

Michigan Township **INSIGHTS**

Weekly News and Information from the Michigan Townships Association | Nov. 9, 2018

In this issue

Recreational marijuana | GAAMPs draft | Complaints against group homes | Township ballot proposals | Statewide ballot proposals | Precinct delegate elections | Lead and Copper Rule event

LEGISLATIVE UPDATE

MTA provides opt-out ordinance for recreational marijuana

This week, voters said yes to Proposal 2018-1, legalizing marijuana for recreational use in Michigan. Once the proposal takes effect 10 days after the election results are certified (which must be done by Nov. 26), adults over 21 may use, possess and grow a certain amount of marijuana in their homes.



The state has a year to establish a new regulatory system, at which point potential marijuana establishments may apply for licenses. Local governments that do not want licensed recreational marijuana establishments must adopt an ordinance prohibiting them or limiting their number, although such an ordinance is subject to referendum. If your township does not have a prohibiting ordinance, the state will issue a license to qualifying recreational marijuana facilities wishing to locate there. **MTA has a sample opt-out ordinance your township may adopt if desired**, and more details were included in the [October issue](#) of *Township Voice*. Anyone with questions may contact our Member Information Services Department at (517) 321-6467.

GAAMPs draft to be adopted in January

A state commission is considering eliminating zoning from consideration under a section of the Generally Accepted Agricultural Management Practices (GAAMPs) at its January meeting. MTA attended a Michigan Agriculture and Rural Development Commission meeting this week, where the commission discussed a proposed draft of the 2019 [Site Selection and Odor Control for New and Expanding Livestock Facilities GAAMPs](#). This draft would eliminate consideration of local zoning from site selection criteria, meaning once this draft becomes final, large

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livestock facilities could locate in almost any zoning district, without considering local zoning. **MTA and several townships submitted written comments strongly opposing this dramatic policy shift**, and one township official also attended this week's meeting to voice his concerns. The public comment period on the draft has ended, and MTA thanks all members who responded to our call to action and submitted comments. The Site Selection GAAMPs Task Force, which annually reviews the GAAMPs, will make its final recommendation to the commission in January.

Process for filing complaints against group homes could be changed

When locals file a complaint against a group home, current law requires the state to address the issue within 45 days or the home's license is revoked. A package of bills reported by the House Families, Children and Seniors Committee this week would eliminate that guarantee, leaving townships without a mechanism to ensure their complaints are addressed. MTA testified with concerns on [HB 5506](#), sponsored Rep. Daire Rendon (R-Lake Twp.), and [HB 6400](#), sponsored by Rep. Jeffrey Noble (R-Plymouth Chtr. Twp.), both of which make a number of changes to Michigan laws addressing group home licensing and zoning. HB 5506 would repeal a section of the Adult Foster Care Facility Licensing Act that allows townships and other local units to file complaints concerning a group home with the state Department of Licensing and Regulatory Affairs (LARA). HB 5506 includes language allowing an individual to file a complaint, and LARA has said a local unit could also file under this section. However, there is no requirement to address issues within 45 days or language revoking licensure. Current law prohibits local units from subjecting a facility to a special use permit for a licensed group home, but HB 6400 would also extend this provision to a private residence with a capacity of up to four adults who receive benefits from a community mental health program if the facility is monitored by a local community mental health services program. Also included in the bill package is [HB 5505](#), sponsored by Rep. Frank Liberati (D-Allen Park). The package is expected to be passed by the House in late November. MTA will continue to update members on this issue.

Majority of township ballot questions approved

About 83 percent of township ballot questions were approved by voters on Election Day this week. Of the 166 ballot questions put forth by townships, 29 were unsuccessful. The majority of ballot questions requested a millage for purposes such as roads, fire, police, general operations and parks.

