

LAND CONVEYANCE, ROLLA RANGER DISTRICT, MARK
TWAIN NATIONAL FOREST, MO

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JULY 31, 1995.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed
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Mr. ROBERTS, from the Committee on Agriculture,
submitted the following

REPORT

[To accompany H.R. 701]

[Including cost estimate of the Congressional Budget Office]

The Committee on Agriculture, to whom was referred the bill (H.R. 701) to authorize the Secretary of Agriculture to convey lands to the city of Rolla, Missouri, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. LAND CONVEYANCE, ROLLA RANGER DISTRICT ADMINISTRATIVE SITE, ROLLA, MISSOURI

(a) CONVEYANCE AUTHORIZED.—Subject to the terms and conditions specified in this section, the Secretary of Agriculture may sell to the city of Rolla, Missouri (in this section referred to as the “City”), all right, title, and interest of the United States in and to the following:

The property identified as the Rolla Ranger District Administrative Site of the Forest Service located in Rolla, Phelps County, Missouri, encompassing ten acres more or less, the conveyance of which by C.D. and Oma A. Hazlewood to the United States was recorded on May 6, 1936, in book 104, page 286 of the Record of Deeds of Phelps County, Missouri.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the City shall pay to the Secretary an amount equal to the fair market value of the property as determined by an appraisal acceptable to the Secretary and prepared in accordance with the Uniform Appraisal Standards for Federal Land Acquisition as published by the Department of Justice. Payment shall be due in full within six months after the date the conveyance is made or, at the option of the City, in twenty equal annual installments commencing on January 1 of the first year following the conveyance and annually thereafter until the total amount due has been paid.

(c) DEPOSIT OF FUNDS RECEIVED.—Funds received by the Secretary under subsection (b) as consideration for the conveyance shall be deposited into the special

fund in the Treasury authorized by the Act of December 4, 1967 (16 U.S.C. 484a, commonly known as the Sick Act). Such funds shall be available, subject to appropriation, until expended by the Secretary.

(d) RELEASE.—Subject to compliance with all Federal environmental laws prior to transfer, the City, upon conveyance of the property under subsection (a), shall agree in writing to hold the United States harmless from any and all claims relating to the property, including all claims resulting from hazardous materials on the conveyed lands.

(e) RIGHT OF REENTRY.—The conveyance to the City under subsection (a) shall be made by quitclaim deed in fee simple, subject to a right of reentry in the United States if the Secretary determines that the City is not in compliance with the compensation requirements specified in subsection (b) or other condition prescribed by the Secretary in the deed of conveyance.

(f) CONSERVATION OF HISTORIC RESOURCES.—In consultation with the State Historic Preservation Office of the State of Missouri, the Secretary shall ensure that the historic resources on the property to be conveyed are conserved by requiring, at the closing on the conveyance of the property, that the City convey an historic preservation easement to the State of Missouri assuring the right of the State to enter the property for historic preservation purposes. The historic preservation easement shall be negotiated between the State of Missouri and the City, and the conveyance of the easement shall be a condition to the conveyance authorized under subsection (a). The protection of the historic resources on the conveyed property shall be the responsibility of the State of Missouri and the City, and not that of the Secretary.

BRIEF EXPLANATION

H.R. 701 authorizes the Secretary of Agriculture to convey land within the Mark Twain National Forest to the City of Rolla, Missouri. The transfer will be based upon the City of Rolla paying the Secretary consideration equal to the fair market value as determined by an appraisal acceptable to the Secretary. Payment can be made in full within 6 months of the conveyance or in twenty equal installments made annually until paid in full.

H.R. 701 further provides that the Secretary, in consultation with the State Historic Preservation Office, ensure that the historic resources on the property are conserved by requiring the City to convey an historic preservation easement to the State assuring the right of the State to enter the property for historic preservation purposes. The protection of historic resources is the responsibility of the City and the State.

It is the intention of the City that the historic resources in question, a former district ranger office, be used as a regional tourist center for the Mark Twain National Forest.

PURPOSE AND NEED

H.R. 701 would convey land to the City of Rolla for a tourist center. Since the facility would have no further commercial viability without the direct involvement of the City it is the belief of the Committee that two important goals would be achieved by this transaction, economic development for the City and historic preservation.

SECTION-BY-SECTION ANALYSIS

Section 1(a) Authorizes the Secretary of Agriculture to convey to the City of Rolla, Missouri 10 acres identified as the Rolla Ranger District Administrative Site of the Forest Service.

Section 1(b) Provides that the City pay the Secretary consideration equal to the fair market value as determined by an ap-

praisal acceptable to the Secretary and prepared in accordance with the Uniform Appraisal Standards for Federal Land Acquisition. At the option of the City, payment is due in full within six months of the conveyance, or in twenty equal installments made annually until paid in full.

Section 1(c) Provides that the consideration received be deposited in a special fund in the Treasury authorized by the Act of December 4, 1967, commonly known as the Sisk Act. Funds are available, subject to appropriation, until expended by the Secretary.

