

# Michigan Township **INSIGHTS**

March 1, 2024

## Voters approve majority of township millage proposals

On Tuesday, 86% of townships with millages on the Feb. 27 ballot received voter approval for new proposals or renewal proposals. Of the 56 proposals before township voters across the state—including public safety, road and library—all but eight were approved.

## MPSC to hold hearings on new siting authority law for renewable energy projects

You can join two sessions, hosted by the Michigan Public Service

Commission (MPSC), on the implementation of [Public Act 233 of 2023](#), which removed local siting authority over large-scale renewable energy (solar, wind and energy storage) facilities and shifts the authority under the commission's jurisdiction. The sessions will be held on **March 7 at 1:30 p.m.** and **March 19 at 1:30 p.m.** via Microsoft Teams. MTA and MTA Legal Counsel will be participating in the March 7 event to present issues for consideration by the MPSC. Find additional information on the new [MPSC PA 233 implementation webpage](#), which will be updated regularly throughout the engagement process and includes PA 233 background information, links to relevant materials and answers to frequent questions. It will also include links to commission orders and actions, upcoming meetings and other information.



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## Upcoming MTA Training & Events

March 4—[Virtual Board of Review Training](#)

March 22 *Now You Know* lunchtime webinar: [Legislative Insights](#)

April 22-25: [Annual Educational Conference & Expo](#)

[April 22 Pre-Conference sessions:](#)

\*\*Assessor's Renewal:

[March Madness](#)

\*\*[Understanding](#)

[Assessing Basics](#)

\*\*[Defining Your](#)

[Township's Land Use](#)

[Future](#)

\*\*[Show Me the Money](#)



## Possessing a firearm in and around polling places banned under bills

Individuals would be prohibited from possessing a firearm in a polling place or within 100 feet of an entrance to a polling place on Election Day while the polls are open under legislation approved by the Senate. [House Bill 4127](#), sponsored by Rep. Penelope Tseronglou (D-East Lansing), would also apply to an early voting site on any day early voting is conducted, or for the 40 days preceding an election at a clerk’s office or satellite voting site where absentee ballots may be returned. Additionally, firearms would be prohibited within 100 feet of any absentee voter (AV) drop box in the 40 days preceding an election. [HB 4128](#), sponsored by Rep. Stephanie Young (D-Detroit), would prohibit possessing a firearm in an AV or combined AV counting location or within 100 feet of its entrance. Both bills passed the Senate and are pending a concurrence vote by the House before being sent to the governor.

## Changes to asbestos abatement bills move

Legislation supported by MTA to amend the handling of asbestos and removal activities and how public entities can enter contracts for those performing those activities was approved by the Senate this week. House Bills [4186](#) and [4190](#), and [Senate Bill 225](#) would specifically regulate how public entities enter into contract agreements with construction or demolition firms regarding asbestos removal activities. HBs 4185 and 4190 have been sent to the governor for signature, while the remaining bills, HBs 4186 and 4188 and SBs 225-226, await action by the House.

\*\*Legal Institute for Township Attorneys

### MTA QUICK LINKS

- [Answer Center](#)
- [Training](#)
- [Advocacy](#)
- [Classifieds](#)
- [Community Connection](#)
- [Webcasts](#)
- [Store](#)
- [Township Governance Academy](#)
- [Allied Service Providers](#)
- [NATaT](#)

### ALLIED SERVICE PROVIDERS



\* Bauckham, Thall, Seeber Kaufman & Koches PC

\* Consumers Energy

\* Fahey Schultz Burzych Rhodes PLC

\* Foster, Swift, Collins & Smith, P.C.

## Measure excludes milkweed as a noxious weed

Local units of government will soon be prohibited from considering milkweed as a noxious weed under the statute that regulates the control and removal of certain noxious weeds by a city, village or township. Local units of government can regulate growth of noxious weeds through local ordinance, and property owners have a responsibility to destroy noxious weeds before they reach the seed-bearing stage. If they do not, the local unit may enter the property to do so and place a lien against the property. While milkweed is currently not considered a noxious weed, [House Bill 4857](#), recently passed by the Legislature, ensures that a local unit cannot include it as such. Bill supporters argue that exempting milkweed from local ordinances to fight nuisance weeds will have a positive effect on butterflies and other pollinators that rely on milkweed as a food source. The bill has been forwarded to the governor for signature; if signed, the measure would become effective 91 days after the end of the 2024 legislative session.