Ballot proposals passed



Voters across Michigan overwhelmingly said yes to three ballot proposals covering issues from recreational marijuana to straight-party voting. Proposal 18-1 legalizes recreational marijuana and allows townships to prohibit or limit recreational marijuana facilities from their jurisdictions by passing

an ordinance. (See additional *Township Insights* article for more

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

[* BS&A Software](#)

[* Consumers Energy](#)

[* DTE Energy](#)

[* Fahey Schultz Burzych Rhodes PLC](#)

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

[* ITC Holdings Corp.](#)

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

[* Mika Meyers, PLC](#)

[* Willis Towers Watson](#)



information.) Under Proposal 18-2, Michigan's state House and Senate district boundaries, as well as congressional boundaries, will soon be determined by a new 13-member commission made up of selected applicants to represent Republicans, Democrats and political independents. Proposal 18-3 provides voters with new voting rights, including straight-party voting, in-person registration extended to Election Day and no-reason absentee voting. MTA did not take a position on these proposals but will continue informing MTA members of their potential impact to townships. As a statutory change, Proposal 18-1 takes effect 10 days after the election results are certified, which must be done by Nov. 26. Proposals 18-2 and 18-3 are both constitutional changes and therefore take effect Dec. 22, 45 days after Election Day.

County clerks could certify election of precinct delegates

County clerks would certify the election of precinct delegates--shifting the responsibility from election inspectors--under a bill passed by the House this week. [HB 4700](#), sponsored by Rep. Jim Lilly (R-Park Twp.), will next be considered in the Senate. Under current law, election inspectors are responsible for certifying precinct delegates to the county convention. However, since they certify no other races and have minimal training, HB 4700 was introduced to streamline the election process and reduce the possibility of mistakes by individuals unfamiliar with the process. MTA will continue to monitor the bill.

Lead and Copper Rule events and update

Township officials with public water supplies have one more opportunity to attend an event explaining changes to Michigan's Lead and Copper Rule. MTA is co-sponsoring the free event to help break down the revisions made to the rule earlier this year and explain their impact. The remaining event will be held Nov. 13 in Marshall. [Register online](#) today.

Federal update for week of Nov. 5

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

Tune in to this week's *Township Talk*

Don't miss both episodes of this week's *Township Talk* podcast. In the [first episode](#), Catherine Mullhaupt, MTA staff attorney with the Member Information Services Department, discusses a proposal to eliminate zoning considerations when selecting sites for new large livestock facilities. In the [second episode](#), Kyle Melinn, editor of Michigan Information and Research Service (MIRS), sits down to discuss this week's election.

MTA Connection blog

Read this week's *MTA Connection* [blog](#), where MTA Executive Director Larry Merrill looks at what the legalization of recreational marijuana might mean for your township.

Got new officials? Keep MTA up to date!

Did your township board welcome any new officials following Tuesday's election? You can help make sure that these newly elected board members hit the ground running by taking a few simple steps:

1. **Tell MTA who your new officials are!** Let us know the names and contact information for any newly elected officials. This ensures that your new board members will receive important MTA information and resources. Send updated information to MTA at (517) 321-6467, by faxing to (517) 321-8908 or emailing elsa@michigantownships.org. The township clerk can also make adjustments to the township's individuals' profile information (after logging in www.michigantownships.org, access under "My Profile" under the "My MTA" tab). Current member officials can also update their own profiles online.
2. **Register them for MTA's [New Officials Training](#) class in December!** These invaluable sessions are targeted to share what new officials need to know now to immediately be a successfully contributing member of your township board. For new treasurers (and their deputies!), we'll also be holding a [Treasurers' Guide to Tax Collecting](#) class in two locations next week!

MTA has the tools and information to help your new officials get started off right. Let us help your township--and all its elected officials--serve your constituents in the best manner possible.

No changes to 2019 version of W-4

In a move that is likely to elicit a collective sigh of relief from payroll professionals, the IRS has announced that it will not be making major changes to the 2019 version of Form W-4, Employee's Withholding Allowance Certificate. According to the IRS announcement, the 2019 version of Form W-4 will be similar to the 2018 version. A new draft version of the 2019 form will be available in the coming weeks.