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A Legislative Update for Township Officials

Fix needed in cable law for public access channels

The lame duck session clock is ticking with very few session days remaining for the Michigan Legislature to meet in this term. An item that MTA has been strongly advocating be addressed before the end of the 2007-08 session is a fix to Michigan's new cable law (Public Act 480 of 2006) related to fees that local governments have the option to charge for Public, Education and Government (PEG) channels on cable access systems.



There was an agreement with legislators at the time PA 480 was approved that local governments with PEG systems could charge up to 2 percent specifically for PEG channels. However, the approved language in PA 480 is not clear. Cable companies have used the current language to their advantage.

Legislation has been introduced in both chambers—House Bill 5047, sponsored by Rep. Bert Johnson (D-Detroit) and Senate Bill 636, sponsored by Sen. Samuel "Buzz" Thomas III (D-Detroit)—to implement details of the original intent of the cable agreement. As you might expect, the cable companies are strongly opposing the legislation.

HB 5047 and SB 636 will make sure that all municipalities have the option of getting a 2 percent fee to support their government, school and public channels when their current cable franchises expire. Legislators promised this to municipalities when they passed Michigan's video legislation two years ago, but not all cable companies are honoring this promise. The bill will correct this.

MTA asks that township officials contact their state senator and state representative *immediately* and ask that they support SB 636 or HB 5047, requesting that these bills to be brought up for a vote. These bills relate directly to PEG operations across Michigan. Please use the following links for contact information about your legislators—for the Senate: <http://senate.michigan.gov/> and for the House: <http://house.michigan.gov/replist.asp>.

If you have not done so already, please also fax or e-mail key legislative leaders ASAP asking them to pass HB 5047 or SB 636 in

addition to your state representative and senator. MTA is working closely with PEG operators and the Michigan Municipal League and believe there is significant support for the legislation. However, we need your help given the very short lame duck session. The votes are there to pass the bill if it goes to the floor of the House for a vote, and your letters are needed so that legislative leaders will move it to the floor for consideration.

Use the following link, www.michigantownships.org, to get the text of a sample letter to fax or e-mail to legislators. Send the letter or e-mail to your legislator and also to the people listed at the end of the letter. Please send it now, because the Legislature needs to pass it quickly, before session adjourns. ■

Tax collection hours for treasurers under discussion

Under current law, all treasurers who collect property taxes are required to hold office hours from 9 a.m. to 5 p.m. on the last day that the taxes can be paid without penalty and interest. Translated, this means treasurers are required to be open for business on the last day in February.

That day will fall on a Saturday in 2009 and on Sunday in 2010. Under general provisions of state law, when a due date falls on a weekend of a holiday, the due date is automatically shifted to the next business day. However, a lawyer from the state attorney general's office concluded, in an informal opinion, that the general provision of moving the property tax due date did not apply in this situation and that treasurer's would be required to hold office hours on Saturday, Feb. 28, 2009.

Rep. Steve Bieda (D-Warren) is working to eliminate this problem through the introduction of House Bill 6623. The legislation, which is on a fast track, amends the Property Tax Act to specify that if the last day that taxes are due and payable without penalty and interest falls on a weekend or holiday, the due date is extended to the next business day. For the coming year, this would mean that the taxes would be due on Monday, March 2, 2009 and would be turned over to the county treasurers as delinquent on the following day.

MTA is optimistic that this legislation will receive legislative approval by the end of the year. ■

National EMS accreditation could have negative impact

The National Registry of Emergency Medical Technicians (EMT) based in Columbus, Ohio, is moving forward with a plan to require accreditation of Emergency Medical Services (EMS) paramedic training programs throughout the country and establish a single national EMS accrediting agency for all training programs. This effort is resulting from a report titled *EMS Education Agenda for the Future: A System's Approach (2000)*, which called for national accreditation.



