

Michigan Township **INSIGHTS**

Weekly News and Information from the Michigan Townships Association | June 3, 2016

In this issue

'Dark store' issue | State budget | Speed limits | Multi-line phone systems | Recreational authorities | Written notification for drain projects | State liability in frivolous cases

LEGISLATIVE UPDATE

Contact your lawmaker today to urge support for 'dark stores' fix!

Your advocacy on the "dark stores" legislation, [HB 5578](#), is incredibly important! The House is expected to vote next week on the bill that would put an end to the "dark stores" assessing theory--by putting sound appraisal standards into law. This would create a fair, equitable system for resolving disputes and prevent the inappropriate use of deed restrictions as an unreasonable

sales comparison during an appeal. If you have not already done so, please contact your state [representative](#) today and urge a yes vote. More information, including [talking points](#), is available on the MTA [website](#).



Conference committees approve revenue sharing, PILT among budget items

A number of other conference committees reported state budgets this week that would impact townships. Constitutional revenue sharing is projected to increase 1.6 percent over the current fiscal year funding--a decrease from the governor's original budget projection of a 3.9 percent increase. This is the result of May's consensus revenue estimating conference projecting lower-than-expected revenues. The 134 townships receiving City, Village and Township (CVT) revenue sharing would continue to receive their current Fiscal Year 2015-16 levels under the proposed budget. The full House and Senate are expected to vote

MTA QUICK LINKS

[Members-only Website](#)
[Training](#)

[Answer Center](#)

[Advocacy](#)

[MTA Store](#)

[Township Governance](#)

[Academy](#)

[Allied Service Providers](#)

[Classified Ads](#)

[NATaT](#)

[MTA Webcasts](#)

[MTA Publications Catalog](#)

UPCOMING MTA EVENTS

**[UP North Summit](#)

**[Cemeteries: Challenges & Solutions](#)

ALLIED SERVICE PROVIDERS

Burnham & Flower
INSURANCE GROUP



Michigan
Township
Participating
Plan

www.theparplan.com



www.mersofmich.com

* [Asphalt Materials, Inc.](#)

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

* [Consumers Energy](#)

on the budget next week before it is sent to Gov. Rick Snyder. Other items impacting townships include:

- Full funding of payments in lieu of taxes, with an increase due to scheduled statutory increases
- \$5 million toward election equipment replacement--however, the \$5 million local match proposed by Snyder was not included
- Firefighter training grants increased by \$1 million
- \$3.4 million increase in fire protection grants
- \$3.6 million in grant funding for invasive species prevention, detection, eradication and control
- Funding for 65 new state troopers
- A funding increase of \$145 million for local road agencies
- \$2.95 million in funding to maximize opportunities for federal match for drinking water loans
- \$500,000 increase for local grants under the Recreational Passport System
- \$3 million to fund the firefighter cancer presumption fund

* [Fahey Schultz Burzych Rhodes PLC](#)

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

* [ITC Holdings Corp.](#)

* [Mika Meyers, PLC](#)

* [Ted Hartleb Agency](#)

* [Wightman & Associates, Inc.](#)



75 mph speed limit bills clear House



Townships will still have a voice in setting speed limits under a package of bills that permits speed limits of up to 75 miles per hour on rural state freeways. HBs [4423](#), [4424](#), [4425](#), [4426](#) and [4427](#) were passed by the House this week after floor amendments allowed for certain areas to request

lower speed limits. Originally, HB 4425, sponsored by Rep. Rick Outman (R-Belvidere Twp.), would have eliminated townships' ability to request a speed study as well as township input with the county road commission and the Michigan State Police to set the speed limit. However, MTA negotiated an amendment retaining the statutory language and took a neutral position on the bills. The package allows for a 75 mph speed limit on state rural freeways and 60 mph on trunk line highways, both of which hinge upon a safety and engineering study. Gravel or unpaved roads would have 55 mph speed limits, except in counties with more than one million residents, which would have 45 mph speed limits. Municipalities in those counties can request the speed limit to be reduced to 35 mph. The bills now move to the Senate for consideration.