Section 1(d) Provides that the City agree to hold the United States harmless from claims relating to the property, including those resulting from hazardous materials, subject to Federal environmental laws.

Section 1(e) Provides that the conveyance be made by quitclaim deed in fee simple. The conveyance is subject to reversion to the United States and right of reentry upon conditions prescribed in the deed or in the event the City fails to comply with consideration requirements.

Section 1(f) Provides that the Secretary, in consultation with the State Historic Preservation Office, ensure that the historic resources on the property are conserved by requiring the City to convey a historic preservation easement to the State thus assuring the right of the State to enter the property for historic preservation purposes. The easement is to be negotiated between the City and the State. Conveyance of the property is conditioned upon such an easement in favor of the State. The protection of historic resources is the responsibility of the City and State, not the Secretary.

COMMITTEE CONSIDERATION

I. Hearings

The Subcommittee on Resource Conservation, Research, and Forestry held a hearing on H.R. 701 on July 13, 1995, to hear the bill's sponsor, the Honorable Bill Emerson, discuss the legislation. A representative from the U.S. Forest Service also testified on the bill.

II. Full committee consideration

Pursuant to notice, the Committee on Agriculture met July 20, 1995, and Chairman Roberts called the business meeting to order to consider H.R. 701, A bill authorizing the Secretary of Agriculture to convey lands to the City of Rolla, Missouri. The Subcommittee on Resource Conservation, Research and Forestry was discharged from further consideration of the bill. Mr. Allard, Chairman of the Subcommittee, was recognized to explain the bill, and yielded to Mr. Emerson for a statement in support of the bill.

Mr. Emerson then requested unanimous consent to offer a substitute bill to be considered as original text. The bill was adopted by voice vote and ordered to be reported to the House with the recommendation that the bill, as adopted, do pass.

REPORTING THE BILL—ROLLCALL VOTES

In compliance with clause 2(l)(2) of rule XI of the House of Representatives, H.R. 701 was reported, as amended, with a quorum

actually present. There was no motion or request for a recorded vote.

ADMINISTRATION POSITION

Janice McDougle, Associate Deputy Chief of the Forest Service, testified before the Subcommittee on Resource Conservation, Research, and Forestry on July 13, 1995. Ms. McDougle reported that, "The Administration supports the concept of H.R. 701."

BUDGET ACT COMPLIANCE (SECTION 308 AND SECTION 403)

The provisions of clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 (relating to estimates of new budget authority, new spending authority, or new credit authority, or increased or decreased revenues or tax expenditures) are not considered applicable. The estimate and comparison required to be prepared by the Director of the Congressional Budget Office under clause 2(l)(C)(3) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974 submitted to the Committee prior to the filing of this report are as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 28, 1995.

Hon. PAT ROBERTS,
*Chairman, Committee on Agriculture,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 701, a bill to authorize the Secretary of Agriculture to convey lands to the city of Rolla, Missouri, as ordered reported by the House Committee on Agriculture on July 18, 1995. CBO estimates that enacting this bill would have no significant effect on the federal budget or on the budgets of state and local governments. Enacting the bill would not affect direct spending or receipts for pay-as-you-go purposes; therefore, pay-as-you-go procedures would not apply.

H.R. 701 would authorize the Secretary of Agriculture to sell to the city of Rolla, Missouri, the ten-acre property identified as the Rolla Ranger District Administrative Site of the Forest Service. In the event of a sale, the bill would require that the city pay the Secretary the fair market value of the property. The bill would allow the city to make such payment either in one lump sum within six months of the conveyance or in twenty equal annual installments beginning on January 1 of the first year following the sale. Funds received for the sale of the property would be paid into the Treasury and be available for future spending subject to appropriation.

As of June 30, 1993, the appraised value of the property was \$260,000, which reflects limitations on development because the property is eligible for the National Register of Historic Places. H.R. 701 provides that, as a condition of the sale, the city of Rolla, Missouri, convey an historic preservation easement to the state of Missouri. The easement would be negotiated between the state and the city.

Assuming that the city chooses to purchase the site and to make the payments over 20 years, we estimate that the federal government would receive about \$13,000 a year from the city. This amount would be considered the proceeds of an asset sale. Under the 1996 budget resolution, such proceeds are counted in the budget totals for purposes of Congressional scoring. Under the Balanced Budget Act, however, proceeds from asset sales are not counted in determining compliance with the discretionary limits or pay-as-you-go requirements.

The property involves no significant operating costs now. Therefore, we expect that sale of the property would not affect discretionary spending by the Forest Service.

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

Sincerely,

JAMES L. BLUM
(For June E. O'Neill, Director).

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that enactment of H.R. 701, as amended, will have no inflationary impact on the national economy.

OVERSIGHT STATEMENT

No summary of oversight findings and recommendations made by the Committee on Government Reform and Oversight under clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives was available to the Committee with reference to the subject matter specifically addressed by H.R. 701, as amended.

No specific oversight activities other than the hearings detailed in this report were conducted by the Committee within the definition of clause 2(b)(1) of rule X of the Rules of the House of Representatives.