

106TH CONGRESS  
1ST SESSION

# H. R. 1185

To modify the requirements for paying Federal timber sale receipts.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 1999

Mr. DEFAZIO 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 1999”.

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

8 (a) PAYMENTS.—

1           (1) FISCAL YEARS 2000 THROUGH 2004.—In lieu  
2           of making the 25-percent payments to States for  
3           each of fiscal years 2000 through 2004, 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 2004.—

8           (A) IN GENERAL.—For each fiscal year  
9           after fiscal year 2004, 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 only once, for all fiscal years after  
22          fiscal year 2004, by not later than 5 years after  
23          the date of the enactment of this Act. If the  
24          Governor of a State fails to make the election  
25          by that date, the State is deemed to have elect-

1           ed the payment described in subparagraph  
2           (A)(i) for all fiscal years after fiscal year 2004.

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  
11          25-percent payments authorized by the Act of May  
12          23, 1908 (35 Stat. 260, chapter 192; 16 U.S.C.  
13          500) for the benefit of counties in which national  
14          forests are situated, as in effect immediately before  
15          the date of the enactment of this section.

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

19                 (A) 76 percent, multiplied by

20                 (B) the amount equal to—

21                         (i) the total amount of 25-per-  
22                         cent payments to States made to the  
23                         State for the 3 fiscal years (whether  
24                         or not consecutive) for which those  
25                         payments were the highest in the pe-

1                   riod beginning October 1, 1985, and  
 2                   ending September 30, 1995, divided  
 3                   by

4                   (ii) 3.

5       The amount described in this paragraph shall be ad-  
 6       justed to reflect changes in the consumer price index  
 7       for urban areas (as published by the Bureau of  
 8       Labor Statistics) that occur after publication of that  
 9       index for fiscal year 2004.

10 **SEC. 3. SHARING OF BUREAU OF LAND MANAGEMENT TIM-**  
 11 **BER SALE RECEIPTS.**

12       (a) PAYMENTS.—

13           (1) FISCAL YEARS 2000 THROUGH 2004.—In lieu  
 14       of making the 50-percent payments to counties for  
 15       each of fiscal years 2000 through 2004, the Sec-  
 16       retary of the Treasury shall pay to each county that  
 17       is otherwise eligible to receive those payments the  
 18       special payment amount determined for that county.

19           (2) FISCAL YEARS AFTER FISCAL YEAR 2004.—

20           (A) IN GENERAL.—For each fiscal year  
 21       after fiscal year 2004, the Secretary of the  
 22       Treasury shall pay to each county that is other-  
 23       wise eligible to receive the 50-percent payments  
 24       to counties, as elected by the county, either—

1 (i) the special payment amount, in  
2 lieu of the 50-percent payments to counties  
3 otherwise applicable and allocable to that  
4 county; or

5 (ii) the share of the 50-percent pay-  
6 ments to counties otherwise applicable and  
7 allocable to the county.

8 (B) ELECTION.—The election under sub-  
9 paragraph (A) shall be made by the chief execu-  
10 tive officer of a county only once, for all fiscal  
11 years after fiscal year 2004, by not later than  
12 5 years after the date of the enactment of this  
13 Act. If the chief executive officer of a county  
14 fails to make the election by that date, the  
15 county is deemed to have elected the payment  
16 described in subparagraph (A)(i) for all fiscal  
17 years after fiscal year 2004.

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

19 (1) 50-PERCENT PAYMENTS TO COUNTIES.—  
20 The term “50-percent payments to counties” means  
21 the sum of the 50-percent share otherwise paid to a  
22 county pursuant to title II of the Act of August 28,  
23 1937 (50 Stat. 875, chapter 876; 43 U.S.C. 1181f),  
24 and the payments made to counties pursuant to the  
25 Act of May 24, 1939 (53 Stat. 753, chapter 144; 43

1 U.S.C. 1181f–1 et seq.), as in effect immediately be-  
2 fore the date of the enactment of this section.

3 (2) SPECIAL PAYMENT AMOUNT.—The term  
4 “special payment amount” means the amount equal  
5 to—

6 (A) 76 percent, multiplied by

7 (B) the amount equal to—

8 (i) the total amount of 50-per-  
9 cent payments to counties made to the  
10 county for the 3 fiscal years (whether  
11 or not consecutive) for which those  
12 payments were the highest in the pe-  
13 riod beginning October 1, 1985, and  
14 ending September 30, 1995, divided  
15 by

16 (ii) 3.

17 The amount described in this paragraph shall be ad-  
18 justed to reflect changes in the consumer price index  
19 for urban areas (as published by the Bureau of  
20 Labor Statistics) that occur after publication of that  
21 index for fiscal year 2004.

1 **SEC. 4. CONFORMING AMENDMENT.**

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

