

# HOUSE BILL No. 5009

July 27, 1989, 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 and referred to the Committee on Public Utilities.

A bill to amend section 75b of chapter 16 of the Revised Statutes of 1846, entitled

"Of the powers and duties of townships, and election and duties of township officers,"

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:

1 Section 1. Section 75b of chapter 16 of the Revised  
2 Statutes of 1846, as added by Act No. 403 of the Public Acts of  
3 1984, being section 41.75b of the Michigan Compiled Laws, is  
4 amended to read as follows:

5 Sec. 75b. (1) A township board may provide for energy con-  
6 servation improvements to be made to township facilities and may  
7 pay for the improvements from operating funds of the township or  
8 from the savings which result from the energy conservation

1 improvements. Energy conservation improvements may include, but  
2 are not limited to, heating system improvements, fenestration  
3 improvements, roof improvements, the installation of any insula-  
4 tion, the installation or repair of heating or air conditioning  
5 controls, and entrance or exit way closures.

6       (2) The township board may acquire 1 or more of the energy  
7 conservation improvements described in subsection (1) by install-  
8 ment contract or may borrow money and issue notes for the purpose  
9 of securing funds for the improvements or may enter into con-  
10 tracts in which the cost of the energy conservation improvements  
11 is paid from a portion of the savings which result from the  
12 energy conservation improvements. These contractual agreements  
13 may provide that the cost of the energy conservation improvements  
14 are paid only if the energy savings are sufficient to cover their  
15 cost. An installment contract or notes issued pursuant to this  
16 subsection shall extend for a period of time not to exceed 10  
17 years. Notes issued pursuant to this subsection shall be full  
18 faith and credit, tax limited obligations of the township, pay-  
19 able from tax levies and the general fund as pledged by the town-  
20 ship board. The notes shall be subject to the municipal finance  
21 act, Act No. 202 of the Public Acts of 1943, being sections  
22 131.1 to 139.3 of the Michigan Compiled Laws. The notes shall  
23 bear interest at a rate determined by the township board, not to  
24 exceed the rate provided in section 1a of chapter III of the  
25 municipal finance act, Act No. 202 of the Public Acts of 1943,  
26 being section 133.1a of the Michigan Compiled Laws. This

1 subsection does not limit in any manner the borrowing or bonding  
2 authority of a township as provided by law.

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

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

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

12 (c) Project costs and expenditures.

13 (d) Estimated annual energy savings.

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