



MICHIGAN TOWNSHIPS ASSOCIATION

WEEKLY LEGISLATIVE REPORT

September 19, 2008

MTA Phone: 517-321-6467

MTA FAX: 517-321-8908

Please route to all interested parties in your township.

LEGISLATURE APPROVES RENEWABLE ENERGY BILLS WITH NO LOCAL PRE-EMPTION

On Thursday, both the House and Senate approved the long-awaited renewable energy package after conference committee approval earlier in the day. SB 213 creates a Renewable Portfolio Standard (RPS) that requires 10 percent of electric energy generated in Michigan by 2015 to come from renewable energy sources. HB 5524 changes the state's electric utility regulation system and will guarantee the state's incumbent electric providers at least 90 percent of the market. The bill also allows up to a \$3 monthly surcharge on residential rates and similar increases for small businesses for RPS development. For local governments, SB 213 was amended to remove language that would have negatively impacted zoning related to the siting of wind energy systems. The bill sets up a commission that will be identifying areas best suited for wind generation and will create "wind energy resource zones." Within these zones, transmission companies will be allowed to apply for an expedited process for locating high-voltage lines. Further, the bill requires the Michigan Public Service Commission to report to the Legislature on the effects of setback requirements and noise limitations under local zoning ordinances related to wind energy development in wind energy resource zones. The bills are headed to the governor where quick approval is expected.

HOUSE COMMITTEE REPORTS LEGISLATION TO ALTER PROPERTY TAX FORECLOSURES

On Wednesday, the House Intergovernmental, Urban and Regional Affairs Committee reported a package of bills (HBs 6162-6171) to address foreclosures from non-payment of property taxes. Many changes were made to address several local government concerns since an earlier committee hearing in June. MTA, however, still expressed concern over two issues with the package. HB 6162, introduced by Rep. Steve Tobacman (D-Detroit), would eliminate the supervisor's role in approving poverty exemptions and gives sole authority to the board of review. The bill would also require local units of government to publish a notice in the newspaper informing citizens about their right to a poverty exemption, should they qualify, creating another unfunded mandate. The package does maintain a local unit's ability to set the level of poverty to be eligible for an exemption and continues to allow a local unit to apply asset tests. Another bill in the package, HB 6164, introduced by Rep. Bettie Scott (D-Detroit), takes away the ability to foreclose for unpaid utility or water bills. More work is expected to try to alleviate MTA's remaining concerns before voting on the House floor.

SENATE COMMITTEE BEGINS CONSIDERATION OF ON-SITE WASTE SYSTEM INSPECTIONS

The Senate Natural Resources and Environmental Affairs Committee began consideration of SB 1495, a bill to require inspections of new conventional (septic) and alternative wastewater treatment systems. The bill, introduced by Sen. Patty Birkholz (R-Saugatuck Twp.), would require inspections every 10 years but falls short on implementing an immediate statewide sanitary code. As introduced, the bill fails to bring clarity to the roles of the DEQ and local zoning in the approval process for private wastewater treatment facilities. MTA testified in support of adding language that DEQ could not issue a construction permit for a private wastewater facility unless the project conforms to local zoning. Currently, due to an informal attorney general opinion, the DEQ cannot take into consideration local zoning when making its decision. More work is expected before the bill sees movement.

MTA-PAC MAKES NOVEMBER GENERAL ELECTION ENDORSEMENTS

The MTA-PAC Committee has made endorsement decisions in 108 out of 110 House races for the Nov. 4 General Election. The list of endorsements will be published in the October editions of *MTN* and *Capitol Currents*. The endorsement list is also immediately available on the MTA Web site at www.michigantownships.org. Township officials are encouraged to assist endorsed candidates as much as possible. However, remember that all political activities must take place outside of public office and may not involve public resources or funds in any manner.

END