

Michigan Township **INSIGHTS**

Feb. 16, 2024

MTA Board votes to support efforts to repeal renewable energy facility zoning preemption

MTA's Board of Directors [recently voted to support](#) the efforts of an initiative petition that would return local control over utility-scale renewable energy facilities to Michigan's communities. The initiative, led by the group [Citizens for Local Choice](#), seeks to repeal Public Act 233 of 2023—which was strongly opposed by MTA and its members as it quickly moved through the legislative process. The law strips true local siting authority over these facilities, shifting it to the Michigan Public Service Commission. If successful on the November ballot, this initiative would restore this critical zoning authority to Michigan's communities for how they choose to plan and zone for large-scale renewable energy facilities. For more information on the initiative petition, visit the [Citizens for Local Choice webpage](#).



The Michigan Campaign Finance Act limits how a public body can use public funds or property when it comes to campaigning for ballot questions or candidates. For guidance on what townships and township officials may—and may not—do in their official capacity and as individuals to support ballot initiatives, see MTA's fact sheet, "[Getting the Word Out: Campaign Finance Act Compliance](#)," and find additional information and resources on MTA's "[Campaign Finance Act Compliance](#)" webpage (member login is required to access the webpage). MTA advises members to consult township legal counsel with questions.

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

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Upcoming MTA Training & Events

Throughout February—[Board of Review Training](#)

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

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

This week, the Michigan Public Service Commission (MPSC) announced two sessions on the implementation of [Public Act 233 of 2023](#) that removes local siting authority and the siting authority of large-scale renewable energy (solar, wind and energy storage) 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.** on Microsoft Teams. Details on how to join the meeting will be posted 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.

Increased penalties and fines for unlawful dumping heads to governor

A measure to increase fines and penalties for illegally dumping over three cubic feet of trash is now headed to the governor for signature. [House Bill 4325](#), sponsored by Rep. Helena Scott (D-Detroit) and supported by MTA, will increase fines to \$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 legislation will also change the violations to misdemeanors—instead of civil infractions—and will create a cause for action for the property owner to attempt to recoup clean-up costs.

More than 140 new laws took effect on Feb. 13

This week, 142 new laws that were passed in 2023 took effect. The bills, when passed, did not receive immediate effect and thus, became effective on Tuesday, Feb. 13. Several of the new laws—including changes to elections, zoning, health care and labor statutes—have a direct or indirect impact on townships; view them on MTA's [2023 Public Acts](#) listing.

Snowplow safety bill passes Senate

Motorists may soon have to remain at least 200 feet behind a snowplow that is operating on behalf of a government entity and is actively engaged in snow removal activities. [Senate Bill 465](#),

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

[**Assessor's Renewal:](#)

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sponsored by Sen. Sam Singh (D-East Lansing), also would require a motorist to stay at least 20 feet behind a snowplow when stopped at an intersection. The distance requirement would not apply when a vehicle is legally passing a snowplow. The bill now moves to the House for further consideration.

Reminder: 2023 PPT reimbursement correction process available

Townships are encouraged to review the 2023 personal property tax (PPT) reimbursements distributed in October 2023 and February 2024, and report any errors by **Feb. 28** and **March 31, 2024** (correction forms along with the associated deadlines are available on the state's [Forms for Calculation of PPT Reimbursements website](#)). Doing so will allow you to ensure accurate PPT reimbursement distributions. To determine if an error has occurred in the PPT reimbursement calculations or data used, you must review the applicable reports on [Treasury's 2023 Treasury's 2023 Personal Property Tax \(PPT\) Reimbursements website](#). If no errors are identified, nothing further needs to be done. Find additional links, information and deadlines [here](#). Contact (517) 335-7484 or TreasORTAPPT@michigan.gov with questions.

* [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](#)



Grants 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. The grants consist of \$3 million to be utilized by municipalities not part of the Michigan Economic Development Corporation redevelopment program (funding still available), and \$2 million available to municipalities enrolled in the redevelopment program (remaining funding is limited). The online application opened Jan. 16 and will remain open until funding is fully committed. Applications are awarded on a first-come, first-served basis. Email MSHDA-OHS@michigan.gov with questions.

BOE offers early voting support

As early voting (EV) begins on Feb. 17, prior to the Feb. 27 presidential primary, the state Bureau of Elections (BOE) will hold technical and election administration support on Feb. 17 and 18 from 5 a.m. to 8 a.m., and Feb. 19-23 from 7 a.m. to 8 p.m. Call (800) 310-5697 for Qualified Voter File and EV electronic pollbook support, and (517) 335-3237 for administration questions.



