

Michigan Township **INSIGHTS**

Nov. 17, 2023

Final days remaining for member input on 2024 MTA legislative policy platform

With only six business days remaining, members can still provide input on MTA's legislative policy platform. Reviewed and updated annually, the legislative policy objectives guide MTA's government relations efforts and reflect emerging issues and goals. MTA members are encouraged to review the current [MTA 2023-24 Policy Platform](#) and share any proposed revisions and suggested additions by **Monday, Nov. 27**. Member-proposed policy changes will be reviewed by MTA committees for word selection and legality, and to ensure they conform with the Association's overall goals and objectives. The proposed policies will be presented at the 2024 MTA Annual Meeting in conjunction with our Annual Educational Conference in April. Contact the MTA Government Relations Department at legislation@michigantownships.org with questions, comments or suggestions.



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Legislature wrapped up 2023 session early

The Legislature officially adjourned this week for the 2023 session year—the earliest in 55 years. The end of year adjournment date is normally in mid- to late-December with the official last day of session (sine die) between Christmas and New Year's Eve. For bills passed without immediate effect—meaning any legislation that passed and was signed into law that was not given immediate effect by both chambers, the bills cannot take effect until 90 days after sine die. The Legislature adjourned earlier on Nov. 14 in order for several bills, including the new date for the presidential primary and several Proposal 2022-2/election reform measures to take effect. For bills passed and enacted without immediate effect or a specific effective



Upcoming MTA Training

[Now You Know lunchtime webinar](#)

Dec. 8 (note: date change)—[2023 Legislative Wrap-up](#)

December in-person events

Dec. 6, Mt. Pleasant
* [Board Roles & Relations](#)
* [How Boards Make Decisions](#)

[Financial Fundamentals](#)
(Dec. 5, Gaylord; Dec. 7, Lansing)

date, they will take effect on Feb. 13, 2024. As required by the state constitution, the Legislature will return to session on the second Wednesday in January—Wednesday, Jan. 10, 2024—to begin the 2024 session year. Additionally, when the House returns in January, they will face a 54-54 tie between the Democrats and Republicans as two House seats are vacant due to the resignation of two representatives who were elected in the November election to mayoral positions.



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MICHIGAN'S EXPERTS IN WEB DEVELOPMENT

Public Safety Trust fund bills approved by House

Legislation to establish a “Public Safety and Violence Prevention Fund” to proportionately distribute money from sales tax revenue to cities, villages, townships and counties for public safety measures based on the level of crime in each local unit passed the House on Nov. 8. House Bills [4605](#) and [4606](#), sponsored by Reps. Nate Shannon (D-Sterling Hts.) and Alabas Farhat (D-Dearborn) and supported by MTA, would dedicate 1.5% of the 4% sales tax to local units to provide resources to help reduce violent crime across Michigan. The Senate will next consider the bills.

Measure would allow emergency service authorities to serve partial municipalities

Two or more townships, counties, cities or villages could incorporate an authority that covers a portion of their unit for emergency services such as fire or police protection or emergency medical services under an MTA-supported bill. Currently, an authority created under the statute must have



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jurisdiction over all territory located within the incorporating municipalities. [House Bill 4360](#), sponsored by Rep. Felicia Brabec (D-Pittsfield Chtr. Twp.), would allow incorporating municipalities to determine the territory to be served by an emergency service authority—including a portion of the local unit. The legislation would also require the articles of incorporation for any emergency service authority to be published on the website of each incorporating municipality, instead of in a newspaper. If any of the municipalities did not have a website, the articles of incorporation would have to be published in the clerk’s office of each municipality. The bill recently passed the House and moves to the Senate for consideration.

Possessing a firearm in and around polling places banned under House 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 [House Bill 4127](#), sponsored by Rep. Penelope Tseronglou (D-East Lansing). The same would 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 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 absent voter or combined absent voter counting location or within 100 feet of its entrance. Both bills passed the House and now move to the Senate for further consideration.



Institutional desecration will soon be a crime

[* Bauckham, Thall, Seeber Kaufman & Koches PC](#)

[* Consumers Energy](#)

[* Fahey Schultz Burzych Rhodes PLC](#)

[* Foster, Swift, Collins & Smith, P.C.](#)

[* Hartleb Agency](#)

[* ITC Holdings Corp.](#)

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

[* Mika Meyers, PLC](#)



Two bills, House Bills [4476](#) and [4477](#), sponsored by Reps. Noah Arbit (D-West Bloomfield) and Ranjeev Puri (D-Canton Chtr. Twp.), create the Institutional Desecration Act, which will soon be law. The legislation prohibits the targeted defacement, destruction and vandalism of institutions and communal property, including houses of worship, cultural or community centers, cemeteries and businesses as a hate crime, and creates misdemeanor and felony penalties for said violations. HB 4477 amends the sentencing guidelines to include the felonies. The bills, once signed, will take effect on Feb. 13, 2024.

