

SENATE BILL No. 698

August 30, 2007, Introduced by Senators GARCIA and GLEASON and referred to the Committee on Energy Policy and Public Utilities.

A bill to amend 1995 PA 30, entitled
"Electric transmission line certification act,"
by amending section 10 (MCL 460.570), as amended by 2004 PA 198,
and by adding section 5a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 5A. A TRANSMISSION LINE INSTALLED AFTER THE EFFECTIVE
2 DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION THAT EXTENDS FOR
3 MORE THAN 5 MILES IN A TOWNSHIP WITH A POPULATION OF BETWEEN 10,000
4 AND 15,000 SHALL BE CONSTRUCTED UNDERGROUND WITHIN THAT TOWNSHIP.
5 THE ELECTRIC UTILITY, AFFILIATED TRANSMISSION COMPANY, OR
6 INDEPENDENT TRANSMISSION COMPANY CONSTRUCTING THE TRANSMISSION LINE
7 SHALL BEAR THE COST OF PLACING THAT TRANSMISSION LINE UNDERGROUND.

8 Sec. 10. (1) ~~If~~ EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, IF
9 the commission grants a certificate under this act, that

1 certificate shall take precedence over a conflicting local
2 ordinance, law, rule, regulation, policy, or practice that
3 prohibits or regulates the location or construction of a
4 transmission line for which the commission has issued a
5 certificate.

6 (2) A zoning ordinance or limitation imposed after an electric
7 utility, affiliated transmission company, or independent
8 transmission company files for a certificate shall not limit or
9 impair the transmission line's construction, operation, or
10 maintenance.

11 (3) In an eminent domain or other related proceeding arising
12 out of or related to a transmission line for which a certificate is
13 issued, a certificate issued under this act is conclusive and
14 binding as to the public convenience and necessity for that
15 transmission line and its compatibility with the public health and
16 safety or any zoning or land use requirements in effect when the
17 application was filed.