

Reps. Proos, Agema, Ball, Crawford, Daley, Denby, DeShazor, Genetski, Hansen, Haveman, Knollenberg, Kowall, Kurtz, Lori, Lund, Marleau, McMillin, Meekhof, Moore, Moss, Pavlov, Pearce, Rogers, Wayne Schmidt, Schuitmaker, Spade, Stamas, Tyler and Walsh offered the following resolution:

House Resolution No. 270.

A resolution to urge the Michigan Attorney General to take the steps the Department of Attorney General considers necessary to increase the scrutiny of interlocal governmental agreements, and require that any interlocal agreement with the state of Michigan have biennial audits conducted by the Auditor General and reauthorization by the Governor.

Whereas, The state of Michigan and its various political subdivisions are facing fiscal challenges unseen since the time of the Great Depression. In response to this host of challenges, the way we conduct public policy and governmental operations needs to be reformed and restructured from top to bottom. As a key component of these reforms, governmental cooperation is increasingly becoming one of the primary strategies to maintain governmental services and to reduce costs. Intergovernmental cooperation allows local units of government to take on problems that cross jurisdictional boundaries, to undertake projects calling for increased economies of scale, and to allow for a wide range of flexibility over and beyond formal institutional arrangements. Intergovernmental cooperation also preserves the territorial and political integrity of the units involved; and

Whereas, If an interlocal cooperative agreement requires revenues of the state to carry out its mission, or the agreement involves the state, another state or political subdivision of that state, Canada or a political subdivision of Canada, the agreement must be submitted to the Governor for review. Considering the importance of these types of agreements, they should be subject to biennial review by the Auditor General and reauthorized by the Governor; and

Whereas, Moreover, at the local level, interlocal agreements may be as informal as a handshake. Moreover, there is no recording requirement or effective means of physically maintaining a record of interlocal agreements. In turn, there is no real oversight of these types of documents. In fact, with local term limits, retirements, and recalls it is not uncommon to find that local units do not even know themselves what agreements they have entered into; and

Whereas, As interlocal agreements become more prevalent, it is increasingly more important that the state be more proactive in monitoring and maintaining interlocal agreements. In the interim, it is critical that an official at the state level, and in this particular case, the state's Attorney General, take steps deemed necessary to fill this void and, when practicable, provide oversight of interlocal agreements; now, therefore, be it

Resolved by the House of Representatives, That we hereby urge the Michigan Attorney General to take the steps the Department of Attorney General considers necessary to increase the scrutiny of interlocal governmental agreements, and require that any interlocal agreement with the state of Michigan have biennial audits conducted by the Auditor General and reauthorization by the Governor; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor, the Attorney General, and the Office of the Auditor General.