

105TH CONGRESS  
1ST SESSION

# S. 1001

To amend title 31, United States Code, to address the failure to appropriate sufficient funds to make full payments in lieu of taxes under chapter 69 of that title by exempting certain users of the National Forest System from fees imposed in connection with the use.

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## IN THE SENATE OF THE UNITED STATES

JULY 10, 1997

Mr. SMITH of New Hampshire (for himself and Mr. GREGG) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To amend title 31, United States Code, to address the failure to appropriate sufficient funds to make full payments in lieu of taxes under chapter 69 of that title by exempting certain users of the National Forest System from fees imposed in connection with the use.

1       *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Local Forest User  
5 Fairness Act”.

1   **SEC. 2. LOCAL EXEMPTIONS FROM FOREST SERVICE USER**  
2                   **FEES DUE TO LESS THAN FULL FUNDING OF**  
3                   **PAYMENTS IN LIEU OF TAXES.**

4       (a) FINDINGS.—Congress finds that—

5               (1) the Federal Government provides payments  
6       in lieu of taxes under chapter 69 of title 31, United  
7       States Code, to compensate units of general local  
8       government whose tax base is diminished by Federal  
9       ownership of lands, including Federal lands in the  
10      National Forest System administered by the Forest  
11      Service;

12       (2) amounts appropriated to provide payments  
13       in lieu of taxes under that chapter have been signifi-  
14       cantly less than the amounts necessary to comply  
15       fully with the payment formulas contained in that  
16       chapter; and

17       (3) by failing to fully fund payments in lieu of  
18       taxes to units of general local government whose ju-  
19       risdictions contain Federal lands, including National  
20       Forest System lands, the Federal Government is in-  
21       creasing the tax burden on local property owners.

22       (b) NATIONAL FOREST USER FEE EXEMPTION.—  
23   Section 6906 of title 31, United States Code, is amend-  
24   ed—

25               (1) by inserting “(a) IN GENERAL.—” before  
26       “Necessary”; and

1 (2) by adding at the end the following:

2        "(b) LOCAL EXEMPTIONS FROM USER FEES DUE TO

### 3 INSUFFICIENT APPROPRIATIONS.—

4       “(1) IN GENERAL.—Unless sufficient funds are  
5       appropriated for a fiscal year to provide full pay-  
6       ments under this chapter to each unit of general  
7       local government eligible for the payments, persons  
8       residing within the boundaries of that unit of gen-  
9       eral local government shall be exempt during that  
10       fiscal year from any recreational user fees imposed  
11       by the Secretary of Agriculture for access to units  
12       of the National Forest System that lie, in whole or  
13       in part, within the boundaries.

14                   “(2) ADMINISTRATION.—The Secretary of Agri-  
15                   culture shall establish a method for identifying and  
16                   exempting persons covered by this subsection from  
17                   the user fees.”.

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