

SENATE BILL No. 1548

November 3, 2010, Introduced by Senators BRATER, WHITMER, THOMAS, CHERRY and OLSHOVE and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend 1929 PA 16, entitled

"An act to regulate the business of carrying or transporting, buying, selling or dealing in crude oil or petroleum or its products, through pipe lines; to authorize the use of public highways and the condemnation of private property; to regulate the purchase and storage of crude oil or petroleum; to provide for the control and regulation of all corporations, associations and persons engaged in such business, by the Michigan public utilities commission; to define the powers and duties of the commission in relation thereto; and to prescribe penalties for violations of the provisions hereof,"

(MCL 483.1 to 483.11) by amending the title and by adding section 3c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

An act to regulate the business of carrying or transporting, buying, selling, or dealing in crude oil or petroleum or its products, through ~~pipe lines,~~ **PIPELINES**; to authorize the use of

1 public highways and the condemnation of private property; to
2 regulate the purchase and storage of crude oil or petroleum; to
3 provide for the control and regulation of all corporations,
4 associations, and persons engaged in such business, by the Michigan
5 public ~~utilities~~ **SERVICE** commission; to define the powers and
6 duties of the commission in relation thereto; **TO IMPOSE A FEE**; and
7 to prescribe penalties. ~~for violations of the provisions hereof.~~

8 **SEC. 3C. (1) THE OWNER OR OPERATOR OF A PIPELINE LOCATED IN**
9 **WHOLE OR IN PART IN THIS STATE IS SUBJECT TO AN ANNUAL PIPELINE**
10 **IMPACT FEE IN AN AMOUNT PROVIDED BY RULE FOR EACH MILE OR PORTION**
11 **OF A MILE OF PIPELINE. THE COMMISSION SHALL ANNUALLY ASSESS THE**
12 **OWNER OR OPERATOR HIS OR HER PIPELINE IMPACT FEE. THE OWNER OR**
13 **OPERATOR OF A PIPELINE SHALL PAY HIS OR HER PIPELINE IMPACT FEE IN**
14 **THE MANNER PRESCRIBED BY THE COMMISSION.**

15 **(2) UPON RECEIPT OF PIPELINE IMPACT FEES UNDER THIS SECTION,**
16 **THE COMMISSION SHALL DISTRIBUTE THE PIPELINE IMPACT FEES AS**
17 **FOLLOWS:**

18 **(A) FIFTY PERCENT OF THE PIPELINE IMPACT FEE THAT IS COLLECTED**
19 **ON A PIPELINE SHALL BE DISTRIBUTED TO THE COUNTY WITHIN WHICH THE**
20 **PIPELINE IS LOCATED. IF THE PIPELINE IS LOCATED IN MORE THAN 1**
21 **COUNTY, 50% OF THE PIPELINE IMPACT FEE SHALL BE DISTRIBUTED TO**
22 **THOSE COUNTIES, PRORATED BASED ON THE NUMBER OF MILES OF THE**
23 **PIPELINE LOCATED IN EACH COUNTY. REVENUE DISTRIBUTED TO A COUNTY**
24 **UNDER THIS SUBDIVISION IS DISTRIBUTED FOR IMPLEMENTATION OF ITS**
25 **RESPONSIBILITIES UNDER BOTH OF THE FOLLOWING:**

26 **(i) THE EMERGENCY MANAGEMENT ACT, 1976 PA 390, MCL 30.401 TO**
27 **30.421.**

1 (ii) THE FIRE PREVENTION CODE, 1941 PA 207, MCL 29.1 TO 29.33.

2 (B) FIFTY PERCENT OF THE PIPELINE IMPACT FEES COLLECTED SHALL
3 BE FORWARDED TO THE STATE TREASURER TO BE DEPOSITED INTO THE
4 GENERAL FUND WHERE THEY SHALL BE AVAILABLE FOR USE IN IMPLEMENTING
5 THE STATE'S RESPONSIBILITIES UNDER BOTH OF THE FOLLOWING:

6 (i) THE EMERGENCY MANAGEMENT ACT, 1976 PA 390, MCL 30.401 TO
7 30.421.

8 (ii) THE FIRE PREVENTION CODE, 1941 PA 207, MCL 29.1 TO 29.33.

9 Enacting section 1. This amendatory act does not take effect
10 unless all of the following bills of the 95th Legislature are
11 enacted into law:

12 (a) Senate Bill No. 1544.

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14 (b) Senate Bill No. 1545.

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16 (c) Senate Bill No. 1543.

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18 (d) Senate Bill No. 1549.

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20 (e) Senate Bill No. 1542.

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22 (f) Senate Bill No. 1547.

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24 (g) Senate Bill No. 1541.

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26 (h) Senate Bill No. 1546.

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1 (i) Senate Bill No. 1550.

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