

# Michigan Township **INSIGHTS**

June 16, 2023

## Thank you— engagement still needed on aggregate bills

MTA thanks to all members who reached out to their legislators to share their opposition to House Bills [4526](#),



[4527](#) and [4528](#), the bills that would eliminate all local authority over sand and gravel mining operations in ALL communities. While the bills were before the House Regulatory Reform Committee and changes were adopted for HB 4528 (MTA opposed), no additional action was taken either by the committee or the House this week. We continue to work to reach a compromise that retains local authority, but it is uncertain at this time when next steps will occur. Thus, MTA encourages you to continue conversations with [your legislators](#) on the importance of retaining local authority (truck route, hours of operation, blasting hours, noise levels, dust, etc.) and a voice in the permitting process.

## Townships have until July 10 to apply for Michigan Fire Equipment Grants

All eligible townships are urged to apply for the [MI Fire Equipment Grant Program](#), through the state Department of Treasury. The grants provide up to \$10,000 to purchase fire equipment for part-time, on-call or volunteer firefighters OR be used to reimburse for purchases made since Aug. 1, 2022. Additional considerations for the grant include:

- Applicants can enter an amount of funding to be requested, and does not have to request the full \$10,000.
- Among the equipment that is eligible are hoods, helmets, radios, gloves (structural and extrication) safety vests for traffic accidents, flashlights, personal thermal imaging cameras and boots.
- The grant webpage includes helpful guidance, including a [sample application](#), [checklist](#) and



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\*\*[July 18: Harris](#)

### [U.P. Education](#)

[Extravaganza](#) - Island Resort in Harris

\*\*[July 18: Insights into](#)

[Planning & Zoning](#)

\*\*[July 19: Financial](#)

[Fundamentals](#)

\*\*[July 19: Hot Topics for](#)

[Township Fire Departments](#)

## MTA QUICK LINKS

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[Advocacy](#)

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[Community Connection](#)

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[Frequently Asked Questions](#). A [webinar recording](#) also shares learn more about the application process and grant.

- The [application](#) is a two-page form, which must be submitted by the township—or an authority or commission established by a city, village, township, county or tribal government—and must be signed by the chief administrative officer for the township (and not the fire chief).
- Applicants can find their township’s [Treasury Local Unit Code here](#) (for a township, it is a six-digit number, starting with the six-digit County ID and then after a dash, the four-digit number for the township in that county.)

The deadline to apply is **July 10**. Grant awards are anticipated to be announced in early August 2023, with final invoices to be submitted by Sept. 30, 2023. Email [Treas-MIFireGrant@michigan.gov](mailto:Treas-MIFireGrant@michigan.gov) with questions.

## Proposal 2 implementation bills pass each chamber

Bills to provide for the statutory implementation of Proposal 2022-2 were passed by the House and Senate this week. Changes were made to the bills prior to passage by each chamber with the anticipated final passage before the end of June. The following provides an overview of the bills currently:

**Early voting.** [Senate Bills 367](#) and [368](#), and [House Bills 4695](#) and [4696](#) set up the processes and procedures for nine days of early voting. These provide three options for each local unit to choose: 1) those run by a municipality for that municipality only, 2) those under a municipal agreement (two or more municipalities in the same county working jointly to conduct early voting), and 3) those under a county agreement (agreements between one or more municipalities and the county to conduct early voting). The bills also include changes to polling place requirements allowing more flexibility for clerks to secure polling locations for both early voting and Election Day. They require notices to be sent to voters indicating the early voting sites, as well as deadlines for the notices. Additionally, the bills set up timelines for when county clerks must decide if they will allow county agreements, for municipalities to decide which early voting method they will utilize, when agreements must be signed, and when early voting plans must be complete. There are also deadlines and limitations on when a municipality can withdraw from an agreement. The county and municipal agreements and voting plans will determine

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### ALLIED SERVICE PROVIDERS



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\* [Bauckham, Sparks, Thall, Seeber & Kaufman, 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](#)

what role each participating municipality will have as far as preparing for and conducting the early voting in their jurisdictions. While many of the logistical issues will be determined by the secretary of state (SOS)—software changes, agreement templates, voting plan templates, preventing double votes, and security—the bills do include security procedures to be followed for securing tabulators and ballots at the end of each night of early voting. The companion bills are sentencing guideline measures for reporting early voting results prior to the close of polls on Election Day, which is a five-year felony.

