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104TH CONGRESS, 2d Session | HOUSE OF REPRESENTATIVES | REPT. 104–516 Part 1

AMENDING THE NATIONAL FOREST SKI AREA PERMIT ACT OF 1986

APRIL 15, 1996.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources, submitted the following

R E P O R T

[To accompany H.R. 1527]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 1527) to amend the National Forest Ski Area Permit Act of 1986 to clarify the authorities and duties of the Secretary of Agriculture in issuing ski area permits on National Forest System lands and to withdraw lands within ski area permit boundaries from the operation of the mining and mineral leasing laws, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SKI AREA PERMIT RENTAL CHARGE.

(a) The Secretary of Agriculture shall charge a rental charge for all ski area permits issued pursuant to section 3 of the National Forest Ski Area Permit Act of 1986 (16 U.S.C. 497b), the Act of March 4, 1915 (38 Stat. 1101, chapter 144; 16 U.S.C. 497), or the 9th through 20th paragraphs under the heading "SURVEYING THE PUBLIC LANDS" under the heading "UNDER THE DEPARTMENT OF THE INTERIOR" in the Act of June 4, 1897 (30 Stat. 34, chapter 2), on National Forest System lands. Permit rental charges for permits issued pursuant to the National Forest Ski Area Permit Act of 1986 shall be calculated as set forth in subsection (b). Permit rental charges for existing ski area permits issued pursuant to the Act of March 4, 1915, and the Act of June 4, 1897, shall be calculated in accordance with those existing permits: *Provided,* That a permittee may, at the permittee's option, use the calculation method set forth in subsection (b).

(b)(1) The ski area permit rental charge (SAPRC) shall be calculated by adding the permittee's gross revenues from lift ticket/year-round ski area use pass sales plus revenue from ski school operations (LT+SS) and multiplying such total by the slope transport feet percentage (STFP) on National Forest System land. That amount shall be increased by the gross year-round revenue from ancillary facilities (GRAF) physically located on national forest land, including all permittee or sub-permittee lodging, food service, rental shops, parking and other ancillary operations, to determine the adjusted gross revenue (AGR) subject to the permit rental charge.

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The final rental charge shall be calculated by multiplying the AGR by the following percentages for each revenue bracket and adding the total for each revenue bracket:

(A) 1.5 percent of all adjusted gross revenue below $3,000,000;

(B) 2.5 percent for adjusted gross revenue between $3,000,000 and $15,000,000;

(C) 2.75 percent for adjusted gross revenue between $15,000,000 and $50,000,000; and

(D) 4.0 percent for the amount of adjusted gross revenue that exceeds $50,000,000.

Utilizing the abbreviations indicated in this subsection the ski area permit fee (SAPF) formula can be simply illustrated as:

$$SAPF=((LT+SS)\times STFP)+GRAF=AGR;\ AGR\times\%\ BRACKETS$$

(2) In cases where ski areas are only partially located on national forest lands, the slope transport feet percentage on national forest land referred to in subsection (b) shall be calculated as generally described in the Forest Service Manual in effect as of January 1, 1992. Revenues from Nordic ski operations shall be included or excluded from the rental charge calculation according to the percentage of trails physically located on national forest land.

(3) In order to ensure that the rental charge remains fair and equitable to both the United States and ski area permittees, the adjusted gross revenue figures for each revenue bracket in paragraph (1) shall be adjusted annually by the percent increase or decrease in the national Consumer Price Index for the preceding calendar year. No later than 3 years after the date of enactment of this Act and periodically thereafter the Secretary shall submit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the United States House of Representatives a report analyzing whether the ski area permit rental charge legislated by this Act is returning a fair market value rental to the United States together with any recommendations the Secretary may have for modifications of the system.

