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SENATE

{ REPORT
{ 109-260

ED FOUNTAIN PARK EXPANSION ACT

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JUNE 6, 2006.—Ordered to be printed
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Mr. INHOFE, from the Committee on Environment and Public Works, submitted the following

REPORT

[to accompany S. 2041]

[Including cost estimate of the Congressional Budget Office]

The Committee on Environment and Public Works, to which was referred a bill (S. 2041) to provide for the conveyance of a United States Fish and Wildlife Service administrative site to the city of Las Vegas, Nevada, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

GENERAL STATEMENT AND BACKGROUND

Ed Fountain Park is one of the best known and widely used parks in the city of Las Vegas. Located in a mature part of the City, adjacent to the City's oldest golf course, Ed Fountain Park has provided recreational opportunities to local residents for generations. For many years it has been home to Pop Warner football practices, youth soccer games, and family picnics and reunions. On any given day or night, a multitude of activities are taking place at the park, many of which are associated with the numerous non-profit organizations that utilize the park's resources.

The city of Las Vegas wants to expand Ed Fountain Park by acquiring land adjacent to the park that formerly served as the site of the local administrative offices for the Bureau of Land Management (BLM) and U.S. Fish and Wildlife Service (Service). The property was vacated by both Federal land management agencies sev-

eral years ago after they relocated to a larger, multi-jurisdictional facility in the northwest part of the Las Vegas valley.

The property to be acquired by the City is technically classified as part of the Desert National Wildlife Refuge Complex and is currently under the jurisdiction of the Service. The parcel of land to be acquired is many miles away from the actual wildlife refuge and sits as a vacant urban lot. The former administrative offices that were housed on the land were placed there many decades ago when this area was considered to be on the outskirts of town. Now, after years of unprecedented growth, this land is surrounded by well-established neighborhoods. The site also contains a single empty historical structure that would be part of the conveyance.

If the property were under the jurisdiction of the BLM, which is usually the case in the Las Vegas Valley, the property could have been transferred administratively under the authority of the Recreation and Public Purposes Act. Because it is the property of the Service and they do not have this administrative authority, legislation is needed to transfer ownership of the property from the Service to the City.

OBJECTIVES OF THE LEGISLATION

S. 2041 transfers approximately eight acres of Federal land to the city of Las Vegas to allow for the expansion of the Ed Fountain Park. The City will have the flexibility to use the parcel to build new athletic fields, to develop a community center, or any combination of these uses that are in the public interest.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title.

This section provides that this Act may be cited as the “Ed Fountain Park Expansion Act”.

Sec. 2. Definitions.

This section provides definitions relevant to the act.

Sec. 3. Conveyance of United States Fish and Wildlife Service Administrative Site, Las Vegas, Nevada.

This section provides for the conveyance of the administrative site currently held by the U.S. Fish and Wildlife Service to the city of Las Vegas, Nevada, for use as a park or other recreation or non-profit-related purpose.

LEGISLATIVE HISTORY

On November 17, 2005, Senator Reid introduced S. 2041, which was cosponsored by Senator Ensign. The bill was received, read twice and referred to the Senate Committee on Environment and Public Works. The committee met on May 23, 2006 to consider the bill. S. 2041 was ordered favorably reported without amendment by voice vote.

HEARINGS

No committee hearings were held on S. 2041.

ROLLCALL VOTES

The Committee on Environment and Public Works met to consider S. 2041 on May 23, 2006. The bill was ordered favorably reported by voice vote. No roll call votes were taken.

REGULATORY IMPACT STATEMENT

In compliance with section 11(b) of rule XXVI of the Standing Rules of the Senate, the committee finds that S. 2041 does not create any additional regulatory burdens, nor will it cause any adverse impact on the personal privacy of individuals.

MANDATES ASSESSMENT

In compliance with the Unfunded Mandates Reform Act of 1995 (Public Law 104-4), the committee finds that S. 2041 would not impose Federal intergovernmental unfunded mandates on State, local, or tribal governments.

COST OF LEGISLATION

Section 403 of the Congressional Budget and Impoundment Control Act requires that a statement of the cost of the reported bill, prepared by the Congressional Budget Office, be included in the report. That statement follows:

S. 2041, Ed Fountain Park Expansion Act, As ordered reported by the Senate Committee on Environment and Public Works on May 23, 2006

S. 2041 would direct the Secretary of the Interior to convey to Las Vegas, Nevada, for no consideration, an eight-acre administrative site currently held by the U.S. Fish and Wildlife Service (USFWS). The city would be responsible for paying all administrative costs of the transfer, such as survey expenses. Based on information provided by the USFWS, CBO estimates that completing the conveyance would have no significant effect on the Federal budget. Enacting the bill would not affect direct spending or revenues.

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on State, local, or tribal governments. This conveyance would be voluntary on the part of the city of Las Vegas, as would any costs it would incur to comply with the conditions included in the bill.

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

CHANGES IN EXISTING LAW

Section 12 of rule XXVI of the Standing Rules of the Senate requires the committee to publish changes in existing law made by the bill as reported. Passage of this bill will make no changes to existing law.