**Permanent mail voter list.** [SB 369](#) and [HB 4699](#) set up the process for the permanent absent voter (AV) ballot mailing list. These voters will be referred to as “permanent mail ballot voters.” The bills also create a presidential primary ballot selection form for voters to select their party preference for voting in presidential primary elections and how to change this preference. Additionally, the bills list the conditions under which an individual can be removed from the list, and the notices that must be sent to the voter when this happens. Finally, the bills change some retention periods for election materials to conform with the federal 22-month requirement.

**Pre-paid postage and signature matching/curing.** [SBs 370](#) and [371](#), and [HBs 4700](#) and [4701](#) require pre-paid postage for AV ballot applications returns and AV ballot return envelopes. The bills proscribe the signature matching and curing process that voters are to use for mismatched or missing signatures on AV applications and ballot return envelopes. The bills also set statutory guidance for comparing signatures and create a “cure form” to be used to allow voters to cure the signature on election materials that are determined to be deficient. AV ballot return envelopes to be cured up would be provided three days after the election. Additionally, the bills set timelines on when clerks must act after they receive AV applications and AV ballots, including the notification and curing process for deficient election materials. The bills codify the use of a driver’s license or state ID signature on file with the secretary of state for applying for an AV ballot online and strike the identification requirement for applying for an AV ballot in the clerk’s office except for the day before Election Day. The companion bills amend the sentencing guidelines for forging a signature on an AV ballot because the section number was altered in the main bills.

**Drop boxes.** [SB 372](#) and [HB 4697](#) put in place the state-paid AV drop box provisions, including that each jurisdiction must have at least one drop box and additional drop boxes for every 15,000 registered voters. The bills clearly state that the SOS is to pay for



the drop boxes, their installation and any required video monitoring. The bills retain the current statutory requirement for video monitoring on drop boxes installed after October 2020. Beginning in 2026, all drop boxes would be required to have video monitoring. Video monitoring must be in place for the 75 days prior to any election. The bills also provide guidelines for clerks to use in determining “equitable distribution” of the drop boxes.

**Voter identification for election purposes.** [SB 373](#) and [HB 4698](#) modify the types of photo identification that can be used for election purposes to conform with Proposal 2. The bills provide a definition for “educational institution,” now in the state Constitution, and replace the previous language that referenced universities and colleges. The bills also add photo identification issued by a local government to the types of ID that can be used for election purposes.

**Increased precinct size.** [SB 374](#) and [HB 4702](#) allow municipalities to increase their precincts to up to 5,000 active registered voters from the current 2,999. The bills also remove the provision in law that proscribes the number of voting machines a precinct should have.

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## Speed limit measure provides greater flexibility

Townships and other local units would have greater flexibility in setting speed limits under MTA-supported legislation was approved by a House committee this week. 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 characteristics of the highway 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 the ability of townships 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 full House for consideration.



## **Bills allowing early tabulation of AV ballots introduced**

Legislation would allow all communities to pre-process and tabulate absent voter (AV) ballots prior to Election Day. [Senate Bills 386](#) and [387](#), sponsored by Sen. Jeremy Moss (D-Southfield), and [House Bills 4755](#) and [4756](#), sponsored by Rep. Penelope Tsernoglou (D-East Lansing), would allow communities with a population of 5,000 and above to pre-process and tabulate AV ballots on any of the eight days prior to Election Day. Any community, regardless of population, would be allowed to pre-process and tabulate AV ballots on the Monday before the election. The bills also allow jurisdictions that have processed 500 or more same-day registrations in either of the last two November general elections to establish “Election Day vote centers” that would operate as a polling place for same-day registrants. It would have to be in the same building where the clerk provides same-day registration. AV voters would be allowed to bring their AV ballot to an early voting site to have their ballot tabulated. The bills would also allow clerks to deliver AV ballots received after 4 p.m. on the day before the election to an AV counting board that is limited to ballots received after that time. Current law permits them to be delivered to the voting day precinct of the voter. Additionally, the bills specify the process for processing electronic overseas ballots, the process for tabulating AV ballots at an early voting site and codifies the practice of clerks’ time and date stamping AV ballots once the signature has been verified and approved for tabulation. The Senate also took testimony on [Senate Bill 385](#), sponsored by Sen. Erika Geiss (D-Taylor) which allows clerks to provide an application for election inspectors through an online portal or other electronic means.

