

(d) ACCEPTANCE AND USE OF DONATIONS.—The Secretary may accept and use donations to provide assistance under section 705. Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit into the Fund.

SEC. 707. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Fund \$10,000,000 for each of fiscal years 1996, 1997, 1998, 1999, and 2000 to carry out this Act, to remain available until expended.

Amend the title so as to read "A bill to direct the Secretary of the Interior to transfer certain national fish hatcheries, and for other purposes".

A motion to reconsider the vote whereby said Senate amendments were agreed to with amendments was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendments.

122.12 PAYMENTS IN LIEU OF TAXES

The SPEAKER pro tempore, Mr. MAZZOLI, pursuant to House Resolution 565 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill of the Senate (S. 455) to amend title 31, United States Code, to increase Federal payments to units of general local government for entitlement lands, and for other purposes.

The SPEAKER pro tempore, Mr. MAZZOLI, by unanimous consent, designated Mr. LANCASTER as Chairman of the Committee of the Whole; and after some time spent therein,

122.13 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by Mr. MILLER of California:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE, FINDINGS, AND PURPOSE.

(a) SHORT TITLE.—This Act may be cited as the "Supplemental Payments in Lieu of Taxes Act of 1994".

(b) FINDINGS.—The Congress finds that—

(1) since 1907, Congress has enacted a variety of laws under which the United States makes payments to States and local governments based in various ways on the location, management, or use of Federal lands;

(2) in 1970, the Public Land Law Review Commission found that "existing revenue-sharing programs do not meet a standard of equity and fair treatment either to State and local governments nor to the Federal taxpayers" and recommended that these programs be replaced with a system of payments-in-lieu-of-taxes ("PILT");

(3) in 1976, Congress enacted a PILT program, based primarily on the location rather than the management or use of Federal lands, in addition to, but not as a replacement for, other payment programs;

(4) local governmental units eligible for payments under the PILT program vary considerably in terms of the rates of taxation of non-Federal lands, the services provided to and received from the United States because of the location of Federal lands, and the level of payments received from the United States under programs other than the PILT program;

(5) since 1976, inflation has eroded the purchasing power of PILT payments, while

other developments have greatly affected the other payments to States and local governments that are related to the management and use of Federal lands; and

(6) under the circumstances described in these findings, it is appropriate to authorize temporary increases in payments under the PILT program, and to provide for later consideration of a restructuring of both the PILT program and other payment programs, along lines suggested by the Public Land Law Review Commission.

(c) PURPOSE.—The purpose of this Act is to authorize a temporary increase in PILT payments, while requiring a review of payment programs and the submission of recommendations as to whether the PILT program and other payment programs should be revised to more fully achieve the goals of equitable treatment of both payment recipients and the Federal taxpayers.

SEC. 2. DEFINITIONS AND ADDITIONAL PAYMENTS.

(a) DEFINITIONS.—As used in this Act—

(1) the term "PILT Act" means chapter 69 of title 31, United States Code;

(2) the term "unit of general local government" has the same meaning as in the PILT Act; and

(3) the term "supplemental PILT payments" means payments made under this Act.

(b) SUPPLEMENTAL PAYMENTS IN FISCAL YEARS 1996 AND 1997.—(1) There are hereby authorized to be appropriated such sums as may be necessary for supplemental PILT payments pursuant to this Act to be made for fiscal years 1996 and 1997 to units of general local government qualified to receive payments under the PILT Act.

(2) Payments authorized by this Act shall be calculated in the same manner as payments under the PILT Act, except that solely for the purpose of calculating payments authorized by this Act—

(A) the phrase "93 cents for each acre of entitlement land for fiscal year 1996, and \$1.11 for fiscal year 1997," shall be substituted in subparagraph (A) of section 6903(b)(1) of title 31, United States Code, in lieu of "75 cents per each acre of entitlement land"; and

(B) the following tables shall be substituted for the table at the end of section 6903(c)(2) of title 31, United States Code—

(i) for fiscal year 1996:

Table with 2 columns: 'If population equals—' and 'the limitation is equal to the population times—'. Rows range from 5,000 to 32,000 with corresponding values from \$62.00 to 30.50.

