

Michigan Township **INSIGHTS**

May 3, 2024

Act now to urge support for budget bills that increase and provide revenue sharing to ALL townships

Township officials are asked to contact their state

[representative](#) and [senator](#) to support two budget bills that would increase statutory revenue sharing and provide funding for ALL of Michigan's 1,240 townships. Currently, just 12% of townships—149 in all—receive statutory revenue sharing. The budget bills—[House Bill 5516](#), sponsored by Rep. Felicia Brabec (D-Pittsfield Chtr. Twp.) and [Senate Bill 760](#), sponsored by Sen. John Cherry (D-Flint)—would increase statutory revenue sharing funding to those currently eligible AND ensure that 1,091 townships that have been excluded for nearly 1.5 decades are funded. The proposals would appropriate statutory revenue sharing payments to every township, city and village. The appropriation measures also put in place a policy change that MTA and other local government organizations have been working to achieve—the creation of a Revenue Sharing Trust Fund—to restore, protect and preserve statutory revenue sharing.

SB 760 would dedicate 9.1% of the 4% sales tax to a Revenue Sharing Trust Fund and allocate \$662.4 million for statutory revenue sharing—a 20.5% increase over current-year funding. The increase would be distributed based on the 1998 statutory revenue sharing formula using a three-factor formula: 1/3 inverse taxable value per capita, 1/3 unit type population and 1/3 yield equalization. HB 5516 would designate 8% of the 4% sales tax to the trust fund, resulting in a 7.6% increase over current year. The new townships and villages eligible would receive an allocation on a per-capita basis. HB 5516 also creates and includes funding for a Public Safety and Violence Prevention Trust Fund by dedicating



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Upcoming MTA Training & Events

May 8 *Now You Know*
lunchtime webinar:
[Cemetery Services](#)

[The ABCs of the ZBAs:](#)
[May 15 Gaylord](#)
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[May 29 Kalamazoo](#)

1.5% of the 4% sales tax to the fund. This would provide \$101 million in new ongoing revenue for local units that would be distributed based on violent crime statistics.

Both bills will be voted on next week—SB 760 on Tuesday in the Senate and HB 5516 in the House. **MTA encourages you to contact both your state [representative](#) and [senator](#) to urge their support of these bills**—ensuring ALL townships receive statutory revenue sharing.

Bill to modify term of office for township officials introduced

All terms for township officers **elected after Dec. 31, 2024**, would commence at noon on Dec. 1 following the officer's election under legislation introduced this week. [House Bill 5699](#), sponsored by Rep. Penelope Tsernoglou (D-East Lansing), is part of a four-bill package that would move the beginning of the term of office for newly elected township, city and village officials to Dec. 1. The date change is being proposed to assure individuals do not take the oath of office prior to certification of the election. The bill would not change the current requirement that a township officer shall hold office until a successor is elected and qualified, but not beyond Jan. 1 following the election. The bills will be considered by the House Elections Committee. MTA worked with the bill sponsor to ensure the date was no later than Dec. 1 and is neutral on the legislation.

STG

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AFG, SAFER grant reauthorization bill to be on U.S. House floor; ask Congress to vote 'Yes'

Legislation to reauthorize the Assistance to Firefighters (AFG) and Staffing for Adequate Fire and Emergency Response (SAFER) Grant

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Programs and the U.S. Fire Administration through FY 2030 will be before the U.S. House of Representatives next week. Township officials are encouraged to [contact your U.S. representative](#) and ask them to support [S. 870](#), The Fire Grants and Safety Act, which is sponsored by U.S. Sen. Gary Peters (D-Michigan). If Congress does not pass this measure, AFG and SAFER grants will end on Sept. 30.

