

**SUBSTITUTE FOR
SENATE BILL NO. 236**

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of management and budget and the state administrative board.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 1

Senate Bill No. 236 as amended December 7, 2005

1 LINE-ITEM APPROPRIATIONS

2 Sec. 101. There is appropriated for various state departments
 3 and agencies and capital outlay for the fiscal year ending
 4 September 30, 2006, from the following funds:

5 **APPROPRIATION SUMMARY**

6	GROSS APPROPRIATION.....	\$ <<236,704,700>>
7	Interdepartmental grant revenues:	
8	Total interdepartmental grants and intradepartmental	
9	transfers	2,000,000
10	ADJUSTED GROSS APPROPRIATION.....	\$ <<234,704,700>>
11	Total federal revenues.....	155,382,600
12	Total local revenues.....	20,784,200
13	Total private revenues.....	0
14	Total state restricted revenues.....	54,236,000
15	State general fund/general purpose.....	\$ <<4,301,900>>

16 **Sec. 102. DEPARTMENT OF AGRICULTURE**

17	Farmland and open space development acquisition.....	\$ <u>7,500,000</u>
18	GROSS APPROPRIATION.....	\$ 7,500,000
19	Appropriated from:	
20	Federal revenues:	
21	DAG, multiple grants.....	2,500,000
22	Special revenue funds:	
23	Agriculture preservation fund.....	5,000,000
24	State general fund/general purpose.....	\$ 0

Sec. 103. DEPARTMENT OF MANAGEMENT AND BUDGET

Lump-sum projects:

Special maintenance, remodeling and additions:

For state agencies special maintenance projects

estimated to cost more than \$100,000 but less than

\$1,000,000	\$	2,000,000
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Detroit zoological society.....		4,000,000
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Chaldean community center.....		250,000
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Holocaust cultural museum.....		<u>50,000</u>
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GROSS APPROPRIATION.....	\$	6,300,000
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Appropriated from:

Interdepartmental grant revenues:

IDG from building occupancy charges.....		2,000,000
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Special revenue funds:

State general fund/general purpose.....	\$	4,300,000
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Sec. 104. STATE BUILDING AUTHORITY FINANCED

CONSTRUCTION PROJECTS

Department of corrections - Riverside correctional

facility - power plant automation project - total

project cost increase, originally authorized for

design and construction in 2003 PA 193, the

total authorized cost is increased from \$3,000,000

to \$4,500,000; the state building authority share

is increased from \$2,999,900 to \$4,499,800; state

general fund share is increased from \$100 to \$200...	100
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Ferris State University - instructional resource

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1 center - authorized for planning in 2005 PA 10,
 2 for design and construction (total authorized
 3 cost \$8,500,000; state building authority share
 4 \$5,624,800; Ferris State University share
 5 \$2,875,000; state general fund share \$200) 100
 6 Grand Valley State University - Padnos College of
 7 Engineering - authorized for planning in 2005 PA 10,
 8 for design and construction (total
 9 authorized cost \$16,000,000; state building
 10 authority share \$11,999,800; Grand Valley State
 11 University share \$4,000,000; state general fund
 12 share \$200) 100
 <<Michigan Technological University - general campus
 renovations - authorized for planning in 2005 PA 10,
 for design and construction (total authorized cost
 \$10,000,000; state building authority share \$7,499,800;
 Michigan Technological University share \$2,500,000;
 state general fund share \$200) 100
 Michigan State University - chemistry building
 renovations/cooling towers - authorized for planning in
 2005 PA 10, for design and construction (total authorized
 cost \$28,344,500; state building authority share
 \$19,999,800; Michigan State University share \$8,344,500;
 state general fund share \$200) 100
 Saginaw Valley State University - Pioneer hall
 renovations - authorized for planning in 2005 PA 10,
 for design and construction (total authorized cost
 \$16,000,000; state building authority share \$11,999,800;
 Saginaw Valley State University share \$4,000,000; state
 general fund share \$200) 100>>
 13 University of Michigan - observatory lodge
 14 renovations - first of 3 components authorized
 15 for planning in 2005 PA 10, for design and
 16 construction (total authorized cost \$11,500,000;
 17 state building authority share \$7,819,800;
 18 University of Michigan share \$3,680,000; state
 19 general fund share \$200) 100
 <<Western Michigan University - Brown Hall renovations/
 addition - authorized for planning in 2005 PA 10, for
 design and construction (total authorized cost
 \$14,800,000; state building authority share \$9,499,800;
 Western Michigan University share \$5,300,000; state
 general fund share \$200) 100>>

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20	Alpena Community College - instructional	
21	addition/renovation - authorized for planning in	
22	2005 PA 10, for design and construction	
23	(total authorized cost \$3,335,000; state building	
24	authority share \$1,667,300; Alpena Community	
25	College share \$1,667,500; state general fund share	
26	\$200)	100
27	Bay de Noc Community College - west campus facility	

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1 - authorized for planning in 2005 PA 10, for
 2 design and construction (total authorized cost
 3 \$12,048,000; state building authority share
 4 \$5,874,100; Bay de Noc Community College share
 5 \$6,173,700; state general fund share \$200) 100
 6 Jackson Community College - health program expansion
 7 and information commons - authorized for planning
 8 in 2005 PA 10, for design and construction
 9 (total authorized cost <<\$16,500,000>>; state building
 10 authority share \$7,499,800; Jackson Community
 11 College share <<\$9,000,000>>; state general fund share
 12 \$200) 100
 <<Lansing Community College - university center -
 authorized for planning in 2005 PA 10, for design and
 construction (total authorized cost \$11,000,000; state
 building authority share \$4,999,800; state general fund
 share \$200) 100
 Macomb Community College - health science and technology
 classroom building - authorized for planning in 2005 PA 10,
 for design and construction (total authorized cost
 \$12,000,000; state building authority share \$5,999,800;
 Macomb Community College share \$6,000,000; state general
 fund share \$200) 100>>
 13 Mid Michigan Community College - science and
 14 technology center - authorized for planning in
 15 2005 PA 10, for design and construction
 16 (total authorized cost \$16,475,000; state building
 17 authority share \$8,237,300; Mid Michigan Community
 18 College share \$8,237,500; state general fund share
 19 \$200) 100
 20 Montcalm Community College - life science training
 21 facility - authorized for planning in 2005 PA 10,
 22 for design and construction (total authorized
 23 cost \$7,500,000; state building authority share
 24 \$2,999,800; Montcalm Community College share