(c) The rental charge set forth in subsection (b) shall be due on June 1 of each year and shall be paid or pre-paid by the permittee on a monthly, quarterly, annual or other schedule as determined appropriate by the Secretary in consultation with the permittee. Unless mutually agreed otherwise by the Secretary and the permittee, the payment or prepayment schedule shall conform to the permittee's schedule in effect prior to enactment of this Act. To reduce costs to the permittee and the Forest Service, the Secretary shall each year provide the permittee with a standardized form and worksheets (including annual rental charge calculation brackets and rates) to be used for rental charge calculation and submitted with the rental charge payment. Information provided on such forms shall be compiled by the Secretary annually and kept in the Office of the Chief, U.S. Forest Service.

(d) The ski area permit rental charge set forth in this section shall become effective on June 1, 1996 and cover receipts retroactive to June 1, 1995: *Provided, however,* That if a permittee has paid rental charges for the period June 1, 1995, to June 1, 1996, under the graduated rate rental charge system formula in effect prior to the date of enactment of this Act, such rental charges shall be credited toward the new rental charge due on June 1, 1996. In order to ensure increasing rental charge receipt levels to the United States during transition from the graduated rate rental charge system formula of this Act, the rental charge paid by any individual permittee shall be—

(1) for the 1995–1996 permit year, either the rental charge paid for the preceding 1994–1995 base year or the rental charge calculated pursuant to this Act, whichever is higher;

(2) for the 1996–1997 permit year, either the rental charge paid for the 1994–1995 base year or the rental charge calculated pursuant to this Act, whichever is higher;

(3) for the 1997–1998 permit year, either the rental charge for the 1994–1995 base year or the rental charge calculated pursuant to this Act, whichever is higher.

If an individual permittee's adjusted gross revenue for the 1995–1996, 1996–1997, or 1997–1998 permit years falls more than 10 percent below the 1994–1995 base year, the rental charge paid shall be the rental charge calculated pursuant to this Act.

(e) Under no circumstances shall revenue, or subpermittee revenue (other than lift ticket, area use pass, or ski school sales) obtained from operations physically located on non-national forest land be included in the ski area permit rental charge calculation.

(f) To reduce administrative costs of ski area permittees and the Forest Service the terms "revenue" and "sales", as used in this section, shall mean actual income from sales and shall not include sales of operating equipment, refunds, rent paid to the permittee by sublessees, sponsor contributions to special events or any amounts attributable to employee gratuities or employee lift tickets, discounts, or other goods or services (except for bartered goods and complimentary life tickets) for which the permittee does not receive money.

(g) In cases where an area of national forest land is under a ski area permit but the permittee does not have revenue or sales qualifying for rental charge payment pursuant to subsection (a), the permittee shall pay an annual minimum rental charge of $2 for each national forest acre under permit or a percentage of appraised land value, as determined appropriate by the Secretary.

(h) Where the new rental charge provided for in subsection (b)(1) results in an increase in permit rental charge greater than one half of one percent of the permittee's adjusted gross revenue as determined under subsection (b)(1), the new rental charge shall be phased in over a five year period in a manner providing for increases for approximately equal increments.

(i) To reduce federal costs in administering the provisions of this Act, the reissuance of a ski area permit to provide activities similar in nature and amount to the activities provided under the previous permit shall not constitute a major Federal action for the purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.).

SEC. 2. WITHDRAWALS.

Subject to valid existing rights, all lands located within the boundaries of ski area permits issued prior to, on or after the date of enactment of this Act pursuant to authority of the Act of March 4, 1915 (38 Stat. 1101, chapter 144; 16 U.S.C. 497), and the Act of June 4, 1897, or the National Forest Ski Area Permit Act of 1986 (16 U.S.C. 497b) are hereby and henceforth automatically withdrawn from all forms of appropriation under the mining laws and from disposition under all laws pertaining to mineral and geothermal leasing and all amendments thereto. Such withdrawal shall continue for the full term of the permit and any modification, reissuance, or renewal thereof. Unless the Secretary requests otherwise of the Secretary of the Interior, such withdrawal shall be canceled automatically upon expiration or other termination of the permit and the land automatically restored to all appropriation not otherwise restricted under the public land laws.

