

**471.653 DISTRIBUTION OF CERTAIN FEDERAL PAYMENTS.**

Federal payment in lieu of taxes on entitlement lands made pursuant to United States Code, title 31, sections 6901 to 6906 must be transferred by a county to the home rule or statutory city or town where the entitlement land is located if the county board determines that the statutory or home rule city or town is the principal provider of one or more governmental services affecting the use of entitlement lands and if the total annual federal payment to the county is \$5,000 or more. The county board shall make its determination based on factors which must include: (1) whether the city or town has at least 60 acres of land within the entitlement lands; (2) whether city or town roads are the primary access to the entitlement lands; and (3) whether the city or town provides one or more specific services to the entitlement lands such as fire protection, police protection, search and rescue services, or land use planning and official controls.

The distribution of federal payment in lieu funds shall be made by the county board to a qualifying city or town in the proportion that the acreage of entitlement land located in each bears to the total acreage of entitlement land in the county. If more than 25 percent of entitlement acreage in a county is located in qualifying cities or towns, there shall be a pro rata reduction in each qualifying city or town's share, so that only 30 percent of the total county payment is distributed.

**History:** *1985 c 204 s 3; 1997 c 39 s 1*