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Calendar No. 176

104TH CONGRESS, *1st Session* | SENATE | REPORT 104–132

CONVEYANCE OF THE NEW LONDON NATIONAL FISH HATCHERY TO THE STATE OF MINNESOTA

AUGUST 7 (legislative day, JULY 10), 1995.—Ordered to be printed

Mr. CHAFEE, from the Committee on Environment and Public Works, submitted the following

REPORT

[To accompany H.R. 614]

The Committee on Environment and Public Works, to which was referred the bill (H.R. 614) to direct the Secretary of the Interior to convey the New London National Fish Hatchery to the State of Minnesota, having considered the same, reports favorably thereon and recommends that the bill do pass.

GENERAL STATEMENT

The purpose of this legislation is to direct the Secretary of the Interior to convey the New London National Fish Hatchery to the State of Minnesota.

BACKGROUND

H.R. 614 directs the Secretary of the Interior to convey to the State of Minnesota, without reimbursement and by 180 days after enactment, all right, title, and interest of the United States in the Federal fish hatchery in New London, Minnesota.

The New London Hatchery was operated by the Fish and Wildlife Service (FWS) to produce fish, principally walleye and muskie, for landowners and State stocking programs until 1983, when it was closed due to Federal budget constraints.

The Minnesota Department of Natural Resources, under an Memorandum of Agreement with the FWS, subsequently assumed responsibility for operating the hatchery to continue providing services to State programs.

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Currently, no Federal funds are used to operate or maintain the hatchery. The hatchery is State-financed and operated for the production of fish in support of State fishery management goals. The State agency is interested in making long-term capital improvements to the hatchery, but is hesitant to do so without title to the property. Transfer of this facility will assist the State in better managing its fishery resources.

Ownership would revert back to the United States should the State decide in the future that it is no longer interested in operating the facility as part of its fishery resources management program. Both the Department of the Interior and the Minnesota Department of Natural Resources support conveyance of the New London facility.

SECTION-BY-SECTION ANALYSIS

Section 1(a) provides that within 180 days of enactment of this Act, the Secretary of the Interior shall convey to the State of Minnesota, without reimbursement, all right, title, and interest of the United States in and to the property known as the New London National Fish Hatchery. The conveyance shall include the hatchery, all easements and water rights relating to the property, and all land, improvements, and related personal property.

Section 1(b) requires that all property and interest conveyed will be used by the Minnesota Department of Natural Resources for the Minnesota fishery resources management program.

Section 1(c) mandates that all property and interest conveyed shall revert to the United States if the State of Minnesota uses the property for any purpose other than for fisheries resources management. The State must ensure that the property reverting to the United States is in substantially the same or better condition as at the time of transfer.

HEARINGS

The Committee held no hearings on H.R. 614. The views of the Department of the Interior on H.R. 614 follow:

OFFICE OF THE SECRETARY,
U.S. DEPARTMENT OF THE INTERIOR,
Washington, DC, August 3, 1995.

Hon. JOHN H. CHAFEE,
Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, DC.

DEAR SENATOR CHAFEE: This responds to your request for the views of this Department with respect to three bills to transfer certain Federal fish hatcheries to the States of Arkansas, Iowa, and Minnesota. The bills are H.R. 535, to convey the Corning National Fish Hatchery to the State of Arkansas; H.R. 584, to convey the Fairport National Fish Hatchery to the State of Iowa; and H.R. 614, to convey the New London National Fish Hatchery to the State of Minnesota.

We recommend that the bills be enacted.

The U.S. Fish and Wildlife Service (Service) generally supports the transfer of Service fishery facilities to the States when those

facilities no longer support Federal fishery programs. That is the case here.

These three hatcheries are currently being operated by the States of Arkansas, Iowa, and Minnesota, respectively, under long-term Memoranda of Understanding, for the production of fish that support State fishery management programs.

The Service and the States mutually agree that all parties will benefit from the conveyance of ownership of these facilities. This will allow that States increased flexibility to address the future needs of their fishery programs and to make capital improvements to the production components of the facilities.

These bills will result in a cooperative effort and will assist the States in better managing their fishery resources. We therefore urge their enactment. We note that the reversionary clause in H.R. 584 lacks the language in the other two bills to ensure that any property which reverts to the United States is in the same or better condition as when it was conveyed. We recommend the bills be made consistent in this respect, and that all bills contain the same assurance.

The Office of Management and Budget has advised that it has no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

GEORGE T. FRAMPTON,
Assistant Secretary for Fish and Wildlife and Parks.

ROLLCALL VOTES

Section 7(b) of rule XXVI of the Standing Rules of the Senate and the rules of the Committee on Environment and Public Works require that any rollcall votes taken during consideration of legislation be noted in the report.

No rollcall votes were taken. The bill was ordered reported by voice vote.

REGULATORY IMPACT

In compliance with section 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact of the bill.

The bill does not create any additional regulatory burdens.

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:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 3, 1995.

Hon. JOHN H. CHAFEE,
Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 614, an act to direct the Secretary of the Interior to convey to the State of Minnesota the New London National Fish Hatchery production facility, as ordered reported by the Senate Committee on Environment and Public Works on August 2, 1995.

H.R. 614 would direct the Secretary of the Interior to convey the New London National Fish Hatchery, without reimbursement, to the State of Minnesota. Because the State is already responsible for operating the New London facility, we expect that implementing this act would have no impact on the Federal budget or on the budgets of State or local governments. Moreover, the act would have no effect on direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

On February 10, 1995, CBO prepared a cost estimate for H.R. 614, as ordered reported by the House Committee on Resources on February 8, 1995. The two estimates are identical.

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

Sincerely,

JUNE E. O'NEILL, *Director.*

CHANGES IN EXISTING LAW

Section 12 of rule XXVI of the Standing Rules of the Senate requires publication of any changes in existing law made by the reported bill. This bill does not change existing law.

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