Amend the title so as to read:

A bill to further clarify the authorities and duties of the Secretary of Agriculture in issuing ski area permits on National Forest System lands and to withdraw lands within ski area permit boundaries from the operation of the mining and mineral leasing laws.

PURPOSE OF THE BILL

The purposes of H.R. 1527 are to establish a Forest Service ski area permit rental charge that provides ski area permittees and the Forest Service with a simplified, consistent, and equitable rental charge formula, and to withdraw lands within ski area permit boundaries from the operation of mining and mineral leasing laws.

BACKGROUND AND NEED FOR LEGISLATION

Several laws, including the National Forest Ski Area Permit Act of 1986, require the Secretary of Agriculture to charge a fair market value rental charge for ski area use of National Forest lands. Nationwide there are 143 ski areas on, or partially on, National Forest land. In 1995, these ski areas occupied approximately 183,000 acres of National Forest land. The operators paid $18.7 million, or approximately 2 percent of gross revenues (which were $943 million), in rental charges under the Graduated Rate Fee System (GRFS) discussed below.

The current formula used to determine ski area rental charges is contained in the Forest Service Manual and Forest Service

Handbook as supplemented by interim directives. The GRFS is encompassed in 40 pages and contains hundreds of definitions, rulings and policies. Under GRFS, each ski area: (1) Works with the Forest Service to define a "development area boundary" (a process that has become increasingly contentious); (2) calculates actual revenues or imputed revenues (gratuities, discounts, complimentary tickets, etc.) from revenue sources within that boundary; (3) ascertains "break even categories" for a variety of revenue components; (4) determines gross fixed assets for deduction purposes; (5) applies Slope Transport Feet Percentage deductions (the percentage of an area's uphill lift capacity which is located on or off the Forest Service lands) to various revenue components; and then (6) calculates the final rental charge.

Over the 20 years since GRFS' initial application to ski areas, both the GRFS system itself, and the nature of ski area operations, have become more complex. In particular, many of the larger ski areas have evolved into multi-season resorts, with income and activities divided among Forest Service and private lands. As a consequence, certain components of the GRFS, which originally involved relatively simple accounting of activities on National Forest lands, have become burdensome to both ski area operators and the Forest Service. Increasingly, auditing of the rental charge paid by ski area operators under GRFS has become expensive and time consuming. Furthermore, there is considerable regional variation in implementation of rental charge policies.

In recent years, the Forest Service has justified assessing rental charges against businesses on private lands on the theory that the related businesses would not exist if it were not for the ski area permits on the National Forest. The Forest Service has also proposed rental charges on "integrated business units" under a "principle of contribution." Under that theory, ski area permittees would pay rental charges on activities on private lands to the extent that the Forest Service ski permit contributes to the private land revenue.

COMMITTEE ACTION

H.R. 1527 was introduced on May 1, 1995, by Congressman Don Young (R–AK). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks, Forests and Lands. The bill was also secondarily referred to the Committee on Agriculture. On July 25, 1995, the Subcommittee held a hearing on H.R. 1527. On December 19, 1995, the Subcommittee met to mark up H.R. 1527. Congressman James Hansen (R–UT) offered an amendment in the nature of a substitute which was adopted by voice vote. The bill was then ordered favorably reported to the Full Committee. On March 13, 1996, the Full Resources Committee met to consider H.R. 1527. A motion to dispense with the first reading of the bill passed by a roll call vote of 32–9, as follows:

Members	Yeas	Nays	Members	Yeas	Nays
Mr. Young (Chairman)	X		Mr. Miller		X
Mr. Tauzin	X		Mr. Markey		X
Mr. Hansen	X		Mr. Rahall		

