

110TH CONGRESS  
2D SESSION

# H. R. 5238

To repeal a requirement to reduce by 2 percent the amount payable to each State in fiscal year 2008.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2008

Mr. PEARCE (for himself, Mr. YOUNG of Alaska, Mr. BISHOP of Utah, Mrs. CUBIN, Mr. HELLER of Nevada, Mrs. MCMORRIS RODGERS, Mr. CANNON, and Mr. SALI) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To repeal a requirement to reduce by 2 percent the amount payable to each State in fiscal year 2008.

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 “Restoring the West’s  
5 Fair Share Act of 2008”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Congress agreed to give each State a fair  
9 share of the receipts generated from mineral devel-

1        opment on Federal lands in the State. In essence,  
2        the State government and Federal Government were  
3        to be partners in the mineral production that takes  
4        place on Federal lands.

5            (2) The Consolidated Appropriations Act, 2008  
6        (Public Law 110–161) reduces these State receipts  
7        by as much as 2 percent for fiscal year 2008.

8            (3) The States have at least as much interest  
9        in public lands within their borders as does the cen-  
10        tral Federal Government.

11           (4) The Federal Government does not pay prop-  
12        erty taxes for public lands to States or localities in  
13        any form approaching financial equity. As a con-  
14        sequence, those States in which there are Federal  
15        public land holdings are denied revenues that are  
16        needed for necessary public purposes, such as edu-  
17        cation, roads, and hospitals. This creates a burden  
18        on private owners of property. The burden is greater  
19        for private owners of property in States with larger  
20        Federal public land holdings.

21           (5) The Consolidated Appropriations Act, 2008  
22        will have a negative impact on mineral producing  
23        Western States.

1 **SEC. 3. REPEAL OF REQUIREMENT TO DEDUCT FROM AN**  
2 **AMOUNT PAYABLE TO EACH STATE.**

3 Title I of division F of the Consolidated Appropria-  
4 tions Act, 2008 is amended under the heading “Minerals  
5 Management Service”, under the heading “administrative  
6 provisions”, by striking the second sentence.

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