

109TH CONGRESS  
1ST SESSION

# H. R. 3464

To authorize the Secretary of the Interior to make payments to Western States for education improvement.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2005

Mr. BISHOP of Utah (for himself, Mr. HERGER, and Mr. CANNON) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To authorize the Secretary of the Interior to make payments to Western States for education improvement.

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 “Action Plan for Public  
5 Lands and Education Act of 2005”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

1           (1) Western States, as a group, are falling be-  
2 hind in education funding when measured in growth  
3 of real per pupil expenditures from 1979 to 1998.

4           (2) Eleven of the twelve States with the lowest  
5 real growth in per pupil expenditures are Western  
6 States.

7           (3) The growth rate of real per pupil expendi-  
8 tures in the 13 Western States is less than half such  
9 rate in the 37 other States (28 percent versus 57  
10 percent).

11          (4) One effect of less funding for public edu-  
12 cation in the West is higher pupil per teacher ratios.

13          (5) Ten of the twelve States with the largest  
14 pupil per teacher ratios are Western States.

15          (6) On average, the 13 Western States have 3  
16 more students per classroom than the 37 other  
17 States.

18          (7) To make matters worse, over the next 10  
19 years, enrollment is projected to be much higher in  
20 Western States than in other States.

21          (8) On average, enrollment growth of Western  
22 States is projected to increase dramatically while the  
23 other States projected growth rate actually de-  
24 creases.

1           (9) The State and local taxes of Western States  
2           as a percentage of personal income are as high or  
3           higher than other States.

4           (10) Despite the fact that Western States tax  
5           at a comparable rate and allocate as much of their  
6           budgets to public education as other States, Western  
7           States have lower real growth in per pupil expendi-  
8           tures and have higher pupil per teacher ratios.

9           (11) The problem lies at the feet of the Federal  
10          Government because of the enormous amount of  
11          land the Federal Government owns in Western  
12          States.

13          (12) No State east of an imaginary vertical line  
14          from Montana to New Mexico has more than 14 per-  
15          cent of its land federally-owned.

16 **SEC. 3. PAYMENTS TO WESTERN STATES FOR EDUCATION**  
17 **IMPROVEMENT.**

18          (a) PAYMENTS.—For the purpose described in sub-  
19          section (b), the Secretary of the Interior shall make an  
20          annual payment in fiscal year 2006 and each subsequent  
21          fiscal year to the State educational agency of each eligible  
22          State in an amount determined under subsection (c).

23          (b) PURPOSE OF PAYMENTS.—The Secretary may  
24          make a payment to a State under this section only if the

1 State agrees to expend the funds only for the purpose of  
2 education improvement.

3 (c) AMOUNT OF PAYMENTS.—The amount of a pay-  
4 ment to a State educational agency under this Act for a  
5 fiscal year shall be an amount which bears the same ratio  
6 to the total amount appropriated for payments under this  
7 Act for that year as the number of acres of federally  
8 owned property in the State bears to the total number of  
9 acres of federally owned property in all of the eligible  
10 States.

11 (d) APPLICATION.—To receive a payment under this  
12 section, an eligible State shall submit an application at  
13 such time, in such manner, and containing such informa-  
14 tion as the Secretary may reasonably require.

15 (e) DEFINITIONS.—In this Act:

16 (1) The term “eligible State” includes Alaska,  
17 Arizona, California, Colorado, Hawaii, Idaho, Mon-  
18 tana, New Mexico, Nevada, Oregon, Utah, Wash-  
19 ington, and Wyoming.

20 (2) The term “Secretary” means the Secretary  
21 of the Interior.

22 (3) The term “State educational agency” means  
23 the agency primarily responsible for the State super-  
24 vision of education.

1           (f) AUTHORIZATION OF APPROPRIATIONS.—For pay-  
2 ments under this Act, there are authorized to be appro-  
3 priated \$4,157,803,825 for fiscal year 2006 and each sub-  
4 sequent fiscal year.

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