Members	Yeas	Nays	Members	Yeas	Nays
Mr. Saxton	X		Mr. Vento		
Mr. Gallegly	X		Mr. Kildee		X
Mr. Duncan			Mr. Williams		
Mr. Hefley	X		Mr. Gejdenson		X
Mr. Doolittle	X		Mr. Richardson		X
Mr. Allard	X		Mr. DeFazio	X	
Mr. Golchrest	X		Mr. Faleomavaega	X	
Mr. Calvert	X		Mr. Johnson		
Mr. Pombo	X		Mr. Abercrombie	X	
Mr. Torkildsen			Mr. Studds	X	
Mr. Hayworth	X		Mr. Ortiz		
Mr. Cremeans	X		Mr. Pickett	X	
Mrs. Cubin	X		Mr. Pallone		X
Mr. Cooley	X		Mr. Dooley	X	
Mrs. Chenoweth			Mr. Romero-Barceló	X	
Mrs. Smith	X		Mr. Hinchey		X
Mr. Radanovich	X		Mr. Underwood	X	
Mr. Jones	X		Mr. Farr		X
Mr. Thornberry	X		Mr. Kennedy		X
Mr. Hastings	X				
Mr. Metcalf	X				
Mr. Longley	X				
Mr. Shadegg	X				
Mr. Ensign	X				

Congressman Young then offered an amendment in the nature of a substitute which consisted of the text reported from the Subcommittee on December 19, 1995. Congressman Bruce Vento (D–MN) offered an amendment which changed the frequency by which the Secretary of Agriculture is to submit reports identifying the manner in which the fees authorized pursuant to this Act could be modified to achieve fair market value; the Vento amendment was adopted by unanimous consent. Congressman Vento then offered an amendment deleting a waiver from the National Environmental Policy Act. The amendment was defeated by a roll call vote of 12–30, as follows:

Members	Yes	Nays	Members	Yes	Nays
Mr. Young (Chairman)		X	Mr. Miller	X	
Mr. Tauzin		X	Mr. Markey	X	
Mr. Hansen		X	Mr. Rahall		
Mr. Saxton		X	Mr. Vento	X	
Mr. Gallegly		X	Mr. Kildee	X	
Mr. Duncan			Mr. Williams		
Mr. Hefley		X	Mr. Gejdenson	X	
Mr. Doolittle		X	Mr. Richardson		X
Mr. Allard		X	Mr. DeFazio	X	
Mr. Gilchrest		X	Mr. Faleomavaega	X	
Mr. Calvert		X	Mr. Johnson		
Mr. Pombo		X	Mr. Abercrombie		X
Mr. Torkildsen		X	Studds	X	
Mr. Hayworth		X	Mr. Ortiz		
Mr. Cremeans		X	Mr. Pickett		X
Mrs. Cubin		X	Pallone	X	
Mr. Cooley			Mr. Dooley		X
Mrs. Chenoweth			Mr. Romero-Barceló		X
Mrs. Smith		X	Mr. Hinchey	X	
Mr. Radanovich		X	Mr. Underwood		X
Mr. Jones		X	Mr. Farr	X	
Mr. Thornberry		X	Mr. Kennedy	X	
Mr. Hastings		X			
Mr. Metcalf		X			

Members	Yes	Nays	Members	Yes	Nays
Mr. Longley		X			
Mr. Shadegg		X			
Mr. Ensign		X			

The Young amendment in the nature of a substitute, as amended, was adopted by voice vote, and the bill, as amended, was ordered favorably reported to the House of Representatives by voice vote, in the presence of a quorum.

A bill similar to H.R. 1527 was included in H.R. 2491, the Seven Year Balanced Budget Reconciliation Act of 1995, which was vetoed by the President on December 6, 1995.

SECTION-BY-SECTION ANALYSIS

Section 1. Ski area permit rental charge.

Subsection (1)(a) provides that the Secretary of Agriculture shall charge ski area permittees for rental of Forest Service lands under permit. Permittees with permits issued pursuant to a 1986 permit act shall be required to pay a rental charge calculated according to the method outlined in subsection (b). Permittees with permits issued pursuant prior to the 1986 permit act are given the opportunity to use the new calculation system but otherwise may continue to calculate their rental charge in accordance with their existing permits.

