

109TH CONGRESS
1ST SESSION

S. 136

To authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist certain local school districts in the State of California in providing educational services for students attending schools located within Yosemite National Park, to authorize the Secretary of the Interior to adjust the boundaries of the Golden Gate National Recreation Area, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 24, 2005

Mrs. FEINSTEIN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist certain local school districts in the State of California in providing educational services for students attending schools located within Yosemite National Park, to authorize the Secretary of the Interior to adjust the boundaries of the Golden Gate National Recreation Area, and for other purposes.

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. TABLE OF CONTENTS.**

4 The table of contents of this Act is as follows:

Sec. 1. Table of contents.

TITLE I—YOSEMITE NATIONAL PARK AUTHORIZED PAYMENTS

Sec. 102. Payments for educational services.

Sec. 103. Authorization for park facilities to be located outside the boundaries of Yosemite National Park.

TITLE II—RANCHO CORRAL DE TIERRA GOLDEN GATE NATIONAL RECREATION AREA BOUNDARY ADJUSTMENT

Sec. 201. Short title.

Sec. 202. Golden Gate National Recreation Area, California.

1 TITLE I—YOSEMITE NATIONAL
2 PARK AUTHORIZED PAYMENTS

3 SEC. 101. PAYMENTS FOR EDUCATIONAL SERVICES.

4 (a) IN GENERAL.—(1) For fiscal years 2006 through
5 2009, the Secretary of the Interior may provide funds to
6 the Bass Lake Joint Union Elementary School District
7 and the Mariposa Unified School District in the State of
8 California for educational services to students—

9 (A) who are dependents of persons engaged in
10 the administration, operation, and maintenance of
11 Yosemite National Park; or

12 (B) who live within or near the park upon real
13 property owned by the United States.

14 (2) The Secretary's authority to make payments
15 under this section shall terminate if the State of California
16 or local education agencies do not continue to provide
17 funding to the schools referred to in subsection (a) at per
18 student levels that are no less than the amount provided
19 in fiscal year 2005.

1 (b) LIMITATION ON USE OF FUNDS.—Payments
2 made under this section shall only be used to pay public
3 employees for educational services provided in accordance
4 with subsection (a). Payments may not be used for con-
5 struction, construction contracts, or major capital im-
6 provements.

7 (c) LIMITATION ON AMOUNT OF FUNDS.—Payments
8 made under this section shall not exceed the lesser of—

9 (1) \$400,000 in any fiscal year; or

10 (2) the amount necessary to provide students
11 described in subsection (a) with educational services
12 that are normally provided and generally available to
13 students who attend public schools elsewhere in the
14 State of California.

15 (d) SOURCE OF PAYMENTS.—(1) Except as otherwise
16 provided in this subsection, the Secretary may use funds
17 available to the National Park Service from appropria-
18 tions, donations, or fees.

19 (2) Funds from the following sources shall not be
20 used to make payments under this section:

21 (A) Any law authorizing the collection or ex-
22 penditure of entrance or use fees at units of the Na-
23 tional Park System, including the Land and Water
24 Conservation Fund Act of 1965 (16 U.S.C. 460l–4
25 et seq.); the recreational fee demonstration program

1 established under section 315 of the Department of
2 the Interior and Related Agencies Appropriations
3 Act, 1996 (16 U.S.C. 460l–6a note); and the Na-
4 tional Park Passport Program established under sec-
5 tion 602 of the National Parks Omnibus Manage-
6 ment Act of 1998 (16 U.S.C. 5992).

7 (B) Emergency appropriations for flood recov-
8 ery at Yosemite National Park.

9 (3)(A) The Secretary may use an authorized funding
10 source to make payments under this section only if the
11 funding available to Yosemite National Park from such
12 source (after subtracting any payments to the school dis-
13 tricts authorized under this section) is greater than or
14 equal to the amount made available to the park for the
15 prior fiscal year, or in fiscal year 2005, whichever is great-
16 er.

