting
4 “In this Act:”;

5 (2) in each of paragraphs (1), (2), (4), and (5),
6 by inserting a paragraph heading, the text of which
7 comprises the term defined in that paragraph;

8 (3) in paragraph (3), by inserting “COUNTY;
9 CLARK COUNTY.—” before “The term”;

10 (4) in paragraph (6)—

11 (A) by inserting “FLPMA TERMS.—” be-
12 fore “All”; and

13 (B) by inserting “(43 U.S.C. 1701 et
14 seq.)” before the period at the end;

15 (5) by redesignating paragraphs (1), (2), (3),
16 (4), (5), and (6) as paragraphs (7), (6), (4), (5),
17 (2), and (8), respectively;

18 (6) by inserting before paragraph (2) (as so re-
19 designated) the following:

20 “(1) APEX INDUSTRIAL PARK OWNERS ASSOCIA-
21 TION.—The term ‘Apex Industrial Park Owners As-
22 sociation’ means the Apex Industrial Park Owners
23 Association formed on April 9, 2001, and chartered
24 in the State of Nevada (including any successor in
25 interest).”; and

1 (7) by inserting after paragraph (2) (as so re-
2 designated) the following:

3 “(3) CITY.—The term ‘City’ means the city of
4 North Las Vegas, Nevada.”.

5 (b) KERR-MCGEE SITE TRANSFER.—Section 3(b) of
6 the Apex Project, Nevada Land Transfer and Authoriza-
7 tion Act of 1989 (Public Law 101–67; 103 Stat. 170) is
8 amended—

9 (1) in the first sentence—

10 (A) by striking “Clark County” and insert-
11 ing “Clark County, the City, or the Apex Indus-
12 trial Park Owners Association, individually or
13 jointly, as appropriate,”; and

14 (B) by striking “Site” and inserting “Site
15 and other land conveyed in accordance with this
16 Act”; and

17 (2) in the third sentence, by striking “Clark
18 County” and inserting “Clark County, the City, or
19 the Apex Industrial Park Owners Association, indi-
20 vidualy or jointly, as appropriate,”.

21 (c) AUTHORIZATION FOR ADDITIONAL TRANS-
22 FERS.—Section 4 of the Apex Project, Nevada Land
23 Transfer and Authorization Act of 1989 (Public Law 101–
24 67; 103 Stat. 171) is amended—

1 (1) in subsection (c), by striking “Clark County”
2 and inserting “Clark County, the City, or the
3 Apex Industrial Park Owners Association, individually
4 or jointly, as appropriate,”; and

5 (2) in subsection (e), by adding at the end the
6 following:

7 “(3) MINERAL MATERIALS SALE.—Notwithstanding
8 the requirements of part 3600 of title 43, Code of Federal
9 Regulations (as in effect on the date of enactment of the
10 Apex Project, Nevada Land Transfer and Authorization
11 Act Amendments Act), the Secretary may sell, at not less
12 than fair market value, without advertising or calling for
13 bids and without regard to volume or time limitations,
14 mineral materials resulting from grading, land balancing,
15 or other activities on the surface of a parcel of land within
16 the Apex Site for which the United States retains an interest
17 in the minerals.”.

18 (d) ENVIRONMENTAL CONSIDERATIONS.—Section 6
19 of the Apex Project, Nevada Land Transfer and Authorization
20 Act of 1989 (Public Law 101–67; 103 Stat. 173)
21 is amended by adding at the end the following:

22 “(d) COMPLIANCE WITH ENVIRONMENTAL ASSESS-
23 MENTS.—Each transfer by the United States of land or
24 interest in lands within the Apex Site or rights-of-way
25 issued pursuant to this Act shall be conditioned on the

1 compliance with applicable Federal land laws, including
2 the National Environmental Policy Act of 1969 (42 U.S.C.
3 4321 et seq.) and the Federal Land Policy and Manage-
4 ment Act of 1976 (43 U.S.C. 1701 et seq.).”.