If population equals— the limitation is equal to the population times—

Table with 2 columns: 'If population equals—' and 'the limitation is equal to the population times—'. Rows range from 33,000 to 50,000 with corresponding values from 30.00 to 24.75.

(ii) for fiscal year 1997:

Table with 2 columns: 'If population equals—' and 'the limitation is equal to the population times—'. Rows range from 5,000 to 50,000 with corresponding values from \$74.00 to 29.50.

SEC. 3. STUDY AND REPORT.

(a) DEADLINE AND RECOMMENDATIONS.—(1) No later than January 1, 1996, the Comptroller General of the United States shall submit to the Congress a report concerning the results of the study described in subsection (b) of this section.

(2) The report required by paragraph (1) shall include recommendations for revisions of the PILT Act and other laws that would—

(A) provide reasonably predictable payments that are at least as stable as receipts from taxes on non-Federal lands; and

(B) provide an equitable payment system to compensate units of local government for

the net costs incurred by such governments as a result of the presence of Federal lands that are not within the local tax base.

(b) STUDY.—In preparing the report required by this section, the Comptroller General shall—

(1) review the authorities and resulting payments under the PILT Act and other laws providing payments to States and units of local government related to the presence of Federal lands within the jurisdiction of recipient units of government, including the extent to which such payments differ because of disparate treatment of lands classed as public domain and those classed as acquired lands;

(2) assess the adequacy of agency auditing and monitoring, and of the funding for such auditing and monitoring, of the reports required by section 6903(b)(2) of title 31, United States Code;

(3) compare the payments under the PILT Act and other studied laws with—

(A) the net costs imposed on recipient units of local governments by the presence of Federal lands;

(B) the tax payments private landowners would likely have paid to recipient units during the same period; and

(C) services provided to local units of government by Federal land-managing agencies;

(4) examine how payments under the PILT Act and other studied laws affect and interact with the rates of taxation imposed by local units of government on non-Federal lands, including the extent to which total Federal payments are affected by State laws providing for the distribution to independent entities (other than units of general local government);

(5) assess the cost and equity of expanding the categories of lands that would be included in the "entitlement lands", as such term is used in the PILT Act, including (but not limited) to Indian trust lands and acquired lands included in the National Wildlife Refuge System;

(6) identify the extent to which the States make payments to their political subdivisions that are related to the presence within such subdivisions of State-owned lands; and

(7) examine alternatives to the current system of payments under the PILT Act and other laws, including (but not limited to) methods used by States to make payments to their political subdivisions related to the location of State-owned lands within such subdivisions.

It was decided in the { Yeas 160 negative 262

122.14 [Roll No. 502] AYES—160

Table with 3 columns: Name, State, and Roll No. 502. Includes names like Abercrombie, Andrews (TX), Arme, etc.

Table with 3 columns: Name, State, and Roll No. 502. Includes names like Lewis (GA), Lipinski, Lowey, etc.

NOES—262

Table with 3 columns: Name, State, and Roll No. 502. Includes names like Ackerman, Allard, Andrews (ME), etc.

Table with 3 columns: Name, State, and Roll No. 502. Includes names like Sisisky, Skaggs, Swett, etc.

NOT VOTING—18

Table with 3 columns: Name, State, and Roll No. 502. Includes names like Applegate, Barton, Bilirakis, etc.

So the amendment in the nature of a substitute was not agreed to.

After some further time,

122.15 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. VENTO:

Page 4, strike lines 1 through 12 and re-number subsequent sections accordingly.

It was decided in the { Yeas 195 negative 223

122.16 [Roll No. 503] AYES—195

Table with 3 columns: Name, State, and Roll No. 503. Includes names like Abercrombie, Gilchrest, McHugh, etc.