



## WEEKLY LEGISLATIVE REPORT

July 16, 2010

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Please route to all interested parties in your township.

### **GOVERNOR SIGNS NOXIOUS WEED BILL INTO LAW**

On Wednesday, Governor Jennifer Granholm signed into law legislation to allow all townships the ability to regulate noxious weeds in their communities. HB 5573, introduced by Rep. Jase Bolger (R-Marshall), amends PA 359 of 1941 to delete the current population threshold of more than 5,000 in order for townships to enact an ordinance for the purpose of controlling and eradicating noxious weeds in a subdivision, and thus fixes a flaw in state statute. The township would be able to take action if the owner has failed to do so after proper notice. MTA worked with Rep. Bolger and staff to move the bill through the legislative process in both the House and Senate. The bill passed both bodies by overwhelming margins of 106-0 in the House and 37-0 in the Senate. MTA is pleased that the legislation has been signed into law as many smaller townships have expressed the need for the statute change with noxious weeds becoming a growing problem in many neighborhoods. The bill now becomes PA 118 of 2010 and has immediate effect. On a related note, MTA is working with Sen. Mike Nofs (R-Battle Creek) to introduce legislation to make a technical change to PA 359 of 1941. The legislation would include townships in having the ability to determine other plants that should be added as a common nuisance in the act's noxious weed definition to bring further clarity to the statute.

### **SUPREME COURT RULING COULD REIN IN HEADLEE MANDATES**

The Michigan Supreme Court issued a ruling this week on *Adair v State of Michigan*. In the case, school districts sued the state over the additional costs of the paperwork required by the state under "No Child Left Behind." The best description of the impact of this case came from the dissenting opinion on the case: "As a result, [of this court decision] the Legislature will effectively be required to enact an accompanying appropriation to every statute that mandates an increase in the level of an activity or service—even if there are no necessarily increased costs, and even if any such increased costs are merely *de minimis*." MTA views this as a large step forward compared to the current situation of the state never paying for mandates, no matter what the cost.

### **NATURAL RESOURCES COMMITTEE AND TRUST FUND BOARD APPOINTMENTS MADE**

Governor Granholm created a bit of a shake-up with her recent appointments to the Natural Resources Commission (NRC) and the Michigan Natural Resources Trust Fund (MNRTF) Board. The two bodies have major input over state hunting and fishing policies as well as state and local land acquisition and park projects, respectively. Republican Keith Charters of Traverse City, a longtime member of the NRC and chairman of the commission for the past 14 years, stepped down and was replaced by Democrat John Matonich of Davison. NRC member Tim Nichols, Democrat from Fowlerville, was appointed to replace Charters as chair of the NRC. The governor also re-appointed Republicans John Madigan from Munising and James Richardson from Ontonagon to the NRC. Charters was subsequently appointed to serve on the MNRTF Board. Also appointed to the MNRTF Board was Lisa Wozinak of Ypsilanti, executive director of the Michigan League of Conservation Voters. All of the appointments are subject to consent by the state Senate.

### **TOWNSHIPS CAN ACQUIRE COASTAL LANDS THROUGH FEDERAL PROGRAM**

The Michigan Coastal Management Program (MCMP) invites coastal communities, conservation districts and universities to submit brief pre-proposals for acquisition of coastal lands or conservation easements by Sept. 3. Full applications would not be due until next spring. Funding, up to \$3 million per project, would be available through the Coastal and Estuarine Land Conservation Program (CELCP) administered at the federal level. CELCP funds require a dollar-for-dollar match in the form of cash or in-kind contributions. Acquisition projects must be entirely within the CELCP boundary as defined in Michigan's Draft CELCP Plan. That plan, and a document detailing the process for submitting a pre-proposal, is available at [www.michigan.gov/coastalmanagement](http://www.michigan.gov/coastalmanagement).

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