

# HOUSE BILL No. 4649

March 19, 2009, Introduced by Reps. Horn and Mayes and referred to the Committee on Energy and Technology.

A bill to amend 1984 PA 34, entitled

"Michigan low income heating assistance and shut-off protection act,"

by amending section 7 (MCL 400.1207).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 7. (1) There is created a low income heating assistance  
2 and shut-off protection program. The program shall be administered  
3 by the department to prevent utility service shut-offs, promote  
4 awareness of and changes in energy use habits, promote conservation  
5 techniques, provide incentives for energy conservation, help reduce  
6 energy use by improving the housing stock, and provide relocation  
7 assistance.

1 (2) The department shall do all of the following:

2 (a) Coordinate weatherization efforts for assisted households.

3 (b) Authorize use of weatherization resources among the  
4 dwellings of all assisted households in the state. The department  
5 shall give first priority to households ~~which~~**THAT** exceed the  
6 annual consumption cap.

7 (c) Not later than the beginning of the third program year,  
8 promulgate rules to create an energy conservation incentive ~~which~~  
9 **THAT** shall provide direct financial benefits to assisted households  
10 ~~which~~**THAT** reduce their use of heating energy. The rules shall be  
11 promulgated ~~pursuant~~**ACCORDING** to the administrative procedures act  
12 of 1969, ~~Act No. 306 of the Public Acts of 1969, being sections~~  
13 ~~24.201 to 24.315 of the Michigan Compiled Laws 1969 PA 306, MCL~~  
14 **24.201 TO 24.328.**

15 ~~(d) Subject to restrictions prescribed by federal regulations~~  
16 ~~governing aid to families with dependent children, rules of the~~  
17 ~~state department of social services, or otherwise, for preventing~~  
18 ~~the disclosure of confidential information to any person not~~  
19 ~~authorized by law to receive the confidential information, the~~  
20 ~~state department of social services shall make available to a~~  
21 ~~public utility regulated by the Michigan public service commission~~  
22 ~~information concerning applicants and recipients of public~~  
23 ~~assistance, the disclosure of which is necessary and the use of~~  
24 ~~which is strictly limited to the purpose of a public utility's~~  
25 ~~administering a program created by statute or an order of the~~  
26 ~~Michigan public service commission and intended to assist~~  
27 ~~applicants or recipients of public assistance in defraying their~~

1 ~~energy costs.~~ NOTWITHSTANDING THE PROVISIONS OF THE SOCIAL WELFARE  
2 ACT, 1939 PA 280, MCL 400.1 TO 400.119B, AND SUBJECT TO  
3 RESTRICTIONS PRESCRIBED BY FEDERAL REGULATIONS GOVERNING TEMPORARY  
4 ASSISTANCE TO NEEDY FAMILIES OR OTHER FEDERAL PROGRAMS, RULES OF  
5 THE DEPARTMENT, OR OTHERWISE, FOR PREVENTING THE DISCLOSURE OF  
6 CONFIDENTIAL INFORMATION TO ANY PERSON NOT AUTHORIZED BY LAW TO  
7 RECEIVE THE CONFIDENTIAL INFORMATION, THE DEPARTMENT SHALL MAKE  
8 AVAILABLE TO A PROVIDER UTILITY INFORMATION CONCERNING APPLICANTS  
9 FOR, AND RECIPIENTS OF, PUBLIC ASSISTANCE, THE DISCLOSURE OF WHICH  
10 IS NECESSARY AND THE USE OF WHICH IS STRICTLY LIMITED TO THE  
11 PURPOSE OF AN ENERGY PROVIDER ADMINISTERING A PROGRAM CREATED BY  
12 STATUTE OR BY ORDER OF THE MICHIGAN PUBLIC SERVICE COMMISSION AND  
13 INTENDED TO ASSIST APPLICANTS FOR, OR RECIPIENTS OF, PUBLIC  
14 ASSISTANCE IN DEFRAYING THEIR ENERGY COSTS.

15 (e) Not later than the beginning of the third program year, in  
16 cooperation with provider utilities, implement a positive billing  
17 system by which the difference, if any, between an assisted  
18 household's monthly heating bills and the household's heating  
19 allotments and supplemental payments will be billed directly to the  
20 department and paid to the provider utility monthly, up to the  
21 annual consumption cap.

22 (f) Expand the department's energy crisis intervention  
23 services within available resources. The department shall review  
24 and make recommendations concerning cases of assisted households  
25 having natural gas use or electrical consumption ~~which~~ **THAT** exceeds  
26 the annual consumption cap, and shall expand its effort to identify  
27 dwellings ~~which~~ **THAT** cannot be made energy-efficient and help

1 relocate those assisted households to more energy efficient  
2 dwellings if reasonable alternative housing is available. The  
3 department shall determine whether a dwelling cannot be made energy  
4 efficient.

5 (g) Not later than the beginning of the second program year,  
6 develop and implement a uniform record keeping and reporting system  
7 for the program.

8 (h) Establish monitoring criteria for program evaluation ~~which~~  
9 **THAT** shall include, but not be limited to, all of the following:

10 (i) The number of assisted households ~~which~~ **THAT** exceed the  
11 annual consumption cap.

12 (ii) The average consumption both before and after  
13 weatherization for each assisted household.

14 (iii) The number of shut-offs of heating service to assisted  
15 households.

16 (iv) The number of dwellings of assisted households  
17 weatherized.