

SENATE BILL No. 1379

September 26, 2000, Introduced by Senators SCHUETTE, NORTH, STEIL, HAMMERSTROM and LELAND and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

A bill to amend 1967 (Ex Sess) PA 7, entitled "Urban cooperation act of 1967," by amending sections 2, 3, 4, 10, and 12 (MCL 124.502, 124.503, 124.504, 124.510, and 124.512), section 2 as amended by 1995 PA 108 and section 10 as amended by 1985 PA 10.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Interlocal agreement" means an agreement entered into
3 under this act.

4 (b) "Local governmental unit" means a county, city, village,
5 township, or charter township.

6 (c) "Province" means a province of ~~the Dominion of~~
7 Canada.

8 (d) "Property" means any real or personal property, as
9 described in section 34c of the general property tax act, ~~Act~~

1 ~~No. 206 of the Public Acts of 1893, being section 211.34c of the~~
2 ~~Michigan Compiled Laws 1893 PA 206, MCL 211.34C.~~

3 (e) "Public agency" means a political subdivision of this
4 state or of another state of the United States or of ~~the~~
5 ~~Dominion of~~ Canada, including, but not limited to, A state gov-
6 ernment; a county, city, village, township, charter township,
7 school district, single or multipurpose special district, or
8 single or multipurpose public authority; A provincial government,
9 metropolitan government, borough, or other political subdivision
10 of ~~the Dominion of~~ Canada; an agency of the United States gov-
11 ernment; or a similar entity of any other states of the United
12 States and of ~~the Dominion of~~ Canada.

13 (f) "State" means a state of the United States.

14 Sec. 3. If any provision of this act conflicts with any
15 other statute of this state providing for the authorization or
16 performance of joint or cooperative agreements or undertakings
17 between public agencies of this state or between public agencies
18 of this state and public agencies of other states or of ~~the~~
19 ~~Dominion of~~ Canada, the provisions of ~~such other statutes~~ THE
20 OTHER STATUTE shall control.

21 Sec. 4. A public agency of this state may exercise jointly
22 with any other public agency of ~~the~~ THIS state, ~~or~~ with a
23 public agency of any other state of the United States, ~~or~~ with
24 a public agency of ~~the Dominion of~~ Canada, or with any public
25 agency of the United States government ~~,~~ any power, privilege,
26 or authority ~~which such~~ THAT THE agencies share in common and
27 ~~which~~ THAT each might exercise separately.

1 Sec. 10. (1) If funds of ~~the~~ THIS state are to be
2 allocated to carry out, in whole or in part, an agreement under
3 this act or if ~~the~~ THIS state, an agency of the United States
4 government, any other state or political subdivision of any other
5 state, or ~~the Dominion of~~ Canada or a political subdivision of
6 ~~the Dominion of~~ Canada ~~,~~ is a party to an agreement under
7 this act, an interlocal agreement, prior to and as a condition
8 precedent to its effectiveness, shall be submitted to the gover-
9 nor who shall determine whether the agreement is in proper form
10 and compatible with the laws of this state.

11 (2) For the purposes of this section, funds of ~~the~~ THIS
12 state do not include grants, gifts, bequests, or assistance funds
13 given to a public agency ~~which~~ THAT is a party to an interlocal
14 agreement if the purpose of that agreement is to administer those
15 grants, gifts, bequests, or assistance funds according to their
16 terms or to combine the proceeds of the parties' grants, gifts,
17 bequests, or assistance funds for investment purposes.

18 (3) The governor shall approve an agreement submitted to him
19 or her unless the governor finds that the agreement does not meet
20 the conditions set forth in this act or is not compatible with
21 the laws of this state. If the governor so finds, the governor
22 shall detail in writing addressed to the governing bodies of the
23 public agencies concerned within 90 days the specific respects in
24 which the proposed interlocal agreement fails to meet the
25 requirements of law. The governing bodies of the public agencies
26 concerned shall have 60 days to resubmit the revised interlocal

1 agreement to the governor, who shall approve or disapprove the
2 agreement within 90 days.

3 (4) Prior to its effectiveness, an interlocal agreement
4 shall be filed with the county clerk of each county where a party
5 to the agreement is located and with the secretary of state.

6 Sec. 12. (1) A public agency entering into an interlocal
7 agreement may appropriate funds and may sell, lease, give, or
8 otherwise supply any party designated to operate the joint or
9 cooperative undertaking ~~such~~ ANY personnel, services, facili-
10 ties, property, franchises, or funds ~~therefor as~~ FOR THE UNDER-
11 TAKING THAT may be within its legal power to furnish.

12 (2) A public agency entering into an interlocal agreement
13 may receive grants-in-aid or other assistance funds from the
14 United States government, the state of Michigan, or ~~the Dominion~~
15 ~~of~~ Canada for use in carrying out the purposes of the interlocal
16 agreement.