

Act No. 230  
Public Acts of 1990  
Approved by the Governor  
October 7, 1990  
Filed with the Secretary of State  
October 8, 1990

**STATE OF MICHIGAN  
85TH LEGISLATURE  
REGULAR SESSION OF 1990**

Introduced by Reps. DeMars, Stallworth, Willis Bullard, Clack, Jacobetti, Varga, Bartnik, Hoffman, Gubow, Sofio, Palamara, Wallace, Joe Young, Sr., Joe Young, Jr., Kosteva, Gire, Hood, Kilpatrick, Murphy, Hickner, Stabenow, Jondahl, Bennane, Fitzgerald, Giese, Berman, Scott, Barns, Griffin, Jonker, Porreca, Alley, Middaugh, Ciaramitaro, Mathieu, Martin, Allen, Stopczynski, Bennett, Krause, Rocca, Leland, Maynard, DeBeaussaert, Hertel, Hunter, Webb, Gagliardi, Oxender, Johnson, Bandstra, Randall, Camp, Bankes, Stupak and Pitoniak

## **ENROLLED HOUSE BILL No. 5009**

AN ACT to amend section 75b of chapter 16 of the Revised Statutes of 1846, entitled as amended "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," as added by Act No. 403 of the Public Acts of 1984, being section 41.75b of the Michigan Compiled Laws.

*The People of the State of Michigan enact:*

Section 1. Section 75b of chapter 16 of the Revised Statutes of 1846, as added by Act No. 403 of the Public Acts of 1984, being section 41.75b of the Michigan Compiled Laws, is amended to read as follows:

Sec. 75b. (1) A township board may provide for energy conservation improvements to be made to township facilities and may pay for the improvements from operating funds of the township or from the savings which 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 township board 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 which 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 township, payable from tax levies and the general fund as pledged by the township board. 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 township board, 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 township as provided by law.

(3) If energy conservation improvements are made as provided in this section, the township board 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 township board 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.