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25	\$4,500,000; state general fund share \$200).....	100
26	Northwestern Michigan College - Oleson center	
27	renovations - authorized for planning in 2005 PA 10,	

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1	for design and construction (total	
2	authorized cost \$1,300,000; state building	
3	authority share \$649,800; Northwestern Michigan	
4	College share \$650,000; state general fund share	
5	\$200)	100
6	Southwestern Michigan College - information	
7	technology center renovations - authorized for	
8	planning in 2005 PA 10, for design and	
9	construction (total authorized cost \$4,500,000;	
10	state building authority share \$2,249,800;	
11	Southwestern Michigan College share \$2,250,000;	
12	state general fund share \$200).....	100
	<<Washtenaw Community College - technical and industrial building renovations project - authorized for planning in 2005 PA 10, for design and construction (total authorized cost \$7,185,000; state building authority share \$2,999,800; Washtenaw Community College share \$4,185,000; general fund share \$200) 100>>	
13	Department of management and budget - state facility	
14	preservation projects - phase II (total authorized	
15	cost \$70,000,000; state building authority share	
16	\$69,999,900; state general fund share \$100).....	<u>100</u>
17	State facility preservation projects - phase II -	
18	by priority:	
19	State facility security upgrades and system	
20	integration including access control	
21	State facility energy savings plan and conservation	
22	measures	
23	Lighting, heating, ventilation, air handling,	
24	ceilings, fire system, various facilities	
25	statewide	
26	Roof replacements, various facilities statewide	
27	Parking lots, drainage repairs, various facilities	

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1	statewide		
2	Electrical improvements, various facilities		
3	statewide		
4	Fire detection and suppression systems, various		
5	locations statewide		
6	Elevator ADA compliance, various state office		
7	buildings		
8	Window systems, exterior repairs, various state		
9	office buildings		
10	Heating, ventilation, air conditioning upgrades,		
11	including distribution systems and boiler		
12	upgrades, various locations statewide		
13	Restroom ADA compliance, various state office		
14	buildings		
15	Miscellaneous repairs and system replacements		
16	GROSS APPROPRIATION.....	\$	<<1,900>>
17	Appropriated from:		
18	State general fund/general purpose.....	\$	<<1,900>>
19	Sec. 105. DEPARTMENT OF MILITARY AFFAIRS		
20	Lump-sum projects:		
21	For department of military affairs remodeling and		
22	additions and special maintenance projects.....	\$	5,000,000
23	Land acquisitions and appraisals statewide.....		200,000
24	Camp Grayling, multiple company headquarters		
25	buildings, phase II, for design and construction		
26	(total project cost \$37,000,000; federal share		

1	\$37,000,000)		<u>18,500,000</u>
2	GROSS APPROPRIATION.....	\$	23,700,000
3	Appropriated from:		
4	Federal revenues:		
5	DOD, department of the army, national guard bureau...		23,500,000
6	Special revenue funds:		
7	Armory construction fund.....		200,000
8	State general fund/general purpose.....	\$	0
9	Sec. 106. DEPARTMENT OF NATURAL RESOURCES		
10	(1) STATE PARKS		
11	State parks repair and maintenance.....	\$	2,000,000
12	Forest roads, bridges, and facilities.....		<u>900,000</u>
13	GROSS APPROPRIATION	\$	2,900,000
14	Appropriated from:		
15	Special revenue funds:		
16	State park improvement fund.....		2,000,000
17	Forest recreation fund.....		100,000
18	Forest development fund.....		800,000
19	State general fund/general purpose.....	\$	0
20	(2) WILDLIFE		
21	Statewide deer range habitat acquisition.....	\$	3,500,000
22	Statewide turkey habitat acquisition.....		<u>2,000,000</u>
23	GROSS APPROPRIATION.....	\$	5,500,000
24	Appropriated from:		
25	Federal revenues:		
26	DOI, U.S. fish and wildlife service, Pittman-Robertson		1,000,000

1	Special revenue funds:	
2	Game and fish protection - deer range improvement fund	3,500,000
3	Game and fish protection - turkey fund.....	1,000,000
4	State general fund/general purpose.....	\$ 0
5	(3) WATERWAYS BOATING PROGRAM	
6	Infrastructure improvements - state projects.....	\$ 2,500,000
7	Infrastructure improvements - local projects.....	1,500,000
8	Land acquisition.....	1,000,000
9	Boating program, state boating access projects:	
10	Crystal Lake, new site construction (total	
11	authorized cost \$1,400,000; state share \$1,400,000) .	600,000
12	Hamlin Lake, Ludington state park, dam repairs	
13	(total authorized cost \$1,700,000; state share	
14	\$500,000; federal share \$1,200,000).....	1,700,000
15	Lake Minnawanna, Metamora-Hadley recreation area,	
16	dam repairs (total authorized cost \$600,000; state	
17	share \$375,000; federal share \$225,000).....	600,000
18	Boating program, harbors and docks, state	
19	facilities:	
20	Cheboygan lock and dam repairs and improvements	
21	(total project cost \$2,610,200; state share	
22	\$652,600; federal share \$1,957,600).....	2,610,200
23	Mackinaw City, new marina, state dock, phase II	
24	(total cost \$10,360,000; state share \$10,360,000)...	5,735,000
25	Boating program, harbors and docks, local	
26	facilities:	
27	Arcadia, Manistee County, marina rehabilitation	

