

MTA testifies in opposition to renewable energy facility siting bills; Senate introduces identical preemption bills

Committee action is possible next week on a four-bill package [preempting local authority](#) on the location and permitting of utility-scale wind and solar facilities in Michigan communities, and shifting authority to the Michigan Public Service Commission. MTA testified Wednesday in opposition to House Bills [5120](#), [5121](#), [5122](#) and [5123](#) before the House Energy, Communications and Technology Committee, telling lawmakers that the legislation “eliminates any meaningful voice of local communities and residents” on this issue. “Not all land or all communities are the same—and one size does not fit all,” said MTA Director of Government Relations Judy Allen. “The proposed siting process in the legislation completely disregards any adopted local zoning ordinances and eliminates the voice of the residents through voter referendums on the issue. Decisions on the location of renewable facilities create a lasting change for local communities, their future development, their businesses and farmland for the next 25 to 50 years—and they should not be taken lightly.” Allen also shared results of [an MTA-commissioned poll](#) that showed more than 87% of residents believe siting and permitting of large-scale renewable energy facilities should be handled at the local level.

Identical legislation, [Senate Bills 585](#), [586](#), [587](#) and [588](#), was also introduced in the Senate Thursday, with a possible hearing to be scheduled soon.

Thank you to all township leaders who have reached out to their state lawmakers to ask them to oppose this legislation—and please keep those calls and emails coming. **Your (and your residents’) outreach to your [state representative](#) and [senator](#) remains critical**, as the legislation is expected to have an “aggressive timeline” and may move quickly through the legislative process.

MTA members can also register for a **FREE MTA Q&A**, to be held via Zoom on **Monday, Oct. 16 at 11:30 a.m.**, where you can hear from Allen and MTA legal counsel about the proposed legislation—and how you can help to help MTA in the fight for local authority over these important local issues and decisions. [Register for Monday’s webinar now.](#)

Bill would exempt video streaming services from local franchise fees

Legislation to exempt video streaming services from paying local franchise fees is currently before the state House of Representatives. Opposed by MTA, [House Bill 4965](#) was reported by the House Regulatory Reform Committee this week and would specifically exempt streaming and satellite services (i.e., Disney+, Hulu, Netflix, YouTube TV and others) from sharing the cost of maintaining local rights-of-way (ROW), the very location of the infrastructure that these services use to distribute video content. Local governments maintain the ROW and all utilities that operate in the ROW are responsible for sharing that cost. By exempting some ROW users, HB 4965 would create an unlevel playing field, leaving traditional cable providers to pay the franchise fee. If HB 4965 passes, it will create a legal argument that could make all providers exempt from these fees—resulting in reduced revenue for local governments. **MTA urges our members to contact your [state representative](#) and [senator](#) to oppose HB 4965.**

Commitment to local reimbursement funding for lost PPT revenue passed

Townships will receive reimbursement for lost personal property tax (PPT) revenue under three bills now headed to the governor for signature. This legislation will ensure reimbursement funding is provided for revenue lost due to the increase in the small taxpayer exemption that took effect in 2023. [House Bill](#)

[4553](#) creates the “Local Government Reimbursement Fund” to provide for the disposition of money from the fund, [HB 4554](#) requires the deposit of \$75 million annually into the fund, and [Senate Bill 331](#) revises the process for claiming the small business taxpayer PPT exemption and the reimbursement of local governments for the exemption. PA 150 of 2021 increased the ceiling to be eligible for the small business PPT exemption from \$80,000 to \$180,000 beginning Dec. 31, 2022. When enacted, a commitment was given to local governments that the state would reimburse them for the revenue losses that resulted. A top priority for this legislative session, MTA worked to ensure the legislation provided both a mechanism and the funding for this reimbursement.

Speed limit measure passes House to provide greater flexibility

Townships and other local units would have greater flexibility in setting speed limits under MTA-supported legislation approved by the House Thursday. Sponsored by Rep. Bradley Slagh (R-Zeeland Chtr. Twp.), [House Bill 4012](#) clarifies situations for local units of government to set speed limits based on the 85th percentile of free-flowing traffic and allow traffic engineering practices that provide an objective analysis of the highway characteristics to be considered. It would also allow additional flexibility in setting speed limits by rounding to a multiple that is within five miles per hour of the 85th percentile speed. The bill would retain townships’ ability to set speed limits between the 85th percentile—the speed vehicles are traveling at or under on a segment of road—and a floor of the 50th percentile in certain circumstances. The bill now moves to the Senate for consideration.

Milkweed bill moves to full House

Townships and other municipalities could not classify milkweed, a primary source of nourishment for Monarch butterflies, as a noxious weed, under a bill approved by the House Agriculture Committee this week. Municipalities can regulate the growth of noxious weeds through local ordinances, and current law prescribes a list of plants that are considered noxious weeds. While milkweed is not included in the list, [House Bill 4857](#), sponsored by Rep. Samantha Steckloff (D-Farmington Hills), would prohibit milkweed from being considered a noxious weed. The bill now goes to the full House for further consideration.

