

90 (2) each Western State shall select from the unappropriated public lands within the
91 borders of the state in a manner determined by the legislature of the state, land equal in acreage
92 to 5% of the federally owned land in the state;

93 (3) selection and transfer of land to Western States shall not be considered a major
94 federal action for the purposes of section 102(2)(C) of the National Environmental Policy Act
95 of 1969;

96 (4) (a) all mineral, oil, and gas rights to the land selected by the Western States shall
97 become the property of that Western State unless the federal lessee of the selected land is
98 making royalty payments to the United States from production of minerals, oil, or gas, in which
99 case that leasehold interest shall remain in the ownership of the United States until the
100 leasehold interest terminates; and

101 (b) after the leasehold interest described in Subsection (4)(a) terminates, the mineral,
102 oil, and gas rights shall become the property of the respective Western State; and

103 (5) all land selected by each of the Western States shall be held in trust by a state
104 educational agency empowered to sell or lease the land, the proceeds of which shall be used as
105 a permanent fund, the interest of which shall be expended only for the support of public
106 education.

106a **H→ (6) Utah fully and unconditionally reserves all sovereign and constitutional claims to**
106b **its public lands. ←H**

107 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Majority
108 leader of the United States Senate, the Speaker of the United States House of Representatives,
109 the President of the United States, and Utah's Congressional Delegation.

Legislative Review Note
as of 2-2-11 9:25 AM

Office of Legislative Research and General Counsel