\* [Hartleb Agency](#)

\* [ITC Holdings Corp.](#)

\* [Rosati, Schultz, Joppich & Amtsbuechler, P.C.](#)

\* [Mika Meyers, PLC](#)



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## Bill would provide more time to work on changes to Marketable Record Title Act

As stakeholders work to make changes to PA 200 of 1945 (the Marketable Record Title Act), [Senate Bill 721](#), sponsored by Sen. Jermey Moss (D-Southfield), would extend the sunset for preserving existing mineral or other interests in a marketable record title. The bill would extend the sunset date from March 29, 2024, to Sept. 29, 2025. If the sunset were to expire, real property interests including easements, restrictions and agreements to maintain roads or storm drains may be lost. The bill was passed by the Senate this week and will next be considered by the House.

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## Adult-use marijuana payments for fiscal year 2023

Sixty-nine townships will receive funding from the \$87 million in [annual distributions to municipalities](#) that have adult-use marijuana facilities in their communities that were licensed as of Sept. 30, 2023. These payments, distributed by the state Department of Treasury, cover the taxes and fees collected in fiscal year 2023. The distribution rate for FY 2023 payments is slightly over \$59,000 per licensed retail store or microbusiness. Eligible townships will receive payment based on the number of marijuana establishments within their jurisdiction.

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## Grants still available for master plan updates, zoning to encourage housing readiness

Townships may still apply for the [Housing Readiness Incentive Grant Program](#) to support costs associated with the adoption of land use policies, master plan updates, zoning text amendments and similar actions to encourage increasing housing supply and affordability. Funding is still available for municipalities not part of the Michigan Economic Development Corporation redevelopment program. Grant funding is no longer available for municipalities enrolled in the redevelopment program. The online application will remain open until funding is fully committed. Email [MSHDA-OHS@michigan.gov](mailto:MSHDA-OHS@michigan.gov) with questions.

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## Reminder: Townships have until end of 2024 to obligate ARPA funds



Townships have until Dec. 31, 2024, to obligate their allocation of federal American Rescue Plan Act (ARPA) funds. If your township has not already done so or has not fully obligated the money, you should make plans now to meet the deadline. ARPA funds must be fully spent by Dec. 31, 2026. According to U.S. Treasury's ["Reporting and Compliance" Guidance](#), updated Dec. 14, 2023, if the funds are not obligated or spent by these deadlines, they must be returned to U.S. Treasury. Townships that did not choose the standard allocation option, which allowed use up to \$10 million to be used for general government services, can use the funds for specific purposes, including necessary investments in water, sewer and broadband infrastructure, addressing the negative economic impacts of the pandemic, and emergency relief from natural disasters, among others. See MTA's ["Federal COVID-19 Relief Funding" webpage](#) and [U.S. Treasury's web resources](#) for additional information and guidance.

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## MPSC announces public review of renewable energy grant applications

A public comment period has been announced by the Michigan Public Service Commission for applications submitted following a request for proposals for \$21.3 million in grants through a renewable energy and electrification infrastructure development program. Applications are posted on the MPSC's grant proposal [website](#) for comment. Following a 45-day review period, another 15 days will be allowed for modification of proposals based on comments received and the ability to resubmit.

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## Provide feedback on underfunded retirement strategies document

Townships can provide feedback on February 2024 revisions to the [Corrective Action Plan Development: Best Practices and Strategies document](#) by the Municipal Stability Board (MSB). The law requires the MSB to review and annually update a list of best practices and strategies to assist underfunded local governments in developing their corrective action plans. The document includes

three best practice principles—plan funding, modern plan design and effective plan administration—as well as detailed corrective action plan approval criteria. Submit comments by March 15 to [LocalRetirementReporting@michigan.gov](mailto:LocalRetirementReporting@michigan.gov) with the subject line, “Best Practices Comment: 2024.”

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## Review revised Numbered Letters

Townships are being asked to review [18 updated Numbered Letters recently released](#) by the state Department of Treasury. [Numbered Letters](#) and statements from Treasury provide direction to local governments on accounting and auditing, and Treasury has begun the process of removing and updating the items dating from 1993 to the present. Direct questions or comments to (517) 335-7469 or [LAFD\\_Audits@michigan.gov](mailto:LAFD_Audits@michigan.gov).