Bills to establish State Voting Rights Act receive first hearing

Bills that would create a “State Voting Rights Act” received an initial hearing this week in the Senate Elections and Ethics Committee. The main bill in the package is [Senate Bill 401](#), sponsored by Sen. Darrin Camilleri (D-Brownstown Twp.), would incorporate provisions of the federal Voting Rights Act in state statute, among other things. The bill would prohibit a local government from imposing any law, practice, policy or method of election that leads to a disparity in voter participation between members of a protected class and other members of the electorate, or that would impair the ability of a protected class to participate in the political process or otherwise influence the outcome of an election. SB 401 would also establish court proceedings regarding a violation of the act and prescribe a process for local governments to remedy violations with approval from the Secretary of State (SOS). Additionally, it would require the courts to oversee the implementation of election laws or policies proposed by any local government that had a history of violating voting rights. SB 401 would also allow a disabled elector to bring an action in a county circuit court if the local government in which they resided violated a state or federal law involving the rights of disabled electors. The bills also require clerks to post notices when certain election-related activities occur.

There are three companion bills that are tie-barred to SB 401. [SB 402](#), sponsored by Sen. Jeremy Moss (D-Southfield), would require the SOS, in partnership with at least one university in the state, to create the Michigan Voting and Elections Database and Institute to collect election data and provide research and training on voting systems and election administration. [SB 403](#), sponsored by Sen. Stephanie Chang (D-Detroit), would require local governments that meet a certain threshold of voters with limited English proficiency to provide language assistance for elections. The SOS would also assist in this process. [SB 404](#), sponsored by Sen. Erika Geiss (D-Taylor), would codify curbside voting that is currently detailed in the *Elections Manual* for voters who are

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unable to enter a polling place or early voting site, and allow a voter to bring another individual to provide assistance in the voting booth if needed.

According to the Senate Fiscal Agency, the bills would result in significant costs to both the Michigan Department of State and local governments that have complaints filed against them. It is expected the committee will take multiple weeks of testimony on the package. As written, MTA opposes the legislation, but will continue to work with SOS and the bills' sponsors for changes.

Senate approves funding for acquisition and development trust fund projects

Funding for 19 township projects, included in the 53 projects recommended by the Michigan Natural Resources Trust Fund Board, is one step closer to approval. [Senate Bill 817](#), sponsored by Sen. John Cherry (D-Flint) and supported by MTA, provides \$27.3 million in matching funds for 18 acquisition projects and 35 development projects. The appropriation bill was approved by the Senate this week and now moves to the House for action.



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Bills would expand industrial exemption certificate

A local governmental unit currently, by resolution of its legislative body, can establish plant rehabilitation districts and industrial development districts that consist of one or more parcels or tracts of land or a portion of a parcel or tract of land. Two bills reported by a Senate committee this week would modify that definition. [Senate Bills 536](#) and [537](#), sponsored by Sen. Paul Wojno (D-Warren), would allow a building to qualify as a speculative building if it were a new building constructed for the purpose of providing a warehousing or distribution facility before the

identification of a specific user of that building. The legislation would also remove the requirement that qualified commercial activity be in a county that borders another state or Canada, effectively allowing otherwise qualified activity to be located anywhere in the state. The bills will next be considered by the full Senate.

Senate passes recount reform measures

Multiple changes to the recount process are included in two bills approved by the Senate this week. For township clerks, one of the changes would allow local clerks, their staff and election workers to submit a sworn affidavit stating that a precinct should be recounted even if a ballot seal is compromised, or a precinct is out of balance if those circumstances can be explained. [Senate Bills 603](#) and [604](#), sponsored by Sens. Stephanie Chang (D-Detroit) and Jeremy Moss (D-Southfield), would additionally prohibit recounts in races where the number of precincts being recounted would not alter the outcome. The legislation also changes the thresholds for automatic recounts, creates automatic recount thresholds for legislative races, shortens the time allowed for recount petitions and counter petitions to be filed, as well as increases the deposit costs for recounts. The bills move to the House for further consideration.

