

Calendar No. 448108TH CONGRESS
2^D SESSION**S. 1848****[Report No. 108-238]**

To amend the Bend Pine Nursery Land Conveyance Act to direct the Secretary of Agriculture to sell the Bend Pine Nursery Administrative Site in the State of Oregon.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 11, 2003

Mr. WYDEN (for himself and Mr. SMITH) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

MARCH 9, 2004

Reported by Mr. DOMENICI, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To amend the Bend Pine Nursery Land Conveyance Act to direct the Secretary of Agriculture to sell the Bend Pine Nursery Administrative Site in the State of Oregon.

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

1 **SECTION 1. SALE OF BEND PINE NURSERY ADMINISTRA-**
 2 **TIVE SITE.**

3 The Bend Pine Nursery Land Conveyance Act (114
 4 Stat. 2512) is amended—

5 (1) in section 3—

6 (A) in subsection (a)—

7 (i) by striking paragraph (1);

8 (ii) by redesignating paragraphs (2)
 9 through (7) as subparagraphs (A) through
 10 (F), respectively, and adjusting the mar-
 11 gins appropriately; and

12 (iii) by striking “(a) IN GENERAL.—
 13 The Secretary may” and inserting the fol-
 14 lowing:

15 “(a) IN GENERAL.—The Secretary—

16 “(1) shall offer to sell to the Bend Metro Park
 17 and Recreation District in Deschutes County, Or-
 18 egon, for consideration in the amount of \$3,505,676,
 19 all right, title, and interest of the United States in
 20 and to approximately 170 acres of the parcel of land
 21 identified as Tract A, Bend Pine Nursery, as de-
 22 picted on the site plan map entitled ‘Bend Pine
 23 Nursery Administrative Site, May 13, 1999’; and

24 “(2) may”;

25 (B) by striking subsection (e)(3); and

1 (C) by inserting after subsection (f) the
2 following:

3 “(g) **BEND PINE NURSERY ADMINISTRATIVE**
4 **SITE.**—The land conveyed to the Bend Metro Park and
5 Recreation District under section 3(a)(1)—

6 “(1) shall be used only for recreation purposes;
7 and

8 “(2) may be developed for those purposes.”.

9 (2) by redesignating section 6 as section 7; and

10 (3) by inserting after section 5 the following:

11 **“SEC. 6. CONVEYANCE TO BEND-LA PINE SCHOOL DIS-**
12 **TRICT.**

13 “The Secretary, in accordance with section 202 of the
14 Education Land Grant Act (16 U.S.C. 479a), shall convey
15 to Administrative School District No. 1, Deschutes Coun-
16 ty, Oregon, for no consideration, 15 acres of land located
17 in the northwest corner of the tract described in section
18 3(a)(1), to be used for educational purposes.”.

19 **SECTION 1. MODIFICATION OF BEND PINE NURSERY LAND**
20 **CONVEYANCE.**

21 (a) *DESIGNATION OF RECIPIENTS AND CONSIDER-*
22 *ATION.*—Section 3 of the Bend Pine Nursery Land Convey-
23 *ance Act (Public Law 106–526; 114 Stat. 2512) is amend-*
24 *ed—*

1 (1) *in subsection (a), by striking paragraph (1)*
 2 *and redesignating paragraphs (2) through (7) as*
 3 *paragraphs (1) through (6), respectively;*

4 (2) *in subsection (e)—*

5 (A) *by striking “this section” both places it*
 6 *appears and inserting “subsection (a)”;*

7 (B) *in paragraph (1), by striking “Subject*
 8 *to paragraph (3), the” and inserting “The”; and*

9 (C) *by striking paragraph (3); and*

10 (3) *by adding at the end the following:*

11 “(g) *BEND PINE NURSERY CONVEYANCE.—*

12 “(1) *CONVEYANCE TO PARK AND RECREATION*
 13 *DISTRICT.—Upon receipt of consideration in the*
 14 *amount of \$3,503,676 from the Bend Metro Park and*
 15 *Recreation District in Deschutes County, Oregon, the*
 16 *Secretary shall convey to the Bend Metro Park and*
 17 *Recreation District all right, title, and interest of the*
 18 *United States in and to a parcel of real property con-*
 19 *sisting of approximately 185 acres and containing the*
 20 *Bend Pine Nursery, as depicted on the site plan map*
 21 *entitled ‘Bend Pine Nursery Administrative Site,*
 22 *May 13, 1999’. Subject to paragraph (2), the real*
 23 *property conveyed to the Bend Metro Park and Recre-*
 24 *ation District shall be used only for public recreation*
 25 *purposes and may be developed for those purposes. If*

1 *the Secretary determines that the real property subject*
2 *to this condition is converted, in whole or in part, to*
3 *a use other than public recreation, the Secretary shall*
4 *require the Bend Metro Park and Recreation District*
5 *to pay to the United States an amount equal to the*
6 *fair market value of the property at the time of con-*
7 *version, less the consideration paid under this para-*
8 *graph.*

9 “(2) *RECONVEYANCE OF PORTION TO SCHOOL*
10 *DISTRICT.—As soon as practicable after the receipt by*
11 *the Bend Metro Park and Recreation District of the*
12 *real property described in paragraph (1), the Bend*
13 *Metro Park and Recreation District shall convey to*
14 *the Administrative School District No. 1, Deschutes*
15 *County, Oregon, without consideration, a parcel of*
16 *real property located in the northwest corner of the*
17 *real property described in paragraph (1) and con-*
18 *sisting of approximately 15 acres. The deed of convey-*
19 *ance shall contain a covenant requiring that the real*
20 *property conveyed to the School District be used only*
21 *for public education purposes.”.*

22 “(b) *CONFORMING AMENDMENT.—Section 4(a) of such*
23 *Act is amended by striking “section 3(a)” and inserting*
24 *“section 3”.*

Calendar No. 448

108TH CONGRESS
2D SESSION

S. 1848

[Report No. 108-238]

A BILL

To amend the Bend Pine Nursery Land Conveyance Act to direct the Secretary of Agriculture to sell the Bend Pine Nursery Administrative Site in the State of Oregon.

MARCH 9, 2004

Reported with an amendment