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## **Local grade separation grant program bills move**

Local units and county road agencies could seek local grade separation grants to eliminate blocked railroad crossings in their communities under two bills passed by the House this week. [Senate Bill 125](#), sponsored by Sen. Darrin Camilleri (D-Brownstown Chtr. Twp.), and [House Bill 4153](#), sponsored by Rep. Jaime Churches (D-Wyandotte), would require the state Department of Transportation to develop a local grade separation grant program, which would require a 20% match from the applicant. The bills next move to the Senate—SB 125 for concurrence and HB 4153 for approval.

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## Local governments can recoup costs for law enforcement training academies when officers leave



Local law enforcement

agencies are now permitted to recoup the training costs for recruits when they later leave that agency's department. [Public Act 43 of 2023](#), sponsored by Rep. Tyrone Carter (D-Detroit), and [Public Act 44 of 2023](#), sponsored by Sen. Sylvia Santana (D-Detroit), allow police departments to recover the costs of sending recruits to training academies if they leave after a certain period of time. Both bills, signed by the governor this week, took effect on June 13.

## Sexual assault package passes heads to governor

A six-bill package (House Bills 4120-4125) debated in prior legislative sessions because of the Dr. Larry Nassar scandal received final passage this week. Included in the package is [House Bill 4120](#), sponsored by Rep. Julie Rogers (D-Kalamazoo), which would require the Michigan Department of Health and Human Services (MDHHS) to create training materials for individuals who are considered mandatory reporters, including law enforcement, to report suspected child abuse or neglect. Employers would be required to make these materials available to mandatory reporters unless they have a training program that is updated annually and is similar in substance to the materials provided by MDHHS. [HB 4123](#), sponsored by Rep. Graham Filler (R-Duplain Twp.) and part of the package, would make it a crime for a person who is in a position of authority to intentionally use their position to prevent—or attempt to prevent—the individual from reporting crimes committed involving child abuse or criminal sexual conduct.



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## **Bills to allow tribal marijuana businesses on tribal lands approved by Senate**

Indian tribes may soon be allowed to own and operate marijuana businesses and to interact with other such businesses under legislation approved by the Senate 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 move to the House for further consideration.

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## **Space available in June and July 2023 STC Updates online training**

ALL certified assessing officers and certified assessing technicians must take the *2023 STC Updates* class as part of their continuing education renewal requirements for the renewal cycle beginning Nov. 1, 2022, and ending Oct. 31, 2023. Space is still available in the two free classes being offered on Zoom on [Friday, June 16](#) or [Friday, July 14](#). Both will be held from 9 a.m. to 1 p.m. The class also meets the training requirement for for uncertified support staff training—staff who are not a certified assessing officer or technician, and who are involved in the development of the assessment roll, including field work. This includes any support staff who may provide information from the assessment roll to the public. The class is also available [online](#) for assessing officers and technicians through the State Tax Commission’s Continuing Education Portal.

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## **EGLE updates: Coastal communities grant, Cleanup program webinar**

**Coastal resiliency.** Coastal townships can apply now for the second round of the [Creating a Culture of Resilience Capacity 2023 grant funding opportunity](#), through the Michigan Department of Environment, Great Lakes, and Energy (EGLE), which focuses on efforts on increasing coastal communities’ knowledge of coastal risks by conducting outreach, technical assistance, and training workshops on actions that lead communities to be resilient-

ready. Eligible entities include the 10 Regional Councils of Governments, watershed councils, planning agencies, conservation districts, and community planning with jurisdiction that touch the Great Lakes. and are all encouraged to apply for grant funding. An [information webinar](#), held at 1 p.m. on June 29, will provide more information about the program and the specifics of the application requirements to submit a proposal. Contact [arenda@michigan.gov](mailto:arenda@michigan.gov) with questions.

**Cleanup program.** EGLE is hosting a June 28 [webinar](#) to provide an overview of institutional controls (ICs) under their cleanup programs (Part 201—Environmental Remediation, and Part 213—Leaking Underground Storage Tanks) that may be required to prevent exposure to environmental contamination left in place at a property. The webinar will provide an overview and best practices of commonly used ICs, such as restrictive covenants and ordinances, identify available resources, and introduce an alternative IC for groundwater and the circumstances when it may be used. Email questions to [SchremsK@michigan.gov](mailto:SchremsK@michigan.gov). For registration questions, contact [BertholdA@michigan.gov](mailto:BertholdA@michigan.gov) or [RoseberryJ@michigan.gov](mailto:RoseberryJ@michigan.gov).

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### **Federal update for week of June 12**

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

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