1	(total project cost \$1,000,000; state share	
2	\$500,000; local share \$500,000).....	500,000
3	Charlevoix, Charlevoix County, marina expansion and	
4	upgrade (total project cost \$8,100,000; state share	
5	\$6,075,000; local share \$2,025,000).....	5,075,000
6	Grand Haven, Ottawa County, dock replacement (total	
7	project cost \$1,000,000; state share \$500,000;	
8	local share \$500,000)	500,000
9	Leland, Leelanau County, marina rehabilitation and	
10	upgrade (total project cost \$3,500,000; state share	
11	\$1,750,000; local share \$1,750,000).....	1,750,000
12	St. Clair, St. Clair County, marina rehabilitation	
13	and upgrade (total project cost \$4,500,000; federal	
14	share \$3,000,000; state share \$500,000; local share	
15	\$1,000,000)	<u>500,000</u>
16	GROSS APPROPRIATION.....	\$ 24,570,200
17	Appropriated from:	
18	Federal revenues:	
19	DOI, U.S. fish and wildlife service, Dingell-Johnson .	3,382,600
20	Special revenue funds:	
21	Michigan state waterways fund.....	21,187,600
22	State general fund/general purpose.....	\$ 0
23	Sec. 107. DEPARTMENT OF TRANSPORTATION	
24	STATE TRUNKLINE FUND	
25	Department buildings and facilities:	
26	Salt storage buildings and brine runoff control	

1	systems - contract agencies locations.....	\$	2,000,000
2	Construct, renovate, and/or replace salt storage		
3	buildings (Marshall garage \$400,000; Niles garage		
4	\$400,000; Covington storage shed \$300,000).....		1,100,000
5	Design and construct washbay additions at various		
6	maintenance garages locations.....		250,000
7	Equipment storage buildings, various maintenance		
8	garage locations		500,000
9	Cadillac transportation service center, originally		
10	authorized for construction in 2001 PA 45,		
11	project cost increase/scope change, total project		
12	cost is increased from \$1,000,000 to \$2,911,400;		
13	federal share is increased from \$0		
14	to \$901,700; comprehensive transportation fund		
15	share is increased from \$0 to \$225,500; local share		
16	is increased from \$0 to \$784,200.....		784,200
17	Taylor, Wayne County, transportation service center		
18	construction cost increase (original total project		
19	cost in 2001 PA 45 is increased by \$600,000;		
20	new total project cost \$1,800,000).....		600,000
21	Institutional and agency roads.....		750,000
22	Engadine, main garage building renovations.....		430,000
23	Southfield, metro region office renovations.....		200,000
24	Miscellaneous remodeling, additions, emergency		
25	maintenance		<u>1,884,000</u>
26	GROSS APPROPRIATION.....	\$	8,498,200
27	Appropriated from:		

1 Special revenue funds:

2	State trunkline fund.....	7,714,000
3	Local revenues.....	784,200
4	State general fund/general purpose.....	\$ 0

5 **Sec. 108. DEPARTMENT OF TRANSPORTATION**

6 AERONAUTICS FUND: AIRPORT PROGRAMS

7	Airport safety, protection, and improvement program..	\$ <u>157,734,400</u>
8	Adrian - Lenawee County airport	
9	Allegan - Padgham field	
10	Alma - Gratiot community airport	
11	Alpena - Alpena County regional airport	
12	Ann Arbor - Ann Arbor municipal airport	
13	Atlanta - Atlanta municipal airport	
14	Bad Axe - Huron County memorial airport	
15	Baraga - new airport	
16	Battle Creek - W.K. Kellogg airport	
17	Bay City - James Clements airport	
18	Bellaire - Antrim County airport	
19	Benton Harbor - Southwest Michigan regional airport	
20	Big Rapids - Roben-Hood airport	
21	Cadillac - Wexford County airport	
22	Caro - Tuscola area/Caro municipal airport	
23	Charlevoix - Charlevoix municipal airport	
24	Charlotte - Fitch H. Beach airport	
25	Cheboygan - Cheboygan County airport	
26	Clare - Clare municipal airport	

- 1 Coldwater - Branch County airport
- 2 Detroit - Detroit city airport
- 3 Detroit - Detroit metropolitan airport, Wayne
- 4 County airport
- 5 Detroit - Willow Run airport
- 6 Dowagiac - Cass County airport
- 7 Drummond Island - Drummond Island airport
- 8 East Tawas - East Tawas Iosco County airport
- 9 Escanaba - Delta County airport
- 10 Ewart - Ewart municipal airport
- 11 Flint - Bishop international airport
- 12 Frankfort - Frankfort Dow memorial airport
- 13 Fremont - Fremont municipal airport
- 14 Gaylord - Otsego County airport
- 15 Gladwin - Gladwin Zettel memorial airport
- 16 Grand Haven - Grand Haven memorial airpark
- 17 Grand Ledge - Abrams municipal airport
- 18 Grand Rapids - Gerald R. Ford international airport
- 19 Grayling - Grayling army airfield
- 20 Greenville - Greenville municipal airport
- 21 Grosse Ile - Grosse Ile municipal airport
- 22 Hancock - Houghton County memorial airport
- 23 Harbor Springs - Harbor Springs municipal airport
- 24 Hart Shelby - Oceana County airport
- 25 Hastings - Hastings city/Barry County airport
- 26 Hillsdale - Hillsdale municipal airport
- 27 Holland - tulip city airport

- 1 Houghton Lake - Roscommon County airport
- 2 Howell - Livingston County airport
- 3 Ionia - Ionia County airport
- 4 Iron County - county airports
- 5 Iron Mountain - Ford airport
- 6 Ironwood - Gogebic-Iron County (Wisconsin) airport
- 7 Jackson - Jackson County-Reynolds field
- 8 Kalamazoo - Kalamazoo/Battle Creek international
9 airport
- 10 Lakeview - Lakeview-Griffith field
- 11 Lansing - capital city airport
- 12 Lapeer - Dupont-Lapeer airport
- 13 Linden - Price airport
- 14 Ludington - Mason County airport
- 15 Mackinac Island - Mackinac Island airport
- 16 Manistee - Manistee County airport
- 17 Manistique - Schoolcraft County airport
- 18 Marlette - Marlette Township airport
- 19 Marquette - Sawyer airport
- 20 Marshall - Brooks field
- 21 Mason - Mason Jewett field
- 22 Menominee - Menominee-Marinette twin city airport
- 23 Midland - Jack Barstow airport
- 24 Mio - Oscoda County airport
- 25 Monroe - Custer airport
- 26 Mt. Pleasant - Mt. Pleasant municipal airport
- 27 Munising - Hanley field