Bills codifying Affordable Care Act head to governor

A five-bill package that would codify various provisions of the federal Patient Protection and Affordable Care Act into state law is headed to the governor’s desk after passage by the Senate this week. [House Bill 4619](#), sponsored by Rep. Julie Rogers (D-Kalamazoo), prohibits an insurer from limiting the amount of coverage available or charging different rates based on gender, gender identity and sexual orientation. [HB 4620](#), sponsored by Rep. Kimberly Edwards (D-Eastpointe), prohibits an insurer from limiting or excluding coverage for a pre-existing condition. [HB 4621](#), sponsored by Rep. John Fitzgerald (D-Wyoming), requires health insurance policies that offer dependent coverage to provide that coverage until a dependent has reached 26 years of age. [HB 4622](#), sponsored by Rep. Reggie Miller (D-Van Buren Chtr. Twp.), prohibits an insurer from instituting annual or lifetime limits on the dollar value of insurance coverage. [HB 4623](#), sponsored by Rep. Matt Koleszar (D-Plymouth Chtr. Twp.), requires insurers that offer insurance in the individual or small group market to provide coverage for several services, including emergency services, prescription drugs, hospitalization, and preventive and wellness services.

SOS to have more time to establish electronic return of military ballots

Public Act 197 of 2022, which would allow active overseas military to return their ballots electronically, was scheduled to go into effect on Jan. 1, 2024. However, the secretary of state requested additional time to develop the rules and procedures. [Senate Bill 470](#), sponsored by Sen. Paul Wojno (D-Warren) and approved by the Senate and House, provides that extension and moves the implementation date to Sept. 1, 2025. The bill now goes to the governor for signature.

December 2023 MCAT course offering

The State Tax Commission (STC) is accepting applications for the December 2023 [Michigan Certified Assessing Technician \(MCAT\) program](#) to be held **Dec. 7** at the St. Clair County Auditorium in Port Huron. The exam will be on Dec. 11 at the same location. [Fully completed applications](#) must be submitted to STC by **Nov. 17** to be considered for the December program.

Updates from the BOE

Proposal 2 regional trainings. The state Bureau of Elections (BOE) will hold regional training across the state to cover Proposal 2022-2 implementation and election law updates. This will include state-funded ballot drop boxes, prepaid absent voter (AV) application and ballot postage, permanent mail ballot list, presidential primary ballot selection form, AV ballot tracking, signature cure, photo ID, MOVE ballot postmark date, AV ballot early processing and in-person early voting. For dates and to register, visit the BOE's [eLearning Center](#). Virtual sessions will be held after the Nov. 7 election.

Pre-paid postage, drop boxes and early voting. When using the township's pre-paid postage permit, the U.S. Postal Service will send an invoice to your township with postage cost incurred, postage due, and that the above amount has been deducted from your advance deposit account (the master account established by the State of Michigan). Your township should not incur actual charges. A pre-paid postage guide is located in the [eLearning Center](#). Email questions to MDOS-BOEOperations@michigan.gov. While the BOE is accepting reimbursement requests for drop boxes, prepaid postage and early voting grant applications, it is not currently issuing reimbursements.

Election inspector appointments. Election inspectors for the November election [must be appointed](#) by the township election commission no later than **Oct. 17**. Election commission meetings are subject to the Open Meetings Act, and formal action must be taken to appoint election inspectors. Registered voters from any state-recognized party (may not choose "independent"), as well as 16- or 17-year-olds, can be appointed. Election inspectors must have received proper election inspector certification within the last two years from a county or authorized jurisdiction.

Community Energy Management Program funding available

Applications are being accepted by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) for the [Community Energy Management Program](#), which helps communities improve energy management and accelerate the implementation of energy efficiency and renewable energy. The maximum program grant award is \$25,000 per applicant. Applications will be accepted and processed on a first-come, first-served basis according to program priorities. A [request for proposals](#) shares additional program information. Contact evansc26@michigan.gov with questions.

Join brownfield webinar on Oct. 18

Join a free [informational brownfield webinar](#) on **Oct. 18** from 1 to 2:30 p.m. to receive updates on brownfield policies, programs and implementation, and to ask questions or seek clarification on topics. The Michigan Department of Environment, Great Lakes, and Energy, Michigan Economic Development Corporation and Michigan State Housing Development Authority will provide updates on their respective programs, including updates to the brownfield program and the Act 381 Portal Data Verification Process; an overview of the new Housing Tax Increment Financing (TIF) program; and updates to the brownfield annual reporting requirements and the Transformational Brownfield Program. The registration deadline is Oct 17. A webinar recording will be available on miplace.org. Contact brownfield@michigan.org with questions or concerns.

Member input sought for 2024 MTA legislative policy platform

MTA is seeking review and input from our members on its 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 legislation@michigantownships.org with questions, comments or suggestions.

MTA welcomes new member of Government Relations team

Katie Olkowski has joined the MTA staff as its legislative coordinator. In her role at the Association, she will assist the Government Relations Department in administrative functions, including tracking legislation impacting townships, disseminating MTA legislative communications and outreach, and coordinating our annual Capital Conference. Katie brings to MTA her experiences working as legislative director for Sen. John Cherry (D-Flint). MTA is excited to have Katie as a member of our team.

MTA classes offer **insights** into board roles, decisions and financial policies

Spend the day with MTA at one (or more!) of our in-person events coming your way this December:

- **Board Roles & Relations:** This morning class, held in Mt. Pleasant on **Dec. 6**, examines your role as a board member and how you fit into the board as a whole. [Download the registration form here](#) or [register online now](#).
- **How Boards Make Decisions:** An afternoon class held in Mt. Pleasant on **Dec. 6** that challenges "old ways of thinking" and offers techniques to meld various viewpoints into a consensus decision that everyone is more likely to support. [Download the registration form here](#) or [register online now](#).
- **Financial Fundamentals:** Take your financial oversight to a higher level with this half-day class coming to Gaylord on **Dec. 5** and Lansing on **Dec. 7**. You'll walk away with tried and true internal control strategies that can protect both you and your township. [Download a registration form here](#) or [register online now](#).

Federal update for week of Oct. 10

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