



MICHIGAN TOWNSHIPS ASSOCIATION

WEEKLY LEGISLATIVE REPORT

July 3, 2008

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Please route to all interested parties in your township.

LEGISLATURE APPROVES MOST OF BUDGET BEFORE BREAK

It took another, all too common, marathon session of the Michigan Legislature to get most of the Fiscal Year 2009 state budget approved before their summer break. Both the House and Senate held session on Friday, June 27, that ran into the morning on Saturday, June 28. All but four budgets gained approval. Unfortunately, one of the unfinished budgets is the general government budget, HB 5816, which contains funding for revenue sharing payments for local governments. MTA has been informed that the unresolved issues in the budget are not related to items of interest to MTA. The budget compromise deal includes a 2 percent increase in statutory revenue sharing for FY'09. However, townships receiving only constitutional revenue sharing are expected to receive the same amount as in the current year. The general government budget will also contain \$500,000 in state support for local governments when there are large utility property tax appeals. This funding will involve the state when utility companies challenge their property tax assessments. One budget that gained final approval was the DNR budget (SB 1106). It includes language advocated by MTA that requires the state to send payments-in-lieu-of-taxes by mid-February if the local government sends a correct property tax statement by Dec. 1.

SENATE MOVES ENERGY PACKAGE: PRE-EMPTS LOCAL ZONING

The Senate used the final hours of their late-night session to approve their version of the energy package. The comprehensive package, including some bills previously approved by the House, attempts to create incentives for renewable energy in Michigan. However, for the first time, one of the bills included language that pre-empts local zoning for the siting of wind energy facilities. SB 213, sponsored by Sen. Patty Birkholz (R-Saugatuck Twp.), was amended on the floor with a 66-page (S-5) substitute loaded with new concepts, including language that allows the Public Service Commission to grant "expedited siting certificates" that take precedence over local zoning ordinances.

ACTION NEEDED ON PUBLIC SAFETY EMPLOYER-EMPLOYEE COOPERATION ACT

The Public Safety Employer-Employee Cooperation Act that passed the U.S. House in 2007 is now before the U.S. Senate in the form of S. 2123. The measure would give state and local public safety employees the right to unionize in any municipality over 5,000 in population. The primary concern with S. 2123 is vague language concerning the ability of public safety personnel to strike and it indicates that public safety employees are not required to perform services not contained in their contracts. The bill also gives control over the scope of bargaining to the federal government through the Federal Labor Relations Board (FLRB). Any bargaining rights exemptions in state and local contracts would have to be approved by the FLRB. The National Association of Towns and Townships (NATaT) and MTA believe that state and local governments are in the best position to determine the nature and extent of collective bargaining rights, not the federal government. In that regard, **we need you to write Senate Majority Leader Harry Reid (D-NV) and Michigan Sens. Levin and Stabenow.** A sample letter and more background information are available at www.michigantownships.org.

LEGISLATION MAINTAINS PRINCIPAL RESIDENCE FOR MILITARY PERSONNEL

Legislation designed to maintain the principal residence status for military personnel on active duty status is nearing the end of the legislative process. SB 886, offered by Sen. Jud Gilbert (R-Clay Twp.), addresses situations where persons called into active duty may find it difficult to leave their home vacant during the time they are serving our nation. The legislation would allow a person to maintain the homestead status on their home, even if it is rented, for up to three years while they are on duty. A special form must be filed with the assessor and the home must have been their principal residence at the time they were called to duty. The legislation has passed both the House and Senate and currently awaits the signature of the governor.

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