- 1 Muskegon - Muskegon County airport
- 2 New Hudson - Oakland-Southwest airport
- 3 Newberry - Luce County airport
- 4 Niles - Jerry Tyler memorial airport
- 5 Ontonagon - Ontonagon County airport
- 6 Oscoda - Wurtsmith airport
- 7 Owosso - Owosso community airport
- 8 Paradise - new airport
- 9 Pellston - Pellston regional airport
- 10 Plymouth - Canton-Plymouth-Mettetal airport
- 11 Pointe Aux Pins - Bois Blanc island airport
- 12 Pontiac - Oakland County international airport
- 13 Port Huron - St. Clair County international airport
- 14 Rogers City - Presque Isle County/Rogers City
15 airport
- 16 Romeo - Romeo state airport
- 17 Saginaw - Harry W. Browne airport
- 18 Saginaw - MBS international airport
- 19 St. Ignace - Mackinac County airport
- 20 St. James - Beaver Island airport
- 21 Sandusky - Sandusky city airport
- 22 Sault Ste. Marie - Chippewa County international
23 airport
- 24 South Haven - South Haven area regional airport
- 25 Sparta - Sparta airport
- 26 Statewide - various sites
- 27 Sturgis - Kirsch municipal airport

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1	Three Rivers - Three Rivers municipal, Dr. Haines		
2	airport		
3	Traverse City - cherry capital airport		
4	Troy - Oakland-Troy airport		
5	West Branch - West Branch community airport		
6	White Cloud - White Cloud airport		
7	GROSS APPROPRIATION.....	\$	157,734,400
8	Appropriated from:		
9	Federal revenues:		
10	DOT, federal aviation administration.....		125,000,000
11	Special revenue funds:		
12	Combined comprehensive transportation bond proceeds		
13	fund - aeronautics		12,000,000
14	Local aeronautics match.....		20,000,000
15	State aeronautics fund.....		734,400
16	State general fund/general purpose.....	\$	0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

20 Sec. 201. Pursuant to section 30 of article IX of the state
 21 constitution of 1963, total state spending under part 1 for fiscal
 22 year 2005-06 is <<\$58,537,900.00>>. State payments to local units of
 23 government under part 1 are \$14,325,000.00. The itemized statement
 24 below identifies appropriations from which spending to local units
 25 of government will occur:

1 CAPITAL OUTLAY

2 Department of agriculture - farmland and open space
 3 preservation \$ 2,500,000
 4 Department of natural resources - waterways \$ 9,825,000
 5 Department of transportation - salt storage
 6 buildings \$ 2,000,000
 7 TOTAL \$ 14,325,000

8 Sec. 202. The appropriations made and the expenditures
 9 authorized under this part and the departments, agencies,
 10 commissions, boards, offices, and programs for which an
 11 appropriation is made under part 1 are subject to the management
 12 and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

13 **CAPITAL OUTLAY GENERAL SECTIONS**

14 Sec. 203. If it appears to the principal executive officer of
 15 a department or branch that state spending to local units of
 16 government will be less than the amount that was projected to be
 17 expended under this act, the principal executive officer shall
 18 immediately give notice of the approximate shortfall to the state
 19 budget director.

20 Sec. 204. As used in this act:

21 (a) "ADA" means the Americans with disabilities act.

22 (b) "Board" means the state administrative board.

23 (c) "Community college" does not include a state agency or
 24 university.

25 (d) "Department" means the department of management and
 26 budget.

1 (e) "Director" means the director of the department of
2 management and budget.

3 (f) "DAG" means the United States department of agriculture.

4 (g) "DOD" means the United States department of defense.

5 (h) "DOI" means the United States department of interior.

6 (i) "DOT" means the United States department of
7 transportation.

8 (j) "Fiscal agencies" means the senate fiscal agency and the
9 house fiscal agency.

10 (k) "HHS-HCFA" means the United States department of health
11 and human services, health care financing administration.

12 (l) "ICF/MR" means intermediate care facilities for the
13 mentally retarded.

14 (m) "IDG" means interdepartmental grant.

15 (n) "JCOS" means the joint capital outlay subcommittee of the
16 appropriations committees.

17 (o) "MDOT" means the Michigan department of transportation.

18 (p) "Self-liquidating project" means a project constructed by
19 a community college or university with money raised through the use
20 of a debt instrument or other fund sources including, but not
21 limited to, gifts, grants, federal funds, or institutional sources,
22 that is expected to generate revenues to amortize the loan. A self-
23 liquidating project may or may not be a self-supporting project.
24 Examples of a self-liquidating project include dormitories, parking
25 facilities, and stadia.

26 (q) "Self-supporting project" means a project of a community
27 college or university that will house a function or activity from

1 which revenue is generated that will cover all the direct and
2 indirect operating costs of the project without the additional
3 transfer of any other general fund money of the community college
4 or university.

5 (r) "State agency" means an agency of state government. State
6 agency does not include a community college or university.

7 (s) "State building authority" means the authority created
8 under 1964 PA 183, MCL 830.411 to 830.425.

9 (t) "University" means a 4-year university supported by the
10 state. University does not include a community college or a state
11 agency.

12 (u) "Utility system" means a utility supply or distribution
13 system, or a combination utility supply and distribution system.

14 Sec. 205. Funds appropriated in part 1 shall not be used for
15 the purchase of non-Michigan goods or services, or both, if
16 competitively priced and of comparable quality Michigan goods or
17 services, or both, are available.

