

POLITICS

Michigan Senate OKs bills that strip local control over wind and solar projects



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LANSING — The Michigan Senate gave its OK Wednesday to legislation that overrides local government control over siting of new wind and solar projects.

Instead, House Bills 5120 and 5121 would give ultimate authority for approving such projects to the Michigan Public Service Commission, a three-member body whose members are appointed by the governor. No more than two commissioners can come from the same political party.

The bills were approved in party-line votes, 20-18. They then returned to the House, which had OK'd them earlier, because amendments were made in the Senate. The House signed off on the changes late Wednesday, sending the bills on to Gov. Gretchen Whitmer, who is expected to sign them.

Dan Scripps, chairman of the MPSC, told a committee Tuesday that the change is needed for Michigan to meet accelerated clean and renewable energy targets in another set of bills. The bills with those proposed targets, which the Senate gave final approval to Wednesday and sent on to the governor, include 50% renewable energy by 2030 and 100% clean energy by 2040.

The commission estimates that about 17,000 Michigan acres are now used for wind and solar projects and close to 210,000 more acres could be needed to meet the new goals, Scripps told the Senate Energy and Environment Committee. Still, that would only represent about one-half of 1% of the state's acreage, he said.

Shifting the authority to the MPSC would be consistent with how Michigan handles the siting of other critical infrastructure projects, such as power plants and pipelines, he said.

"There's no question in my mind that if we allowed local governments essentially veto power over energy infrastructure, we would not build the critical infrastructure," Scripps said.

Also, the bills would not give the MPSC power of eminent domain or force an owner to give up their land for such projects without their consent, Scripps said. Instead, the legislation is intended for situations in which a landowner wants to allow a project and local governments refuse to give authority because of opposition by neighbors.

The Michigan Townships Association and the Michigan Association of Counties have blasted the bills as attacks on local control. Although the amended bills require developers to first work with local officials and make payments to local governments, the MPSC would have the power to overrule a local government that says no.

Sen. Roger Hauck, R-Mt. Pleasant, said most of the Democrats who supported the legislation will never see large-scale wind or solar projects in their mostly urban communities.

"The Senate gave the OK to this partisan push to strip local control and give all the decision-making power about wind and solar farms to Lansing bureaucrats," Hauck said in a news release.

Late changes to the bill provide for payments of up to \$150,000 to affected local governments, plus a "host community agreement" with the local unit of government or a community-based organization that provides for a one-time payment of \$2,000 per megawatt of capacity.

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STATE OF MICHIGAN – HOUSE OF REPRESENTATIVES VOTES

House Bill No. 5120, entitled

A bill to amend 2008 PA 295, entitled “Clean and renewable energy and energy waste reduction act,” (MCL 460.1001 to 460.1211) by amending the title and by adding part 8.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 483

Yeas—56

Aiyash	Edwards	McFall	Scott
Andrews	Farhat	McKinney	Shannon
Arbit	Fitzgerald	Mentzer	Skaggs
Brabec	Glanville	Miller	Snyder
Breen	Grant	Morgan	Steckloff
Brixie	Haadsma	Morse	Stone
Byrnes	Hill	Neeley	Tate
Carter, B.	Hood	O’Neal	Tsernoglou
Carter, T.	Hope	Paiz	Wegela
Churches	Hoskins	Pohutsky	Weiss
Coffia	Koleszar	Price	Whitsett
Coleman	Liberati	Puri	Wilson
Conlin	MacDonell	Rheingans	Witwer
Dievendorf	Martus	Rogers	Young

Nays—52

Alexander	DeBoyer	Lightner	Schrivver
Aragona	DeSana	Maddock	Schuette
Beeler	Filler	Markkanen	Slagh
BeGole	Fink	Martin	Smit
Beson	Fox	Meerman	St. Germaine
Bezotte	Friske	Mueller	Steele
Bierlein	Green, P.	Neyer	Thompson
Bollin	Greene, J.	Outman	Tisdell
Borton	Hall	Paquette	VanderWall
Bruck	Harris	Posthumus	VanWoerkom
Carra	Hoadley	Prestin	Wendzel
Cavitt	Johnsen	Rigas	Wozniak
DeBoer	Kunse	Schmaltz	Zorn

