

New energy law: significant or 'give-away'?

By KATHY MORAN

A new law which gives Gov. William Milliken power to declare an energy emergency in Michigan was labeled both a significant step during the energy crisis and a dangerous "give-away" of power.

The legislation, which passed the State House in December and Senate in January, was discussed during an environmental conference held at Suburban Communications Corp. (formerly Observer Newspapers Inc.) plant in Livonia.

Sponsored by Concern Inc., an environmental group, and the Observer, the conference was called to bring representatives from environmental groups together with state legislators to discuss environmental issues.

The all-day conference focused mainly on the energy emergency powers bill and a proposed land use bill but also touched on other controversies such as solid waste disposal and "Super Sewer" plans.

Concern Inc. is a Washington-based group with local affiliates which aims to educate consumers to buy products which are least harmful to the environment, and encourage manufacturers to produce products which aren't harmful to the environment.

A noted conservationist, State Rep. Raymond Smit (R-Ann Arbor) reviewed the bill which empowers the governor to declare a state of energy emergency and gives the three-member, bipartisan Public Service Commission power over distribution of gas, oil, coal and electricity to assure that essential services and human needs are met.

Once the governor declares the emergency, it will stay in effect for 180 days unless the State Legislature overrides his action.

Calling the measure a "kind of temporary expedient," Smit said it is one positive step of many that will be needed to deal with energy problems.

Among other needed measures, Smit cited additional assistance in developing mass transportation and additional compensation for persons displaced from their jobs because of energy problems.

"I think in the totality of the picture, hindsight will prove that this kind of legislation was needed to cope with these emergencies," Smit said.

Agreeing with the need for getting more information on the energy shortage, State Sen. Daniel Cooper (D-Oak Park) termed the emergency powers bill a dangerous precedent. Cooper likened it to the Gulf of Tonkin Resolution which gave the president the power to wage an undeclared war in Southeast Asia.

As in the Gulf of Tonkin resolution, the Legislature could find itself struggling to regain powers as Congress did regarding the Vietnam conflict, he said.

"This bill is a blank check," Cooper said. "It gives them (the administration) a blank check to handle any energy emergencies that come up."

Senate Democrats spoke with the appointed Public Service Commission members prior to voting on the bill and found that "nobody knew anything more about the energy shortage than what the large oil companies have said."

The governor already had the power to declare an emergency under Compiled Law 1931, Cooper added. He noted that although the Legislature could override the governor, it hasn't overridden a veto in many years — even when the governor has vetoed a bill which passed unanimously.

"Once you give away power, it's gone," he said. "We felt it was, if you will, a power grab on the part of the executive," said Sen. William Faust (D-Westland) agreeing with Cooper's position.

State Rep. John Bennett (D-Redford Township) also disagreed with the bill because "it gave the governor too many powers." He said that he trusted Gov. Milliken not to abuse the power, but added that they don't know how many years it will be in effect and who else could become governor in the meantime.

The bill has to be renewed in six months, but since it passed the initial controversy, it is expected to be renewed.

Rep. R. Robert Geake (R-Northville) said he supported the bill because it will help the Legislature gather pertinent information on the energy shortage. He added that he didn't think the Legislature could act fast enough if a real emergency occurred.

Rep. John Markes (D-Westland) agreed that the law will help gather information so that "any decisions made will be intelligent ones" and said that the Legislature could review administrative decisions if necessary.

Smit said the energy shortage calls for both short and long range solutions.

An informal poll of the 25 persons attending the conference indicated that an overwhelming majority, nearly four to one, believed there is some type of energy crisis.

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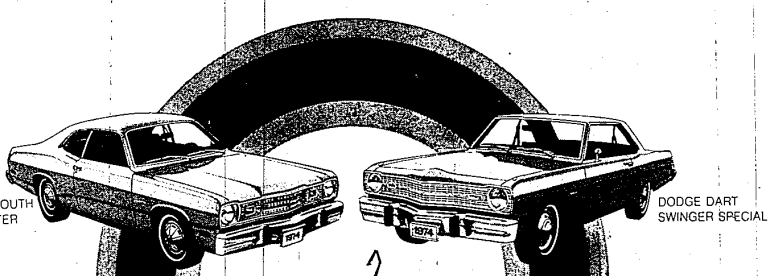
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