

103^D CONGRESS
2^D SESSION

H. R. 5035

To authorize the Secretary of Agriculture to establish and collect recreation use fees on a temporary basis in connection with the recreational use of the Roosevelt Lake Recreation Area in the Tonto National Forest in the State of Arizona.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 1994

Ms. ENGLISH of Arizona introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To authorize the Secretary of Agriculture to establish and collect recreation use fees on a temporary basis in connection with the recreational use of the Roosevelt Lake Recreation Area in the Tonto National Forest in the State of Arizona.

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 “Roosevelt Lake Recre-
5 ation Area Fee Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds the following:

1 (1) The Roosevelt Lake Recreation Area in the
2 Tonto National Forest in the State of Arizona is
3 changing as a result of drastically increasing popu-
4 lation in the communities near the recreation area
5 and modifications in Roosevelt Dam.

6 (2) The current annual funding of \$300,000 for
7 the recreation area does not allow for even minimal
8 maintenance and operation of the newly emerging
9 \$40,000,000 recreational area.

10 (3) The anticipated number of persons using
11 the facilities of the recreation area requires addi-
12 tional funding to provide minimum sanitary and
13 safety related service at the recreation area as well
14 as management of the environment and riparian
15 areas.

16 (4) The quality of services provided at the
17 recreation area and the integrity of the environment
18 could best be served by maintaining public, rather
19 than private, management of the recreation area.

20 (5) The users of units of the National Forest
21 System have demonstrated a willingness to pay a
22 user fee for maintenance and operation if the locally
23 collected funds are returned to the unit.

24 (b) PURPOSE.—It is the purpose of this Act to use
25 funds generated from fees charged in connection with the

1 recreational use of the Roosevelt Lake Recreational
2 Area—

3 (1) to assure adequate funding of maintenance
4 and operation of the recreation area;

5 (2) to provide additional funding to the county
6 in which the recreation area is located, enabling the
7 county to increase investment in facilities and serv-
8 ices related to public safety, sanitation, and the rec-
9 reational environment; and

10 (3) to allow increased funding for the protection
11 of the bald eagle nesting areas, the Canadian geese
12 wintering grounds, and the Roosevelt Lake wildlife
13 refuges at the recreation area.

14 **SEC. 3. DEFINITIONS.**

15 For purposes of this Act:

16 (1) RECREATION AREA.—The term “recreation
17 area” means the Roosevelt Lake Recreation Area in
18 the Tonto National Forest in the State of Arizona.

19 (2) RECREATION SITE.—The term “recreation
20 site” means a campground, picnic ground, swimming
21 site, boat launch site, lake access site, or other man-
22 made or natural recreational facility in the recre-
23 ation area.

24 (3) RECREATION USE FEE; FEE.—The terms
25 “recreation use fee” or “fee” mean a fee that is

1 charged for the use of a recreation site in the recre-
2 ation area.

3 (4) RECREATION USE PASS.—The term “recre-
4 ation use pass” means a document that entitles the
5 holder access and use of recreation sites in the recre-
6 ation area for a specified period of time.

7 (5) SECRETARY.—The term “Secretary” means
8 the Secretary of Agriculture.

9 **SEC. 4. TEMPORARY AUTHORITY TO COLLECT RECREATION**
10 **USE FEES.**

11 (a) RECREATION USE FEE AUTHORIZED.—Except as
12 provided in subsection (b), the Secretary may establish
13 and collect recreation use fees at designated recreation
14 sites within the recreation area.

15 (b) EXCEPTIONS.—The Secretary may not impose or
16 collect a recreation use fee for the use or provision in the
17 recreation area, either singly or in any combination, of
18 drinking water, wayside exhibits, toilet facilities, general
19 purpose roads, overlook sites, or general information. The
20 Secretary may not impose or collect a fee from any officer
21 or employee of the Federal Government or State or local
22 government authorized by the Secretary to perform ad-
23 ministrative duties at recreation sites in the recreation
24 area.

1 (c) ESTABLISHMENT AND COLLECTION.—Establish-
2 ment and collection of recreation use fees shall be made
3 in accordance with subsections (d) and (e) of section 4
4 of the Land and Water Conservation Fund Act of 1965
5 (16 U.S.C. 460l–6a). The Secretary may authorize the col-
6 lection of fees by volunteers in accordance with subsection
7 (k) of such section.

8 (d) GOLDEN AGE PASSPORT AND GOLDEN ACCESS
9 PASSPORT.—Any person holding a valid Golden Age Pass-
10 port or Golden Access Passport issued under paragraph
11 (4) or (5) of section 4(a) of the Land and Water Conserva-
12 tion Fund Act of 1965 (16 U.S.C. 460l–6a(a)) shall be
13 entitled upon presentation of such passport to use a recre-
14 ation site within the recreation area at a rate equal to
15 50 percent of the recreation use fee otherwise applicable
16 to such recreation site.

