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110TH CONGRESS
2d Session
HOUSE OF REPRESENTATIVES
REPORT
110–834

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3667) TO AMEND THE WILD AND SCENIC RIVERS ACT TO DESIGNATE A SEGMENT OF THE MISSISQUOI AND TROUT RIVERS IN THE STATE OF VERMONT FOR STUDY FOR POTENTIAL ADDITION TO THE NATIONAL WILD AND SCENIC RIVERS SYSTEM

SEPTEMBER 9, 2008.—Referred to the House Calendar and ordered to be printed

Mr. WELCH, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 1419]

The Committee on Rules, having had under consideration House Resolution 1419, by a non-record vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 3667, the "Missisquoi and Trout Rivers Wild and Scenic River Study Act of 2008", under a structured rule. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill pursuant to Part II of House Report 110–668 shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against that amendment in the nature of a substitute except for clause 10 of rule XXI. This waiver does not affect the point of order available under clause 9 of rule XXI (regarding earmark disclosure).

The rule makes in order only those amendments printed in this report. The amendments made in order may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. All

points of order against the amendments except for clauses 9 and 10 of rule XXI are waived. The rule provides one motion to recommit with or without instructions. The rule provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker. The rule tables House Resolution 1399.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the bill (except for clauses 9 and 10 of rule XXI) includes a waiver of clause 4(a) of rule XIII, requiring a three-day layover of the committee report. The waiver of all points of order (except clause 10 of rule XXI) against the amendment in the nature of a substitute includes a waiver of clause 7 of rule XVI regarding germaneness.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee Record Vote No. 584

Date: September 9, 2008.
Measure: H.R. 3667.
Motion by: Mr. Dreier.
Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Boehner (OH), #8, which would amend the bill by adding, as a new title at the end of the bill, the text of H.R. 6566, the American Energy Act.
Results: Defeated 3–8.
Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Dreier—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee Record Vote No. 585

Date: September 9, 2008.
Measure: H.R. 3667.
Motion by: Mr. Hastings (WA).
Summary of motion: To make in order an amendment by Rep. Bishop (UT), #6, which would amend the bill to require written permission of any landowner for his or her lands to be included in the study authorized by the bill.
Results: Defeated 3–8.
Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Dreier—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee Record Vote No. 586

Date: September 9, 2008.
Measure: H.R. 3667.
Motion by: Mr. Hastings (WA).
Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Young (AK), #4, which would amend the bill by adding, at the end of the bill, the text of H.R. 6107, the American Energy Independence and Price Reduction Act.
Results: Defeated 3–8.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Dreier—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee Record Vote No. 587

Date: September 9, 2008.
Measure: H.R. 3667.
Motion by: Mr. Sessions.
Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Young (AK), #3, which would amend the bill by adding, as a new title at the end of the bill, the text of H.R. 6108, the Deep Ocean Energy Resources Act of 2008.
Results: Defeated 3–8.
Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Dreier—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee Record Vote No. 588

Date: September 9, 2008.
Measure: H.R. 3667.
Motion by: Mr. Sessions.
Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Flake (AZ), #1, which would amend the bill to provide that it would only take effect once the Secretary of the Interior has cleared all backlogged maintenance within the National Park System.
Results: Defeated 3–8.
Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Dreier—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

SUMMARY OF AMENDMENTS MADE IN ORDER

(Summaries derived from information provided by sponsors.)
1. Rahall (WV): Would amend the bill by requiring that the proposed study analyze any potential impacts on the possession or use of a weapon, trap, or net, including a concealed weapon. (10 minutes)
2. Bishop, Rob (UT): Would amend the bill by adding to the proposed study an assessment of any impact a wild and scenic designation in the study area is likely to have on energy production, transmission or conveyance. (10 minutes)
3. Flake (AZ): Would amend the bill to provide that nothing in it may be construed as authorizing appropriations for a new designation within the National Wild and Scenic Rivers System. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RAHALL OF WEST VIRGINIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Before subparagraph (A) in the quoted material adding a new paragraph (19) to section 5(b) of the Wild and Scenic Rivers Act, insert the following and redesignate the subsequent provisions accordingly:

"(A) analyze any potential impacts on the possession or use of a weapon, trap, or net, including a concealed weapon, on the Missisquoi and Trout Rivers, Vermont, described in subsection (a)(____) or on lands adjacent to that area;".

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2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BISHOP OF UTAH, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

After the new paragraph (19)(A) added to section 5(b) of the Wild and Scenic Rivers Act, insert the following (and redesignate the subsequent subparagraphs accordingly):

"(B) include in the study completed under this paragraph an assessment of any effect a wild and scenic designation in the study area is likely to have on energy production, transmission, or conveyance;".

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3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FLAKE OF ARIZONA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

SEC. 4. FUNDING.

Nothing in this Act or the amendments made by this Act shall be construed as authorizing appropriations to designate or otherwise create a new component of the national wild and scenic rivers system.

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