

# HOUSE BILL No. 4320

March 1, 1989, Introduced by Reps. Stallworth, Hoffman, Willis Bullard, DeMars, Saunders, Stopczynski and Krause and referred to the Committee on Public Utilities.

A bill 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:

1       Section 1. Section 11c of Act No. 156 of the Public Acts of  
2 1851, as added by Act No. 400 of the Public Acts of 1984, being  
3 section 46.11c of the Michigan Compiled Laws, is amended to read  
4 as follows:

5       Sec. 11c. (1) A county board of commissioners may provide  
6 by resolution for energy conservation improvements to be made to  
7 county facilities and may pay for the improvements from the

1 general fund of the county or from the savings ~~which~~ THAT  
2 result from the energy conservation improvements. Energy conser-  
3 vation improvements may include, but are not limited to, heating  
4 system improvements, fenestration improvements, roof improve-  
5 ments, the installation of any insulation, the installation or  
6 repair of heating or air conditioning controls, and entrance or  
7 exit way closures.

8       (2) The county board of commissioners of a county may  
9 acquire 1 or more of the energy conservation improvements  
10 described in subsection (1) by installment contract or may borrow  
11 money and issue notes for the purpose of securing funds for the  
12 improvements or may enter into contracts in which the cost of the  
13 energy conservation improvements is paid from a portion of the  
14 savings ~~which~~ THAT result from the energy conservation  
15 improvements. These contractual agreements may provide that the  
16 cost of the energy conservation improvements are paid only if the  
17 energy savings are sufficient to cover their cost. An install-  
18 ment contract or notes issued pursuant to this subsection shall  
19 extend for a period of time not to exceed 10 years. Notes issued  
20 pursuant to this subsection shall be full faith and credit, tax  
21 limited obligations of the county, payable from tax levies and  
22 the general fund as pledged by the county board of commissioners  
23 of the county. The notes shall be subject to the municipal  
24 finance act, Act No. 202 of the Public Acts of 1943, being sec-  
25 tions 131.1 to 139.3 of the Michigan Compiled Laws. The notes  
26 shall bear interest at a rate determined by the county board of  
27 commissioners of the county, not to exceed the rate provided in

1 section 1a of chapter III of the municipal finance act, Act  
2 No. 202 of the Public Acts of 1943, being section 133.1a of the  
3 Michigan Compiled Laws. This subsection does not limit in any  
4 manner the borrowing or bonding authority of a county as provided  
5 by law.

6 (3) If energy conservation improvements are made as provided  
7 in this section, the county board of commissioners shall report  
8 the following information to the ~~energy administration of the~~  
9 ~~department of commerce~~ MICHIGAN PUBLIC SERVICE COMMISSION within  
10 60 days of the completion of the improvements:

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

13 (b) Actual energy consumption during the 12-month period  
14 before completion of the improvement.

15 (c) Project costs and expenditures.

16 (d) Estimated annual energy savings.

17 (4) If energy conservation improvements are made as provided  
18 in this section, the county board of commissioners shall report  
19 to the ~~energy administration of the department of commerce~~  
20 MICHIGAN PUBLIC SERVICE COMMISSION, by July 1 of each of the  
21 5 years after the improvements are completed, only the actual  
22 annual energy consumption of each facility to which improvements  
23 are made. The forms for the reports required by this section  
24 shall be furnished by the ~~energy administration~~ MICHIGAN PUBLIC  
25 SERVICE COMMISSION.