Subsection (b) sets forth the formula under which the ski area permit rental charge (SAPRC) for ski areas on or partially on National Forests, including Nordic ski areas, shall be calculated. It directs annual adjustment of each revenue bracket's adjusted gross revenue figures by the percent increase or decrease in the Consumer Price Index.

Subsection (c) provides that the scheduling of rental charge payments be on an annual basis, with monthly, quarterly or other payments or prepayments to be determined by the Forest Service and individual ski areas.

Subsection (d) provides that the new legislated rental charge shall become effective on June 1, 1996, and cover receipts retroactive to June 1, 1995. However, if a permittee has paid rental charges for the period June 1, 1995, to June 1, 1996, under the existing graduated rate fee system formula, this payment constitutes a credit toward the new rental charge. To ensure that the United States will receive increased rental charge receipts during a three-year transition from the existing graduated rate fee system to the new system, the subsection places a floor on each individual ski area's payment under which every area will pay the higher of the 1994–1995 rental charge or the rental charge calculated in accordance with subsection (b).

Subsection (e) prohibits revenue or subpermittee revenue (other than lift ticket, area use pass, or ski school sales) obtained from operations located on non-National Forest land from being included in the SAPRC calculation.

Subsection (f) defines "revenue" and "sales."

Subsection (g) provides, in cases where an area of National Forest land is under a ski area permit but the permittee does not have revenue or sales qualifying for rental charge payment under sub-

section (a), payment of an annual minimum rental fee of $2 per National Forest acre under permit, or a percentage of appraised land value, as determined by the Secretary.

Subsection (h) directs that new rental charges be phased in over a five-year period for areas where the new rental charge results in an increase greater than one-half of 1 percent of the permittee's adjusted gross revenue.

Subsection (i) states that the reissuance of a ski area permit to provide activities similar in nature and amount to those activities currently being provided at the ski area does not constitute a major Federal action under the National Environmental Policy Act.

Section 2. Withdrawals

Subsection 2 withdraws lands under a ski area permit from appropriation under mining, mineral leasing and geothermal leasing laws for the full term of the permit and its modification, reissuance, or renewal. It further provides that, unless requested by the Secretary, the withdrawal shall terminate automatically upon expiration or termination of the permit and the land be available for all uses not otherwise restricted under the public land laws.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(l)(3)(A) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Subcommittee on National Parks, Forests and Lands of the Committee on Resources held hearings on July 25, 1995, and the oversight findings and recommendations of the Committee on Resources are reflected in this report.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 1527 will have no significant inflationary impact on prices and costs in the operation of the national economy.

COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and comparison by the Committee of the costs which would be incurred in carrying out H.R. 1527. However, clause 7(d) of that Rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 1527 does not contain any new budget authority, credit authority, or an increase or decrease in tax expenditures. If enacted, H.R. 1527 would raise offset-

ting receipts from rental charges in fiscal years 1996, 1997 and 1998, but lower offsetting receipts in fiscal year 1999 and beyond. In addition, H.R. 1527 would have a small impact on discretionary spending for administering ski permits.

2. With respect to the requirement of clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 1527.

3. With respect to the requirement of clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 1527 from the Director of the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 19, 1996.

Hon. DON YOUNG,
Chairman, Committee on Resources,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1527, a bill to further clarify the authorities and duties of the Secretary of Agriculture in issuing ski area permits on National Forest Service lands and to withdraw lands within ski area permit boundaries from the operation of mining and mineral leasing laws.

Enactment of H.R. 1527 would affect direct spending; therefore, pay-as-you-go procedures would apply.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JUNE E. O'NEILL, *Director.*

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 1527.

2. Bill title: A bill to further clarify the authorities and duties of the Secretary of Agriculture in issuing ski area permits on National Forest System lands and to withdraw lands within ski area permit boundaries from the operation of mining and mineral leasing laws.

3. Bill status: As ordered reported by the House Committee on Resources on March 13, 1996.

4. Bill purpose: H.R. 1527 would revise the method of assessing rental charges for permits issued to ski area operators for use of National Forest System lands. The bill also would remove all lands located within the boundaries of ski area permits from all forms of mining during the term of the permits.