17 (e) EFFECT ON OTHER LAWS.—Recreation use fees
18 established under this section for use of recreation sites
19 in the recreation area shall be in lieu of any recreation
20 use fees for such recreation sites under section 4(b) of the
21 Land and Water Conservation Fund Act of 1965 (16
22 U.S.C. 460l–6a(b)) or section 1401 of the Omnibus Budg-
23 et Reconciliation Act of 1993 (16 U.S.C. 460l–6c).

1 **SEC. 5. TEMPORARY AUTHORITY TO SELL RECREATION**
2 **USE PASSES.**

3 (a) RECREATION USE PASS AUTHORIZED.—The Sec-
4 retary shall make available for purchase recreation use
5 passes for the use on a daily or annual basis of recreation
6 sites in the recreation area otherwise subject to a recre-
7 ation use fee. Use of an annual recreation use pass shall
8 be subject to any single stay time limits imposed on the
9 recreation site.

10 (b) AVAILABILITY.—The Secretary may have recre-
11 ation use passes available for sale at any recreation site
12 for which a recreation use fee is charged or at other con-
13 venient locations.

14 (c) USE OF PASS.—The recreation use pass shall
15 apply to—

16 (1) the pass holder and any person accompany-
17 ing the pass holder in a single, private, noncommer-
18 cial vehicle; or

19 (2) the pass holder and the spouse, children,
20 and parents of the pass holder accompanying the
21 pass holder where entry to a recreation site is by
22 any means other than a private, noncommercial
23 vehicle.

24 (d) GOLDEN AGE PASSPORT AND GOLDEN ACCESS
25 PASSPORT.—Any person holding a valid Golden Age Pass-
26 port or Golden Access Passport issued under paragraph

1 (4) or (5) of section 4(a) of the Land and Water Conserva-
2 tion Fund Act of 1965 (16 U.S.C. 460l-6a(a)) shall be
3 entitled upon presentation of such passport to purchase
4 of a recreation use pass for the recreation area at a rate
5 equal to 50 percent of the purchase price otherwise appli-
6 cable to the recreation use pass.

7 (e) RULES AND REGULATIONS, ENFORCEMENT POW-
8 ERS.—Recreation use passes sold under this section shall
9 be nontransferable. The unlawful use of a recreation use
10 pass shall be punishable in accordance with regulations es-
11 tablished under section 4(e) of the Land and Water Con-
12 servation Fund Act of 1964 (16 U.S.C. 460l-6a(e)).

13 **SEC. 6. TERMINATION OF AUTHORITY.**

14 (a) TERMINATION.—The authority of the Secretary
15 to establish or collect fees under section 4 or sell recre-
16 ation use passes under section 5 shall expire at the end
17 of the seven-year period beginning on the date of the en-
18 actment of this Act. Termination of such authority shall
19 not affect the validity of any annual recreation use pass
20 sold under section 5 before that date.

21 (b) REPORT.—Not later than six years after the date
22 of the enactment of this Act, the Secretary shall submit
23 to the Committee on Energy and Natural Resources and
24 the Committee on Agriculture, Nutrition, and Forestry of
25 the Senate and the Committee on Natural Resources and

1 the Committee on Agriculture of the House of Representa-
2 tives a report evaluating the authority provided by sections
3 4 and 5 regarding recreation use fees and recreation use
4 passes. The report shall include any recommendations of
5 the Secretary for modifying the authority, for extending
6 the authority beyond the date specified in subsection (a),
7 or for extending the authority to other units of the Na-
8 tional Forest System.

9 **SEC. 7. DISPOSITION OF RECREATION USE FEES AND**
10 **FUNDS FROM SALES OF RECREATION USE**
11 **PASSES.**

12 (a) DEPOSIT OF FUNDS.—Notwithstanding para-
13 graphs (1), (2), or (3) of section 4(i) of the Land and
14 Water Conservation Fund Act of 1965 (16 U.S.C. 460l-
15 6a(i)), recreation use fees collected under section 4 and
16 amounts received from sales of recreation use passes
17 under section 5 shall be deposited in a special account in
18 the Treasury.

19 (b) USE OF FUNDS.—

20 (1) OPERATION, MAINTENANCE, AND OTHER
21 USES.—In such amounts as are provided in advance
22 in appropriation Acts, the Secretary may use
23 amounts in the special account to provide supple-
24 mental funds for operation, maintenance, and man-
25 agement of recreation sites within the recreation

1 area, for interpretation and management of re-
2 sources in the recreation area, and for administra-
3 tive costs associated with such activities.

4 (2) PAYMENTS TO STATES AND COUNTIES.—
5 Recreation use fees collected under section 4 and
6 amounts received for recreation use passes sold
7 under section 5 shall be considered as money re-
8 ceived for purpose of computing and distributing
9 payments to States and counties pursuant to the Act
10 of May 23, 1908 (16 U.S.C. 500).

11 (c) ROADS AND TRAILS.—Recreation use fees col-
12 lected under section 4 and amounts received for recreation
13 use passes sold under section 5 shall not be considered
14 as money received for purpose of the fourteenth paragraph
15 under the heading “FOREST SERVICE” of the Act of March
16 4, 1913 (16 U.S.C. 501).

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