18 Sec. 206. Unless otherwise specified, departments and agencies
19 receiving appropriations in part 1 shall use the Internet to
20 fulfill the reporting requirements of this act. This requirement
21 may include transmission of reports via electronic mail to the
22 recipients identified for each reporting requirement or it may
23 include placement of reports on an Internet or Intranet site.

24 **DEPARTMENT OF AGRICULTURE**

25 Sec. 301. Of the amounts appropriated in part 1 for farmland
26 and open space development acquisition, the funds shall be used for

1 the purchase of development rights and the awarding of grants by
2 the agriculture preservation fund board under the natural resources
3 and environmental protection act, 1994 PA 451, MCL 324.101 to
4 324.90106.

5 **DEPARTMENT OF CORRECTIONS**

6 Sec. 401. A maximum security prison that is constructed or
7 completed after October 1, 1986 shall have operating staffed
8 watchtowers equipped with the weaponry, lighting, sighting, and
9 communications devices necessary for effective execution of its
10 function. The watchtowers shall be constructed pursuant to the
11 American correctional association standards for watchtowers.

12 Sec. 402. (1) An appropriation and authorization contained in
13 this act or a previous appropriations act for the construction of a
14 new correctional facility, including a correctional camp, for which
15 a specific site was not identified with the appropriation shall not
16 be expended until approved by JCOS.

17 (2) For the purposes of this section, "site" means a city,
18 village, township, or county in which a correctional facility may
19 be located.

20 **CAPITAL OUTLAY PROCESSES, PROCEDURES, AND REPORTS**

21 Sec. 501. Each capital outlay project authorized in this act
22 or any previous capital outlay act shall comply with the procedures
23 required by the management and budget act, 1984 PA 431, MCL 18.1101
24 to 18.1594.

25 Sec. 502. A statement of a proposed facility's operating cost

1 shall be included with the facility's program statement and
2 planning documents when the plans are presented to JCOS for
3 approval.

4 Sec. 503. (1) Before proceeding with final planning and
5 construction for projects at community colleges and universities
6 included in an appropriations bill, the community college or
7 university shall sign an agreement with the department that
8 includes the following provisions:

9 (a) The university or community college agrees to construct
10 the project within the total authorized cost established by the
11 legislature pursuant to the management and budget act, 1984 PA 431,
12 MCL 18.1101 to 18.1594, and an appropriations act.

13 (b) The design and program scope of the project shall not
14 deviate from the design and program scope represented in the
15 program statement and preliminary planning documents approved by
16 the department.

17 (c) Any other items as identified by the department that are
18 necessary to complete the project.

19 (2) The department retains the authority and responsibility
20 normally associated with the prudent maintenance of the public's
21 financial and policy interests relative to the state-financed
22 construction projects managed by a community college or university.

23 Sec. 504. (1) The department shall provide JCOS and the fiscal
24 agencies with reports as considered necessary relative to the
25 status of each planning or construction project financed by the
26 state building authority, by this act, or by previous acts.

27 (2) Before the end of each fiscal year, the department shall

1 report to JCOS and the fiscal agencies for each capital outlay
2 project other than lump sums all of the following:

- 3 (a) The account number and name of each construction project.
- 4 (b) The balance remaining in each account.
- 5 (c) The date of the last expenditure from the account.
- 6 (d) The anticipated date of occupancy if the project is under
7 construction.
- 8 (e) The appropriations history for the project.
- 9 (f) The professional service contractor.
- 10 (g) The amount of a project financed with federal funds.
- 11 (h) The amount of a project financed through the state
12 building authority.
- 13 (i) The total authorized cost for the project and the state
14 authorized share if different than the total.

15 (3) Before the end of each fiscal year, the department shall
16 report the following for each project by a state agency,
17 university, or community college that is authorized for planning
18 but is not yet authorized for construction:

- 19 (a) The name of the project and account number.
 - 20 (b) Whether a program statement is approved.
 - 21 (c) Whether schematics are approved by the department.
 - 22 (d) Whether preliminary plans are approved by the department.
 - 23 (e) The name of the professional service contractor.
- 24 (4) As used in this section, "project" includes appropriation
25 line items made for purchase of real estate.

26 Sec. 505. (1) If a capital outlay appropriation is contained
27 in a public act that was not reviewed by JCOS during the

1 legislative process, the director shall notify JCOS of an
2 expenditure of that capital outlay appropriation not less than 60
3 days before the expenditure.

4 (2) For the purposes of this section, "capital outlay
5 appropriation" means an appropriation that provides for the
6 construction, renovation, or repair of a capital facility or
7 acquisition or development of land and that is normally reviewed by
8 JCOS.

9 Sec. 506. A state agency, college, or university shall take
10 steps necessary to make available federal and other money indicated
11 in this act, to make available federal or other money that may
12 become available for the purposes for which appropriations are made
13 in this act, and to use any part or all of the appropriations to
14 meet matching requirements that are considered to be in the best
15 interest of this state. However, the purpose, scope, and total
16 estimated cost of a project shall not be altered to meet the
17 matching requirements.

18 Sec. 507. (1) Before money is released for the construction or
19 lease of a capital outlay project costing over \$1,000,000.00, at
20 the request of JCOS the department shall submit to JCOS, with
21 preliminary planning documents, a detailed comparative cost
22 analysis. The cost analysis shall include a comparison of the
23 financial and other benefits of construction, financing, operation,
24 and maintenance of the proposed facility between all of the
25 following:

26 (a) The state.

27 (b) The private sector.

1 (c) A combination of the state and the private sector.

2 (d) A lease agreement.

3 (2) If the department's recommendation for financing is
4 inconsistent with the findings of the comparative cost analysis,
5 the department shall present written documentation to JCOS
6 outlining the rationale for the recommendation.

7 (3) For purposes of this section, "capital outlay project"
8 means a construction project or lease requiring JCOS approval
9 including, but not limited to, a general office facility, special
10 use facility, warehouse, institutional facility, or utility system
11 designed for use by a state agency or university. Capital outlay
12 project does not include a special maintenance and remodeling
13 project, grant-in-aid project, prison facility, legislative
14 facility, judicial facility, community college facility, or self-
15 liquidating project constructed by a university.

