A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 15 and 29 of article VII and adding section 31 to article V, to create a state public utility.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to create a state public utility, is proposed, agreed to, and submitted to the people of the state:

ARTICLE V

Sec. 31. (1) The state public utility is created.
(2) The state public utility board is created. The public service commission shall appoint the first members of the board within 30 days after the effective date of this section. The term of a member of the board is six years or until a successor is appointed by the public service commission, whichever is later. If a vacancy occurs on the board, the chairperson of the board shall appoint an individual to fill the vacancy for the balance of the term. A majority of the members of the board constitutes a quorum for transacting business. A vote in favor by a majority of the members of the board serving is required for any action of the board. The board shall conduct its business in compliance with state law regarding open meetings. A writing that is prepared, owned, used, possessed, or retained by the board in performing an official function is subject to retention and disclosure as provided under state law. The board shall do all of the following:

(a) Purchase or acquire by eminent domain all of the electric and natural gas generation, distribution, or transmission facilities owned by any investor-owned utility in this state.

(b) Authorize the issuance of bonds to finance or refinance the purchase, acquisition, or development of electric or natural gas generation, distribution, or transmission facilities.

(c) Set all rates, fares, fees, charges, services, rules, conditions of service, and all other matters pertaining to the formation, operation, or direction of the state public utility.

(d) No later than 18 months after the effective date of this section, implement a plan that does all of the following:

(i) Establishes lower rates for low-income residential customers.

(ii) Builds across this state accessible, rapid-charging
infrastructure for electric vehicles.

(iii) Makes rapid investments in the distribution network in this state to increase reliability and improve capacity for interconnections of new renewable generation.

(3) No later than 18 months after the effective date of this section, each investor-owned utility in this state shall divest its generation, distribution, and transmission systems to the state public utility.

(4) The legislature shall implement this section by law.

ARTICLE VII

Sec. 15. Any county, when authorized by its board of supervisors—commissioners shall have the authority to enter or to intervene in any action or certificate proceeding involving the services, charges, or rates of any privately owned public utility furnishing or utility established under section 31 of article V, that furnishes services or commodities to rate payers within the county.

Sec. 29. (1) Except as otherwise provided in this section, a person, partnership, association, or corporation, public or private, operating a public utility shall does not have the right to the any of the following:

(a) The use of the highways, streets, alleys, or other public places of any county, township, city, or village for wires, poles, pipes, tracks, conduits, or other utility facilities, without the consent of the duly constituted authority of the county, township, city, or village.

(b) Transact local business therein in a county, township, city, or village without first obtaining a franchise from the county, township, city, or village.
(2) Except as otherwise provided in this constitution the right of all counties, townships, cities, and villages to the reasonable control of their highways, streets, alleys, and public places is hereby reserved to such those local units of government.

(3) The state public utility established in section 31 of article V has the right to use the highways, streets, alleys, or other public places of any county, township, city, or village for wires, poles, pipes, tracks, conduits, or other utility facilities, without the consent of the duly constituted authority of the county, township, city, or village. The state public utility established in section 31 of article V does not need to obtain a franchise to transact business in a county, township, city, or village.

Resolved further, That the foregoing amendment shall be submitted to the people of the state at the next general election in the manner provided by law.