

105TH CONGRESS
2D SESSION

H. R. 3187

To amend the Federal Land Policy and Management Act of 1976 to exempt not-for-profit entities that hold rights-of-way on public lands from certain strict liability requirements imposed in connection with such rights-of-way.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 1998

Mr. SMITH of Oregon introduced the following bill; which was referred to the Committee on Resources

A BILL

To amend the Federal Land Policy and Management Act of 1976 to exempt not-for-profit entities that hold rights-of-way on public lands from certain strict liability requirements imposed in connection with such rights-of-way.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EXEMPTION FOR NOT-FOR-PROFIT ENTITIES**
2 **FROM STRICT LIABILITY FOR RECOVERY OF**
3 **FIRE SUPPRESSION COSTS.**

4 Section 504(h) of the Federal Land Policy and Man-
5 agement Act of 1976 (43 U.S.C. 1764(h)) is amended by
6 adding at the end the following new paragraph:

7 “(3) In the regulations required under this sub-
8 section, the Secretary concerned may not impose liability
9 without fault for fire suppression costs incurred by the
10 United States with respect to a right-of-way under this
11 title if the holder of the right-of-way is a not-for-profit
12 entity, including a not-for-profit entity that uses the right-
13 of-way for the delivery of electricity to parties having an
14 equity interest in the not-for-profit entity.”.

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