17 (B) It is the sense of Congress that any payments
18 made under this section should not result in a reduction
19 of funds to Yosemite National Park from any specific
20 funding source, and that with respect to appropriated
21 funds, funding levels should reflect annual increases in the
22 park’s operating base funds that are generally made to
23 units of the National Park System.

1 **SEC. 102. AUTHORIZATION FOR PARK FACILITIES TO BE**
 2 **LOCATED OUTSIDE THE BOUNDARIES OF YO-**
 3 **SEMITE NATIONAL PARK.**

4 (a) FUNDING AUTHORITY FOR TRANSPORTATION
 5 SYSTEMS AND EXTERNAL FACILITIES.—Section 814(c) of
 6 the Omnibus Parks and Public Lands Management Act
 7 of 1996 (16 U.S.C. 346e) is amended—

8 (1) in the heading by inserting “AND YOSEMITE
 9 NATIONAL PARK” after “ZION NATIONAL PARK”;

10 (2) in the first sentence—

11 (A) by inserting “and Yosemite National
 12 Park” after “Zion National Park”; and

13 (B) by inserting “for transportation sys-
 14 tems or” after “appropriated funds”; and

15 (3) in the second sentence by striking “facili-
 16 ties” and inserting “systems or facilities”.

17 (b) CLARIFYING AMENDMENT FOR TRANSPORTATION
 18 FEE AUTHORITY.—Section 501 of the National Parks
 19 Omnibus Management Act of 1998 (16 U.S.C. 5981) is
 20 amended in the first sentence by striking “service con-
 21 tract” and inserting “service contract, cooperative agree-
 22 ment, or other contractual arrangement”.

1 **TITLE II—RANCHO CORRAL DE**
 2 **TIERRA GOLDEN GATE NA-**
 3 **TIONAL RECREATION AREA**
 4 **BOUNDARY ADJUSTMENT**

5 **SEC. 201. SHORT TITLE.**

6 This title may be cited as the “Rancho Corral de
 7 Tierra Golden Gate National Recreation Area Boundary
 8 Adjustment Act”.

9 **SEC. 202. GOLDEN GATE NATIONAL RECREATION AREA,**
 10 **CALIFORNIA.**

11 (a) Section 2(a) of Public Law 92–589 (16 U.S.C.
 12 460bb–1(a)) is amended—

13 (1) by striking “The recreation area shall com-
 14 prise” and inserting the following:

15 “(1) INITIAL LANDS.—The recreation area shall
 16 comprise”; and

17 (2) by striking “The following additional lands
 18 are also” and all that follows through the period at
 19 the end of the subsection and inserting the following
 20 new paragraphs:

21 “(2) ADDITIONAL LANDS.—In addition to the
 22 lands described in paragraph (1), the recreation area
 23 shall include the following:

24 “(A) The parcels numbered by the Asses-
 25 sor of Marin County, California, 119–040–04,

1 119-040-05, 119-040-18, 166-202-03, 166-
2 010-06, 166-010-07, 166-010-24, 166-010-
3 25, 119-240-19, 166-010-10, 166-010-22,
4 119-240-03, 119-240-51, 119-240-52, 119-
5 240-54, 166-010-12, 166-010-13, and 119-
6 235-10.

7 “(B) Lands and waters in San Mateo
8 County generally depicted on the map entitled
9 ‘Sweeney Ridge Addition, Golden Gate National
10 Recreation Area’, numbered NRA GG-80,000-
11 A, and dated May 1980.

12 “(C) Lands acquired under the Golden
13 Gate National Recreation Area Addition Act of
14 1992 (16 U.S.C. 460bb-1 note; Public Law
15 102-299).

16 “(D) Lands generally depicted on the map
17 entitled ‘Additions to Golden Gate National
18 Recreation Area’, numbered NPS-80-076, and
19 dated July 2000/PWR-PLRPC.

20 “(E) Lands generally depicted on the map
21 entitled ‘Rancho Corral de Tierra Additions to
22 the Golden Gate National Recreation Area’,
23 numbered NPS-80,079E, and dated March
24 2004.

1 “(3) ACQUISITION LIMITATION.—The Secretary
2 may acquire land described in paragraph (2)(E) only
3 from a willing seller.”.

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