STATE OF MICHIGAN – HOUSE OF REPRESENTATIVES VOTES

House Bill No. 5121, entitled

A bill to amend 2006 PA 110, entitled “Michigan zoning enabling act,” by amending section 205 (MCL 125.3205), as amended by 2018 PA 366.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 484

Yeas—56

Aiyash	Edwards	McFall	Scott
Andrews	Farhat	McKinney	Shannon
Arbit	Fitzgerald	Mentzer	Skaggs
Brabec	Glanville	Miller	Snyder
Breen	Grant	Morgan	Steckloff
Brixie	Haadsma	Morse	Stone
Byrnes	Hill	Neeley	Tate
Carter, B.	Hood	O’Neal	Tsernoglou
Carter, T.	Hope	Paiz	Wegela
Churches	Hoskins	Pohutsky	Weiss
Coffia	Koleszar	Price	Whitsett
Coleman	Liberati	Puri	Wilson
Conlin	MacDonell	Rheingans	Witwer
Dievendorf	Martus	Rogers	Young

Nays—52

Alexander	DeBoyer	Lightner	Schrivier
Aragona	DeSana	Maddock	Schuette
Beeler	Filler	Markkanen	Slagh
BeGole	Fink	Martin	Smit
Beson	Fox	Meerman	St. Germaine
Bezotte	Friske	Mueller	Steele
Bierlein	Green, P.	Neyer	Thompson
Bollin	Greene, J.	Outman	Tisdell
Borton	Hall	Paquette	VanderWall
Bruck	Harris	Posthumus	VanWoerkom
Carra	Hoadley	Prestin	Wendzel
Cavitt	Johnsen	Rigas	Wozniak
DeBoer	Kunse	Schmaltz	Zorn

STATE OF MICHIGAN - SENATE VOTES

House Bill No. 5120, entitled

A bill to amend 2008 PA 295, entitled “Clean and renewable energy and energy waste reduction act,” by amending the title and section 13 (MCL 460.1013), as amended by 2016 PA 342, and by adding part 8.

The question being on the passage of the bill,
Senator Victory offered the following amendment:

1. Amend page 9, following line 25, by inserting:

“(5) This part does not apply to an energy facility to be located in whole or part on land that, on the effective date of the amendatory act that added this section, was farmland subject to a development rights agreement under part 361 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.36101 to 324.36116.”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator McBroom offered the following amendments:

1. Amend page 8, line 26, after “(1)” by striking out “This” and inserting “Subject to subsection (5), this”.

2. Amend page 9, following line 25, by inserting:

“(5) This part does not apply to a solar energy facility with a nameplate capacity of 100 megawatts or more unless the energy facility is located in an industrial zone, and the land on which the solar energy facility is located is classified as industrial for property tax purposes.”.

The amendments were not adopted, a majority of the members serving not voting therefor.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 669

Yeas—20

Anthony	Chang	Klinefelt	Polehanki
Bayer	Cherry	McCann	Santana
Brinks	Geiss	McDonald Rivet	Shink
Camilleri	Hertel	McMorrow	Singh
Cavanagh	Irwin	Moss	Wojno

Nays—18

Albert	Hauck	Lindsey	Runestad
Bellino	Hoitenga	McBroom	Theis
Bumstead	Huizenga	Nesbitt	Victory
Daley	Johnson	Outman	Webber
Damoose	Lauwers		

STATE OF MICHIGAN - SENATE VOTES

House Bill No. 5121, entitled

A bill to amend 2006 PA 110, entitled “Michigan zoning enabling act,” by amending section 205 (MCL 125.3205), as amended by 2018 PA 366.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 670

Yeas—20

Anthony	Chang	Klinefelt	Polehanki
Bayer	Cherry	McCann	Santana
Brinks	Geiss	McDonald Rivet	Shink
Camilleri	Hertel	McMorrow	Singh
Cavanagh	Irwin	Moss	Wojno

Nays—18

Albert	Hauck	Lindsey	Runestad
Bellino	Hoitenga	McBroom	Theis
Bumstead	Huizenga	Nesbitt	Victory
Daley	Johnson	Outman	Webber
Damoose	Lauwers		