16 Sec. 508. Pursuant to section 242(2) of the management and
17 budget act, 1984 PA 431, MCL 18.1242, the department shall submit
18 5-year capital outlay plans and capital outlay priority requests
19 developed by state agencies (and as approved by the department of
20 management and budget), universities, and community colleges to the
21 chairperson and ranking vice-chairperson of JCOS and the fiscal
22 agencies upon the release of the executive budget recommendation.

23 USE AND FINANCE STATEMENTS

24 Sec. 601. (1) A university or community college shall not let
25 a contract for new construction of a self-funded project estimated
26 to cost more than \$1,000,000.00 unless the project is authorized by

JCOS through approval of a use and financing statement defined by a policy adopted by JCOS. If the project results in, or is funded by, a direct surcharge or increase in tuition, fees, special assessment, or other mandatory charge, then a use and finance statement is required regardless of cost. The request for legislative authorization shall be initially submitted for review to JCOS, the fiscal agencies, and the department. The use and financing statement for a nonstate-funded project shall contain the estimated total construction cost and all associated estimated operating costs including a statement of anticipated project revenues. As used in this section, "new construction" includes land or property acquisition, remodeling and additions, and maintenance projects, roads, landscaping, equipment, telecommunications, utilities, and parking lots. Certificate of need forms may be submitted in lieu of a use and finance form where applicable.

(2) When health or safety concerns warrant, a project may be completed without prior approval of a use and finance statement. However, timely submission of a use and finance statement as soon as possible after the event is expected.

(3) A project that is constructed in violation of this section shall not receive state appropriations for purposes of operating the project, or support for future infrastructure enhancements that are necessitated, in part or in total, by construction of the project. In addition, the violation shall result in the loss of any state capital outlay funding for the institution for 2 years, and a prohibition of doing self-funded projects of any kind, except for emergencies where health or safety concerns warrant, for 1 year.

1 (4) A state agency, including the department of military
2 affairs, shall not let a contract, including those for a direct
3 federally-funded capital outlay construction or major maintenance
4 or remodeling project if the total project is estimated to cost
5 more than \$1,000,000.00 and is to be constructed on state-owned
6 lands, unless the project is approved by the department and by JCOS
7 through approval of a use and financing statement defined by a
8 policy adopted by JCOS, unless the project is otherwise
9 appropriated in a capital outlay appropriations bill. For projects
10 not appropriated in a capital outlay appropriations bill that are
11 over \$1,000,000.00, the state agency shall submit a use and
12 financing statement as required for community colleges and
13 universities in subsection (1). As used in this subsection, "direct
14 federally-funded" refers to a project for which federal payments
15 are made directly to the construction vendor and not to the state
16 of Michigan.

17 (5) A public body corporate created under section 28 of
18 article VII of the state constitution of 1963 and the urban
19 cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to
20 124.512, by a contractual interlocal agreement between local
21 participating economic development corporations formed under the
22 economic development corporations act, 1974 PA 338, MCL 125.1601 to
23 125.1636, and the Michigan strategic fund shall not let a contract
24 for new construction estimated to cost more than \$1,000,000.00
25 unless the project is authorized by JCOS through the approval of a
26 use and financing statement defined by a policy adopted by JCOS.
27 For purposes of this subsection, the use and financing statement

1 for a project shall contain the estimated total construction cost
2 and all associated estimated operating costs. As used in this
3 subsection, "new construction" means land or property acquisition,
4 remodeling or additions, lease or lease purchase, and maintenance
5 projects for the corporate office of the public body corporate
6 described in this subsection.

7 (6) The chair of JCOS shall annually transmit to each
8 community college and public university the current requirements
9 and guidelines for the submission of use and finance statements.

10 **LUMP SUMS AND SPECIAL MAINTENANCE**

11 Sec. 701. (1) The director shall allocate lump-sum
12 appropriations made in this act for remodeling and addition,
13 special maintenance, major special maintenance, energy
14 conservation, demolition, ICF/MR, air-conditioning, and fire
15 protection projects. The director shall allocate other lump sums in
16 order of program priority and need of the various state agencies or
17 as otherwise based on actual building inspection reports by
18 regulatory agencies.

19 (2) The state budget director may authorize that funds
20 appropriated for lump-sum special maintenance shall be available
21 for no more than 2 fiscal years following the fiscal year in which
22 the original appropriation was made. Any remaining balance from
23 allocations made in this section shall lapse to the fund from which
24 it was appropriated pursuant to the lapsing of funds as provided in
25 the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

26 (3) Before the end of each fiscal year, the department shall

1 submit a report to JCOS and the fiscal agencies indicating the
2 total cost and status of all lump-sum projects funded under this
3 act and any previous act that have been designated as proposed,
4 designed, bid, under construction, or completed within the current
5 fiscal year.

6 Sec. 702. (1) A state agency shall provide notification to
7 JCOS prior to commencing a demolition project not authorized by
8 law. The demolition project may be disapproved by JCOS within 30
9 days after the date of notification, and if disapproved within that
10 time, the demolition project shall not be authorized. The
11 notification to JCOS shall identify the building or facility to be
12 demolished and its location, the estimated cost of the demolition
13 project, estimated project schedule, and the source of financing.

14 (2) The 30-day disapproval period does not apply to any
15 notifications submitted during a period when the legislature will
16 not be in session for 15 days or more. In these situations, the 30-
17 day disapproval period begins on the first scheduled session day.

18 Sec. 703. Pursuant to department policy, state agencies may
19 expend not more than \$600,000.00 from their operating budget for
20 special maintenance, remodeling, additions, or other capital outlay
21 purposes, unless specifically authorized by the legislature, for
22 those purposes.

23 Sec. 704. (1) The funds appropriated in part 1 for state
24 facility preservation projects phase II shall be used to fund the
25 remaining priorities previously funded under section 206 of 2005 PA
26 10, but not completed.

