

SENATE BILL No. 1067

January 19, 2010, Introduced by Senator BIRKHOLZ and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to provide for the use of waters and submerged lands of the Great Lakes for wind energy development; to provide for the issuance of permits; to impose certain fees; to provide for the powers and duties of certain state and local governmental officers and entities; and to authorize the promulgation of rules.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the "Great
2 Lakes wind energy act".

3 Sec. 3. As used in this act:

4 (a) "Commission" means the Michigan public service commission.

5 (b) "Council" means the Michigan Great Lakes wind council
6 created under Executive Order No. 2009-1 and expanded under
7 Executive Order Nos. 2009-19 and 2009-46.

1 (c) "Wind energy conversion system" means that term as defined
2 in section 13 of the clean, renewable, and efficient energy act,
3 2008 PA 295, MCL 460.1013.

4 Sec. 5. (1) Subject to subsection (2), by June 1, 2011, the
5 commission shall promulgate rules pertaining to agreements for the
6 use of waters over and the filling in of submerged patented lands
7 and to the lease or deed of unpatented lands, as described in
8 section 32502 of the natural resources and environmental protection
9 act, 1994 PA 451, MCL 324.32502, for wind energy conversion
10 systems. The rules shall provide for at least all of the following:

11 (a) Site selection, testing, development, operation,
12 maintenance, and decommissioning of wind energy conversion systems.

13 (b) Permits and fees based on the reasonable costs of the
14 permit program and administration of this part.

15 (c) The preservation of the public trust in lands and waters
16 of the Great Lakes.

17 (d) The timely and efficient utilization of winds over the
18 Great Lakes as a source of renewable energy.

19 (2) In developing rules under subsection (1), the commission
20 shall consider any reports issued by the council on or before
21 November 15, 2010 and shall consult with the department of natural
22 resources and environment.