

SENATE BILL No. 482

May 14, 2003, Introduced by Senators KUIPERS and ALLEN and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1274a (MCL 380.1274a), as amended by 1990 PA
227.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1274a. (1) The board of a school district,
2 intermediate school district, or local act school district may
3 ~~provide~~ **contract with a qualified provider** for energy
4 conservation improvements ~~to be made~~ to school facilities. ~~and~~
5 ~~may pay for the improvements~~ **These improvements may be paid** from
6 operating funds of the school district or from the proceeds of
7 bonds or notes issued for energy conservation improvements, or
8 **the board or intermediate school board** may enter into contracts
9 in which the cost of the energy conservation improvements is paid
10 from a portion of the savings ~~which~~ **that** result from the

1 improvements. These contractual agreements may provide that the
2 costs of improvements will be paid only if the energy savings are
3 sufficient to cover them. Energy conservation improvements may
4 include, but are not limited to, heating system improvements,
5 fenestration improvements, roof improvements, the installation of
6 any insulation, the installation or repair of heating or air
7 conditioning controls, and entrance or exit way closures. **As**
8 **used in this subsection, "qualified provider" means an individual**
9 **or a business entity that is experienced in performing design,**
10 **analysis, and installation of energy conservation improvements**
11 **and facility management measures and that will provide these**
12 **services under the contract.**

13 (2) The board of a school district, intermediate school
14 district, or local act school district may provide for the
15 removal or treatment of asbestos or other material injurious to
16 health for school facilities and may pay for the improvements
17 from operating funds of the school district or from the proceeds
18 of bonds or notes issued for ~~such~~ **that** purpose.

19 (3) Issuance of bonds for the purposes authorized by this
20 section shall be considered as issued for capital expenditures
21 for all purposes including section 16 of article IX of the state
22 constitution of 1963.

23 (4) Energy conservation improvements or substance removal or
24 treatment authorized by this section ~~shall be~~ **is** subject to the
25 competitive bidding requirements of section 1267.

26 (5) If energy conservation improvements are made by a school
27 district, **local act school district**, or ~~an~~ intermediate school

1 district as provided in this section, the school board ~~of the~~
2 ~~school district or an~~ or intermediate school ~~district~~ board
3 shall report the following information to the ~~Michigan public~~
4 ~~service commission~~ **state treasurer** within 60 days after the
5 completion of the improvements:

6 (a) Name of each facility to which an improvement was made
7 and a description of the conservation improvements.

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

10 (c) Project costs and expenditures.

11 (d) Estimated annual energy savings.

12 (6) If energy conservation improvements are made as provided
13 in this section, the school board ~~of the school district or an~~
14 or intermediate school ~~district~~ board shall report to the
15 ~~Michigan public service commission~~ **state treasurer** by July 1 of
16 each of the 5 years after the improvements are completed the
17 actual annual energy consumption of each facility to which
18 improvements were made. The forms for the reports required by
19 this section shall be furnished by the ~~Michigan public service~~
20 ~~commission~~ **state treasurer**.