SENATE BILL No. 852

September 21, 2009, Introduced by Senators BIRKHOLZ, HARDIMAN, PATTERSON, JANSEN, RICHARDVILLE, PAPPAGEORGE, GEORGE, VAN WOERKOM and ALLEN and referred to the Committee on Energy Policy and Public Utilities.

A bill to provide for loans, grants, and other assistance for energy efficiency and renewable energy projects; to create a restricted fund; and to provide for the powers and duties of certain state and local governmental officers and entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 1. As used in this act:

(a) "Department" means the department of energy, labor, and economic growth.

(b) "Fund" means the energy efficiency and renewable energy revolving loan fund created in section 2.

Sec. 2. (1) The energy efficiency and renewable energy revolving loan fund is created within the state treasury.

(2) The state treasurer may receive money or other assets from

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any source for deposit into the fund. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(3) Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.

(4) The department shall be the administrator of the fund for auditing purposes.

(5) The department shall expend money from the fund, upon appropriation, only to administer and operate a program to provide loans, grants, and other forms of assistance to public or private entities for energy efficiency and renewable energy projects. The program shall be consistent with part D of title III of the energy policy and conservation act, 42 USC 6321 to 6326, and other state and federal law, as applicable. Projects eligible for assistance from the program, the amount of assistance provided, and other conditions shall be determined by the department.

(6) If program assistance under subsection (5) is in the form of a loan, the loan shall be made through a loan agreement. A loan agreement shall contain appropriate provisions relating to maturity or length of the loan, repayment terms, state or local funding requirements, and other provisions as are necessary to comply with state and federal law.