5. Estimated cost to the Federal Government: Under current law, approximately 140 ski areas that operate on Forest System lands pay fees totaling about $18 million a year. Enacting H.R. 1527 would change the level of fee collections slightly. CBO estimates that enacting the bill would affect direct spending by raising additional offsetting receipts from rental charges in fiscal years 1996,

1997, and 1998, and by lowering offsetting receipts in fiscal year 1999 and thereafter, as shown in the following table.

[By fiscal year, in millions of dollars]

	1996	1997	1998	1999	2000
CHANGES IN DIRECT SPENDING					
Estimated budget authority	(1)	−1	−1	(1)	(1)
Estimated outlays	(1)	−1	−1	(1)	(1)

[1] Less than $500,000.

In addition, the bill would have a small impact on discretionary spending for administering ski permits, but we estimate that such changes would be less than $500,000 a year.

The costs of this bill fall within budget function 300.

6. Basis of estimate: Direct Spending. Enacting H.R. 1527 would revise the method of assessing rental charges for permits issued to ski areas for use of National Forest System lands. Rental charges under the proposed system would be assessed using a system of four revenue brackets, whereby ski areas with large revenues would pay a higher percentage of their revenues in rental charges than areas with smaller revenues. The bill would establish assessment rates rising from 1.5 percent for the first $3 million of an area's revenues to 4 percent for any revenues above $50 million. The bill's revenue brackets would be adjusted annually for inflation.

Under current law, permit fees for ski areas on Forest Service lands are calculated under the Graduated Rate fee System (GRFS), under which fees are based on each area's revenues and the value of its fixed assets. The proposed rental charge system would be based on gross revenues without any deductions for asset value, and would apply to all ski areas with permits issued pursuant to the National Forest Ski Permit Act of 1986. Ski areas with pre-1986 permits could choose whether to have their fee calculated using the proposed new method or to remain under the current system.

Depending on their revenues, some ski areas would pay less under the proposed new method of calculating rental charges than they pay now under GRFS, and some would pay more. To ensure that the government receives higher rental payments during the transition from the current fee system, the bill provides that the rental charge paid by any individual permittee for the current and next two permit years shall be either the amount charged last year or the rental charge calculated under the new fee system, whichever is higher. If a permittee's gross revenues fall by more than 10 percent during the three transition years, then the rental charge would be calculated based on the new calculation method. If the new method of calculation would result in a fee increasing by more than 0.5 percent of the permittee's adjusted gross revenue, then the rental charge increase would be phased in over five years.

CBO assumes that all ski areas with pre-1986 permits would select the new method of calculating rental charges if their rental charge would be lower than under the current system once the transition period ends. We also assume that many ski areas would choose the new system even if the new charges were slightly higher

than under the current system because such increases would be offset by reduced administrative costs for the areas.

Based on information from the Forest Service and the General Accounting Office, we estimate that enacting H.R. 1527 would result in higher offsetting receipts from rental charges during the three-year transition period since the bill establishes a floor below which rental charges could not fall. Because offsetting receipts appear in the budget as negative outlays, the bill would have the effect of decreasing outlays in the first three years. Next of the required payment to states, we estimate that federal outlays would decrease by less than $500,000 in fiscal year 1996 and by about $1 million in each of fiscal years 1997 and 1998. Beginning in fiscal year 1999, the floor for receipt levels would be removed. We estimate that receipts from rental charges would decrease relative to current law from that point forward, but that the resulting increase in outlays would be less than $500,000 per year.

Discretionary Spending. The new system of rental charges would be easier for the Fort Service to administer than the current GRFS. Hence, it would eventually reduce the need for appropriations to the Forest Service for the costs of audits, accounting, and fee assessment appeals by ski areas. Based on information from the Forest Service, CBO estimates that enacting H.R. 1527 would increase administrative costs during the first two years—during the transition to the new system—but would reduce administrative costs thereafter. CBO estimates that any change in administrative costs would be less than $500,000 per year.

