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BILL ANALYSIS

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Senate Bill 1209 (as enrolled)
Sponsor: Senator Jon Cisky
Senate Committee: Appropriations
House Committee: Local Government

PUBLIC ACT 538 of 1996

Date Completed: 1-23-97

CONTENT

The bill amended Public Act 152 of 1929, which authorizes a State-owned and operated radio broadcast system for police purposes, to explicitly establish the Michigan Public Safety Communications System and assign responsibility for the construction and implementation of the system to the Director of the Department of State Police and the Director of the Department of Management and Budget. The bill assigns to the Director of the Department of State Police the responsibility of locating buildings and equipment necessary to implement the system and requires that a local unit of government with zoning authority be notified of a site and the requirements necessary for a site. If a selected site does not comply with local zoning regulations, the local unit will have 30 days from the time of notification to grant a special use permit or propose an equivalent site. If a special use permit is not granted within the 30-day period, or a proposed alternative site fails to meet siting requirements, the Department of State Police may proceed with construction. The bill also permits the Director of the Department of State Police to authorize any governmental public safety agency to use the Michigan Public Safety Communication system.

MCL 28.281-28.283

FISCAL IMPACT

The bill will assist the Department of State Police to construct and operate the Michigan Public Safety Communications System by providing a procedure to resolve instances in which a proposed equipment or building location is in noncompliance with a local zoning regulation. Most local units of government in the State have regulations limiting the height of a tower to 200 feet (and other zoning restrictions) that if enforced and legally upheld, would preclude the Communications System Project from being completed within its original 181 Statewide tower configuration. Each of the 181 towers under the System's plan is 400 feet in height or more. If each local unit of government were to successfully block the siting of these towers within its jurisdiction on the basis of tower height restriction, the Department estimates that the Communications System would require an increase in the number of towers from 181 to 360-400 and an increase in overall cost from \$187.3 million to \$400.0 million.

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