

HOUSE BILL No. 5700

June 12, 2014, Introduced by Reps. Franz, Kelly, Goike, Bumstead, MacMaster and LaVoy
and referred to the Committee on Energy and Technology.

A bill to amend 1969 PA 165, entitled

"An act to authorize the public service commission to establish and enforce gas safety standards; and to provide penalties for violations thereof,"

by amending the title and section 10 (MCL 483.160), as amended by 1992 PA 11, and by adding section 10a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

An act to authorize the public service commission to establish and enforce gas safety standards; **TO PROHIBIT THE SITING OF WIND TURBINES NEAR GAS PIPELINES;** and to provide penalties. ~~for violations thereof.~~

Sec. 10. (1) ~~This~~ **EXCEPT FOR SECTION 10A, THIS** act does not apply to a pipeline facility or the transportation of gas subject

1 to the jurisdiction of the federal energy regulatory commission
2 under the natural gas act, ~~chapter 556, 52 Stat. 821, 15 U.S.C. 15~~
3 **USC** 717 to 717w.

4 (2) This act applies to a person engaged in interstate
5 commerce. ~~other than~~ **HOWEVER, EXCEPT FOR SECTION 10A, THIS ACT DOES**
6 **NOT APPLY TO** a person subject to the jurisdiction of the federal
7 energy regulatory commission.

8 **SEC. 10A. (1) A PERSON SHALL NOT CONSTRUCT A WIND TURBINE WITH**
9 **A NAME PLATE CAPACITY OF MORE THAN 100 KILOWATTS AT A DISTANCE FROM**
10 **A DISTRIBUTION LINE, GATHERING LINE, OR TRANSMISSION LINE THAT IS**
11 **LESS THAN OR EQUAL TO 2 TIMES THE HEIGHT OF THE WIND TURBINE.**

12 (2) AS USED IN THIS SECTION:

13 (A) "DISTRIBUTION LINE" MEANS A PIPELINE OTHER THAN A
14 GATHERING OR TRANSMISSION LINE.

15 (B) "GATHERING LINE" MEANS A PIPELINE THAT TRANSPORTS GAS FROM
16 A CURRENT PRODUCTION FACILITY TO A TRANSMISSION LINE.

17 (C) "TRANSMISSION LINE" MEANS A PIPELINE, OTHER THAN A
18 GATHERING LINE, THAT DOES ANY OF THE FOLLOWING:

19 (i) TRANSPORTS GAS FROM A GATHERING LINE OR STORAGE FACILITY TO
20 A GAS DISTRIBUTION CENTER, STORAGE FACILITY, OR LARGE-VOLUME
21 CUSTOMER THAT IS NOT DOWNSTREAM FROM A GAS DISTRIBUTION CENTER.

22 (ii) OPERATES AT A HOOP STRESS OF 20% OR MORE OF SPECIFIED
23 MINIMUM YIELD STRENGTH.

24 (iii) TRANSPORTS GAS WITHIN A STORAGE FIELD.