The process would establish the Committee on Accreditation of Educational Programs for the EMS Professions (CoAEMSP), which is a non-profit, non-governmental agency that reviews and accredits more than 2,000 educational programs in 19 health science occupations, as the national accrediting agency for EMS paramedic programs. This agency would be responsible for accrediting the 44 EMS paramedic training programs in Michigan, as well as, all other programs throughout the country.

The directive from the National Registry would require that after Dec. 31, 2012, all EMS paramedic students would be required to graduate from an accredited program before taking their certification exam to become a paramedic.

The concern occurs over what is required for an EMS training program to become accredited. Without going through all the details, accreditation would require the program director to have a bachelors degree, a site visit every five years, several fees implemented by the accrediting agency and a great deal of time and effort to meet the requirements.

Currently, of the 44 EMS training programs in the state, only two are accredited. Recently, a survey was sent out to the various state training

entities to get their views on the national accrediting efforts and how it is being implemented. Twenty-seven of the surveys were returned.

Some highlights of the survey show that 10 entities favor accreditation for paramedic programs, while 16 oppose and one is unsure. Five respondents indicated that their program would close due to ineligibility or the inability to meet accreditation requirements and nine indicated that they would work towards accreditation but if the process became too financially involved, the paramedic program may chose to close.

Eight indicated that they would work towards accreditation regardless of the cost and time involved, while three indicated their position was undetermined at this time. Seventeen of the respondents indicated that they thought tuition would increase anywhere from 0-25 percent and 12 programs indicated that they would not accept additional students while 13 indicated a willingness to accept more students.

While the survey results do not show a complete picture for the state, it does indicate that should the new accreditation requirements be implemented, several programs would be in danger of closing causing severe hardship for EMS paramedic students and the ability of local governments to recruit, retain and pay for qualified paramedics.

The state Emergency Medical Services Coordination Committee (EMSCC) will be taking the survey results and concerns of local governments and others into consideration when they decide whether to accept the National Registry requirements when it next meets on **Friday, Jan. 23** in Lansing. The alternative would be to move in another direction by perhaps forming with other states concerned over national accreditation and how it is being implemented to develop another system to administer the certification exam. Either way, this will be a big decision for those who serve on the EMSCC.

Additional information can be obtained by reviewing the state EMS Web site at www.michigan.gov/ems and click on the "EMSCC" line and the CoAEMSP Web site at www.coaemsp.org and click on the "about accreditation" line.

Letters of concern should be sent to Robin Shivley, Section Chief, EMS & Trauma Systems Section, Michigan Department of County Health at rmshivl@michigan.gov. Please also send copies to Tom Frazier at tom@michigantownships.org. ■



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Editor: David Bertram **Associate Editors:** Bill Anderson & Tom Frazier

Michigan Townships Association
512 Westshire Drive, P.O. Box 80078
Lansing, MI 48917
(517) 321-6467 Fax (517) 321-8908
legislation@michigantownships.org
www.michigantownships.org

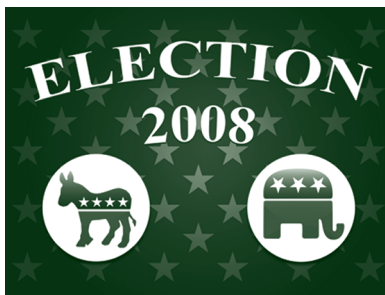
MTA-PAC

The MTA-PAC is a vital tool used by the Association to help support its efforts to battle on behalf of critical issues facing township government. In an era of term limits, MTA-PAC plays an important role in electing legislators who are supportive of township government.

Donating to MTA-PAC is an individual decision, not a township decision. The PAC's financial resources give it the ability to fight for candidates who will fight for us. If you haven't yet contributed to MTA-PAC in 2008, we hope that you will do so. In addition, please remember to give early in 2009 by visiting the MTA-PAC booth at the January Educational Conference or by contacting us at (517) 321-6467 or erma@michigantownships.org for convenient ways to donate.

