

106TH CONGRESS
1ST SESSION

H. R. 2868

To guarantee States and counties containing Federal forest lands consistent compensation for the loss of property tax revenues from such lands instead of a percentage of the declining revenues derived from timber sales.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 1999

Mr. DEFAZIO (for himself, Mr. McDERMOTT, and Mr. WU) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To guarantee States and counties containing Federal forest lands consistent compensation for the loss of property tax revenues from such lands instead of a percentage of the declining revenues derived from timber sales.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. GUARANTEED PAYMENTS FOR STATES AND**
4 **COUNTIES WITH FEDERAL FOREST LANDS.**

5 (a) DEFINITIONS.—In this section:

1 (1) ELIGIBLE STATE OR COUNTY.—The term
2 “eligible State or Territory” or “eligible county”
3 means a State, Territory, or county in the United
4 States that was entitled, for any three years during
5 the 12-fiscal year period beginning October 1, 1986,
6 to payments under a forest receipts law.

7 (2) FOREST RECEIPTS LAW.—The term “forest
8 receipts law” means each of the following:

9 (A) The sixth paragraph under the head-
10 ing “FOREST SERVICE” in the Act of May
11 23, 1908 (16 U.S.C. 500) and section 13 of the
12 Act of March 1, 1911 (commonly known as the
13 Weeks Act; 16 U.S.C. 500).

14 (B) Title II of the Act of August 28, 1937
15 (chapter 876; 43 U.S.C. 1181f).

16 (C) The first section of the Act of May 24,
17 1939 (chapter 144; 43 U.S.C. 1181f–1).

18 (D) The paragraph under the heading
19 “PAYMENTS TO STATES (PROCEEDS OF SALES)”
20 in the Interior Department Appropriation Act,
21 1952 (65 Stat. 252; chapter 375).

22 (E) Section 13982 of the Omnibus Budget
23 Reconciliation Act of 1993 (Public Law 103–
24 66; 16 U.S.C. 500 note).

1 (F) Section 13983 of the Omnibus Budget
2 Reconciliation Act of 1993 (Public Law 103–
3 66; 43 U.S.C. 1181f note).

4 (3) GUARANTEED PAYMENT AMOUNT.—The
5 term “guaranteed payment amount”, with respect to
6 a eligible State or Territory or an eligible county,
7 means the amount determined in subsection (c)(1)
8 with respect to the State, Territory, or county, in-
9 cluding adjustments required by subsection (c)(2).

10 (b) ANNUAL PAYMENT REQUIRED.—For fiscal year
11 2000 and each subsequent fiscal year, the Secretary of the
12 Treasury shall make a payment, out of any money in the
13 Treasury not otherwise appropriated, to each eligible State
14 or Territory and each eligible county in an amount equal
15 to the guaranteed payment amount for the State, Terri-
16 tory, or county.

17 (c) DETERMINATION OF GUARANTEED PAYMENT
18 AMOUNT.—

19 (1) USE OF THREE-YEAR HIGH AVERAGE OR
20 1998 PAYMENT.—The guaranteed payment amount
21 for each eligible State or Territory and each eligible
22 county shall be equal to the higher of the following:

23 (A) 100 percent of the average annual pay-
24 ments made directly to that State, Territory, or
25 county under the forest receipts laws for the

1 three fiscal years during the 11-fiscal year pe-
2 riod beginning October 1, 1986, in which the
3 amount of such payments to that State, Terri-
4 tory, or county were the highest.

5 (B) 100 percent of the amount of the pay-
6 ment made directly to that State, Territory, or
7 county under the forest receipts laws for fiscal
8 year 1998.

9 (2) INFLATION ADJUSTMENT.—Effective on Oc-
10 tober 1 of each fiscal year, the Secretary shall adjust
11 the guaranteed payment amounts determined under
12 paragraph (1) by the percent change in the Con-
13 sumer Price Index (all items—United States city av-
14 erage) for the last three months of the preceding fis-
15 cal year over the Consumer Price Index (all items—
16 United States city average) for the last three months
17 of the second preceding fiscal year, adjusted to the
18 nearest $\frac{1}{10}$ of one percent.

19 (d) EFFECT ON OTHER PAYMENT AUTHORITIES.—
20 Payments shall not be made for a fiscal year under any
21 forest receipts law if full payments are made under this
22 section for that same fiscal year.

23 (e) CONTINUATION OF RESTRICTIONS ON USE OF
24 PAYMENTS.—Payments made under this section to a
25 State, Territory, or county shall be subject to the same

1 use restrictions that applied to payments previously made
2 to that State, Territory, or county under forest receipts
3 laws.

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