



MICHIGAN TOWNSHIPS ASSOCIATION

WEEKLY LEGISLATIVE REPORT

August 22, 2008

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Please route to all interested parties in your township.

ACTION ON ENERGY BILLS EXPECTED IN EARLY SEPTEMBER

The House again cancelled its session scheduled for this past Wednesday as negotiations between the House and Senate have so far failed to reach agreement to move the energy bills or the transportation budget. The key bill in the energy package is SB 213, which was drastically amended on the floor of the Senate to include, among other things, language that would pre-empt local zoning for siting wind generators and transmission lines. MTA remains steadfast in our opposition to efforts to curb local government zoning authority as contained in the Senate version of the bill. The latest talk is that the House and Senate will shoot for Tuesday, Sept. 9, to try to move the energy legislation.

COURT OF APPEALS RULES AGAINST REFORM MICHIGAN GOVERNMENT NOW

On Wednesday, the Michigan Court of Appeals ruled that the Reform Michigan Government Now (RMGN) proposal does not meet constitutional muster and therefore can't be placed on the November ballot. The Court ruled unanimously that the proposal did not meet standards outlined in the state constitution for voting on constitutional amendments. The Court also stated that the proposal was more than an "amendment" but actually a "revision" of the state constitution, because it proposes massive changes to the constitution. The Court further stated that the intent of the framers of our constitution was that revisions to the constitution need to be handled through a constitutional convention. The decision directs the Department of State to discontinue processing the proposal and not allow it to be placed on the November ballot. The Court action came the day before the Board of State Canvassers was scheduled to consider a 100-word ballot proposal description, drafted by the Bureau of Elections, to appear on the November ballot. Earlier in the week, the Bureau had reported that RMGN supporters had gathered sufficient signatures for the proposal to appear on the ballot. Proponents of the proposal have promised an emergency appeal to the Michigan Supreme Court.

MTA BOARD TAKES ACTION OPPOSING RMGN PROPOSAL

Last week, the MTA Board of Directors unanimously voted to oppose the Reform Michigan Government Now (RMGN) proposal should it reach the ballot. The action was taken primarily due to a clause in the proposal under Article II, Section 4, that states in part: "No state or local government official having responsibility for administering or supervising an election shall endorse or give political support to any candidate or ballot question in that election." MTA has concerns that the ballot language would prohibit local clerks, and possibly those that serve on election commissions, from endorsing any candidate or ballot proposal in any election that they administer. MTA Board members also raised concerns about proposed changes to the legislative redistricting process and that the proposal made too many revisions to the state constitution.

BOARD OF STATE CANVASSERS MEETS TO CERTIFY PETITION LANGUAGE

The Board of State Canvassers met on Thursday to certify ballot language for two additional ballot proposals that will definitely appear on the November ballot. The 100-word ballot proposal description language was approved for both the "stem cell research" proposal and the "medical marijuana" proposal. The stem cell proposal is "a proposal to amend the state constitution to address human embryo and human embryonic stem cell research in Michigan" and the medical marijuana proposal is "a legislative initiative to permit the use and cultivation of marijuana for specified medical conditions." The Board of State Canvassers took no further action on the Reform Michigan Government Now proposal.

STATE TAX COMMISSION SEEKS COMMENT ON PERSONAL PROPERTY

The State Tax Commission is seeking comment on a draft memorandum that recommends establishing principles for classification of personal property. The document can be viewed at http://www.michigan.gov/treasury/0,1607,7-121-1751_2228---,00.html. Comments must be provided to statetaxcommission@michigan.gov by Oct. 1.

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