MTA-PAC does well despite lopsided election

The MTA political action committee (MTA-PAC) scored well with its endorsements for the November general election. Out of a total of 110 House seats, PAC made endorsements in 108 of those races. Of those seats where endorsements were made, MTA-PAC was successful in 101 races for a success rate of 94 percent.



Immediately after the August primary election, most eyes were on four very competitive seats throughout the state. Those seats included the 24th (Macomb County), 39th (Oakland County), 51st (Genesee County) and the 62nd (Calhoun County). Of those races, MTA-PAC picked the winner in three out of four districts. The lone exception was the 39th District where Lisa Brown defeated Amy Peterman. Overall, most seats were handily won by the victor. The closest state representative contest was the 43rd District in Oakland County where Gail Haines, the Republican, defeated Scott Hudson, the Democrat by 849 votes.

On election night, Republicans had a net loss of nine seats, which strengthens Democratic control to 67 seats leaving the Republicans with 43 seats when members of the House take office at the first of the year. No incumbents of either party lost in the general election, but Republicans had many more "open" seats to defend in what turned out to be a bad year for Republicans from the top of the ticket on down. Republicans lost all statewide elections including president, all eight boards of education positions, the lone contest involving the Michigan Supreme Court, not to mention two congressional seats. Some have speculated that their losses in the Michigan House could have been even worse given the circumstances.

Once the new legislative session begins after the first of the year, there will be 46 new lawmakers. Republicans will have 20 freshmen legislators and Democrats will have 26 new caucus members. Of special note to MTA and township officials is that four incoming state representatives have direct township government experience. Rep.-elect Kevin Daly of the 82nd District has served on the Arcadia Township (Lapeer Co.) board for more than 20 years and Cindy Denby of the 47th District most recently served as the Handy Township (Livingston Co.) supervisor. In addition, Jim Stamas of the 98th District comes to Lansing having previously served as a Midland Township (Midland Co.) trustee as does Sharon Tyler of the 78th District who previously served as a Lincoln Township (Berrien Co.) trustee. MTA-PAC endorsed all four of these new legislators in both the primary and general elections. ■

Leaders elected in state House and Senate

Newly elected House Democrat and Republican members came together the weeks of Nov. 10 and 17 to select their top leadership positions for the next two years. Current Speaker of the House, Andy Dillon (D-Redford Chtr. Twp.), was re-elected unanimously to that position. Also elected to Democrat leadership positions were Kathy Angerer (D-Dundee Twp.) as Majority Floor Leader and Pam Byrnes (D-Lyndon Twp.) as House Speaker Pro Tempore. Other Democratic leadership positions will be selected in the future by the Democratic leadership team rather than the traditional voting process.

The Republicans, who had 20 of their 43 votes coming from freshman, elected Rep. Kevin Elsenheimer (R-Custer Twp.) as House Minority Leader. Rep. David Hildenbrand (R-Lowell Chtr. Twp.) was re-elected as House Minority Floor Leader while Rep. Arlan Meekhof (R-Olive Twp.) was chosen as House Assistant Minority Leader. Rep. Tonya Schuitmaker (R-Antwerp Twp.) was re-elected Assistant Minority Floor Leader and Rep. Kevin Green (R-Wyoming) was re-elected as Minority Whip. Three GOP freshmen were also elected to leadership posts. Rep.-elect Bill Rogers (R-Genoa Twp.) was elected as the other Assistant Minority Floor Leader, Rep.-elect Eileen Kowall (R-White Lake Chtr. Twp.) as Caucus Chair and Rep.-elect Larry DeShazor (R-Portage) as Assistant Caucus Chair.

Senate Democrats had one leadership post to fill as outgoing Minority Leader Mark Schauer (D-Battle Creek) won a seat in Congress starting in January. Sen. Mike Prusi (D-Ishpeming Twp.) was elected by his caucus to lead the minority party in the Senate. All other leadership posts in the Senate, including those in the majority party, remain the same. ■

State budget trimming before year's end?

