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DANDINI RESEARCH PARK CONVEYANCE ACT

MARCH 14 , 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. 252]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 252) to direct the Secretary of the Interior to convey certain land in Washoe County, Nevada, to the Board of Regents of the University and Community College System of Nevada, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE MEASURE

The purpose of S. 252 is to direct the Secretary of the Interior to convey approximately 467 acres of land in Washoe County, Nevada, to the Board of Regents of the University and Community College System of Nevada.

BACKGROUND AND NEED

S. 252 directs the Secretary of the Interior to convey, without consideration, approximately 467 acres of land in Washoe County, Nevada, to the Board of Regents of the University and Community College System of Nevada. The land in question, which is located in Reno, Nevada, was patented to the University and Community College System of Nevada in the 1970's and is now known as the Dandini Research Park. The site is used by the Desert Research Institute and Truckee Meadows Community College.

Because patents were issued under the authority of the Recreation and Public Purposes Act, the Board of Regents is limited by the terms of the patents as to how it can use the property. The patent terms and conditions prohibit the Board of Regents from transferring control of the property or using it for other than public pur-

poses. These limitations are preventing the Board of Regents from developing a University-sponsored research park that would provide for technology transfer, science-based economic development and partnering among academic, governmental and industrial sectors in Nevada. The terms of the patents also restrict the Board of Regents from using the land as security or collateral for private financing of buildings on the site.

S. 252 will allow the Board of Regents to continue with the development of the Dandini Research Park while ensuring that the net proceeds of any future sale of the site be returned to the Secretary of the Interior for use by the Bureau of Land Management in Nevada.

LEGISLATIVE HISTORY

S. 252 was introduced by Senators Reid and Ensign on February 1, 2005. The Subcommittee on Public Lands and Forests held a hearing on a similar bill, S. 1826, on May 5, 2004. S. Hrg. 108–575. The text of S. 1826 was included in S. Amdt. 4084 to H.R. 620, which passed the Senate on December 7, 2004.

At the business meeting on February 9, 2005, the Committee on Energy and Natural Resources ordered S. 252 favorably reported.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in an open business session on February 9, 2005, by a unanimous vote of a quorum present, recommends that the Senate pass S. 252.

SECTION-BY-SECTION ANALYSIS

Section 1 provides the short title of the bill, the "Dandini Research Park Conveyance Act."

Section 2 defines key terms used in the bill.

Section 3 provides for the conveyance of approximately 467 acres of land, already patented to University of Nevada under the Recreation and Public Purposes Act, to the Board of Regents of the University and Community College System of Nevada. The section requires the Board of Regents to reimburse the Secretary for the costs of the conveyance. It also directs that should any portion of land be sold by the Board of Regents it reflect fair market value and the proceeds be paid to the Secretary for use by the Director of the Bureau of Land Management in Nevada, without further appropriation.

COST AND BUDGETARY CONSIDERATIONS

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

FEBRUARY 14, 2004.

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. 252, the Dandini Research Park Conveyance Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Deborah Reis and Megan Carroll.

Sincerely,

DOUGLAS HOLTZ-EAKIN,
Director.

Enclosure.

S. 252—Dandini Research Park Conveyance Act

S. 252 would direct the Department of the Interior to convey to the Board of Regents of the University and Community College System of Nevada approximately 467 acres of land in Washoe County, Nevada. The bill would require the board to reimburse the department for any costs associated with the conveyance of the property. If the board sells the property in the future, it would also have to pay the department the net proceeds of the sale, which would then be available to the Bureau of Land Management (BLM) without further appropriation.

CBO estimates that enacting S. 252 would have no significant impact on the federal budget and no effect on revenues. According to BLM, the land to be conveyed under the bill is already leased to the Board of Regents, which operates university-constructed research facilities on that site. It is very unlikely that the property would have been sold under current law; therefore, donating it to the university would not reduce future offsetting receipts from surplus land sales. We estimate that any reimbursements made by the board would be minimal. For this estimate, we assume that the conveyed land would remain in the university system.

S. 252 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 contacts for this estimate are Deborah Reis and Megan Caroll. This 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. 252.

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. 252, as ordered reported.

EXECUTIVE COMMUNICATIONS

Views of the Administration were included in testimony received by the Committee on a substantially similar bill at a hearing on May 5, 2004.

STATEMENT OF BOB ANDERSON, DEPUTY ASSISTANT DIRECTOR, MINERALS, REALTY AND RESOURCE PROTECTION BUREAU OF LAND MANAGEMENT

Thank you for inviting me to testify regarding a number of land conveyance bills of interest to the Bureau of Land Management (BLM).

S. 1826

The BLM originally patented the lands referenced in S. 1826 to the Board of Regents of the University and Community College System of Nevada in 1972 and 1974. Subsequent legislation, Public Law 99–358, provided for the development of a research park on the conveyed lands. P.L. 99–358 restricts the Board of Regents' use of the patented lands to research and development activities. S. 1826 would provide the remaining right, title and interest of the United States in these lands to the Board of Regents, which would allow the University full discretion in the use or sale of these lands, with proceeds returned to the Secretary of the Interior. The Administration supports S. 1826, but requests technical corrections to add specificity to the conveyance, clarify "market value," and modify the disposition of "net proceeds" in Section 2(c)(2) of the bill as introduced.

We look forward to working with the Committee and local interests to address the concerns we have identified in S. 1826.

Thank you for the opportunity to testify. I'll be happy to answer any questions.

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. 252, as ordered reported.

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