27 (2) Each calendar quarter, the department shall submit to the

1 members of JCOS a report detailing the contracts awarded in the
2 previous quarter and any anticipated contracts to be awarded in the
3 immediately succeeding quarter for the projects described in
4 subsection (1).

5 **COLLEGES AND UNIVERSITIES**

6 Sec. 801. (1) This section applies only to projects for
7 community colleges.

8 (2) State support is directed towards the remodeling and
9 additions, special maintenance, or construction of certain
10 community college buildings. The community college shall obtain or
11 provide for site acquisition and initial main utility installation
12 to operate the facility. Funding shall be comprised of local and
13 state shares, and the state share shall include 50% of any federal
14 money awarded for projects appropriated in this act. Not more than
15 50% of a capital outlay project, not including a lump-sum special
16 maintenance project or remodeling and addition project, for a
17 community college shall be appropriated from state and federal
18 funds, unless otherwise appropriated by the legislature.

19 (3) An expenditure under this act is authorized when the
20 release of the appropriation is approved by the board upon the
21 recommendation of the director. The director may recommend to the
22 board the release of any appropriation in part 1 only after the
23 director is assured that the legal entity operating the community
24 college to which the appropriation is made has complied with this
25 act and has matched the amounts appropriated as required by this
26 act. A release of funds in part 1 shall not exceed 50% of the total

1 cost of planning and construction of any project, not including
2 lump-sum remodeling and additions and special maintenance, unless
3 otherwise appropriated by the legislature. Further planning and
4 construction of a project authorized by this act or applicable
5 sections of the management and budget act, 1984 PA 431, MCL 18.1101
6 to 18.1594, shall be in accordance with the purpose and scope as
7 defined and delineated in the approved program statements and
8 planning documents. This act is applicable to all projects for
9 which planning appropriations were made in previous acts.

10 (4) The community college shall take the steps necessary to
11 secure available federal construction and equipment money for
12 projects funded for construction in this act if an application was
13 not previously made. If there is a reasonable expectation that a
14 prior year unfunded application may receive federal money in a
15 subsequent year, the college shall take whatever action necessary
16 to keep the application active. If federal money is received, the
17 state share shall be adjusted accordingly as provided by this act.

18 Sec. 802. If matching revenues are received in an amount less
19 than the appropriations contained in this act, the state funds of
20 the appropriation shall be reduced in proportion to the amount of
21 matching revenue received.

22 Sec. 803. (1) The director may require that community colleges
23 and universities that have an authorized project listed in part 1
24 submit documentation regarding the project match and governing
25 board approval of the authorized project not more than 60 days
26 after the beginning of the fiscal year.

27 (2) If the documentation required by the director under

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subsection (1) is not submitted, or does not adequately authenticate the availability of the project match or board approval of the authorized project, the authorization may terminate. The authorization terminates 30 days after the director notifies JCOS of the intent to terminate the project unless JCOS convenes to extend the authorization.

Sec. 804. The funds appropriated in part 1 for the Montcalm Community College life science training facility shall only be released upon approval of the planning documents and construction authorization request by the JCOS. The project may not move into final design until JCOS approval.

<<Sec. 805. The funds appropriated in part 1 for the Michigan State University chemistry building renovations/cooling towers, the Saginaw Valley State University Pioneer hall renovations, the Western Michigan Brown hall renovations/addition, and the Lansing Community College university center project shall only be released upon approval of the planning documents and construction authorization request by the JCOS. The projects may not move into final design until JCOS approval.

Sec. 806. The funds appropriated in part 1 for the Washtenaw Community College technical and industrial building renovations project shall only be released upon approval of the planning documents and construction authorization request by the JCOS. The project may not move into final design until JCOS approval.

Sec. 807. The funds appropriated in part 1 for the Jackson Community College health program expansion and information commons project shall only be released upon approval of the total authorized cost increase request by the JCOS. The project may not move into final design until JCOS approval of the cost increase.

Sec. 808. The funds appropriated in part 1 for the Macomb Community College health science and technology classroom building shall only be released upon approval of the planning documents and construction authorization request by the JCOS. The project may not move into final design until JCOS approval.>>

DEPARTMENT OF MANAGEMENT AND BUDGET

Sec. 901. (1) The department shall provide JCOS and the fiscal agencies a report, not more than 15 days after the reporting date, of privately owned leased space by state agencies, by March 31 and September 30 of each year, consisting of the following:

(a) Department.

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- 18 (b) Agency division and leased number.
- 19 (c) Building location (address and city).
- 20 (d) Type of building.
- 21 (e) County.
- 22 (f) Name and address of lessor.
- 23 (g) Square footage and net square footage rate.
- 24 (h) Monthly and annual cost.
- 25 (i) Date lease started and expires.
- 26 (j) Options and services.

1 (2) The lease report shall be summarized for office space,
2 group homes, and other space for the Lansing area and statewide,
3 excepting the Lansing area.

4 Sec. 902. The funds appropriated in part 1 for the Detroit
5 zoological society shall only be awarded if the city of Detroit
6 relinquishes itself of all governance, management, and operational
7 authority in the zoo within 60 days of the effective date of this
8 act and transfers all governance, management, and operational
9 authority in the zoo within 60 days of the effective date of this
10 act to a local unit of government or to a nonprofit entity.

11 **DEPARTMENT OF MILITARY AND VETERANS AFFAIRS**

12 Sec. 1001. The appropriations in part 1 for department of
13 military and veterans affairs design and construction projects are
14 contingent upon the availability of federal and state restricted
15 funds for financing.

16 **DEPARTMENT OF NATURAL RESOURCES**

17 Sec. 1101. The appropriation made in this act for the harbors
18 and docks program is for the purpose of participating with the
19 federal government and assisting political entities and
20 subdivisions of this state in the construction and improvement of
21 recreational boating facilities within this state. Subject to the
22 approval of the board, this money shall be allocated by the
23 department of natural resources to the federal government, or to
24 the political entities or local units of government involved in the
25 particular projects. An allocation shall not exceed the state

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1 portion as listed with each project description. The department of
2 natural resources shall take the steps necessary to match federal
3 money available for the construction and improvement of
4 recreational boating facilities within this state, and to meet
5 requirements of the federal government.

