

SENATE BILL No. 563

June 2, 2005, Introduced by Senator BERNERO and referred to the Committee on Transportation.

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 3a.

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; to authorize the use of public

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

8 **SEC. 3A. (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 OF \$250.00 FOR EACH MILE OR PORTION OF A MILE OF**
11 **PIPELINE. THE COMMISSION SHALL ANNUALLY ASSESS THE OWNER OR**
12 **OPERATOR HIS OR HER PIPELINE IMPACT FEE. THE OWNER OR OPERATOR OF A**
13 **PIPELINE SHALL PAY HIS OR HER PIPELINE IMPACT FEE IN THE MANNER**
14 **PRESCRIBED BY THE COMMISSION.**

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

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

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

27 **(ii) THE FIRE PREVENTION CODE, 1941 PA 207, MCL 29.1 TO 29.34.**

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

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

7 (ii) THE FIRE PREVENTION CODE, 1941 PA 207, MCL 29.1 TO 29.34.