

## BOX ELDER UTAH LAND CONVEYANCE ACT

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JULY 29, 2008.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed  
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Mr. RAHALL, from the Committee on Natural Resources,  
submitted the following

### R E P O R T

[To accompany H.R. 3849]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 3849) to provide for the conveyance of parcels of land to Mantua, Box Elder County, Utah, 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 all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Box Elder Utah Land Conveyance Act”.

#### SEC. 2. CONVEYANCE OF CERTAIN LANDS TO MANTUA, BOX ELDER, UTAH.

(a) CONVEYANCE REQUIRED.—The Secretary of Agriculture shall convey, without consideration, to the town of Mantua, Utah (in this section referred to as the “town”), all right, title, and interest of the United States in and to parcels of National Forest System land in the Wasatch-Cache National Forest in Box Elder County, Utah, consisting of approximately 31.5 acres within section 27, township 9 north, range 1 west, Salt Lake meridian and labeled as parcels A, B, and C on the map entitled “Box Elder Utah Land Conveyance Act” and dated July 14, 2008.

(b) SURVEY.—If necessary, the exact acreage and legal description of the lands to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the town.

(c) USE OF LAND.—As a condition of the conveyance under subsection (a), the town shall use the land conveyed under such subsection for public purposes.

(d) REVERSIONARY INTEREST.—In the quitclaim deed to the town prepared as part of the conveyance under subsection (a), the Secretary shall provide that the land conveyed to the town under such subsection shall revert to the Secretary, at the election of the Secretary, if the land is used for other than public purposes.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance authorized under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

## PURPOSE OF THE BILL

The purpose of H.R. 3849 is to provide for the conveyance of parcels of land to Mantua, Box Elder County, Utah.

## BACKGROUND AND NEED FOR LEGISLATION

H.R. 3849 requires the Secretary of Agriculture to convey without consideration approximately 31.5 acres of National Forest System land in the Wasatch-Cache National Forest in Utah to the town of Mantua, Utah.

The conveyed land will be used by the town to develop a new city cemetery, a new town hall and fire station, an elementary school, court and law enforcement facilities, and a memorial park.

## COMMITTEE ACTION

H.R. 3849 was introduced on October 16, 2007 by Rep. Rob Bishop (R-UT). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests and Public Lands. On July 10, 2008, the Subcommittee held a hearing on the bill during which the Forest Service testified in opposition to the bill because it does not require compensation.

The Subcommittee was discharged from further consideration of H.R. 3849 on July 16, 2008 and the Full Committee on Natural Resources met to mark up the bill. Subcommittee Ranking Member Bishop offered an amendment in the nature of a substitute requiring that as a condition of the conveyance without consideration, the city shall use the land for public purposes only and the land shall revert to the Secretary if used for another purpose. It was adopted by unanimous consent. The bill, as amended, was then ordered favorably reported to the House of Representatives by unanimous consent.

## SECTION-BY-SECTION ANALYSIS

*Section 1. Short title*

Section 1 provides that the Act may be cited as the "Box Elder Utah Land Conveyance Act".

*Section 2. Conveyance of certain lands to Mantua, Box Elder, Utah*

Section 2(a) requires the Secretary of Agriculture to convey to the town of Mantua, Utah, 31.5 acres of National Forest System lands in the Wasatch-Cache National Forest without consideration.

Section 2(b) of the bill states that if necessary, the exact acreage and legal description of the lands shall be determined by a survey satisfactory to the Secretary, and paid for by the town of Mantua.

Section 2(c) requires that as a condition of the land conveyance, the town shall use the land conveyed for public purposes.

Section 2(d) requires that in the quitclaim deed to the town prepared as part of the conveyance, the Secretary shall provide that the land conveyed shall revert to the Secretary, at the election of the Secretary, if the land is used for other than public purposes.

Section 2(e) states that the Secretary may require such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

## COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

## CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

## COMPLIANCE WITH HOUSE RULE XIII

1. *Cost of Legislation.* Clause 3(d)(2) 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 this bill. However, clause 3(d)(3)(B) 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 402 of the Congressional Budget Act of 1974.

2. *Congressional Budget Act.* As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to provide for the conveyance of parcels of land to Mantua, Box Elder County, Utah.

4. *Congressional Budget Office Cost Estimate.* Under clause 3(c)(3) of rule XIII 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 this bill from the Director of the Congressional Budget Office:

*H.R. 3849—Box Elder Utah Land Conveyance Act*

H.R. 3849 would direct the Secretary of Agriculture to convey, without consideration, about 32 acres of land within the Wasatch-Cache National Forest to Mantua, Utah. The conveyed land could be used by the town for public purposes only and would revert to the federal government if used for other purposes.

Based on information from the Forest Service, CBO estimates that implementing H.R. 3849 would have no significant effect on discretionary spending and no effect on direct spending or revenues.

H.R. 3849 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.

The CBO staff contact for this estimate is Tyler Kruzich. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

## COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

EARMARK STATEMENT

H.R. 3849 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e) or 9(f) of rule XXI.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.