

REPRINT

SUBSTITUTE FOR

SENATE BILL NO. 112

(As passed the Senate May 23, 2002)

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~~

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Sub. SB 112 (S-1) as amended June 5, 2002 2

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. AS USED IN THIS SUBDIVI-
13 SION, AGENCY OF THE UNITED STATES GOVERNMENT INCLUDES [AN INDIAN
14 TRIBE RECOGNIZED BY THE FEDERAL GOVERNMENT BEFORE 2000 THAT EXERCISES]
15 LAND WITHIN THIS STATE, EXCEPT THAT THIS ACT OR ANY INTERGOVERN-
16 MENTAL AGREEMENT ENTERED INTO UNDER THIS ACT SHALL NOT AUTHORIZE
17 THE APPROVAL OF A CLASS III GAMING COMPACT NEGOTIATED UNDER THE
18 INDIAN GAMING REGULATORY ACT, PUBLIC LAW 100-497, 102 STAT. 2467.

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

20 Sec. 3. If any provision of this act conflicts with any
21 other statute of this state providing for the authorization or
22 performance of joint or cooperative agreements or undertakings
23 between public agencies of this state or between public agencies
24 of this state and public agencies of other states or of ~~the~~
25 ~~Dominion of~~ Canada, the provisions of ~~such other statutes~~ THE
26 OTHER STATUTE shall control.

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1 Sec. 4. A public agency of this state may exercise jointly
2 with any other public agency of ~~the~~ THIS state, ~~or~~ with a
3 public agency of any other state of the United States, ~~or~~ with
4 a public agency of ~~the Dominion of~~ Canada, or with any public
5 agency of the United States government ~~—~~ any power, privilege,
6 or authority ~~which such~~ THAT THE agencies share in common and
7 ~~which~~ THAT each might exercise separately.

8 Sec. 10. (1) If funds of ~~the~~ THIS state are to be allo-
9 cated to carry out, in whole or in part, an agreement under this
10 act or if ~~the~~ THIS state, an agency of the United States gov-
11 ernment, any other state or political subdivision of any other
12 state, or ~~the Dominion of~~ Canada or a political subdivision of
13 ~~the Dominion of~~ Canada ~~—~~ is a party to an agreement under
14 this act, an interlocal agreement, prior to and as a condition
15 precedent to its effectiveness, shall be submitted to the gover-
16 nor who shall determine whether the agreement is in proper form
17 and compatible with the laws of this state.

18 (2) For the purposes of this section, funds of ~~the~~ THIS
19 state do not include grants, gifts, bequests, or assistance funds
20 given to a public agency ~~which~~ THAT is a party to an interlocal
21 agreement if the purpose of that agreement is to administer those
22 grants, gifts, bequests, or assistance funds according to their
23 terms or to combine the proceeds of the parties' grants, gifts,
24 bequests, or assistance funds for investment purposes.

25 (3) The governor shall approve an agreement submitted to him
26 or her unless the governor finds that the agreement does not meet
27 the conditions set forth in this act or is not compatible with

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1 the laws of this state. If the governor so finds, the governor
2 shall detail in writing addressed to the governing bodies of the
3 public agencies concerned within 90 days the specific respects in
4 which the proposed interlocal agreement fails to meet the
5 requirements of law. The governing bodies of the public agencies
6 concerned shall have 60 days to resubmit the revised interlocal
7 agreement to the governor, who shall approve or disapprove the
8 agreement within 90 days.

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

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

18 (2) A public agency entering into an interlocal agreement
19 may receive grants-in-aid or other assistance funds from the
20 United States government, ~~the~~ THIS state, ~~of Michigan,~~ or
21 ~~the Dominion of~~ Canada for use in carrying out the purposes of
22 the interlocal agreement.