



MICHIGAN TOWNSHIPS ASSOCIATION

## WEEKLY LEGISLATIVE REPORT

December 7, 2007

MTA Phone: 517-321-6467

MTA FAX: 517-321-8908

Please route to all interested parties in your township.

### **PRESIDENTIAL PRIMARY: DEALING WITH ABSENTEE BALLOTS WHEN NO PARTY SPECIFIED**

Many local clerks are encountering absentee voter (AV) ballot applications being returned without an indication for either a Republican or a Democrat party ballot for the presidential primary. According to the Bureau of Elections, clerks technically need written requests for AV ballots. It is therefore suggested that clerks encountering this problem develop a cover letter or memo to accompany the incorrectly filled out AV ballot application and return it to the voter explaining that they need to check one of the party ballot boxes (assuming that the voter doesn't only want to vote on a local ballot question and not in the presidential primary election) to receive a ballot. As the election draws closer, this procedure will not be realistic and clerks may need to make personal contact with the voter to get the proper written request.

### **HOUSE AND SENATE COMMITTEES REPORT WATER WITHDRAWAL LEGISLATION**

This week, both the House Great Lakes and Environment Committee and the Senate Natural Resources and Environmental Affairs Committee reported respective legislation addressing the latest efforts on water withdrawals. The action was mostly centered on the enactment of the Great Lakes Compact, which is an agreement among the eight Great Lakes states that would serve to prevent water diversions out of the Great Lakes basin once ratified. HB 4343 and SB 212 both would put Michigan on track for enacting the compact. The primary difference between the bills is that HB 4343, introduced by Rep. Kate Ebli (D-Frenchtown Twp.), would simply put into law the language agreed upon by the eight Great Lakes states, while SB 212, introduced by Sen. Patty Birkholz (R-Saugatuck Twp.), includes implementing language important to Michigan. The Senate Committee also reported SB 858, introduced by Sen. Jerry VanWoerkom (R-Muskegon), which would bring the Safe Water Drinking Act into compliance with the compact. The regulation of municipal water supply systems falls under the Safe Water Drinking Act. Both SB 212 and SB 858 would lower the threshold of withdrawals from 5 million gallons per day to 2 million gallons per day from the Great Lakes needing a permit for new or increased withdrawals. Companion bills in both chambers are expected to be addressed over the next few weeks with final action on a comprehensive bipartisan, bicameral water package expected in late January.

### **ZONING LAW CHANGES**

Now that the Legislature has passed the changes to the tax laws, focus is starting to shift into general policy issues. The House approved HB 5032, offered by Rep. Barb Byrum (D-Onondaga Twp.), which amends the newly enacted Michigan Zoning Enabling Act. The legislation represents the efforts of the sponsor of the legislation working with interested parties, including MTA, Michigan Association of Planning, MML, MAC as well as representatives from the development community. The focus of the legislation is to modify sections of the law that are causing some practical application difficulties. For example, notification requirements involving properties that have multiple occupants are causing problems. The new legislation places more emphasis on notifying the owners/managers of places like apartment buildings and places a burden on those individuals to post the notices at the entrance points of the building. The legislation also clarifies procedures involving the appeal of Zoning Board of Appeals decisions to the court system. The legislation now moves to the Senate for further consideration.

### **NEW CABLE LAW INPUT**

The Telecommunications Division of the Michigan Public Service Commission (MPSC) is required under P.A. 480 of 2006, the new Uniform Video Services Local Franchise Act, to file a report with the Legislature by Feb. 1 of each year about the status of competition for video services in the state. MTA received a letter dated Dec. 4, 2007, asking for input from our Association and member townships about how the new law is impacting cable competition, cable complaints, disputes and quality of service or service offerings in your community. The survey has a deadline of Dec. 31, 2007 and involves both video providers and local government franchising entities. Please use the following link to access a copy of the survey, [http://www.michigan.gov/mpsc/0,1607,7-159-16372\\_44800---,00.html](http://www.michigan.gov/mpsc/0,1607,7-159-16372_44800---,00.html) or go to [michigantownships.org](http://michigantownships.org).

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