

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

RESOLUTION No. 2014 - 2

A RESOLUTION SUPPORTING CONTINUED FUNDING OF THE FEDERAL PAYMENTS IN LIEU OF TAXES PROGRAM BY SENDING A LETTER TO THE HONORABLE BARBARA MIKULSKI, CHAIR OF THE U.S. SENATE COMMITTEE ON APPROPRIATIONS

WHEREAS, Payments in Lieu of Taxes (or "PILT"/"PILT Program") are Federal payments to local governments that help offset losses in property taxes due to non-taxable Federal lands located within their boundaries;

WHEREAS, the key law that authorized the PILT payments was Public Law 94-565 on October 20, 1976, was amended by Public Law 97-258, and was codified into law at 31 U.S. Code, Chapter 69;

WHEREAS, the law recognizes that the inability of local governments to collect property taxes on Federally-owned land can create a financial impact;

WHEREAS, PILT payments help local governments to carry out such vital services as firefighting, police protection, construction of public schools and roads, and search-and-rescue operations;

WHEREAS, PILT payments are made annually for tax-exempt Federal lands administered by the BLM, the National Park Service, the U.S. Fish and Wildlife Service, the U.S. Forest Service, and for Federal water projects and some military installations;

WHEREAS, the Department of the Interior's Office of the Secretary has administrative authority over the PILT Program;

WHEREAS, the formula used to compute the payments is contained in the PILT Act and is based on population, receipt sharing payments, and the amount of Federal land within an affected county;

WHEREAS, the PILT payments are in addition to other Federal revenues such as oil and gas leasing, livestock grazing, and timber harvesting that the Federal government transfers to states;

2014/10/15/2014
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WHEREAS, on September 30, 2013, the President's FY 2014 budget submission to Congress requested a one-year extension of the PILT Program which would have funded the program from October 1, 2013 to September 30, 2014;

WHEREAS, Congress did not reauthorize the PILT Program for FY 2014 and the Department of the Interior did not issue its standard request for acreage and prior-year payment data to calculate payments for 2014;

WHEREAS, the PILT Program presents a fair and reasonable method to reimburse local governments for some of the impact to their counties by the presence of Federal lands they cannot tax yet to which they must provide valuable services;

WHEREAS, on December 26, 2013, the President signed an appropriations bill for FY 2014 and FY 2015 that did not include funding for the PILT Program;

WHEREAS, the Honorable Barbara Mikulski is Chair of the U.S. Senate Committee on Appropriations;

WHEREAS, the Honorable Richard Shelby is Vice Chair of the U.S. Senate Committee on Appropriations;

WHEREAS, the Honorable Hal Rogers is Chair of the U.S. House of Representatives Committee on Appropriations;

WHEREAS, the Honorable Nita Lowey is Ranking Member of the U.S. House of Representatives Committee on Appropriations; and

WHEREAS, these members of Congress are in positions of authority to receive and consider the County's concerns about the failure to reauthorize the PILT Program and to recommend restorative legislation.

NOW, THEREFORE BE IT RESOLVED that the Board of the County Commissioners does hereby support the sending of a letter addressed to the Honorable Barbara Mikulski as well as to the other above-referenced members of Congress, urging the introduction of legislation as soon as possible that reauthorizes the PILT Program.

RESOLVED, APPROVED, AND ADOPTED this 14 day of January, 2014.

REC'D CLERK RECORDED 01/15/2014

THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY

By: Daniel W. Mayfield
Daniel W. Mayfield, Chair

ATTESTED:

Geraldine Salazar
Geraldine Salazar, County Clerk 1/14/2014



APPROVED AS TO FORM:

Ville R. Brown
for: Stephen C. Ross, County Attorney



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
BCC RESOLUTIONS
PAGES: 5
I Hereby Certify That This Instrument Was Filed for
Record On The 15TH Day Of January, 2014 at 09:59:20 AM
And Was Duly Recorded as Instrument # 1727683
Of The Records Of Santa Fe County
Witness By Hand And Seal Of Office
Geraldine Salazar
Deputy Maree Salazar County Clerk, Santa Fe, NM

REC'D CLERK RECORDED 1/15/2014

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

January 14, 2014

The Honorable Barbara Mikulski
Chairwoman
Committee on Appropriations
United States Senate
Washington, DC 20510

The Honorable Hal Rogers
Chairman
Committee on Appropriations
United States House of Representatives
Washington, DC 20510

The Honorable Richard Shelby
Vice Chairman
Committee on Appropriations
United States Senate
Washington, DC 20510

The Honorable Nita Lowey
Ranking Member
Committee on Appropriations
United States House of Representatives
Washington, DC 20510

Dear Chairwoman Mikulski, Chairman Rogers, Vice Chairman Shelby, and Ranking Member Lowey:

As the House and Senate Appropriations Committees works to develop a final Fiscal Year (FY) 2014 spending measure, we respectfully request that your committee fully support the Payments in Lieu of Taxes (PILT) program. The PILT program provides critical funding to nearly 1,900 counties in 49 states and three U.S. territories. As you know, the recently adopted budget resolution included a deficit neutral reserve fund placeholder for PILT. With this bipartisan acknowledgment to fund the program, we respectfully request that the program be fully funded and appropriately offset in the upcoming appropriations bill.

PILT is currently authorized at \$425 million for fiscal year 2014 to help offset losses to local governments from the presence of non-taxable federal lands through direct payments to counties and other local governments. Counties with federal land in their jurisdictions often provide vital services on those lands, such as fire suppression, solid waste management, search and rescue and emergency medical services. A fully funded PILT program helps to offset the loss of these important revenues and fulfill the federal governments' obligation to local communities with large amounts of federal land.

In July 2012, President Obama signed into law PL 112-141, the Moving Ahead for Progress in the 21st Century Act (MAP-21). Included in the legislation was mandatory funding for PILT. After implementation of the Budget Control Act (sequestration cuts), counties received roughly \$400 million in FY 2013. Unless Congress acts, Counties will have received their last fully funded PILT disbursement in June of 2013.

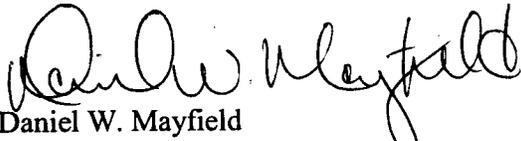
We urge you to consider the economic hardship that counties across the nation will face if the PILT program is not given consistent funding. We understand the Appropriations Committee has some

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difficult funding decisions coming up and we appreciate your consideration of this important issue. Moving forward, I hope that we can work together to seek a long-term funding solution to provide a consistent and stable source of funding for the nation's PILT counties.

Respectfully,



Daniel W. Mayfield
Santa Fe County Commission Chair

Cc: The Honorable Senator Thomas Udall
The Honorable Senator Martin Heinrich
The Honorable Congressman Ben Ray Luján

REC'D BY: RECORDED BY: 11/14/2011