



MICHIGAN TOWNSHIPS ASSOCIATION

WEEKLY LEGISLATIVE REPORT

January 25, 2008

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Please route to all interested parties in your township.

LEGISLATION IGNORES CONSTITUTION: BOARD OF REVIEW COULD FEEL THE HEAT

Legislation was introduced this week that would significantly change many aspects of the property tax system, but often in ways that are contrary to the direction established within our state constitution. HB 5647, introduced by Rep. Ken Horn (R-Frankenmuth), would amend the property tax act to state that when property is transferred the taxable value would only go up by a percentage calculated from other sales in that year. This ignores the constitutional requirement that the Taxable Value shall be equal to the State Equalized Value after the property transfers. The legislation also changes the Taxable Value multiplier, a concept that was also determined to be unconstitutional in a 1996 Attorney General opinion. The legislation would give presumptive validity to independent appraisals to establish SEV, again ignoring the constitutional requirement to establish a system that creates uniform assessments. The legislation would also prorate the principal residence exemption based on the date the affidavit is filed. Given the difficult situation Boards of Review are likely to experience this year, this type of legislation is likely to simply cause more problems this March for the citizens who agree to shoulder this responsibility, as well as township officials and assessors.

ELECTIONS REQUIRED FOR SPECIAL ASSESSMENTS?

A series of bills were introduced this week that would require any special assessment that is applied on a township wide basis be approved by the voters of the township. Included in the package of bills are: HB 5644, offered by Rep. Rick Jones (R-Oneida Chtr. Twp.), which amends PA 33 of 1951 for the provision of police and fire protection; HB 5643, offered by Rep. Marty Knollenberg (R-Troy), which amends PA 188 of 1954, special assessments for making certain improvements; HB 5642, offered by Rep. Phil Pavlov (R-St. Clair Twp.), which amends PA 116 of 1923 for public improvement and public services; and HB 5645, offered by Rep. Arlan Meekhof (R-Olive Twp.), which amends PA 342 of 1939 for county public improvements.

LEGISLATION WOULD ALLOW LOCAL GOVERNMENTS TO REQUIRE FINGERPRINTING

Legislation moving in both the Michigan House and Senate in recent weeks would allow townships and other local governments to establish ordinances to require the fingerprinting of applicants or licensees in certain occupations for the purpose of obtaining criminal history record information. On Jan. 23, the Senate approved SB 968, sponsored by Sen. Wayne Kuipers (R-Holland), on a 35-0 vote. The bill now moves to the House for action. The bill specifies that local governments can require fingerprinting for door-to-door solicitors, taxicab drivers and other drivers for hire and street vendors or other transient merchants. At the request of MTA, made during testimony in December, language was inserted by the sponsor that specifies that local governments be allowed to charge the individual for the cost of conducting the records check. Costs of conducting such fingerprinting background checks cost around \$54. Similar legislation is now also moving in the House. HB 5543, sponsored by Rep. Richard LeBlanc (D-Westland), was approved by the House Intergovernmental, Urban and Regional Affairs Committee on Jan. 23. HB 5543 differs slightly from SB 968 in that it is more open for local governments to define in their ordinance when the fingerprinting checks would apply. Both bills allow for fingerprint checks to be submitted by local governments to the state police for processing. The state police are required to transmit the costs of processing back to locals.

MTA CAPITOL CONFERENCE TO BE HELD MARCH 11, 2008 IN LANSING

Plan to attend the MTA Capitol Conference and stay on top of legislative issues facing townships. Topics will include: The impact of Michigan's economy on local government revenue; Recall reform; Law enforcement without state police?; New state mandates committee – measuring mandates on local governments. Register by Feb. 26, and receive the discount rate of \$75. For more information, or to register, call us at 517-321-6467 or go to <http://www.michigantownships.org/capitolconf.asp>.

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