Just two months into the new state fiscal year and Gov. Jennifer Granholm has announced that budget cuts will be needed. The announcement was made based on the worsening economic activity in the state and nation. The governor stated that she would be issuing an Executive Order detailing the cuts, but not until more fiscal information is revealed at the end of November or December. The governor is waiting for the economic forecast from the University of Michigan. Many are speculating that the state will need to cut \$300 to \$600 million for the current year. National retail sales reports showed a sharp decline in October. This is a key indicator for revenue sharing for local governments, which is based solely on sales tax collections. ■

The MTA Legislative Department wishes you and your family Happy Holidays!



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Transportation funding update

There has been a flurry of activity around the state capitol in recent weeks related to transportation funding items but not a strong consensus on the direction that any of it is going. A transportation funding study group has released its findings and recommendations, the Michigan House is considering a package of bills that would allow for local option taxes for transportation purposes while the Michigan Department of Transportation (MDOT) is cutting back on the amount of road salt and snow plowing this winter.



A 62-page report about the status of Michigan's roads and ideas to boost transportation expenditures was released to the Legislature and the public on Nov. 10. The process to review Michigan's transportation system and current funding levels was created by legislation in 2007 (Public Act 221 of 2007) recognizing that Michigan's transportation funding levels are not keeping pace with needs.

The 18-person group that compiled the report is known as the Citizens Advisory Committee. William McFarlane, supervisor of Superior Charter Township (Washtenaw Co.), served on the committee in a slot designated for a township official. The report concludes that significant transportation investments are needed immediately or Michigan could lose \$1 billion annually in federal transportation matching funds and will continue to experience crumbling roads and job losses. Overall, the state currently spends roughly \$3.5 billion a year on transportation expenses while additional funding flows from local sources as well. The report suggests that to simply keep pace with maintenance and some limited improvements in state infrastructure, the state would need to spend \$7 billion annually. The

report can be viewed at http://www.michigan.gov/mdot/0,1607,7-151-9623_31969_49303---,00.html.

The House appears poised to act on a package of bills in early December that would allow for local (county) governments to impose a local gas tax, local sales tax, fees on driver's licenses, real estate transfer fees, vehicle registration fees and chauffeur's license fee for county road funding purposes. The package includes House Bills 5059, 6322-26 and an amendment to the state constitution (HJR HHH) to allow for local governments the option to impose a local sales tax. House Transportation Committee Chairman Hoon Yung-Hopgood made a procedural notice on Nov. 13, that the package of bills will be discharged from committee when the House returns to session on Dec. 2.

The Michigan Department of Transportation (MDOT) has recently announced new approaches to how they will apply salt and snowplow Michigan roads for the upcoming winter season. In short, MDOT is being forced, due to budget shortfalls, to use less salt and can no longer afford previous levels of overtime pay for extra snow plowing. Price increases in salt alone have skyrocketed by almost 25 percent in the past 18 months. Officials at MDOT want motorists to understand that using salt most effectively is relevant to temperatures (changing temperatures) and snow fall levels.

MDOT will be prioritizing its winter maintenance on state highways into routes of international, national and statewide significance. Factors such as passenger and commercial traffic volumes, population density, employment locations, tourism destinations, and connections to other transportation facilities are considered in this process. Orange routes, while representing only 34 percent of state highway miles, also account for 81 percent of commercial vehicle miles and 70 percent of passenger vehicle miles, will receive top priority status during winter maintenance.

All other state highways will be designated as blue routes. Following a storm, orange routes will continue to be cleared using overtime as necessary, while blue routes will be cleared the entire width of the pavement as soon as reasonably possible without using overtime. For more information and maps go to <http://www.michigan.gov/mdot/0,1607,7-151-9615-202824--,00.html>. ■