

HOUSE BILL No. 5157

September 24, 1991, Introduced by Rep. Gagliardi and referred to the Committee on Transportation.

A bill to amend the title of Act No. 214 of the Public Acts of 1952, entitled

"An act authorizing the Mackinac bridge authority to acquire a bridge connecting the upper and lower peninsulas of Michigan, including causeways, tunnels, roads and all useful related equipment and facilities, including park, parking, recreation, lighting and terminal facilities; extending the corporate existence of the authority; authorizing such authority to enjoy and carry out all powers incident to its corporate objects; authorizing the appropriation and use of state funds for the preliminary purposes of the authority; providing for the payment of the cost of such bridge and in that connection authorizing the authority to issue revenue bonds payable solely from the revenues of the bridge; granting the right of condemnation to the authority; granting the use of state land and property to the authority; making provisions for the payment and security of such bonds and granting certain rights and remedies to the holders thereof; authorizing banks and trust companies to perform certain acts in connection therewith; authorizing the imposition of tolls and charges; authorizing the authority to secure the consent of the United States government to the construction of the bridge and to secure approval of plans, specifications and location of same; authorizing employment of engineers irrespective of whether such engineers have been previously employed to make preliminary inspections or reports with respect to the bridge; authorizing the state highway department to operate and maintain such bridge or to contribute thereto and enter into leases and agreements in

connection therewith; exempting such bonds and the property of the authority from taxation; prohibiting competing traffic facilities; authorizing the operation of ferries by the authority; and making an appropriation,"

as amended, being sections 254.311 to 254.331 of the Michigan Compiled Laws; and to add section 22.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title of Act No. 214 of the Public Acts of
2 1952, as amended, being sections 254.311 to 254.331 of the
3 Michigan Compiled Laws, is amended and section 22 is added to
4 read as follows:

5 TITLE

6 An act authorizing the Mackinac bridge authority to acquire
7 a bridge connecting the upper and lower peninsulas of Michigan,
8 including causeways, tunnels, roads and all useful related equip-
9 ment and facilities, including park, parking, recreation, light-
10 ing and terminal facilities; extending the corporate existence of
11 the authority; authorizing such authority to enjoy and carry out
12 all powers incident to its corporate objects; authorizing the
13 appropriation and use of state funds for the preliminary purposes
14 of the authority; providing for the payment of the cost of such
15 bridge and in that connection authorizing the authority to issue
16 revenue bonds payable solely from the revenues of the bridge;
17 granting the right of condemnation to the authority; granting the
18 use of state land and property to the authority; making provi-
19 sions for the payment and security of such bonds and granting
20 certain rights and remedies to the holders thereof; authorizing
21 banks and trust companies to perform certain acts in connection

1 therewith; authorizing the imposition of tolls and charges;
2 authorizing the authority to secure the consent of the United
3 States government to the construction of the bridge and to secure
4 approval of plans, specifications and location of same; authoriz-
5 ing employment of engineers irrespective of whether such engi-
6 neers have been previously employed to make preliminary inspec-
7 tions or reports with respect to the bridge; authorizing the
8 state highway department to operate and maintain such bridge or
9 to contribute thereto and enter into leases and agreements in
10 connection therewith; exempting such bonds and the property of
11 the authority from taxation; prohibiting competing traffic facil-
12 ities; authorizing the operation of ferries by the authority;
13 PROVIDING FOR THE CONSTRUCTION AND USE OF CERTAIN BUILDINGS; and
14 making an appropriation.

15 SEC. 22. (1) THE AUTHORITY MAY EXPEND NOT MORE THAN
16 \$995,000.00 FROM FUNDS UNDER ITS JURISDICTION TO CONSTRUCT A
17 BUILDING AND LEASE IT TO THE DEPARTMENT OF STATE POLICE FOR USE
18 AS A REGIONAL STATE POLICE POST. THE BUILDING SHALL BE LOCATED
19 ON AUTHORITY OWNED PROPERTY ADJACENT TO THE NORTH TERMINAL OF THE
20 BRIDGE.

21 (2) THE AUTHORITY SHALL NOT CONSTRUCT A BUILDING PURSUANT TO
22 THIS SECTION UNTIL THE AUTHORITY AND THE DEPARTMENT OF STATE
23 POLICE ENTER INTO A LEASE AGREEMENT THAT CONTAINS ALL OF THE FOL-
24 LOWING TERMS:

25 (A) A PROVISION THAT THE BUILDING BE USED FOR A REGIONAL
26 STATE POLICE POST.

1 (B) A PROVISION THAT THE INITIAL TERM OF THE LEASE SHALL BE
2 10 YEARS, WITH RENEWALS AS AGREED TO BY THE AUTHORITY AND
3 DEPARTMENT OF STATE POLICE.

4 (C) A PROVISION THAT THE LEASE AMOUNT BE EQUIVALENT TO THE
5 FAIR MARKET LEASE VALUE OF THE LEASED BUILDING. HOWEVER, THE
6 LEASE MAY PROVIDE FOR A REDUCTION IN THE LEASE AMOUNT EQUIVALENT
7 TO THE REASONABLE COST INCURRED BY THE DEPARTMENT OF STATE POLICE
8 IN PROVIDING A CERTAIN LEVEL OF LAW ENFORCEMENT SERVICES INCIDENT
9 TO THE OPERATION OF THE BRIDGE.

10 (D) EXCEPT AS OTHERWISE AGREED BY THE AUTHORITY AND DEPART-
11 MENT OF STATE POLICE, A REQUIREMENT THAT THE DEPARTMENT OF STATE
12 POLICE PAY THE COSTS OF MAINTAINING THE BUILDING IN REASONABLE
13 REPAIR.

14 (E) ANY OTHER TERMS THAT MAY BE AGREED TO BY THE AUTHORITY
15 AND THE DEPARTMENT OF STATE POLICE REGARDING THE USE OF THE
16 BUILDING.

17 (3) LEASE PAYMENTS THAT ARE RECEIVED BY THE AUTHORITY UNDER
18 A LEASE AGREEMENT ENTERED INTO PURSUANT TO SUBSECTION (2) SHALL
19 BE REGARDED AND TREATED AS REVENUES OF THE BRIDGE FOR ALL PUR-
20 POSES UNDER THIS ACT.

21 (4) UPON THE EXPIRATION OR TERMINATION OF A LEASE AGREEMENT
22 ENTERED INTO PURSUANT TO SUBSECTION (2), THE AUTHORITY MAY USE
23 THE BUILDING FOR ANY REASONABLE PURPOSE IN CARRYING OUT ITS
24 DUTIES UNDER THIS ACT.