

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

***** 288.452 THIS SECTION IS REPEALED BY ACT 255 OF 2016 EFFECTIVE SEPTEMBER 26, 2016

288.452 Subrogation agreement; effect of accepting compensation; civil action by attorney general.

Sec. 2. (1) Before the owner of a silo treated with polychlorinated biphenyls may receive any compensation pursuant 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, the owner shall execute and sign a subrogation agreement assigning to the state the rights in the owner to recover damages for a loss due to the treatment of a silo with polychlorinated biphenyls, up to the amount paid to the owner under the uniform condemnation procedures act.

(2) The acceptance of compensation under the uniform condemnation procedures act for any interest in property which may be acquired as provided in this act does not enlarge or diminish the owner's civil remedy against a person responsible for the owner's loss, except that acceptance does constitute a release of the claim of the owner against this state.

(3) The attorney general may bring a civil action against a person responsible for treating a silo with polychlorinated biphenyls or for selling polychlorinated biphenyls for the treatment of a silo to recover the cost of compensating the owner of the silo as provided in this act and the actual cost of such litigation.

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