

Representative Casey Snider proposes the following substitute bill:

CONCURRENT RESOLUTION ON FEDERAL GOVERNMENT

PAYMENTS IN LIEU OF TAXES

2020 SIXTH SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Keven J. Stratton

Senate Sponsor: _____

LONG TITLE

General Description:

This concurrent resolution addresses federal government payments in lieu of taxes.

Highlighted Provisions:

This resolution:

▶ states that the minimum current annual property tax equivalency for all federal lands in the state of Utah is greater than the \$41 million that the state received for 2019;

▶ addresses the history of federal government payments in lieu of taxes (PILT), expresses appreciation for all PILT money paid to the state, but addresses the inadequacy of those payments;

▶ refers to new technology that enables a more accurate determination of the property tax equivalency value of all federal lands in the state;

▶ calls on Congress and the President to fund PILT payments to Utah for 2020 at the full property tax equivalency amount;

▶ calls upon federal officials to coordinate expeditiously with Utah and other willing states to ensure that future PILT payments are permanently made on a full property tax equivalency basis;

▶ calls on federal officials to collaborate with Utah's congressional delegation and



26 state and local officials to allow greater state management and local control of the federal land
27 within Utah municipalities in order to stabilize fluctuating economic conditions;

28 ▶ calls upon local, state, and national leaders and others to come together to secure the
29 full and fair property tax equivalency of PILT for all western states and the nation;

30 and

31 ▶ directs that a copy of this resolution be sent to federal, state, and local officials and
32 others.

33 **Special Clauses:**

34 None



36 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

37 WHEREAS, the current annual property tax equivalency for all federal lands in the
38 state of Utah is greater than the \$41 million that the state received for 2019;

39 WHEREAS, technology now exists to more accurately determine the property tax
40 equivalency value of all federal lands in the state;

41 WHEREAS, when the federal government changed its public lands policy in 1976 from
42 one of disposal to one of retention, Congress agreed to make payments in lieu of taxes (PILT)
43 "to make up for the presence of nontaxable land" (Congressional Research Service) on a "tax
44 equivalency" (USDA) basis;

45 WHEREAS, tax equivalency means the amount "that would have been received by
46 these jurisdictions if the federal lands were privately owned" (Government Accountability
47 Office);

48 WHEREAS, the federal commitment to pay the property tax equivalency for PILT is
49 vital for Utah's children and communities and is particularly important during periods of
50 fluctuating economic conditions;

51 WHEREAS, Utah appreciates every dollar of PILT money received, yet the harsh
52 reality is that current PILT is less than the lowest, fair property tax equivalency value, resulting
53 in exponentially compounding depressive impacts on funding for education and essential
54 government services, including first responder services, the construction of roads, schools, and
55 other infrastructure, and search and rescue services;

56 WHEREAS, the current fluctuating economic conditions have intensified this structural

57 burden borne by Utah citizens and communities to fund education and all other government
58 services with less than 21% taxable land; and

59 WHEREAS, by unanimous vote, the Utah Legislature, with the Governor concurring,
60 charged the Utah Federalism Commission with overseeing the development of a federal land
61 valuation model, together with the review and analysis of applicable studies and materials
62 pertaining to the property tax equivalency of PILT, which together led to the findings and
63 conclusions set forth in this resolution:

64 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
65 Governor concurring therein, calls upon the Congress of the United States and the President of
66 the United States to make payments to the state in lieu of taxes for 2020 on a full property tax
67 equivalency basis, as committed at the inception of the PILT program.

68 BE IT FURTHER RESOLVED that the Legislature of the state of Utah, the Governor
69 concurring therein, calls upon the Congress of the United States and the President of the United
70 States to coordinate expeditiously and in good faith with Utah and other willing states to adopt
71 such laws, regulations, and policies as are necessary to ensure that all future PILT payments are
72 permanently made on a full property tax equivalency basis.

73 BE IT FURTHER RESOLVED that the Legislature of the state of Utah, the Governor
74 concurring therein, calls upon the Congress of the United States, the President of the United
75 States, and the relevant federal administrative agencies, in light of the current fluctuating
76 economic conditions Utah faces, to collaborate in a timely and good faith manner with Utah's
77 congressional delegation and with state and local leaders to allow greater state management
78 and local control of the 217,000 acres of federal land within Utah municipal limits, which
79 amount to a small fraction of the 33 million acres of nontaxable federally managed lands within
80 the state of Utah, for the purpose of stabilizing fluctuating economic conditions.

81 BE IT FURTHER RESOLVED that the Legislature of the state of Utah, the Governor
82 concurring therein, calls upon all people of good will and local, state, and national leaders to
83 come together to secure the full and fair property tax equivalency of PILT for our children and
84 our communities throughout all western states and the entire nation.

85 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the President of
86 the United States, the Vice President of the United States, the Majority Leader and Minority
87 Leader of the United States Senate, the Speaker and Minority Leader of the United States

88 House of Representatives, each member of the Utah congressional delegation, the Governors,
89 the Senate Presidents, and Speakers of the House of every state with more than 20% federally
90 controlled lands, the county governing council and executive of every county within those
91 states, and the National Association of Counties and the Western Governors Association.