

103^D CONGRESS
2^D SESSION

S. 2052

Entitled the “Recreational Boating Safety Program Funding Improvement Act”.

IN THE SENATE OF THE UNITED STATES

APRIL 26 (legislative day, APRIL 11), 1994

Mr. GORTON introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

Entitled the “Recreational Boating Safety Program Funding Improvement Act”.

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. TRANSFERS OF MOTORBOAT FUEL TAXES**

4 **FROM HIGHWAY TRUST FUND.**

5 (a) AUTHORIZATION OF TRANSFERS.—Section
6 9503(c)(4) of the Internal Revenue Code of 1986 (26
7 U.S.C. 9503(c)(4)) is amended—

8 (1) by striking subparagraph (A) of section
9 9503(c)(4);

1 (2) by redesignating subparagraph (B) as sub-
2 paragraph (A) and amending it to read as follows:

3 “(A) \$1,000,000 PER YEAR TRANSFERRED
4 TO LAND AND WATER CONSERVATION FUND.—

5 “(i) IN GENERAL.—The Secretary
6 shall pay from time to time from the High-
7 way Trust Fund into the land and water
8 conservation fund provided for in title I of
9 the Land and Water Conservation Fund
10 Act of 1965 amounts (as determined by
11 him) equivalent to the motorboat fuel taxes
12 received on or after October 1, 1993, and
13 before October 1, 1997.

14 “(ii) LIMITATION.—The aggregate
15 amount transferred under this subpara-
16 graph during any fiscal year shall not ex-
17 ceed \$1,000,000.”;

18 (3) by striking “or (B)” in clause (ii) of sub-
19 paragraph (B) (as so redesignated); and

20 (4) by redesignating subparagraphs (D) and
21 (E) as subparagraphs (C) and (D), respectively.

22 (b) TECHNICAL AMENDMENT.—Section 9504(d) of
23 the Internal Revenue Code of 1986 (26 U.S.C. 9504(d))
24 is amended by striking “Boat Safety Account and”.

1 (c) EFFECTIVE DATE.—This amendment shall be ef-
2 fective October 1, 1993.

3 **SEC. 2. TECHNICAL AMENDMENTS TO AQUATIC RE-**
4 **SOURCES TRUST FUND.**

5 (a) Section 9504(a)(2) of the Internal Revenue Code
6 of 1986 (26 U.S.C. 9504(a)(2)) is amended by inserting
7 after “section 9602(b)” the following: “of this title, or as
8 provided in subsection 4(a) of the Act entitled ‘An Act
9 to provide that the United States shall aid the States in
10 fish restoration and management projects, and for other
11 purposes’, approved August 9, 1950 (64 Stat. 430; 16
12 U.S.C. 777c), as amended.”.

13 (b) Section 9504(b)(2)(A) of the Internal Revenue
14 Code of 1986 (26 U.S.C. 9504(b)(2)(A)) is amended by
15 striking “(as in effect on October 1, 1988)”.

16 (c) Section 9504(c) of the Internal Revenue Code of
17 1986 (26 U.S.C. 9504(c)) is amended to read as follows:

18 “(c) EXPENDITURES FROM BOAT SAFETY AC-
19 COUNT.—Amounts in the Boat Safety Account shall be
20 available for making expenditures before April 1, 1999,
21 to carry out the purposes of section 13106 of title 46,
22 United States Code.”.

23 (d) EFFECTIVE DATES.—The amendment to section
24 (a) shall be effective October 1, 1994. The amendments
25 to sections (b) and (c) shall be effective October 1, 1993.

1 **SEC. 3. FUNDING FOR RECREATIONAL BOATING SAFETY**
2 **PROGRAMS.**

3 (a) TRANSFER.—Section 4 of the Act of August 9,
4 1950 (16 U.S.C. 777c) is amended—

5 (1) by redesignating subsections (a), (b), (c),
6 (d), and (e) in order, as subsections (b), (c), (d), (e),
7 and (f);

8 (2) by inserting before subsection (b) (as so re-
9 designated) the following new subsection:

10 “(a) Of each annual appropriation made in accord-
11 ance with the provisions of section 3 of this Act (16 U.S.C.
12 777b) from transfers made from the Highway Trust Fund
13 to the Sport Fish Restoration Account for motorboat fuel
14 taxes received on or after October 1, 1993, and before Oc-
15 tober 1, 1997, the Secretary of the Interior shall transfer
16 to the Boat Safety Account of the Aquatic Resources
17 Trust Fund an amount equal to \$77,500,000 for fiscal
18 year 1995, \$80,000,000 for each of fiscal years 1996 and
19 1997, and \$90,000,000 for fiscal year 1998, to be ex-
20 pended by the Secretary of Transportation for recreational
21 boating safety programs under section 13106 of title 46,
22 United States Code.”;

23 (3) in subsection (b) (as so redesignated) by
24 striking “The Secretary of the Interior” through
25 “section 3 of this Act” and inserting the following:
26 “Of the balance of each annual appropriation re-

1 maining after making the distribution under sub-
2 section (a), the Secretary of the Interior shall dis-
3 tribute 18 per centum”;

4 (4) by amending subsection (c) (as so redesign-
5 nated) to read as follows:

6 “(c) Of the balance of each annual appropriation re-
7 maining after making the distribution under subsections
8 (a) and (b), an amount equal to \$7,500,000 for fiscal year
9 1995, and \$10,000,000 for each of fiscal years 1996 and
10 1997, shall be available for two years for obligation under
11 section 5604(c) of the Clean Vessel Act of 1992. The Sec-
12 retary of the Interior may make grants for qualified
13 projects in an amount up to the amount available under
14 this paragraph. Amounts unobligated by the Secretary of
15 the Interior after two years shall be transferred to the Sec-
16 retary of Transportation and be expended for State rec-
17 reational boating safety programs under section
18 13106(b)(1) of title 46, United States Code.”;

19 (5) in subsection (d) (as so redesignated) by
20 striking “(a) and (b)” and inserting “(a), (b), and
21 (c)”;

22 (6) in subsection (e) (as so redesignated) by
23 striking “and (c)” and inserting “(c), and (d)”.

24 (b) EFFECTIVE DATE.—This amendment shall be ef-
25 fective October 1, 1994.

1 **SEC. 4. AUTHORIZATION OF EXPENDITURES FOR REC-**
2 **REATIONAL BOATING SAFETY PROGRAMS.**

3 Section 13106 of title 46, United States Code, is
4 amended—

5 (1) by striking subsection (c);

6 (2) by redesignating subsections (a) and (b), in
7 order, as subsections (b) and (c);

8 (3) by inserting before subsection (b) (as so re-
9 designated) the following new subsection:

10 “(a) Of the amount transferred for each fiscal year
11 to the Boat Safety Account under section 4 of the Act
12 of August 9, 1950 (16 U.S.C. 777c), as amended,
13 \$35,000,000 is available to the Secretary for expenditures
14 out of the operating expenses account of the Coast Guard
15 for services provided by the Coast Guard for recreational
16 boating safety, including services provided by the Coast
17 Guard Auxiliary. Amounts made available by this sub-
18 section shall remain available until expended.”;

19 (4) by amending subsection 13106(b)(1) (as so
20 redesignated) to read as follows:

21 “(b)(1) Subject to paragraph (2), the Secretary may
22 expend the balance of the amount transferred each fiscal
23 year to the Boat Safety Account under section 4 of the
24 Act of August 9, 1950 (16 U.S.C. 777c), as amended, for
25 State recreational boating safety programs as provided
26 under the guidelines established under subsection (c) of

1 this section. The amount shall be allocated as provided
2 under section 13103 of this title. Amounts made available
3 by this subsection shall remain available until expended.
4 Amounts previously obligated but released by payment of
5 a final voucher or modification of a program acceptance
6 shall be credited to the balance of unobligated amounts
7 and are immediately available for expenditure.”;

8 (5) by amending the catchline of section 13106
9 to read as follows:

10 **“§ 13106. Spending authority for recreational boating
11 safety programs”;**

12 and

13 (6) by amending the item relating to section
14 13106 in the table of sections at the beginning of
15 chapter 131 of title 46, United States Code, to read
16 as follows:

“13106. Spending authority for recreational boating safety programs.”.

17 (b) EFFECTIVE DATE.—This amendment shall be ef-
18 fective October 1, 1994.

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