

SENATE BILL NO. 301

February 11, 1999, Introduced by Senator ROGERS and referred to the Committee on Gaming and Casino Oversight.

A bill to require certain local governmental units that approve the construction or operation of a gaming facility by an Indian tribe on land contiguous to or within its boundaries to reimburse surrounding local governmental units for certain costs; to prescribe the powers and duties of certain state and local agencies and officials; and to provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "Michigan Indian gaming support services reimbursement act".

3 Sec. 2. As used in this act:

4 (a) "Department" means the department of treasury.

5 (b) "Gaming facility" means a casino or other gaming facil-
6 ity authorized and regulated under the Indian gaming regulatory
7 act, Public Law 100-497, 102 Stat. 2467.

1 (c) "Local governmental unit" means a political subdivision
2 of this state including, but not limited to, a county, city,
3 village, or township, if the political subdivision provides local
4 governmental services for residents in a geographically limited
5 area of this state as its primary purpose and has the power to
6 act primarily on behalf of that area.

7 (d) "Surrounding local governmental unit" means a local gov-
8 ernmental unit other than a local governmental unit that approves
9 the construction or operation of a gaming facility as described
10 in section 3 and that is located within the limits of the county
11 in which the gaming facility is located.

12 Sec. 3. (1) A local governmental unit that by resolution or
13 ordinance approves the construction or operation of a gaming
14 facility on land contiguous to or within its boundaries shall
15 reimburse surrounding local governmental units for all of their
16 additional actual costs of providing all of the following serv-
17 ices arising from or associated with the operation of the gaming
18 facility including, but not limited to, the following:

19 (a) Any increase in police, court, and other criminal jus-
20 tice costs incurred in response to increases in prostitution,
21 larceny, burglary, the passing of bad checks, and other social
22 ills that accompany gambling.

23 (b) Gambling addiction treatment and other mental health
24 costs.

25 (c) Domestic violence and child abuse prevention.

26 (d) Infrastructure required to ease traffic congestion.

1 (e) Increased sewer, water, and any other public works
2 function.

3 (2) Subject to section 5, reimbursement under subsection (1)
4 shall be made not more than 6 months after a surrounding local
5 governmental unit notifies the local governmental unit in writing
6 of the costs and services for which it seeks reimbursement.

7 Sec. 4. A local governmental unit that approves the con-
8 struction or operation of a gaming facility as described in sec-
9 tion 3 shall annually dedicate 10% of the funds it receives under
10 the Glenn Steil state revenue sharing act of 1971, 1971 PA 140,
11 MCL 141.901 to 141.921, to pay the costs described in section 3.
12 However, this section does not limit the liability of a local
13 governmental unit for costs described in section 3.

14 Sec. 5. A local governmental unit that disputes the amount
15 of a claim under section 3 shall, within 30 days of its receipt
16 of the claim, notify the surrounding local governmental unit that
17 submitted the claim and the department of the specific service
18 and cost it disputes. The dispute shall be resolved by arbitra-
19 tion described in section 6.

20 Sec. 6. The department shall develop an arbitration program
21 for the disposition of disputes under section 5. The department
22 shall prescribe rules governing the arbitration system under the
23 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
24 24.328.