

WARNER CANYON SKI HILL LAND EXCHANGE ACT OF 1997

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JULY 21, 1997.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed  
—————

Mr. YOUNG of Alaska, from the Committee on Resources,  
submitted the following

REPORT

[To accompany H.R. 1944]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H. R. 1944) to provide for a land exchange involving the Warner Canyon Ski Area and other land in the State of Oregon, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 1944 is to provide for a land exchange involving the Warner Canyon Ski Area and other land in the State of Oregon.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 1944 deeds approximately 290 acres of Forest Service land, comprising the Warner Canyon Ski Hill, to Lake County, Oregon. In exchange, Lake County will deed approximately 320 acres of land that is currently owned by Lake County within the Hart Mountain National Antelope Refuge to the U.S. Fish and Wildlife Service. The specific acreage offered by Lake County will depend on an appraisal of all the lands to determine what amounts to an equal value trade.

The Warner Canyon Ski Hill has been operated by the nonprofit Fremont Highlanders Ski Club since 1938. It is one of America's last nonprofit ski hills and has 780 feet vertical drop for skiing and one lift (a T-bar). The ski area is about five miles from the town of Lakeview, which has a population of roughly 2,500 citizens. After the exchange is completed, Lake County will own the land

and the Fremont Highlanders Ski Club will lease the land from Lake County at a nominal yearly fee and run the community ski area.

The Warner Canyon Ski Hill anticipates many benefits by the trade including the reduction in the cost of liability insurance as well as better management of the ski area. The Forest Service will benefit by reducing the cost of managing this recreational property. The Supervisor of the Fremont National Forest has determined that it costs \$10,000 per year to administer the ski area permit, while the ski area itself generates no more than \$400 in ski fee revenues to the U.S. Treasury.

#### COMMITTEE ACTION

H.R. 1944 was introduced on June 17, 1997, by Congressman Bob Smith (R-OR). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Forest Health. On July 10, 1997, the Subcommittee held a hearing on H.R. 1944, where the Administration testified in support. On July 16, 1997, the Resources Committee met to mark up H.R. 1944 and discharged the Subcommittee from further consideration of the bill. No amendments were offered and the bill was then ordered favorably reported to the House of Representatives by voice vote, in the presence of a quorum.

#### COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(1)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 and article IV, section 3 of the Constitution of the United States grant Congress the authority to enact H.R. 1944.

#### COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 1944. However, clause 7(d) of that Rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

#### COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 1944 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in tax expenditures. Enactment of H.R. 1944 could decrease revenues to the United States by eliminating

the minimal ski area permit fees paid by the Warner Canyon Ski Area, but the net impact on the federal budget would be negligible.

2. With respect to the requirement of clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 1944.

3. With respect to the requirement of clause 2(1)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 1944 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, July 17, 1997.*

Hon. DON YOUNG,  
*Chairman, Committee on Resources,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1944, the Warner Canyon Ski Hill Land Exchange Act of 1997.

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

Sincerely,

JUNE E. O'NEILL, *Director.*

Enclosure.

*H.R. 1944—Warner Canyon Ski Hill Land Exchange Act of 1997*

CBO estimates that enacting this bill would have no significant impact on the federal budget. Because H.R. 1944 would affect direct spending, pay-as-you-go procedures would apply; however, CBO estimates that such effects would total less than \$1,000 per year. H.R. 1944 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 and would have no significant impact on the budgets of state, local, or tribal governments.

H.R. 1944 would direct the Secretary of Agriculture to convey about 295 acres of federal land within the Warner Canyon Ski Area of Fremont National Forest to Lake County, Oregon, if that county conveys about 320 acres of nonfederal land within the Hart Mountain National Wildlife Refuge to the Secretary of the Interior. The conveyance would be subject to valid existing rights and under terms acceptable to the Secretaries of Agriculture and the Interior. Under current law, the Warner Canyon Ski Area pays several hundred dollars per year in ski fees to the federal government, of which a portion is paid to the state of Oregon. Because enacting the bill would eliminate these offsetting receipts and associated state payments, pay-as-you-go procedures would apply, but the net impact on direct spending would be negligible. Enacting H.R. 1944 would reduce the amount of land administered by the U.S. Forest Service and increase the amount of land administered by the U.S.

Fish and Wildlife Service, all within Lake County. We estimate these changes would have no significant net impact on discretionary spending by the federal government.

The CBO contact for this estimate is Victoria V. Heid. This estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 1944 contains no unfunded mandates.

CHANGES IN EXISTING LAW

If enacted, H.R. 1944 would make no changes in existing law.