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## Reminders from BOE

**Deadline to join or create early voting agreements.** Municipalities that provided early voting (EV) as a single municipality for the presidential primary have until [April 15, 2024](#), to enter into a municipal or county agreement to provide early voting for the remaining state and federal elections in 2024 and 2025 (early voting is optional for local elections). The agreement may be a new agreement or an amendment to an existing agreement, if all parties involved agree to the amendment. After April 15, the only change that can be made to an existing agreement in 2024 is withdrawal from the agreement, which allowed until June 7, 2024; a municipality that withdraws during this time must provide early voting as a single municipality for the remainder of 2024 and 2025. Contact [elections@michigan.gov](mailto:elections@michigan.gov) with questions.

**Voter history updates.** Clerks should update voter history for the 2024 presidential primary by March 4. Although early voting history is already recorded from the EV electronic pollbook, the provisional affidavit ballot and voter not in possession of ID counts from early voting will need to be entered manually using the [Feb. 2024 Provisional Ballot & Affidavit of No ID Report](#) form in [eLearning](#). For corrections to history recorded during the early voting period, contact [ElectionData@Michigan.gov](mailto:ElectionData@Michigan.gov).

**Early voting laptop warranty.** The state Bureau of Elections (BOE) recommends that clerks who received a state-purchased early voting laptop proactively transfer the warranty to themselves,

which allows for faster technology support. Guidance to do so was provided in the recent bureau newsletter sent to all clerks.

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### Get the latest from the capitol with MTA's next live webinar

Spend your lunch hour with MTA's Director of Government Relations Judy Allen, and get the latest on today's political landscape and its impact on your township. Join us on **March 22 at noon** for our [Now You Know: Legislative Insights](#) webinar and get the inside scoop on what has occurred as the



Legislature wraps up the first three months of 2024, as well as what is on the horizon, and how you can make a difference. We'll also outline key measures in the governor's executive budget proposal, MTA's legislative priorities, the impact of an election year and more—all in just one hour! *Bonus:* [MTA Online Premium Pass](#) subscribers get free access (discount is applied automatically at checkout). [Click here to register online now!](#)

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### MTA's Legal Institute keeps township attorneys up to date on latest legal news

MTA's annual Legal Institute for Township Attorneys is the premier educational event for attorneys who serve Michigan's townships. This full-day event, coming **April 22** to the Grand Traverse Resort, offers the latest insights into renewable energy legislation, common election law questions, updates on short-term rental regulation and more. Don't miss out—your attendance keeps you informed on legal news and changes that impact your local government clients. [Register online here](#) or [download the full brochure here](#).

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### Additional webinars and workshops for townships

- **Fiscally Ready Communities.** [Budgeting for Fiscal Sustainability](#), the next [Fiscally Ready Communities](#) training, will be held **March 14**, from 10 to 11:30 a.m. The [webinar](#), sponsored by the state Department of Treasury and MSU Extension,

covers the budget process, communicating your budget, dealing with uncertainty in a changing economy, tracking budget performance, and key financial variables.

- **Energy storage.** [Empowering Communities through Energy Storage and the MI Solar Access Program](#), a webinar held **March 27** from 11 a.m. to noon, will explore the benefits that energy storage offers to expand renewable energy projects, providing an overview of energy storage technologies and how it can lead to cost savings, improve grid reliability and enhance sustainability. Learn how to apply for funding for a community solar, solarize or energy storage system project. Discussion will include how energy storage can be utilized during power outages, integrated with renewable energy and help reduce peak demand.
- **Workplace violence.** Funded in part by MIOSHA, two free in-person trainings held on **March 19** will focus on helping organizations understand best practices and develop strategies to prepare, train and survive active shooter and workplace violence incidents. [Assessing the Violent Individual: Managing Threats and High-Risk Terminations](#) will be held from 9 a.m. to noon and [Managing the Aftermath/Impact of Workplace Shootings](#) will be held from 1 to 4 p.m. The sessions will be held at the Library of Michigan (702 W. Kalamazoo St., Lansing). For additional information, contact (574) 401-6226.
- **Food waste.** A free, in-person [Catalyst Communities Food Waste Workshop](#), hosted **May 15** by the Michigan Department of Environment, Great Lakes, and Energy, will feature topic experts and share food waste reduction planning and collaboration opportunities with other local governments. This is intended only for local elected and appointed officials and staff; space is limited. [Register by May 8.](#)

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## Federal update for week of Feb. 26

Check out the National Association of Towns and Townships [Weekly Legislative Update](#) for an update of federal actions impacting townships.