Bill setting 25 mph speed limit for highways that are part of a local street system approved

Local governments would be able to keep a 25 miles per hour speed limit on portions of a highway that are part of the local street system and are within land zoned for residential use unless otherwise posted. [House Bill 4126](#), sponsored by Rep. Will Snyder (D-Muskegon), removes a Jan. 1, 2024, sunset provision that would have reverted to using speed studies to determine the appropriate speed limit. The bill passed both chambers with immediate effect and is now awaiting the governor's signature.

Municipal public employee retirement boards could meet remotely under bill

Township retirement boards would be able to meet remotely under a bill that was sent to the governor last week. [House Bill 4346](#), sponsored by Rep. Kevin Coleman (D-Westland), amends the Open Meetings Act to allow municipal public employee retirement boards and certain joint agencies to meet remotely. The bill, once signed, will take effect on Feb. 13, 2024.

County road commissions could use MDOT equipment under bill

Many county road commissions lack the resources and funding to purchase certain equipment that, while necessary, may be too narrowly used or expensive to justify. As a result, county road



commissions resolve this by partnering with other county road commissions and with the Michigan Department of Transportation (MDOT). However, it is unclear whether MDOT has the legal authority to participate in such partnerships. [House Bill 4897](#), sponsored by Rep. Nate Shannon (D-Sterling Heights), amends the law to authorize county road commissions to partner with each other and with MDOT. The bill has been sent to the governor for signature and would take effect on Feb. 13, 2024.



Higher fines and increased penalties for those who illegally dump trash

Legislation that increases fines and creates misdemeanors for illegally dumping over three cubic feet of trash was recently passed by the House. [House Bill 4325](#), sponsored by Rep. Helena Scott (D-Detroit) and supported by MTA, sets fines at \$2,500 (increasing by \$2,500 for subsequent infractions) for illegal dumping of more than three cubic yards, and sets fines at \$5,000 (increasing by \$5,000 for subsequent infractions) for dumping over five cubic yards. The bill would make the violations misdemeanors instead of civil infractions and would also create an individual cause for action for the property owner to be able to attempt to recoup clean-up costs. The bill now goes to the Senate for consideration.

Public employee data information soon to be available to unions

Public employers will be required to provide public employee personal contact information to the labor organizations that represent them. [Senate Bill 169](#), sponsored by Sen. John Cherry (D-Flint), requires a public employer to provide specified employment and contact information of public employees to the labor organization responsible for representing the public

employees in collective bargaining agreements—with an exception for cases where a public employee’s address is a confidential address. The legislation requires a public employer to inform an affected public employee before entering into a collective bargaining agreement. If the employer had already entered into an agreement, the employer would have to inform a prospective employee that would be affected by the agreement of such. Once signed, the change will become effective on Feb. 13, 2024.

Payroll deduction changes for campaign donations

Legislation recently passed and pending signature by the governor removes an existing provision in law that prohibits public bodies from administering payroll deduction plans for political contributions. Currently, unless required or permitted by law or a collective bargaining agreement, employers are required to obtain an employee’s full, free and written consent before deducting any amount from their wages, including contributions to a separate segregated fund established under the Michigan Campaign Finance Act. [House Bill 4230](#), sponsored by Rep. Jimmie Wilson, Jr. (D-Ypsilanti Chtr. Twp.), removes this restriction on public employees, allowing a payroll deduction plan to be set up for political contributions with an employee’s consent.

Additionally, [HB 4234](#), sponsored by Rep. Penelope Tsernoglou (D-East Lansing) and also recently passed, allows the use of public resources to establish or administer payroll deduction plans for contributions to campaign committees and to remove other restrictions on the use of payroll deduction plans for political contributions. Both bills will take effect on Feb. 13, 2024.

Political ads would be required to disclose AI use

Political campaign ads using artificial intelligence (AI) would be required to disclose the use of AI or face penalties. [House Bill 5141 and HBs 5143-5145](#), sponsored by Reps. Penelope Tsernoglou (D-East Lansing), Matthew Bierlein (R-Vassar Twp.), and Noah Arbit (D-West Bloomfield), would require campaign finance advertisements to disclose within the advertisement the use of AI to viewers and listeners. Having passed both

chambers, the bills await the governor's signature and will take effect on Feb. 13, 2024, once signed.

