

## Renewable energy preemption bills expected next week; township officials urged to contact their state legislators **NOW**

Legislation preempting **local authority** on the location and permitting of utility-scale wind and solar facilities **will be introduced next week with an anticipated committee hearing on Wednesday** in the House. MTA urges members to contact their state legislators as soon as possible on the legislation that would move the permitting of utility-scale renewable energy facilities from the local level to the Michigan Public Service Commission. MTA strongly opposes any efforts to silence the voices of local officials and residents over issues that have real, long-lasting impacts in their communities. MTA believes the siting and permitting of renewable facilities should remain with the local community where that facility will be located for the next 20 to 50 years. **We need your help to ensure that communities and Michiganders keep their voice on these important local decisions.** Please contact your [state representative](#) and [senator](#) as soon as possible to ask them to ensure townships retain their role in the process. In addition to personal outreach to your legislators, a [resolution template is available on the MTA website](#) should your board also wish to adopt and forward to your state elected officials (login is required). If you do adopt a resolution, please include specific issues or concerns that are relevant to your township (i.e., number of existing facilities, contaminated areas, etc.). Watch MTA eblasts and Action Alerts for continued updates.

## Bill would allow 2% hotel-motel tax for local units

Townships and cities could enact a hotel-motel tax under [House Bill 5048](#), sponsored by Rep. John Fitzgerald (D-Wyoming), similar to counties under the act. The bills, supported by MTA and reported by committee this week, would allow a township board or city council to enact an ordinance to levy, assess and collect a separate excise tax of up to 2% of the total charges for accommodations. The tax would then have to be approved by a majority of the local units' voters. The current act allows counties to enact a hotel-motel tax ordinance to levy an accommodations tax of up to 5% of the total charges for accommodations based on population, with revenue to be used to support construction and maintenance costs of convention and entertainment facilities and activities promoting tourism and convention business within the county. HB 5048 would require the revenue from a local excise tax to be subject to the same restrictions as county revenues. The bill now moves to the House for a vote.

## Those who illegally dump trash could face higher fines and increased penalties

Legislation that increases fines and creates misdemeanors for illegally dumping over three cubic feet of trash was reported by a House committee this week. [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 full House for consideration.

## Funding mechanism to reimburse locals for lost PPT revenue passes House

Townships would receive reimbursement for lost personal property tax (PPT) revenue under three bills before the Legislature. This legislation is needed to 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](#), sponsored by Rep. John Fitzgerald (D-Wyoming), creates the "Local Government Reimbursement Fund" to provide for the disposition of money from the fund, and [HB 4554](#), sponsored by Rep. Denise Mentzer (D-Mt. Clemens), would deposit \$75 million annually into the Local Government Reimbursement Fund. HBs 4554 and 4554 are two of the three bills in the package and now will be considered by the Senate. The third bill, [Senate Bill 331](#),

is currently pending in the House. MTA is working for passage of the three bills before the end of 2023 to ensure the reimbursement funding mechanism is in place for local governments.

## **A busy week for election-related legislation**

Several election bills were acted upon this week by committees and the House of Representatives:

Townships and others could increase precinct sizes to up to 4,999 active registered voters under [Senate Bill 374](#), sponsored by Sen. Jeremy Moss (D-Southfield). The bill passed the House and was returned to the Senate for concurrence of the House changes. The bill is similar to [House Bill 4702](#) enacted earlier this year, but it did not receive immediate effect and cannot take effect until 90 days after the Legislature adjourns for the year.

Bills that would modify the procedure for automatic registration at a Secretary of State (SOS) branch office were acted on by a House committee and passed by the House this week. [HBs 4983-4986](#), sponsored by Reps. Penelope Tsernoglou (D-East Lansing), Phil Skaggs (D-Grand Rapids), Emily Dievendorf (D-Lansing) and Jimmie Wilson (D-Ypsilanti Charter Twp.), would change the procedure for how an individual can opt out of being registered to vote when they conduct a transaction with the SOS. Currently, a potential qualified voter can opt out at the time of the transaction by completing a form indicating they do not wish to be registered. Under the bills, the individual would be automatically registered and then would receive information about voting and the ability to return a form if they do not wish to be registered. The bills also allow the SOS to designate other state agencies that collect sufficient information (age, address, citizenship, etc.) to become automatic voter registration agencies. The bills now move to the Senate for further consideration.

The Senate Elections and Ethics Committee passed [SB 529](#), sponsored by Sen. Jeremy Moss (D-Southfield), which would modify the Electoral College process to conform with changes to federal law. Early last year, Congress passed the Electoral Count Reform Act. The bill would require the governor to issue a Certificate of Ascertainment of the appointment of electors of the U.S. president and vice president that contains a security feature at least seven days before the electors meet. The bill now moves to the full Senate.

## **Milkweed proposed to be excluded as noxious weed**

Townships and other municipalities could be prohibited from classifying milkweed, a primary source of nourishment for Monarch butterflies, as a noxious weed, under a bill before 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.

## **Bills to allow tribal marijuana businesses on tribal lands on way to governor**

Indian tribes may soon be allowed to own and operate marijuana businesses and interact with other such businesses under legislation approved by the House this week. [Senate Bills 179](#) and [180](#), sponsored by Sens. Jeremy Moss (D-Southfield) and Roger Hauck (R-Union Chtr. Twp.), would allow the Cannabis Regulatory Agency to enter into an agreement with an Indian tribe regarding regulatory issues associated with the commercial growing, processing, sale, testing, transportation and possession of marijuana. Additionally, the legislation changes the 10% excise tax—which is assessed on existing marijuana establishments and distributed to the state and local governments—to a tax set by the tribe that would be distributed to the tribe where the marijuana retailer is located. The bills now go to the governor.

