



WEEKLY LEGISLATIVE REPORT

July 30, 2010

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Please route to all interested parties in your township.

COMPLETE STREETS LEGISLATION READY FOR GOVERNOR'S SIGNATURE

The Senate made quick work of the complete streets legislation, and the two-bill package is now headed to the governor for her signature. The package consists of HB 6151, authored by Rep. Jon Switalski (D-Warren), which amends the state transportation act and HB 6152, authored by Rep. Pam Byrnes (D-Lyndon Twp.), which amends the Michigan Planning Enabling Act. HB 6151 establishes the parameters by which agreements are made between road agencies and local units of government regarding the design of projects in communities that are focused on integrated transportation systems. The state will be required to establish a model complete streets program. A committee representing multiple interests, including a slot for townships, will be established to develop the model ordinance. The township slot was created at the request of MTA. Sen. Jud Gilbert (R-Clay Twp.) included language adding townships to the committee in a substitute bill in the full Senate. HB 6152 modifies the language pertaining to master plans. The language emphasizes the fact that creating a transportation plan should include consideration of more than just a road system for motorized vehicles. However, the language still recognizes that every community is unique and that the plan is there to represent the unique needs of each community.

ACLU SAYS TWO LOCAL MEDICAL MARIHUANA ORDINANCES SHOULD BE RESCINDED

On Thursday, the American Civil Liberties Union (ACLU) of Michigan issued a letter and press release stating that officials in the cities of Birmingham and Bloomfield Hills should uphold the rights of medical marihuana patients by clarifying or rescinding their related ordinances. Although the ordinances identified by the ACLU, approved by the two cities earlier this year, don't specifically address medical marihuana, the ACLU says they are aimed at restricting the rights of medical marihuana users. The press release says the ordinances are written broadly by making it a crime to engage in activity that is "contrary to federal, state or local laws." The ACLU says it is clear from media reports and meeting minutes that the purpose of both ordinances is to criminalize medical marihuana, which is still illegal under federal law. Michigan's Medical Marihuana law was approved in 2008 by the voters of Michigan. Since its inception, local officials across Michigan have been working to establish appropriate ordinances. The question raised by the ACLU is just one of many that lingers about the new law. Federal law still does not recognize the use of marihuana for *any* purpose. However, current U.S. Justice Department policy is that it will not prosecute patients and caregivers who comply with their state's medical marihuana laws. MTA has established a cross-jurisdictional, online networking forum in Google Groups to encourage local, county, state and federal officials to share governmental responses to the Michigan Medical Marihuana Act. To join the group, e-mail Catherine Mullhaupt: catherine@michigantownships.org.

STATE FAILS AGAIN TO SECURE FEDERAL EDUCATION FUNDS, ADDS BUDGET PRESSURE

The state of Michigan got more bad budget news this week when it learned that once again it failed to be selected as one of 19 states to potentially receive federal grants designed to assist with education reforms. The so-called "Race to the Top" funds were a very hot topic at the end of last year. Some argued the Legislature acted rather hastily at that time on a variety of K-12 education reforms to put the state in position to qualify for some of the funds. Earlier this year, Michigan failed to be selected in the first round of the grants. Now, the state failed to gain any federal funding from the roughly \$3 billion in the second and final round. Michigan's application had outlined plans for \$400 million to implement school reforms to improve instruction and enhance transparency and accountability. The news comes as another budget blow as legislators and the governor will go back to work on finding agreement on the 2011 state fiscal year budget following the August primary election. A debate is also likely to be waged about whether the education reforms (some of which impacted local control) should be implemented since they were predicated on the state receiving federal funding.

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