

Act No. 83
Public Acts of 2014
Approved by the Governor
April 1, 2014
Filed with the Secretary of State
April 1, 2014
EFFECTIVE DATE: April 1, 2014

**STATE OF MICHIGAN
97TH LEGISLATURE
REGULAR SESSION OF 2014**

Introduced by Reps. Outman and Nesbitt

ENROLLED HOUSE BILL No. 5254

AN ACT 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," by amending section 2a (MCL 483.2a), as added by 1997 PA 125.

The People of the State of Michigan enact:

Sec. 2a. (1) As used in this section and section 2b, "pipeline" means a pipeline used or to be used to transport crude oil or petroleum or carbon dioxide substances.

(2) A person who is conducting survey work for a proposed pipeline under this act shall notify all affected property owners in writing before a survey crew enters the owner's property.

(3) Any offer to a landowner for an easement for the purpose of locating, laying, constructing, maintaining, and operating pipelines on agricultural property shall include all of the following information:

(a) The anticipated physical impact of pipeline construction on the landowner's property.

(b) Written assurance that any agricultural drainage tile that is damaged or removed during the construction or repair of a pipeline will be repaired or replaced to preconstruction working condition. As used in this subdivision, "drainage tile" includes any surface or subsurface system by which the movement of water is redirected.

(c) Written assurance that topsoil that is disturbed by construction or repair of a pipeline is properly separated and replaced. As used in this subdivision, "topsoil" means surface soil that is presumed to be fertile as distinguished from subsoil.

(d) The method by which property will be appraised.

(e) For property used to produce crops prior to construction of a pipeline, an estimate of the value of the loss of the productivity based on the historic yield of the site before construction of a pipeline. The agricultural property owner shall provide historic crop yield values upon request.

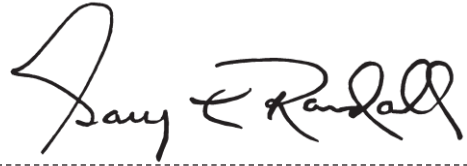
(f) That payment will be made for all damages incurred after construction of the pipeline because of the pipeline owner's or operator's entry upon the property to exercise easement rights, except that the owner or operator of the pipeline may maintain a clear right-of-way without further compensating the landowner.

(g) That the landowner has rights under the uniform condemnation procedures act, 1980 PA 87, MCL 213.51 to 213.75, and a copy of that act.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 97th Legislature are enacted into law:

- (a) House Bill No. 4885.
- (b) House Bill No. 5255.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor

Compiler's note: House Bill No. 4885, referred to in enacting section 1, was filed with the Secretary of State April 1, 2014, and became 2014 PA 82, Imd. Eff. Apr. 1, 2014.

House Bill No. 5255, also referred to in enacting section 1, was filed with the Secretary of State April 1, 2014, and became 2014 PA 84, Imd. Eff. Apr. 1, 2014.