## Feedback requested on using federal funding to expand broadband access

The Michigan High-Speed Internet Office (MIHI) is seeking **public comment by Oct. 31** on Volume 1 of Michigan's Broadband Equity Access and Deployment (BEAD) Initial Proposal. Public comments will be used to help draft MIHI's proposal for how Michigan will use the [historic \\$1.559 billion funding allocation from the BEAD Act](#) to expand access to high-speed internet service to more Michigan homes, businesses and community anchor institutions. Volume 1 of the Initial Proposal outlines the process that MIHI will implement to identify every home, business and institution in the state eligible to be connected to the internet through the BEAD Program. To ensure no locations across the state are missed, the process will allow local units of government, non-profit organizations and internet service providers to supply evidence to MIHI if locations are unserved, underserved or served by high-speed internet. To submit a comment or learn more about the initial proposal, visit [www.michigan.gov/MIHI](http://www.michigan.gov/MIHI).

## New CRC report recommends revenue sharing needs to be addressed

A report released this week by the Citizens Research Council of Michigan (CRC), [Prosperous future: Public Sector Challenges and Opportunities](#), concludes that "chronic underfunding" of the state revenue sharing program "over the past 20 years has left local governments without the funding or options to raise revenues on their own." The report also states local governments in Michigan are more constrained in their tax options than those in many other states. The report is the fifth in a [series of reports](#) commissioned by the Governor's Office of Foundation Liaison commissioned on a comprehensive data analysis of Michigan's population, economic and environmental conditions.

## Michigan Coastal Management grant funding available

Coastal communities can seek funding from the Michigan [Coastal Management Program's](#) (MCMP) 2025 Grant Funding Opportunity to assist in the development of vibrant and resilient coastal communities through the protection and restoration of our sensitive coastal resources and biologically diverse ecosystems. The MCMP is seeking projects that protect community character and revitalize ports and harbors; plan for growth and change in coastal communities to strengthen economies and minimize risk from coastal hazards; protect and restore healthy coastal ecosystems for public use and enjoyment; devise solutions for the nature-based solutions to slow the flow of stormwater; and create and enhance public access. It is expected that \$1 million will be available for funding. Learn more at two informational webinars:

- A [general overview](#) webinar on **Oct. 24** from 1 to 2:30 p.m. will cover general application requirements, program objectives and more.
- A [more in-depth](#) webinar on **Oct. 26** from 1 to 2:30 p.m. is designed for applicants seeking funding for projects proposing low-cost construction and land acquisition. It will cover permitting considerations, environmental compliance, historic preservation and more.

## Join Treasury's upcoming 'Fiscally Ready' webinar Oct. 11

Township officials and employees can join the [free upcoming Fiscally Ready Communities webinar](#) on **Oct. 11** from 1:30 to 3 p.m. Hosted by the Michigan Department of Treasury and Michigan State University Extension, the webinar will share why fees, fines, purchasing and receipting are important for fiscal health and cover how to build a culture of fiscal sustainability, policy best practices for fee and fine structure, case study examples, how strong receipting and purchasing practices strengthen local fiscal health, and best practices for implementation.

## Reminder: Invasive species grants deadline Nov. 1

Proposals for Michigan's [Invasive Species Grant Program](#) are due **Nov. 1**. The program supports projects that prevent, detect, manage and eradicate invasive species on the ground and in the water. Award announcements are expected next March. All applications must be submitted through the [MiGrants online system](#).

## Emergency contact information for freight railroads

First responders and other local leaders may find valuable updated emergency contact numbers for freight railroads operating in Michigan. A [Railroad Emergency Contact brochure](#), from the Michigan Railroads Association, contains a map and key for rail lines within Michigan, along with the emergency contact numbers for these railroads.

## Free workplace safety training asks, 'What's your plan?'

Officials can attend a free, in-person workplace violence training, "Active Assailant / Shooter Survival: What is Your Plan?", from the Center for Workplace Violence Prevention from 9 a.m. to noon on Tuesday, **Oct. 24** in Livonia. Funded through a MIOSHA Consultation Education and Training grant, the training will focus on helping organizations understand best practices and develop strategies to prepare, train and survive active shooter and workplace violence incidents. [Click here to RSVP](#).

## Member input sought for 2024 MTA legislative policy platform

MTA is seeking review and input from 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 the MTA Government Relations Department at [legislation@michigantownships.org](mailto:legislation@michigantownships.org) with questions, comments or suggestions.

## Read the October issue of *Township Focus*—in mailboxes and online now!

Check out the [October issue of \*Township Focus\*](#) now! In this month's cover story, *Protecting your township from cyberattacks*, learn how to keep residents and township information protected as cyberattacks are on the rise. Read about this year's MTA Robinson Scholarship recipients and their public service aspirations in our feature article. In our Q&A columns, "Hello, MTA ... ?" discusses putting board decisions on the ballot and residents right for referendum while "Financial Forum" dives into unclaimed property.

**Correction:** Incorrect information was included in the October issue of *Township Focus* magazine from the state Bureau of Elections on about the public accuracy test prior to each election. The public accuracy test must be conducted by a quorum of the election commission no later than the Thursday prior to an election, and notice **must be published in a newspaper** at least 48 hours before the test (MCL 168.798) and **the meeting noticed (usually as a special meeting) and held** in accordance with the Open Meetings Act.