

111TH CONGRESS
2D SESSION

S. 3781

To require the Secretary of the Interior to convey the McKinney Lake National Fish Hatchery to the State of North Carolina, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 14, 2010

Mrs. HAGAN (for herself and Mr. BURR) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To require the Secretary of the Interior to convey the McKinney Lake National Fish Hatchery to the State of North Carolina, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “McKinney Lake Na-
5 tional Fish Hatchery Conveyance Act”.

6 **SEC. 2. CONVEYANCE OF MCKINNEY LAKE NATIONAL FISH**
7 **HATCHERY.**

8 (a) DEFINITIONS.—In this section:

1 (1) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior.

3 (2) STATE.—The term “State” means the State
4 of North Carolina.

5 (b) CONVEYANCE.—Not later than 180 days after the
6 date of enactment of this Act, the Secretary shall convey
7 to the State, without reimbursement, all right, title, and
8 interest of the United States in and to the property de-
9 scribed in subsection (c), for use by the North Carolina
10 Wildlife Resources Commission as a component of the fish
11 culture program of the State.

12 (c) DESCRIPTION OF PROPERTY.—The property re-
13 ferred to in subsection (b) is comprised of the property
14 known as the “McKinney Lake National Fish Hatchery”,
15 which—

16 (1) is located at 220 McKinney Lake Road,
17 Hoffman (between Southern Pines and Rocking-
18 ham), in Richmond County, North Carolina;

19 (2) is a warmwater facility consisting of ap-
20 proximately 422 acres; and

21 (3) includes all improvements and related per-
22 sonal property under the jurisdiction of the Sec-
23 retary that are located on the property (including
24 buildings, structures, and equipment).

25 (d) USE BY STATE; REIMBURSEMENT.—

1 (1) USE.—The property conveyed to the State
 2 under this section shall be used by the State for pur-
 3 poses relating to fishery and wildlife resources man-
 4 agement.

5 (2) REVERSION.—

6 (A) IN GENERAL.—If the property con-
 7 veyed to the State under this section is used for
 8 any purpose other than the purpose described
 9 in paragraph (1), all right, title, and interest in
 10 and to the property shall revert to the United
 11 States.

12 (B) CONDITION OF PROPERTY.—If the
 13 property described in subparagraph (A) reverts
 14 to the United States under this paragraph, the
 15 State shall ensure that the property is in sub-
 16 stantially the same or better condition as the
 17 condition of the property as of the date of the
 18 conveyance of the property under this section.

19 (C) EXCEPTION.—This paragraph shall
 20 not apply with respect to use of the property
 21 under subsection (e).

22 (e) USE BY SECRETARY.—

23 (1) IN GENERAL.—The Secretary shall require,
 24 as a condition and term of the conveyance of prop-
 25 erty under this section, that the State shall, upon

1 the request of the Secretary, allow the United States
2 Fish and Wildlife Service to use the property in co-
3 operation with the Commission for propagation of
4 any critically important aquatic resources held in
5 public trust to address specific restoration or recov-
6 ery needs of such resource.

7 (2) REIMBURSEMENT.—The Secretary shall re-
8 imburse the Commission for any costs incurred by
9 the Commission for use of the property under this
10 subsection.

11 (3) FUNDING.—The authority of the Secretary
12 to use the property under this subsection is subject
13 to the availability of appropriations.

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