

## Calendar No. 792

106TH CONGRESS }  
2d Session }

SENATE

{ REPORT  
{ 106-402

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### CONVEYANCE OF LAND IN POWELL, WYOMING

SEPTEMBER 7, 2000.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

### REPORT

[To accompany S. 2069]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2069) to permit the conveyance of certain land in Powell, Wyoming, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### PURPOSE OF THE MEASURE

The purpose of S. 2069 is to waive the public use restriction on an approximately 15,424 square foot parcel of land in Powell, Wyoming to provide for its sale by the city of Powell.

#### BACKGROUND AND NEED

In 1934 land was conveyed to the city of Powell, by the General Land Office (the predecessor to the Bureau of Land Management). The land was conveyed under the Reclamation Act in an effort to establish a town near the Shoshone Irrigation Project. The city has leased the parcel specified in S. 2069 to the local fire district since 1953. Modern fire fighting equipment currently in use by the district does not have safe egress from the fire hall building on the parcel due to the configuration of the property and traffic congestion. Long range planning by the district dictates that the fire hall be relocated to another, safer site.

When the parcel was originally conveyed in 1934, it was subject to reversion if not used for public purposes. S. 2069 will remove the restriction so that the parcel can be sold. The proceeds will assist in the financing of a new fire hall in a safer and more efficient location.

## LEGISLATIVE HISTORY

S. 2069 was introduced on February 10, 2000, by Senators Enzi and Thomas. The Subcommittee on Forests and Public Land Management held a hearing on S. 2069 on June 7, 2000. At the business meeting on July 13, 2000, the Committee on Energy and Natural Resources ordered S. 2069 reported favorably without amendment.

## COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on July 13, 2000, by a voice vote of a quorum present recommends that the Senate pass S. 2069.

## SECTION-BY-SECTION ANALYSIS

Section 1(a) contains congressional findings.

Subsection (b) waives the public purpose condition in the Act of April 16, 1906 on the parcel described in subsection (c) and requires the Secretary of the Interior to file the appropriate land record.

Subsection (c) describes the parcel of land.

## COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office (CBO) estimate of the costs of this measure follows:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, July 19, 2000.*

Hon. FRANK H. MURKOWSKI,  
*Chairman, Committee on Energy and Natural Resources,  
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 2069, a bill to permit the conveyance of certain land in Powell, Wyoming.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll.

Sincerely,

BARRY B. ANDERSON  
(For Dan L. Crippen, Director).

*S. 2069—A bill to permit the conveyance of certain land in Powell, Wyoming*

CBO estimates that enacting S. 2069 would have no significant impact on the federal budget. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

Since 1906, the town of Powell, Wyoming, has operated a volunteer fire department on about 1 acre of land that was transferred by the federal government to that town in 1934. As a condition of that transfer, current law requires the town to continue to use that land for a public purpose, or ownership of the land will revert back to the federal government. S. 2069 would amend current law to waive that requirement. Based on information from the Bureau of

Land Management and the town, CBO estimates that this change would not affect the federal budget.

S. 2069 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act would impose no costs on state, local, or tribal governments. The bill would benefit Powell, Wyoming, by enabling it to sell the land and use the proceeds to acquire other land more suitable for its volunteer fire department.

The CBO staff contact is Megan Carroll. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

#### REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2069.

The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 2069, as ordered reported.

#### EXECUTIVE COMMUNICATIONS

On July 13, 2000 the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth Executive agency recommendations on S. 2069. These reports had not been received at the time the report on S. 2069 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the Bureau of Land Management at the Subcommittee hearing follows:

#### STATEMENT OF PETE CULP, ASSISTANT DIRECTOR, MINERALS AND REALTY, BUREAU OF LAND MANAGEMENT

Mr. Chairman and members of the subcommittee, I appreciate the opportunity to appear before you today to testify on S. 2069 Powell, Wyoming Land Conveyance. S. 2069 would waive the reversionary clause to the 1906 Act for public land conveyed to the town of Powell, Wyoming.

The Administration supports this waiver of the reversionary clause for land in Powell, Wyoming. The town has been in control of this land since 1906 and the sale of this land would benefit the local community.

That concludes my testimony. I would be happy to respond to any questions.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by S. 2069, as ordered reported.

