

Act No. 30  
Public Acts of 1989  
Approved by the Governor  
May 23, 1989  
Filed with the Secretary of State  
May 23, 1989

**STATE OF MICHIGAN  
85TH LEGISLATURE  
REGULAR SESSION OF 1989**

Introduced by Reps. Stallworth, Hoffman, Willis Bullard, DeMars, Saunders, Stopczynski and Krause

# **ENROLLED HOUSE BILL No. 4320**

AN ACT to amend section 11c of Act No. 156 of the Public Acts of 1851, entitled as amended "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," as added by Act No. 400 of the Public Acts of 1984, being section 46.11c of the Michigan Compiled Laws.

*The People of the State of Michigan enact:*

Section 1. Section 11c of Act No. 156 of the Public Acts of 1851, as added by Act No. 400 of the Public Acts of 1984, being section 46.11c of the Michigan Compiled Laws, is amended to read as follows:

Sec. 11c. (1) A county board of commissioners may provide by resolution for energy conservation improvements to be made to county facilities and may pay for the improvements from the general fund of the county or from the savings that result from the energy conservation improvements. Energy conservation improvements may include, but are not limited to, heating system improvements, fenestration improvements, roof improvements, the installation of any insulation, the installation or repair of heating or air conditioning controls, and entrance or exit way closures.

(2) The county board of commissioners of a county may acquire 1 or more of the energy conservation improvements described in subsection (1) by installment contract or may borrow money and issue notes for the purpose of securing funds for the improvements or may enter into contracts in which the cost of the energy conservation improvements is paid from a portion of the savings that result from the energy conservation improvements. These contractual agreements may provide that the cost of the energy conservation improvements are paid only if the energy savings are sufficient to cover their cost. An installment contract or notes issued pursuant to this subsection shall extend for a period of time not to exceed 10 years. Notes issued pursuant to this subsection shall be full faith and credit, tax limited obligations of the county, payable from tax levies and the general fund as pledged by the county board of commissioners of the county. The notes shall be subject to the municipal finance act, Act No. 202 of the Public Acts of 1943, being sections 131.1 to 139.3 of the Michigan Compiled Laws. The notes shall bear interest at a rate determined by the county board of commissioners of the county, not to exceed the rate provided in section 1a of chapter III of the municipal finance act, Act No. 202 of the Public Acts of 1943, being section 133.1a of the Michigan Compiled Laws. This subsection does not limit in any manner the borrowing or bonding authority of a county as provided by law.

(3) If energy conservation improvements are made as provided in this section, the county board of commissioners shall report the following information to the Michigan public service commission within 60 days of the completion of the improvements:

(a) Name of each facility to which an improvement is made and a description of the conservation improvement.

- (b) Actual energy consumption during the 12-month period before completion of the improvement.
- (c) Project costs and expenditures.
- (d) Estimated annual energy savings.

(4) If energy conservation improvements are made as provided in this section, the county board of commissioners shall report to the Michigan public service commission, by July 1 of each of the 5 years after the improvements are completed, only the actual annual energy consumption of each facility to which improvements are made. The forms for the reports required by this section shall be furnished by the Michigan public service commission.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved.....

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Governor.