

SILOS TREATED WITH POLYCHLORINATED BIPHENYLS (EXCERPT)
Act 220 of 1983

***** 288.451 THIS SECTION IS REPEALED BY ACT 255 OF 2016 EFFECTIVE SEPTEMBER 26, 2016

288.451 Legislative declaration and finding; removal and disposition of silo; acquisition of property; just compensation.

Sec. 1. (1) The legislature hereby declares and finds that the removal and disposal of silos treated with polychlorinated biphenyls is to be considered a public necessity; that the contamination of Michigan dairy and meat products by polychlorinated biphenyls creates an imminent threat to the health and safety of the people of this state; and that the legislature must protect human health and the food chain from being exposed to contamination by silos treated with polychlorinated biphenyls.

(2) The department of agriculture may acquire, either by purchase or by eminent domain, any interest in property necessary to remove and dispose of a silo treated with polychlorinated biphenyls.

(3) The acquisition of property authorized by this act is subject to the uniform condemnation procedures act, Act No. 87 of the Public Acts of 1980, being sections 213.51 to 213.77 of the Michigan Compiled Laws.

(4) The department's appraisal of just compensation under section 5 of the uniform condemnation procedure act for the property authorized to be taken as authorized by this act shall not be less than an amount equal to the market value of the property. In determining market value, contamination of a silo treated with polychlorinated biphenyls shall not be considered as a factor. In addition, the department shall direct any appraiser with whom the department contracts, to allow for further compensation based upon the following factors:

- (a) The original cost of any barrier coating applied to the silo.
- (b) The cost of repairing after removal of a structure to which the silo was attached.

History: 1983, Act 220, Imd. Eff. Nov. 16, 1983.