The bill's provision for withdrawing ski permit lands from mining use would not have any significant effect on federal expenditures or receipts.

7. Pay-as-you-go considerations: Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 sets up pay-as-you-go procedures for legislation affecting direct spending or receipts through 1998. CBO estimates that enacting H.R. 1527 would affect direct spending over the 1996–1998 period by increasing offsetting receipts from ski permit fees. Therefore, pay-as-you-go procedures would apply to the bill.

[By fiscal year, in millions of dollars]

	1996	1997	1998
Change in outlays	0	−1	−1
Change in receipts	NA	NA	NA

8. Estimated impact on State, local, and tribal governments: H.R. 1527 contains no intergovernmental mandates as defined in Public Law 104–4. The bill would, however, affect payments to states with Forest Service ski areas within their borders because states receive 25 percent of receipts from ski permit fees. CBO estimates that, in total, states would receive about $200,000 more in each of fiscal years 1996 through 1998 and about $50,000 less in each fiscal year after 1998. This change would affect 15 states, mostly in the West.

9. Estimated impact on the private sector: The bill would impose no new private sector mandates, as defined in Public Law 104–4.

10. Previous CBO estimate: None.

11. Estimate prepared by: Federal Cost Estimate: Victoria V. Heid. State and Local Government Impact: Marjorie Miller. Private Sector Impact: Amy Downs.

12. Estimate approved by: Paul N. Van de Water, Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104–4

H.R. 1527 contains no unfunded mandates.

CHANGES IN EXISTING LAW

If enacted, H.R. 1527 would make no changes in existing law.

DEPARTMENTAL REPORTS

The Committee has received no departmental reports on H.R. 1527.

APPENDIX

HOUSE OF REPRESENTATIVES,
COMMITTEE ON RESOURCES,
Washington, DC, March 18, 1996.

Hon. PAT ROBERTS,
Chairman, Committee on Agriculture,
Washington, DC.

DEAR MR. CHAIRMAN: I ask your cooperation to help schedule an early consideration by the House of Representatives of H.R. 1527, to amend the National Forest Ski Area Permit Act of 1986 to clarify the authorities and the duties of the Secretary of Agriculture in issuing ski area permits on National Forest System lands and to withdraw lands within ski area permit boundaries from the operation of the mining and mineral leasing laws.

H.R. 1527 was referred primarily to the Committee on Resources and secondarily to your Committee based on the Agriculture Committee's jurisdiction over forestry in general, and forests reserves other than those created from the public domain. The purpose of H.R. 1527 is to replace the existing, antiquated system for charging fees for the 140 ski area permits on Forest Service lands with a new system which is simpler to administer and generates additional revenue to the Treasury. As you can see from the enclosed copy, it is substantially similar to ski area fee provisions included in the Balanced Budget Act of 1995.

Because the House has already considered this measure, I ask that the Committee on Agriculture waive its jurisdiction over this bill to allow us to schedule it for Floor consideration as soon as possible. This wavier would not be considered as precedent for any future referrals of similar measures. Moreover, if the bill is conferenced with the Senate, I would support naming Agriculture Committee members to the conference committee.

I look forward to your response and would be pleased to include it and this letter in the report on H.R. 1527.

Sincerely,

DON YOUNG, *Chairman.*

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, March 19, 1996.

Hon. DON YOUNG,
Chairman, Committee on Resources,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for forwarding a copy of H.R. 1527 as ordered reported by your Committee that would amend the National Forest Ski Area Permit Act of 1986 which contains matters within the jurisdiction of the Committee on Agriculture.

The Committee has no objection to the scheduling of the bill for floor consideration. However, in the event there is a conference on H.R. 1527 or any similar bill, this Committee expects to be represented by conferees appointed on matters within its jurisdiction. For that reason, I am forwarding a copy of this letter to the Speaker.

As always I look forward to working with you on matters of mutual interest and would appreciate the exchange of these letters to be included in the report on H.R. 1527.

Sincerely,

PAT ROBERTS, *Chairman.*

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