

105TH CONGRESS  
2D SESSION

# H. R. 4267

To modify the requirements for paying Federal timber sale receipts.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 17, 1998

Mr. DEFAZIO (for himself and Ms. HOOLEY of Oregon) 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

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## A BILL

To modify the requirements for paying Federal timber sale receipts.

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. SHORT TITLE.**

4 This Act may be cited as the “Timber-Dependent  
5 Counties Stabilization Act of 1998”.

### 6 **SEC. 2. SHARING OF FOREST SERVICE TIMBER SALE RE-** 7 **CEIPTS.**

8 (a) PAYMENTS.—

1           (1) FISCAL YEARS 1999 THROUGH 2003.—In lieu  
2 of making the 25-percent payments to States for  
3 each of fiscal years 1998 through 2003, the Sec-  
4 retary of the Treasury shall pay to each State that  
5 is otherwise eligible to receive those payments the  
6 special payment amount determined for that State.

7           (2) FISCAL YEARS AFTER FISCAL YEAR 2003.—

8           (A) IN GENERAL.—For each fiscal year  
9 after fiscal year 2003, the Secretary of the  
10 Treasury shall pay to each State that is other-  
11 wise eligible for the 25-percent payments to  
12 States, as elected by the State, either—

13                   (i) the special payment amount deter-  
14 mined for that State, in lieu of the 25-per-  
15 cent payments to States otherwise applica-  
16 ble for that State; or

17                   (ii) the 25-percent payments to States  
18 applicable for that State.

19           (B) ELECTION.—The election under sub-  
20 paragraph (A) shall be made by the Governor  
21 of a State, for all fiscal years after fiscal year  
22 2003, by not later than 5 years after the date  
23 of the enactment of this Act. If the Governor of  
24 a State fails to make the election by that date,

1 the State is deemed to have elected the pay-  
2 ment described in subparagraph (A)(i).

3 (3) EXPENDITURE BY STATES.—Amounts paid  
4 to a State under this subsection shall be expended  
5 by the State in the same manner in which 25-per-  
6 cent payments to States are required to be ex-  
7 pended.

8 (b) DEFINITIONS.—As used in this section:

9 (1) 25-PERCENT PAYMENTS TO STATES.—The  
10 term “25-percent payments to States” means the 25  
11 percent payments authorized by the Act of May 23,  
12 1908 (35 Stat. 260, chapter 192; 16 U.S.C. 500)  
13 for the benefit of counties in which national forests  
14 are situated, as in effect immediately before the date  
15 of the enactment of this section.

16 (2) SPECIAL PAYMENT AMOUNT.—The term  
17 “special payment amount” means, for a State, the  
18 amount determined by multiplying—

19 (A) 76 percent; by

20 (B) the annual average of the 25-percent  
21 payments to States made to the State during  
22 the 5-year period consisting of fiscal years 1986  
23 through 1990, adjusted for each fiscal year  
24 after fiscal year 2004 to reflect changes in the  
25 consumer price index for urban areas (as pub-

1           lished by the Bureau of Labor Statistics) that  
 2           occur after publication of that index for fiscal  
 3           year 2003.

4 **SEC. 3. SHARING OF BUREAU OF LAND MANAGEMENT TIM-**  
 5 **BER SALE RECEIPTS.**

6           (a) PAYMENTS.—

7           (1) FISCAL YEARS 1999 THROUGH 2003.—In lieu  
 8           of making the 50-percent payments to counties for  
 9           each of fiscal years 1998 through 2003, the Sec-  
 10          retary of the Treasury shall pay to each county that  
 11          is otherwise eligible to receive those payments the  
 12          special payment amount determined for that county.

13          (2) FISCAL YEARS AFTER FISCAL YEAR 2003.—

14               (A) IN GENERAL.—For each fiscal year  
 15               after fiscal year 2003, the Secretary of the  
 16               Treasury shall pay to each county that is other-  
 17               wise eligible to receive the 50-percent payments  
 18               to counties, as elected by the county, either—

19                       (i) the special payment amount, in  
 20                       lieu of the 50-percent payments to counties  
 21                       otherwise applicable and allocable to that  
 22                       county; or

23                       (ii) the share of the 50-percent pay-  
 24                       ments to counties otherwise applicable and  
 25                       allocable to the county.

1 (B) ELECTION.—The election under sub-  
2 paragraph (A) shall be made by the chief execu-  
3 tive officer of a county, for all fiscal years after  
4 fiscal year 2003, by not later than 5 years after  
5 the date of the enactment of this Act. If the  
6 chief executive officer of a county fails to make  
7 the election by that date, the county is deemed  
8 to have elected the payment described in sub-  
9 paragraph (A)(i).

10 (b) DEFINITIONS.—As used in this section:

11 (1) 50-PERCENT PAYMENTS TO COUNTIES.—

12 The term “50-percent payments to counties” means  
13 the sum of the 50-percent share otherwise paid to a  
14 county pursuant to title II of the Act of August 28,  
15 1937 (50 Stat. 875, chapter 876; 43 U.S.C. 1181f),  
16 and the payments made to counties pursuant to the  
17 Act of May 24, 1939 (53 Stat. 753, chapter 144; 43  
18 U.S.C. 1181f–1 et seq.), as in effect immediately be-  
19 fore the date of the enactment of this section.

20 (2) SPECIAL PAYMENT AMOUNT.—The term  
21 “special payment amount” means the amount deter-  
22 mined by multiplying—

23 (A) 76 percent; by

24 (B) the annual average of the 50-percent  
25 payments to counties made to a county during

1           the 5-year period consisting of fiscal years 1986  
2           through 1990, adjusted for each fiscal year  
3           after fiscal year 2004 to reflect changes in the  
4           consumer price index for urban areas (as pub-  
5           lished by the Bureau of Labor Statistics) that  
6           occur after publication of that index for fiscal  
7           year 2003.

8   **SEC. 4. CONFORMING AMENDMENT.**

9           Title XIII of the Omnibus Budget Reconciliation Act  
10          of 1993 (Public Law 103–66) is amended by striking  
11          chapter 4 (107 Stat. 681–682).

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