

Calendar No. 117

113TH CONGRESS
1ST SESSION**S. 447****[Report No. 113–63]**

To provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota.

IN THE SENATE OF THE UNITED STATES

MARCH 5, 2013

Mr. THUNE (for himself and Mr. JOHNSON of South Dakota) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

JUNE 27, 2013

Reported by Mr. WYDEN, without amendment

A BILL

To provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota.

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 “Black Hills Cemetery
5 Act”.

1 **SEC. 2. LAND CONVEYANCES, CERTAIN CEMETERIES LO-**
 2 **CATED IN BLACK HILLS NATIONAL FOREST,**
 3 **SOUTH DAKOTA.**

4 (a) CEMETERY CONVEYANCES REQUIRED.—The Sec-
 5 retary of Agriculture shall convey, without consideration,
 6 to the local communities in South Dakota that are cur-
 7 rently managing and maintaining certain community
 8 cemeteries (as specified in subsection (b)) all right, title,
 9 and interest of the United States in and to—

10 (1) the parcels of National Forest System land
 11 containing such cemeteries; and

12 (2) up to an additional two acres adjoining each
 13 cemetery in order to ensure the conveyances include
 14 unmarked gravesites and allow for expansion of the
 15 cemeteries.

16 (b) PROPERTY AND RECIPIENTS.—The properties to
 17 be conveyed under subsection (a), and the recipients of
 18 each property, are as follows:

19 (1) The Silver City Cemetery to the Silver City
 20 Volunteer Fire Department.

21 (2) The Hayward Cemetery to the Hayward
 22 Volunteer Fire Department.

23 (3) The encumbered land adjacent to the En-
 24 glewood Cemetery (encompassing the cemetery en-
 25 trance portal, access road, fences, 2,500 gallon res-
 26 ervoir and building housing such reservoir, and pip-

1 ing to provide sprinkling system to the cemetery) to
 2 the City of Lead.

3 (4) The land adjacent to the Mountain Meadow
 4 Cemetery to the Mountain Meadow Cemetery Asso-
 5 ciation.

6 (5) The Roubaix Cemetery to the Roubaix Cem-
 7 etery Association.

8 (6) The Nemo Cemetery to the Nemo Cemetery
 9 Association.

10 (7) The Galena Cemetery to the Galena Histor-
 11 ical Society.

12 (8) The Rockerville Cemetery to the Rockerville
 13 Community Club.

14 (9) The Cold Springs Cemetery (including adja-
 15 cent school yard and log building) to the Cold
 16 Springs Historical Society.

17 (c) CONDITION OF CONVEYANCE.—Each conveyance
 18 under subsection (a) shall be subject to the condition that
 19 the recipient accept the conveyed real property in its con-
 20 dition at the time of the conveyance.

21 (d) USE OF LAND CONVEYED.—The lands conveyed
 22 under subsection (a) shall continue to be used in the same
 23 manner and for the same purposes as they were imme-
 24 diately prior to their conveyance under this Act.

1 (e) DESCRIPTION OF PROPERTY.—The exact acreage
2 and legal description of each parcel of real property to be
3 conveyed under subsection (a) shall be determined by sur-
4 veys satisfactory to the Secretary. The cost of the survey
5 for a particular parcel shall be borne by the recipient of
6 such parcel.

7 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
8 retary may require such additional terms and conditions
9 in connection with the conveyances under subsection (a)
10 as the Secretary considers appropriate to protect the inter-
11 ests of the United States.

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