Multi-line phone 911 upgrade deadline could be extended

A bill passed by the Senate this week would provide more time to comply with a state rule aimed at better pinpointing the location of a 911 call. [SB 878](#), sponsored by Sen. Mike Shirkey (R-Clark Lake), extends the deadline by three years to Dec. 31, 2019, for multi-line phone systems to be upgraded in addressed buildings with more than 7,000 feet of occupied space. The rule is intended to help 911 operators better direct first responders to a specific area within the building where the caller is located. MTA will continue to monitor the bill as it moves to the House for consideration.

Townships and school districts could participate jointly in recreational authorities

More swimming pools, parks and auditoriums could potentially be built under two bills that are one step away from becoming law. [SB 481](#) and [HB 4578](#), sponsored by Sen. Darwin Booher (R-Osceola Twp.) and Rep. Phil Potvin (R-Cadillac), received final passage and are on their



way to Gov. Rick Snyder's desk for signature. Once enacted, the MTA-supported bills would allow school districts to participate in recreational authorities with townships, counties, cities and villages. A provision was added to the bills to specify that a tax levied by an authority could not be used for any general fund or school operating purposes. The bills also permit recreational authorities to offer discounts for residents who use the program or facility. This change would allow townships and other local units to collaborate with school districts to provide recreational facilities and services to residents, while also increasing efficiency, reducing costs and generating revenue.

Written notification required for certain drain projects

Property owners must soon receive seven-day notice before certain drain projects can be done on their property under a bill that received final passage this week. [HB 4656](#), sponsored by Rep. Joel Johnson (R-Clare) and monitored by MTA, requires a drain commissioner or drainage board to provide the notice by first class mail before entering the property for any excavation or tree removal. This requirement would not apply in cases of an emergency that endangers public health, crops or property, or where debris caused or could cause flooding.

Bills amend state liability in frivolous cases

The state would be required to pay costs and fees to the prevailing party in civil cases under two bills passed by the Senate this week. [SB 189](#), sponsored by Sen. Tom Casperson (R-Wells Twp.), and [SB 190](#), sponsored by Sen. Dave Robertson (R-Grand Blanc Chtr. Twp.), would amend current law requiring the state to pay costs and fees in contested cases if the court finds that the state's position was frivolous. This requirement would not apply to certain actions involving the Liquor Control Commission, the Department of Health and Human Services, and the Administrative Procedures Act.

Federal update for week of May 31

Check out the National Association of Towns and Townships' [e-](#)

Additional news you can use

Federal guidance available on new overtime rule

More [guidance](#) on the new federal overtime rule is available for local governments from the U.S. Department of Labor (DOL). Last month, the department issued a final rule on overtime regulations that raised the salary threshold, increasing the number of workers eligible for overtime pay. The DOL has released [information](#) specific to local units of government on how this change will impact them. The final rule takes effect Dec. 1, 2016.

Form 5278 due to Treasury next week

All additional Form 5278 filings are due to the Department of Treasury by Tuesday, June 7. Assessors who received and approved additional Forms 5278 and granted the eligible manufacturing personal property (EMPP) exemption should send a single email to esareporting@michigan.gov and attach a .pdf file of each Form 5278 received after Feb. 22, 2016. The subject line should be as follows: Local unit, county, 2016 EMPP. The email body should indicate the number of additional Form 5278 filings with an attached .pdf copy of each filing. The .pdf should include all pages of the Form 5278 in a single .pdf file. The Department of Treasury will send an email acknowledging receipt. If the assessor does not receive an acknowledgment, he or she should contact the Department of Treasury ESA Section at (517) 241-0310.

Apply now for Rural Community Development Initiative grants

The U.S. Department of Agriculture is now accepting applications for its [Rural Community Development Initiative grants](#). An estimated \$4 million is available for townships and other municipalities and organizations to help them take on projects related to housing, community facilities, or community and economic development that will support the community.

Green Communities conference coming in June

Learn more about how local climate and energy planning can make an impact on local governments at the upcoming [Michigan Green Communities](#) (MGC) conference. [Registration](#) is still open for the June 15 event in Lansing. The one-day peer-learning event for local government staff and officials will feature breakout sessions and introduce the newly revised 2016 MGC Challenge, as well as a new climate health and adaptation planning training. MTA is an MGC partner.