Legislation recently signed into law

[Public Act 191 of 2023](#), Automatic poverty exemption through 2023—Local units of government can adopt a resolution by Dec. 1 of this year to automatically re-enroll residents into a poverty property tax exemption program for the 2023 tax year. PA 191 extends allowing an automatic poverty exemption under certain conditions through the 2023 tax year for properties that were exempt in the 2019, 2020 or 2021 tax year, and also allows boards of review to grant a 75% poverty exemption, in addition to the values already permitted in the act. The change in law took effect on Nov. 8, 2023. The State Tax Commission (STC) indicated this week it will be working to develop necessary forms and updated guidance related to the changes to the poverty exemption and boards of review, with the intent for review and approval of the items on the Dec. 19, 2023, STC meeting agenda.

[Public Act 193 of 2023](#), Electronic return of military ballots—The Secretary of State now has additional time to develop the rules and procedures for active overseas military to return their ballots electronically. The law was originally scheduled to take effect on Jan. 1, 2024, but PA 193 extends the implementation date to Sept. 1, 2025.

Reminder: Michigan minimum wage increases Jan. 1

The state minimum wage increases to \$10.33 per hour, from \$10.10 per hour, effective Jan. 1, 2024. Under the Improved Workforce Opportunity Wage Act (Public Act 337 of 2018), Michigan's minimum wage will increase each Jan. 1 until it reaches \$12.05 per hour in 2030. PA 337 outlines a set schedule for the increases. Pending litigation may affect this minimum wage increase. For more information, including potential amended minimum wage rates as a result of that litigation, visit www.michigan.gov/wagehour, and watch MTA publications for updates as they become available.

New MGC Sustainability Plan Resource Kit tutorial and program updates



Learn more about a [new sustainability plan resource kit tutorial and program updates](#) from Michigan Green Communities (MGC) to help Michigan communities embed sustainability into their operations and policies, and to help set them up for pursuing federal and state climate and infrastructure funding. An MGC [webinar](#) on **Dec. 13 at 11 a.m.**—for both current and prospective participants—will also provide details about the new reporting period for the MGC Challenge opening **Jan. 1, 2024**, as well as a tutorial for those who are new to the program or need a refresher. MTA is a partner in MGC, which is open to all townships, cities, villages and counties in Michigan at no cost.

Be a 2024 'Asset Management Champion'

You can join more than 400 [Asset Management Champion](#) graduates and help create an asset management culture in Michigan. The program, to help “champion” asset management best practices to deliver high-performing services to Michiganders, runs from January through April 2024, requires approximately 25 hours to complete, and equips participants with the tools necessary to help educate their organization on practical asset management awareness. The [application](#) deadline is **Jan. 12, 2024**, and space is limited. Scholarships will be provided by the Michigan Infrastructure Council for those selected to participate.

Share input on MPSC renewable, electrification grants

Share your feedback by 5 p.m. **Nov. 30** with the Michigan Public Service Commission (MPSC) on its [Renewable Energy and Electrification Infrastructure Enhancement and Development Grant Request for Proposals \(RFP\) DRAFT](#). The program, open to local governments as well as businesses and nonprofit groups, supports planning, development and construction of renewable energy and electrification infrastructure projects. Email comments to LARA-MPSC-RE-EIEDGRANT@michigan.gov. The

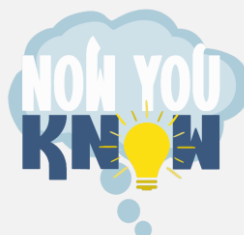
RFP is expected to be available to applicants by **Dec. 21**; the final deadline to submit grant project proposals will be **Feb. 21, 2024**. All proposals will be posted on the grants webpage on Feb. 28, 2024, beginning a 45-day review and comment period, after which applicants have 15 days to modify their proposals. The deadline to file final, modified proposals will be **April 29, 2024**, with an anticipated grant start date of Nov. 15, 2024.

MDOT's Five-year Transportation Program approved

Last week, the State Transportation Commission approved the Michigan Department of Transportation's (MDOT) 2024-2028 [Five-year Transportation Program](#), which contains a list of the planned MDOT Highway Program projects, as information on public transportation, rail and aeronautics. Some \$15.8 billion is anticipated from both state and federal funds, with \$11.2 billion going toward repairing and rebuilding MDOT roads and bridges.

Live MTA webinar offers 2023 Legislative Wrap-up

Even though the Legislature wrapped up the 2023 session year earlier than in past years, legislative action was fast paced with many issues impacting local government.



Join MTA's government relations team for our next live webinar covering the latest on what passed—and remains pending—in an end-of-the-year wrap up, as well as insights into what's in store for 2024. Get the inside scoop on what's shaping the political landscape, what issues may be considered next and the impact on townships—all in just one hour. Tune in to the live stream of MTA's next Now You Know webinar, *2023 Legislative Wrap-up*, at noon on **Friday, Dec. 8**, watch a recorded version later at your convenience, or both! [Register online here](#). (Note: *The webinar, originally scheduled for Dec. 1, has been rescheduled to Dec. 8.*)

Federal update for week of Nov. 13

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