The bureau's [Feb. 16 "News Update" newsletter](#) contained additional EV tips for clerks, including offline/paper backup procedures, EV guides and resources including a "Quick Guide for EV Equipment," and more. The newsletter also included numerous other important updates, including handling paper voter pre-registration applications, a Feb. 27 Election Day information sharing room for election officials, information on political party challenger credentials and more.

NEZ adjusted tax rates and inflation rate adjustment factors for 2024

Updated Neighborhood Enterprise Zone (NEZ) [tax rates](#) and [inflation rate adjustments](#) for 2024 are available. The NEZ Act authorizes a specific tax to be levied on real property (excluding land) with a valid NEZ certificate in lieu of the ad valorem tax. The NEZ tax rate for "New Facility" certificates, based on the issuance date of the certificate and the property owner's principal residence exemption (PRE) status, is equal to one-half of the preceding year's non-PRE state average tax rate or PRE state

average tax rate. Additional information can be found on the state Department of Treasury's [Property Tax Exemption website](#).



STC updates: MCAT program, EMPP exemption reminder

- [Applications](#) are due to the State Tax Commission (STC) by **April 26** for the May 2024 [Michigan certified assessing technician \(MCAT\) program](#), to be held May 16-17 at the Kirtland University Center in Gaylord (exam will be held on May 20 at the same location). Email GastW@michigan.gov with questions.
- Taxpayers can claim the eligible manufacturing personal property (EMPP) exemption for 2021 if they did not properly file a combined document in 2021 due to the COVID-19 pandemic, under [Public Act 211 of 2023](#), which took effect on Feb. 13. To apply, [Form 5278 \(2021\)](#), [Form 5965](#) and 2021 summer and winter tax bill copies must be submitted to the STC (*not* the local assessor) by **March 14, 2024**, to State-tax-commission@michigan.gov or PO Box 30471, Lansing, MI 48909.

EGLE opportunities: Recycling grants, Renewables Ready awards and NextCycle program

The Michigan Department of Environment, Great Lakes, and Energy (EGLE) has numerous opportunities of interest to townships:

- [Recycling Infrastructure Grant](#): Apply by **May 7** for matching grants to grow the statewide recycling

rate, ensure diversity, equity and inclusion, and increase access to recycling across Michigan. Contact (586) 980-5258 or taylor45@michigan.gov for more information.

- [NextCycle](#): This program is designed to connect communities, entrepreneurs, companies and organizations to technical support, financial resources and capacity building for recycling, recovery and reuse initiatives. Two tracks— intergovernmental cooperation and public-private partnership— may be of particular interest to township leaders. An [informational “Application Party” webinar](#) will be held **Feb. 21** to allow interested individuals to ask questions about the program, application requirements and more.
- [Renewables Ready Communities Award: Request for Proposal and Application Overview](#): A webinar, to be held **March 5** from 11 a.m. to noon, will explore the [Renewables Ready Communities Award](#), which will grant up to \$5,000 per megawatt to municipalities involved in eligible renewable energy projects that attained local permits on or after Oct. 1, 2023. Learn eligibility criteria, application process and intended awardees.

Check out the February issue of *Township Focus*

Your [February issue of *Township Focus*](#) can be read online and is in mailboxes now! This month’s cover story, “Michigan’s path to a prosperous future: Challenges and opportunities,” explores what actions at the state and local levels can help Michigan regain a path to prosperity. Our feature story highlights Northville Charter Township being named a “Top Workplace” in Michigan. In our Q&A columns, “Hello, MTA ... ?” discusses everything Freedom of Information Act while “Financial Forum” dives into receiving and making electronic and credit card payments.



Learn effective land use strategies with MTA this April

What qualities do you value about your community and how can you protect it? Join MTA and land use expert Steve Langworthy on **April 22** for our full-day class [Defining Your Township's Land Use Future](#). Discover strategies for making effective land use decisions and balancing property rights with public interest, and review the purpose, process and legal requirements of your township's master plan. You'll walk away with insights into a broad range of day-today and emerging land use issues. [Get the full description and registration form here](#) or [register online now](#).

Spring weight restrictions adjusted

The Michigan Department of Transportation continues to adjust spring weight restriction areas in an annual move to protect the state's highways. Effective **6 a.m. Friday, Feb. 16**, weight restrictions will be lifted on all state trunkline highways from the southern Michigan border north to and including US-2/US-141 at the Menominee River bridge west of Iron Mountain, then east on US-2 to St. Ignace. Frost restrictions are still in effect for the remainder of the state and will be imposed and enforced on all state trunkline highways north of US-2 and on M-185 on Mackinac Island. State routes typically carry M, I, or US designations.

Federal update for week of Feb. 12

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