Bill expanding exam options for EMS workers sent to governor

Individuals training to become paramedics or other emergency services specialists will soon have an additional examination option. Currently, the exam is required to be from a nationally accredited entity such as the National Registry of Emergency Medical Technicians. [Senate Bill 249](#), sponsored by Sen. Kevin Hertel (D-St. Clair Shores), would require the state to develop or prescribe an exam that would be accepted for licensure in addition to the national tests. Some argue the cost of the national exam is prohibitive, and that to help address the shortage of EMS personnel, the state should revert to offering its own exam. The bill has passed both chambers and now awaits the governor's signature.



Upcoming 'Fiscally Ready Communities' webinar explores internal controls

A free, May 9 [Managing Internal Controls](#) webinar, part of the state Treasury and Michigan State University Extension [Fiscally Ready Communities](#) program, will provide a deep dive into internal controls. Topics to be covered include building a culture of fiscal sustainability, the role of internal controls in fiscal sustainability, understanding internal controls and their importance, how internal controls help strengthen your community and best practices for internal controls implementation. Questions can be emailed to TreasLocalGov@michigan.gov with the subject, "Fiscally Ready."

BOE reminders

Preregistration for 16-year-olds. [Public Act 258 of 2023](#) allows anyone between the ages of 16 and 17½ to preregister to vote. The state Bureau of Elections (BOE) has developed both a paper and online application for pre-registration. A guide for processing these applications is available in the BOE's [eLearning Center](#).

2024 election cycle training. The BOE will offer in-person, three-hour "2024 Election Cycle Trainings" in all 83 counties to assist county and local election officials with preparations for the August primary and November general elections, focusing on election procedure changes, election resources, and lessons learned from previous election cycles. The session is a mandatory component of required 2024-25 continuing education for election administrators and is open to all clerks and deputy clerks. Sessions are expected to run between May 22 and June 21. The session schedule and registration will be available in eLearning next week. Those unable to attend the class scheduled in their county may sign up for a class in a different county.

May 7 election weekend office hours. Clerks or their authorized personnel with a May 7 election must be available in the clerk's office for at least eight hours on Saturday, May 4, Sunday, May 5 or a combination, to vote with residency verification and/or request an absent voter ballot in person. If early voting is available, the office hours do not need to be the same as early voting hours.

Michigan Renewable Energy Academy to provide community support

A new Michigan Renewable Energy Academy (REA) is set to launch, with \$1.9 million from the U.S. Department of Energy [Renewable Energy Siting through Technical Engagement and Planning \(R-STEP\) program](#), to improve planning, siting and permitting processes for large-scale renewable energy facilities. The state Department of Environment, Great Lakes, and Energy (EGLE) will lead the REA in partnership with the University of Michigan's Graham Sustainability Institute, Michigan State University Extension, 5 Lakes Energy and Michigan Association of Planning. The academy will provide expertise in renewable energy siting, providing technical aid at no out-of-pocket costs to communities, prioritizing local participation and capacity building, and helping local governments navigate hosting renewable energy facilities. The Graham Sustainability Institute also offers [resources and services](#) for local leaders, including an introduction to renewables planning and zoning, mini-workshops on zoning for principal- and accessory-use wind and solar, tours of renewable energy sites, individualized presentations and workshops for township and county officials, no-charge reviews of zoning ordinances, and more. Learn more on EGLE's [Renewable Energy webpage](#).

MTA's May classes review roles, responsibilities of ZBAs



Join us, and MTA legal counsel, this month at one of three locations, and learn [The ABCs of ZBAs](#). This afternoon class offers a deep-dive into the authority and duties of the zoning board of appeals (ZBA). Whether your members are newly appointed or have been serving the township for years, we'll send them home with a better understanding of the criteria they need to make better decisions and reduce your township's legal exposure. Elected officials are also encouraged to attend to gain a better understanding of the role of their ZBA and its relationship with the board. [Download the brochure here](#) or [register online now!](#)

Federal update for week of April 29

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

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