

Michigan Township INSIGHTS

Weekly News and Information from the Michigan Townships Association | Sept. 16, 2016

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LEGISLATIVE UPDATE

Medical marijuana package gets final passage

Michigan is one step away from getting a new regulatory framework for its medical marijuana system. **HB 4209**, sponsored by Rep. Mike Callton (R-Nashville), was concurred in by the House and is on its way to Gov. Rick Snyder's desk, along with **HB 4827**, sponsored by Rep. Klint Kesto (R-Commerce Chtr. Twp.), and **HB 4210**, sponsored by Rep. Lisa



Posthumus Lyons (R-Bowne Twp.). Once HB 4209 is enacted, it will give townships and other local units the final say over whether any medical marijuana facilities are located in their jurisdiction as well as the number of facilities, if they choose to limit. Townships that want to allow any medical marijuana facilities must "opt in" and adopt an ordinance before any individual or entity could apply to the state for one of five license categories—grower, processor, secure transporter, provisioning center and safety compliance facility. No action is required for townships to keep such facilities out. Without a local ordinance, the state could not issue a license for any facility within that local unit. Townships could also further regulate noise, lighting, setback requirements and other aspects of medical marijuana facilities. Additionally, a township may charge an annual licensing fee of up to \$5,000 and would receive a portion of a new 3 percent tax if it has a facility.

TIFA capture and reporting requirements could change

A package of bills discussed this week would overhaul the capture, reporting, transparency and penalty requirements for tax increment finance authorities (TIFAs). **HBs 5851-5855**, under lead sponsor Rep. Lee Chatfield (R-Levering), were the subject of testimony in the House Local Government Committee this week. Together, the package of bills

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would increase reporting requirements for TIFAs to the state and create new transparency reporting requirements. Municipalities with a TIFA would be required to maintain a website with access to specific records and documents. Authority documents required to be posted include the budget, audit, meeting minutes, all contracts, any events and promotional materials. While authorities are subject to the OMA, the legislation requires specific notification (at least 20 days' public notice) to those units where tax capture is occurring for one annual informational meeting. The TIFA's annual report required content would be expanded, and a copy would be required to be sent to all tax-levying units. Additionally, the package would eliminate the ability for authorities, including brownfields, to capture special voted mills approved after Dec. 31, 2016—similar to what was done for the Detroit Zoo and Detroit Institute of Arts. TIFAs would also be limited to holding revenues for up to five years, with exceptions. MTA testified in opposition to the bill as townships have a wide variety of TIFAs, and a cookie-cutter approach will not work. While MTA supports transparency and compliance with reporting requirements, we have a number of questions and concerns with the bills' current language. MTA is working with the committee chair on amendments that will improve and clarify the bills.

* [Asphalt Materials, Inc.](#)

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

* [Consumers Energy](#)

* [Fahey Schultz Burzych Rhodes PLC](#)

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

* [ITC Holdings Corp.](#)

* [Mika Meyers, PLC](#)



Bills preempt local authority over urban livestock



Township authority over urban livestock could be limited further under two newly introduced bills. [SB 1031](#), sponsored by Sen. Joe Hune (R-Hamburg Twp.), and [SB 1032](#), sponsored by Sen. Rebekah Warren (D-Ann Arbor), await action by the Senate Agriculture Committee. Together, the bills would create an advisory committee to recommend guidelines for raising livestock in urban and suburban areas. The Michigan Commission of Agriculture and

Rural Development would take those recommendations and establish guidelines for urban livestock. Then, townships and other local units of government would be prohibited from adopting ordinances regulating the raising of suburban/urban livestock unless the zoning ordinance provisions are consistent with the commission's guidelines, as well as the Right to Farm Act and the Generally Accepted Agricultural and Management Practices. While MTA has not yet had the opportunity to take a position on the bills, we have concerns with the preemption of local authority. We will continue working with lawmakers to minimize the impact on townships.

Medical benefits could be offered to families of slain officers

Surviving spouses and dependent children of slain public safety officers may soon be eligible for continued medical coverage by the state. [SB 218](#), sponsored by Sen. Wayne Schmidt (R-Traverse City), was passed by the House this week with MTA's support and returned to the Senate for concurrence. Currently, when a public safety officer is killed in the line of duty, his or her spouse and dependents are eligible for a one-time payment of \$25,000, but their health care benefits are immediately terminated. SB 218 would amend the act to provide the spouse and dependents with health care coverage for up to five years. The surviving spouse and dependents would not be eligible under certain

circumstances, such as if they qualified for and received comparable coverage elsewhere, or if they received a medical benefit plan through the state retirement system.

Legal notice fees could rise under bill

Newspaper legal notice fees could increase every year under a bill reported by the House Judiciary Committee this week. [HB 5522](#), sponsored by Rep. Peter Lucido (R-Shelby Cntr. Twp.), next moves to the full House for consideration. Currently, fees for publishing a legal notice in a newspaper are required to be adjusted for inflation, but only for five years. HB 5522 would remove the five-year limitation, allowing the fees to be adjusted annually. MTA will continue to update members as this bill moves through the Legislative process.



Next listening tour stop coming next month

The next stop of the governor's [21st Century Infrastructure Commission](#)'s listening tour is scheduled for **Friday, Sept. 23**, in Detroit. Township officials can provide their input on how to improve Michigan's infrastructure at the event, which will be held from 4-6 p.m. at the Department of Natural Resources Outdoor Adventure Center, 1801 Atwater St., Detroit. This is the third and final listening tour stop designed to gather input from local officials and residents across Michigan on the current state of Michigan's infrastructure, the infrastructure system citizens envision, and how the state can work with residents to close the gap between the two. The input gathered will help shape the commission's final report and recommendations, due to the governor by Nov. 30, 2016. Registration is capped at 150 people, so [RSVP](#) today. Officials can also provide feedback, participate in discussions and read more about the commission's work [online](#).

Additional news you can use

Test the Treasury dashboard

Help the Michigan Department of Treasury take its new MI Community Financial Dashboard for a test drive! Users can try out the [online dashboard](#) until Sept. 30, 2016, before it's launched in October. The dashboard presents data from the Annual Local Fiscal Report (F65) form you submit and is meant to provide community members with easy-to-use, visual data regarding your township. Once launched, the dashboard will present data from 2010 through 2015. Call the Local Government Financial Services Division if you have questions or if it's necessary to amend a filing year.

New version of Form I-9 coming soon

The current version of the Form I-9 will continue to be valid for four more months. U.S. Citizenship and Immigration Services [recently announced](#) that the newest version of the form will be available by Nov. 22, 2016. However, employers may keep using the current version with a revision date of March 8, 2013, until Jan. 21, 2017. After this date, all previous versions of Form I-9 will be invalid. The new form will address frequent points of confusion that arise for both employees and employers, with changes to help employers reduce technical errors.

Assistance to Firefighter Grant documents released

New documents are available to help your township prepare to apply for the [Assistance to Firefighters Grant](#) (AFG) program. The Federal

Emergency Management Agency (FEMA) announced that \$670 million has been set aside for Fiscal Year 2016 grants, and application guides that are accessible online. The actual application window opens Oct. 11 and will close at 5 p.m. Nov. 18.
