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SENATE

REPORT
109-2

MORMON PIONEER NATIONAL HERITAGE AREA ACT

FEBRUARY 16, 2005.—Ordered to be printed

Mr. DOMENICI, from the Committee on Energy and Natural Resources, submitted the following

R E P O R T

[To accompany S. 163]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 163) to establish the Mormon Pioneer National Heritage Area in the State of Utah, and for other purposes, having considered the same, reports favorably thereon with amendments and an amendment to the title and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. On page 1, lines 4 and 5, strike "National Mormon Pioneer" and insert "Mormon Pioneer National".
2. On page 4, line 22, strike "National Mormon Pioneer" and insert "Mormon Pioneer National".
3. On page 5, line 8, strike "**NATIONAL MORMON PIONEER**" and insert "**MORMON PIONEER NATIONAL**".
3. On page 5, lines 9 and 10, strike "National Mormon Pioneer" and insert "Mormon Pioneer National".
5. On page 5, line 13, strike "that are".
6. On page 5, line 14, insert "that are" before "related".
7. On page 6, line 10, strike "located in" and insert "including".
8. Amend the title so as to read: "A bill to establish the Mormon Pioneer National Heritage Area in the State of Utah, and for other purposes."

PURPOSE OF THE MEASURE

The purpose of S. 163 is to establish the Mormon Pioneer National Heritage Area in the State of Utah.

BACKGROUND AND NEED

S. 163 would establish the Mormon Pioneer National Heritage Area in central Utah along Highway 89. Central Utah contains a wealth of nationally important historical, cultural, and natural legacies of Mormon settlement. The settlement of the Mormon settlers opened up vast amounts of natural resources for economic need. Mormon settlement played a significant role in the history and progress of the development and settlement of the Western United States. Establishment of the Mormon Pioneer National Heritage Area will assist in the preservation and interpretation of the area's unique and nationally significant resources.

LEGISLATIVE HISTORY

S. 163 was introduced by Senator Bennett on January 26, 2005. At a business meeting on February 9, 2005, the Committee on Energy and Natural Resources ordered S. 163 favorably reported. During the 108th Congress, Senator Bennet introduced identical legislation, S. 916, on April 11, 2003. The text of S. 916 was identical to S. Amendment 4085 to S. 1521, which passed the Senate on December 7, 2004. The House of Representatives did not consider the bill prior to the *sine die* adjournment of the 108th Congress.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in an open business session on February 9, 2005, by a unanimous voice vote of a quorum present, recommends that the Senate pass S. 163, if amended as described herein.

COMMITTEE AMENDMENTS

During its consideration of S. 163, the Committee adopted several clarifying amendments and an amendment to the title. The amendments clarify that the name of the heritage area is the Mormon Pioneer National Heritage Area.

SECTION-BY-SECTION ANALYSIS

Section 1 entitles the bill "Mormon Pioneer National Heritage Area Act."

Section 2 sets forth congressional findings.

Section 3 defines key terms in the Act.

Section 4 establishes the Mormon Pioneer National Heritage Area and describes the corridors within the State of Utah to be included in the boundary.

Section 5 defines the Utah Heritage Highway 89 Alliance as the management entity and sets out its authorities and limitations.

Section 6 requires the management entity to prepare a management plan for the Heritage Area and sets forth the elements of the plan.

Section 7 states that the Secretary of the Interior may provide technical and financial assistance upon request by the management entity for development and implementation of the management plan. Priority will be given to actions that facilitate conservation of significant resources and for opportunities consistent with the resources of the heritage area.

Section 8 states that the Act does not grant any Federal agency regulatory authority and will have no effect on the authority of any local, State or Federal Government to regulate land use or environmental quality designations as provided for by law.

Section 9 authorizes to be appropriated \$10 million to carry out this Act, with no more than \$1 million authorized to be appropriated in any given fiscal year. The Federal share may not exceed 50 percent of the total costs of any given activity.

Section 10 terminates the authority to assist the management entity 15 years after the date of enactment.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office.

FEBRUARY 14, 2005.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 163, the Mormon Pioneer National Heritage Area Act.

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

Sincerely,

DOUGLAS HOLTZ-EAKIN.

Enclosure.

S. 163—Mormon Pioneer National Heritage Area Act

S. 163 would establish the Mormon Pioneer National Heritage Area in Utah and would designate the Utah Heritage Highway 89 Alliance as the managing entity for the area. The nonprofit corporation would be responsible for developing and implementing a management plan for the protection, development, and management of cultural and other area resources. Finally, the legislation would authorize the appropriation of \$10 million, not to exceed \$1 million annually, for technical and financial assistance to the Alliance over the next 15 years.

Assuming appropriation of the authorized amounts, CBO estimates that implementing S. 163 would cost \$10 million over the next 10 to 15 years. Such amounts would be used to cover a portion of the costs of planning, establishing, operating, and interpreting the heritage area. Enacting this legislation would have no effect on revenues or direct spending.

S. 163 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 Lisa Cash Driskill. The estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation

of the regulatory impact which would be incurred in carrying out S. 163.

The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 163.

EXECUTIVE COMMUNICATIONS

On February 9, 2005, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior setting forth executive views of S. 163. These views had not been received at the time this report was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 163 as ordered reported.