

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 and 830.417 AND REQUIRES A RECORD ROLL CALL VOTE

Rep. Shackleton offered the following concurrent resolution:

House Concurrent Resolution No. 55.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of State Police Michigan Public Safety Communications System Phase V.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the State Administrative Board, the Attorney General, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the State of Michigan (the "State") may be conveyed to the State Building Authority (the "Authority"); and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing facilities and equipment to be used by the State pursuant to a lease for the Facilities is a recognized public purpose; and

Whereas, Four public acts, 1995 PA 128, 1999 PA 265, 2000 PA 291, and 2001 PA 81, appropriate \$234,157,200 (State Building Authority share \$212,726,000; State General Fund share \$21,431,200) to complete plans and construct the Department of State Police Michigan Public Safety Communications System; and

Whereas, The public safety communications system known as the Department of State Police Michigan Public Safety Communications System is to be constructed in five phases; and

Whereas, By Senate Concurrent Resolution No. 288 adopted by the Senate and the House of Representatives on December 3 and December 11, 1996, respectively, the Michigan Legislature approved the conveyance of property and a lease for Phase I of the Department of State Police Two-Way Radio System and Microwave Backbone System at a total cost not to exceed \$35,211,085, plus interest charges on monies advanced by the State, of which not more than \$34,890,000, plus interest charges on monies advanced by the State, shall be financed from bonds issued by the Authority; and

Whereas, By Senate Concurrent Resolution No. 100 adopted by the Senate and the House of Representatives on December 2 and December 8, 1998, respectively, the Michigan Legislature approved the conveyance of property and a lease for Phase II of the Department of State Police Two-Way Radio System and Microwave Backbone System at a total cost not to exceed \$42,660,808, plus interest charges on monies advanced by the State, of which not more than \$42,660,808, plus interest charges on monies advanced by the State, shall be financed from bonds issued by the Authority; and

Whereas, By House Concurrent Resolution No. 80 adopted by the House of Representatives and the Senate on February 29, 2000, and March 7, 2000, respectively, the Michigan Legislature approved the conveyance of property and a lease for Phase III of the Department of State Police Two-Way Radio System and Microwave Backbone System at a total cost not to exceed \$58,964,403, plus interest charges on monies advanced by the State, of which not more than \$58,964,403, plus interest charges on monies advanced by the State, shall be financed from bonds issued by the Authority; and

Whereas, By Senate Concurrent Resolution No. 19 adopted by the Senate on May 29, 2001, and the House of Representatives on June 13, 2001, the Michigan Legislature approved the conveyance of property and a lease for Phase IV of the Department of State Police Two-Way Radio System and Microwave Backbone System at a total cost not to exceed \$36,336,575, plus interest

charges on monies advanced by the State, of which not more than \$36,336,575, plus interest charges on monies advanced by the State, shall be financed from bonds issued by the Authority; and

Whereas, The sites for Phase V of the Department of State Police Two-Way Radio System and Microwave Backbone System are located in Baraga, Chippewa, Gogebic, Houghton, Iron, Keweenaw, Marquette, Montmorency, and Ontonagon Counties (sites and related equipment together constitute "the Facilities") and are currently owned by the State; and

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facilities by the Authority to the State (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the total cost for the Department of State Police Two-Way Radio System and Microwave Backbone System Phase V, consisting of the Facilities, shall not exceed \$43,271,963, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facilities, if any, of which not more than \$43,271,963, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facilities, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facilities and leasing it to the State and hereby determines that the leasing of the Facilities from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facilities shall be within or below the range of \$3,992,000 and \$4,879,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

[Resolved, That any savings generated from the restructuring or refinancing of State Building Authority bond issues shall remain in the State Building Authority rent line-items and lapse to the General Fund for the 2003-04 fiscal year; and be it further]

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease between the State and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.