

HOUSE BILL No. 4631

April 13, 1989, Introduced by Reps. O'Neill, Hertel and Knight and referred to the Committee on Transportation.

A bill to prescribe an environmental and transportation regulatory fee on certain refiners of petroleum; and to provide for the distribution of revenue and the prescribed uses of that revenue from the fees collected.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "rebuild Michigan program funding act".

3 Sec. 2. (1) As a condition of doing business in this state,
4 a person who refines petroleum in this state for storage and con-
5 sumption in this state or who brings refined petroleum into this
6 state for storage and consumption in this state is subject to an
7 environmental and transportation regulatory fee. The amount of
8 the regulatory fee shall be 1 cent per gallon for each gallon of
9 petroleum refined in this state for storage and consumption in

1 this state or of refined petroleum brought into this state for
2 storage and consumption in this state.

3 (2) A public utility with more than 500,000 customers in
4 this state is exempt from that portion of the regulatory fee that
5 is imposed on petroleum used by that public utility for the gen-
6 eration of steam or electricity.

7 (3) As used in this section, "petroleum" means crude oil,
8 crude oil fractions, and refined petroleum fractions including
9 gasoline, kerosene, heating oils, and diesel fuels.

10 Sec. 3. A refiner shall remit regulatory fees from this act
11 at the same time as the sales tax under section 6a of the general
12 sales tax act, Act No. 167 of the Public Acts of 1933, being sec-
13 tion 205.56a of the Michigan Compiled Laws.

14 Sec. 4. (1) All regulatory fees collected shall be depos-
15 ited by the state treasurer as follows:

16 (a) Twenty-five percent of the money collected shall be
17 deposited into the Michigan underground storage tank financial
18 assurance fund created pursuant to section 6 of the Michigan
19 underground storage tank financial assurance act, Act No. 518 of
20 the Public Acts of 1988, being section 299.806 of the Michigan
21 Compiled Laws. Money collected and deposited pursuant to this
22 subdivision shall be used solely for the purposes for which the
23 fund is to be used as described in section 6(4) of the Michigan
24 underground storage tank financial assurance act.

25 (b) Eighteen and two-tenths percent of the money collected
26 shall be deposited into the Michigan transportation fund created
27 pursuant to section 10 of Act No. 51 of the Public Acts of 1951,

1 being section 247.660 of the Michigan Compiled Laws, for deposit
2 in the comprehensive transportation fund established by section
3 10b of Act No. 51 of the Public Acts of 1951, being section
4 247.660b of the Michigan Compiled Laws. Funds deposited in the
5 comprehensive transportation fund pursuant to this subdivision
6 shall be used for debt service on bonds issued to fund capital
7 projects for eligible authorities and eligible governmental agen-
8 cies for public transportation purposes in conjunction with the
9 rebuild Michigan program as described in section 10(1)(b)(ii) of
10 Act No. 51 of the Public Acts of 1951.

11 (c) The balance of the money collected shall be deposited
12 into the Michigan transportation fund created pursuant to section
13 10 of Act No. 51 of the Public Acts of 1951 for deposit in the
14 state trunk line fund established by section 11 of Act No. 51 of
15 the Public Acts of 1951, being section 247.661 of the Michigan
16 Compiled Laws. Funds deposited in the state trunk line fund pur-
17 suant to this subdivision shall be used for debt service on bonds
18 issued by the state transportation department for the purposes of
19 rebuilding the highways, roads, streets, and bridges in this
20 state in conjunction with the rebuild Michigan program as
21 described in section 11(1)(b) of Act No. 51 of the Public Acts of
22 1951.

23 (2) Deposits required to be made to the various funds by
24 subsection (1) shall be made by the fifth and the twentieth of
25 each month.

26 Sec. 5. This act shall not take effect unless all of the
27 following bills of the 85th Legislature are enacted into law:

1 (a) Senate Bill No. _____ or House Bill No. 4630 (request
2 no. 02166'89*).

3 (b) Senate Bill No. _____ or House Bill No. 4632 (request
4 no. 02167'89).