

§ 1881.13

43 CFR Ch. II (10–1–04 Edition)

Unit of general local government means:

(1) A county, parish, township, borough, or city, (other than in Alaska), where the city is independent of any other unit of general local government, that:

(i) Is within the class(es) of such political subdivision in a State that the Secretary of the Interior determines, in his discretion, to be the principal provider(s) of governmental services within the State; and

(ii) Is a unit of general local government, as determined by the Secretary of the Interior on the basis of the same principles as were used by the Secretary of Commerce on January 1, 1983, for general statistical purposes.

(2) Any area in Alaska that is within the boundaries of a census area used by the Secretary of Commerce in the decennial census, but that is not included within the boundaries of a governmental entity described under paragraph (1) of this definition.

(3) The Governments of the District of Columbia, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.

§ 1881.13 Who is eligible to receive PILT payments?

(a) Each unit of general local government containing entitlement lands may receive a PILT payment.

(b) A unit of general local government may not receive a payment for land owned or administered by a State or unit of general local government that was exempt from real estate taxes when the land was conveyed to the United States. However, a unit of general local government may receive a PILT payment for land when:

(1) A State or unit of general local government acquires from a private party to donate to the United States within eight years of acquisition;

(2) A State acquires through an exchange with the United States if the land acquired was entitlement land; or

(3) In the State of Utah, that the United States acquires for Federal land, royalties or other assets if, at the time of acquisition, a unit of general local government was entitled to receive payments in lieu of taxes from the State of Utah for the land; provided

that the payment to the local government does not exceed the payment the State would have disbursed if the land had not been acquired.

PAYMENTS TO LOCAL GOVERNMENTS CONTAINING ENTITLEMENT LANDS (31 U.S.C. 6902)

§ 1881.20 How does BLM process section 6902 payments?

(a) The BLM:

(1) Determines the eligibility of units of general local governments, conferring when necessary, with the Bureau of the Census, officials of appropriate State and local governments, and officials of the agency administering the entitlement land;

(2) Computes the amount of the payment disbursed to each unit of general local government; and

(3) Certifies the amount of the payment disbursed to each unit of general local government.

(b) The BLM disburses a payment each fiscal year to each unit of general local government containing entitlement lands.

(c) The State of Alaska is required to distribute the payment it receives to home rule cities and general law cities (as such cities are defined by the State) that are located within the boundaries of the unit of general local government entitled to the payment.

§ 1881.21 What information does BLM need to calculate these payments?

(a) The BLM obtains the necessary data on Federal and State payments from several sources:

(1) Federal agencies provide the amount of entitlement land within the boundaries of each unit of general local government as of the last day of the fiscal year preceding the fiscal year for which BLM disburses the payment.

(2) The Governor or designated official provides the amount of money transfers (land revenue sharing payments) disbursed by the State during the previous fiscal year to eligible units of general local government under the following payment laws listed under 31 U.S.C. 6903(a)(1):

(i) The Act of June 20, 1910 (Arizona and New Mexico Enabling Acts) (ch. 310, 36 Stat 557);