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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend the Omnibus Parks and Public Lands Management Act of 1996 to provide for the establishment of a Ski Area Fee Retention Account, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. NEGUSE introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Omnibus Parks and Public Lands Management Act of 1996 to provide for the establishment of a Ski Area Fee Retention Account, and for other purposes.

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Ski Hill Resources for
3 Economic Development Act”.

**4 SEC. 2. ESTABLISHMENT OF SKI AREA FEE RETENTION AC-
5 COUNT.**

6 (a) IN GENERAL.—Section 701 of division I of the
7 Omnibus Parks and Public Lands Management Act of

1 1996 (16 U.S.C. 497c) is amended by adding at the end
2 the following:

3 “(k) SKI AREA FEE RETENTION ACCOUNT.—

4 “(1) DEFINITIONS.—In this subsection:

5 “(A) ACCOUNT.—The term ‘Account’
6 means the Ski Area Fee Retention Account es-
7 tablished under paragraph (2).

8 “(B) COVERED UNIT.—The term ‘covered
9 unit’ means the unit of the National Forest
10 System that collects the ski area permit rental
11 charge under this section.

12 “(C) SECRETARY.—The term ‘Secretary’
13 means the Secretary of Agriculture.

14 “(2) ESTABLISHMENT.—The Secretary of the
15 Treasury shall establish a special account in the
16 Treasury, to be known as the ‘Ski Area Fee Reten-
17 tion Account’.

18 “(3) DEPOSITS.—Subject to paragraphs (4)
19 and (5), a ski area permit rental charge collected by
20 the Secretary under this section shall—

21 “(A) be deposited in the Account;

22 “(B) be available to the Secretary for use,
23 without further appropriation; and

24 “(C) remain available for the period of 4
25 fiscal years beginning with the first fiscal year

1 after the fiscal year in which the ski area per-
2 mit rental charge is deposited in the Account
3 under subparagraph (A).

4 “(4) DISTRIBUTION OF AMOUNTS IN THE AC-
5 COUNT.—

6 “(A) LOCAL DISTRIBUTION OF FUNDS.—

7 “(i) IN GENERAL.—Except as pro-
8 vided in subparagraph (C), the Secretary
9 shall expend 80 percent of the ski area
10 permit rental charges deposited in the Ac-
11 count from a covered unit at the covered
12 unit in accordance with clause (ii).

13 “(ii) DISTRIBUTION.—Of the amounts
14 made available for expenditure under
15 clause (i)—

16 “(I) 75 percent shall be used at
17 the covered unit for activities de-
18 scribed in paragraph (5)(A); and

19 “(II) 25 percent shall be used for
20 activities at the covered unit described
21 in paragraph (5)(B).

22 “(B) AGENCY-WIDE DISTRIBUTION OF
23 FUNDS.—The Secretary shall expend 20 percent
24 of the ski area permit rental charges deposited
25 in the Account from a covered unit at any unit

1 of the National Forest System for an activity
2 described in subparagraph (A) or (B) of para-
3 graph (5).

4 “(C) REDUCTION OF PERCENTAGE.—

5 “(i) REDUCTION.—The Secretary
6 shall reduce the percentage otherwise ap-
7 plicable under subparagraph (A)(i) to not
8 less than 60 percent if the Secretary deter-
9 mines that the amount otherwise made
10 available under that subparagraph exceeds
11 the reasonable needs of the covered unit
12 for which expenditures may be made in the
13 applicable fiscal year.

14 “(ii) DISTRIBUTION OF FUNDS.—The
15 balance of the ski area permit rental
16 charges that are collected at a covered
17 unit, deposited into the Account, and not
18 distributed in accordance with subpara-
19 graph (A) or (B) shall be available to the
20 Secretary for expenditure at any other unit
21 of the National Forest System in accord-
22 ance with the following:

23 “(I) 75 percent shall be used for
24 activities described in paragraph
25 (5)(A).

1 “(II) 25 percent shall be used for
2 activities described in paragraph
3 (5)(B).

4 “(5) EXPENDITURES.—Amounts available to
5 the Secretary for expenditure from the Account shall
6 be only used for—

7 “(A)(i) the administration of the Forest
8 Service ski area program, including—

9 “(I) the processing of an application
10 for a new ski area or a ski area improve-
11 ment project, including staffing and con-
12 tracting for the processing; and

13 “(II) administering a ski area permit
14 described in subsection (a);

15 “(ii) staff training for—

16 “(I) the processing of an application
17 for—

18 “(aa) a new ski area;

19 “(bb) a ski area improvement
20 project; or

21 “(cc) a special use permit; or

22 “(II) administering—

23 “(aa) a ski area permit described
24 in subsection (a); or

25 “(bb) a special use permit;

1 “(iii) an interpretation activity, National
2 Forest System visitor information, a visitor
3 service, or signage;

4 “(iv) direct costs associated with collecting
5 a ski area permit rental charge or other fee col-
6 lected by the Secretary related to recreation;

7 “(v) planning for, or coordinating to re-
8 spond to, a wildfire in or adjacent to a recre-
9 ation site, particularly a ski area; or

10 “(vi) reducing the likelihood of a wildfire
11 starting, or the risks posed by a wildfire, in or
12 adjacent to a recreation site, particularly a ski
13 area, except through hazardous fuels reduction
14 activities; or

15 “(B)(i) the repair, maintenance, or enhance-
16 ment of a Forest Service-owned facility, road, or
17 trail directly related to visitor enjoyment, visitor ac-
18 cess, or visitor health or safety;

19 “(ii) habitat restoration directly related to
20 recreation;

21 “(iii) law enforcement related to public use and
22 recreation;

23 “(iv) the construction or expansion of parking
24 areas;

1 “(v) the processing or administering of a recre-
2 ation special use permit;

3 “(vi) avalanche information and education ac-
4 tivities carried out by the Secretary or nonprofit
5 partners;

6 “(vii) search and rescue activities carried out by
7 the Secretary, a local government, or a nonprofit
8 partner; or

9 “(viii) the administration of leases under—

10 “(I) the Forest Service Facility Realign-
11 ment and Enhancement Act of 2005 (16 U.S.C.
12 580d note; Public Law 109–54); and

13 “(II) section 8623 of the Agriculture Im-
14 provement Act of 2018 (16 U.S.C. 580d note;
15 Public Law 115–334).

16 “(6) LIMITATION.—Amounts in the Account
17 may not be used for—

18 “(A) the conduct of wildfire suppression;
19 or

20 “(B) the acquisition of land for inclusion
21 in the National Forest System.

22 “(7) EFFECT.—

23 “(A) IN GENERAL.—Nothing in this sub-
24 section affects the applicability of section 7 of
25 the Act of April 24, 1950 (commonly known as

1 the ‘Granger-Thye Act’) (16 U.S.C. 580d), to
2 ski areas on National Forest System land.

3 “(B) SUPPLEMENTAL FUNDING.—Rental
4 charges retained and expended under this sub-
5 section shall supplement (and not supplant) ap-
6 propriated funding for the operation and main-
7 tenance of each covered unit.

8 “(C) COST RECOVERY.—Nothing in this
9 subsection affects any cost recovery under any
10 provision of law (including regulations) for
11 processing an application for or monitoring
12 compliance with a ski area permit or other
13 recreation special use permit.”.

14 (b) EFFECTIVE DATE.—This section (including the
15 amendments made by this section) shall take effect on the
16 date that is 60 days after the date of enactment of this
17 Act.