6 Sec. 1102. Before the end of each fiscal year, the department
7 of natural resources shall report each year to JCOS the status of
8 each project that received an appropriation in any capital outlay
9 act, if the project is either not completed or has a balance
10 remaining in its account. The report shall be in the same form and
11 contain the information as required under section 504. The report
12 shall be separated into the following areas, by fund sources:

13 (a) Waterways projects.

14 (b) Urban recreation projects.

15 (c) State park projects.

16 (d) Wildlife and fisheries projects.

17 (e) Other projects.

18 Sec. 1103. The department of natural resources may transfer
19 all revenues and unreserved receipts in the harbor development fund
20 to the state waterways fund for the purposes appropriated in part 1
21 of this act.

22 Sec. 1104. <<(1) Subject to subsection (2), prior to June 1, 2006,
the>> department of natural resources shall not

23 expend funds appropriated to the Michigan state waterways fund in
24 part 1 or funds appropriated to any other fund in part 1 to develop
25 the property currently under review by the department of natural
26 resources, which property is recognized by the department of
27 natural resources to be the forest, mineral, and fire management

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1 property located on the main body of Walloon Lake in Bay Township,
2 for any use as a public access site. The department of natural
3 resources shall work with the Walloon Lake association, officials
4 from the impacted local units of government, local land conservancy
5 officials, and any other interested parties to improve 1 or more
6 existing public access sites on Walloon Lake in order to provide
7 suitable public access.

<<(2) If Melrose Township or the department of natural resources enters into a purchase agreement on property located on Walloon Lake in Melrose Township adjacent to state highway M-75 for the purpose of constructing a boating access site, or an individual or group of individuals acquires and transfers ownership of that property to Melrose Township or the department of natural resources for the purpose of constructing a boating access site, the prohibition in subsection (1) on the expenditure of funds appropriated to the Michigan state waterways fund in part 1 or funds appropriated to any other fund in part 1 to develop the property currently under review by the department of natural resources, which property is recognized by the department of natural resources to be the forest, mineral, and fire management property located on the main body of Walloon Lake in Bay Township, shall be extended until September 30, 2006.>>

STATE TRANSPORTATION DEPARTMENT

8
9 Sec. 1201. (1) From federal-state-local project appropriations
10 contained in part 1 for the purpose of assisting political entities
11 and subdivisions of this state in the construction and improvement
12 of publicly used airports and landing fields within this state, the
13 state transportation department may permit the award of contracts
14 on behalf of units of local government for the authorized locations
15 not to exceed the indicated amounts, of which the state allocated
16 portion shall not exceed the amount appropriated in part 1.

17 (2) Political entities and subdivisions shall provide not less
18 than 2.5% of the cost of any project under this section, unless a
19 total nonfederal share greater than 5% is otherwise specified in
20 federal law. State money shall not be allocated until local money
21 is allocated. State money for any 1 project shall not exceed 1/3 of

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22 the total appropriation in part 1 from state funds for airport
23 improvement programs.

24 (3) The Michigan aeronautics commission may take those steps
25 necessary to match federal money available for airport construction
26 and improvement within this state, and to meet the matching

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1 requirements of the federal government. Whether acting alone or
2 jointly with another political subdivision or public agency or with
3 this state, a political subdivision or public agency of this state
4 shall not submit to any agency of the federal government a project
5 application for airport planning or development unless it is
6 authorized in this act and the project application is approved by
7 the governing body of each political subdivision or public agency
8 making the application, and by the Michigan aeronautics commission.

9 Sec. 1202. Before the end of each fiscal year, the state
10 transportation department shall report to JCOS the status of
11 projects funded in part 1 with the estimated dollars allocated for
12 each project. If there has to be a delay in reporting, the state
13 transportation department shall notify JCOS in writing of the date
14 the report will be received.

15 Sec. 1203. (1) A planning project or construction project
16 appropriated for the airport program shall be made available for no
17 more than 2 fiscal years following the fiscal year in which the
18 original appropriation was made.

19 (2) Any remaining balance from allocations made in this
20 section shall lapse to the fund from which it was appropriated
21 pursuant to the lapsing of funds as provided in the management and
22 budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

<<Sec. 1204. From the appropriations contained in part 1 for
airport improvement programs, no funds shall be allocated for any runway
extensions, taxiway extensions, or apron extensions at the Detroit-Willow
Run airport. Further, it is the intent of the legislature that no state
funds shall be expended to improve or repair the airport where the
purpose of the improvement or repair is to expand the usage of the
airport including, but not limited to, anything approximating a tradeport
as that term is defined in the former international tradeport development
authority act, former 1994 PA 325.>>

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24 Sec. 1301. (1) Revenue collected from licenses issued under
25 the antenna site management project shall be deposited into the
26 antenna site management revolving fund created for this purpose in

1 the department of information technology. The department may
2 receive and expend funds from the fund for costs associated with
3 the antenna site management project, including the cost of the
4 third-party site manager. Any excess revenue remaining in the fund
5 at the close of the fiscal year shall be proportionately
6 transferred to the appropriate state restricted funds as designated
7 in statute or by constitution.

8 (2) An antenna shall not be sited pursuant to this section
9 without prior compliance with the respective local zoning codes and
10 local unit of government processes.

11 Sec. 1302. (1) A site preparation economic development fund is
12 hereby created in the department of management and budget. As used
13 in this section, "economic development sites" means those state-
14 owned sites declared as surplus property pursuant to section 251 of
15 the management and budget act, 1984 PA 431, MCL 18.1251, that would
16 provide economic benefit to the area or to the state. The Michigan
17 economic development corporation board and the state budget
18 director shall determine whether or not a specific state-owned site
19 qualifies for inclusion in the fund created under this subsection.

20 (2) Proceeds from the sale of any sites designated in
21 subsection (1) shall be deposited into the fund created in
22 subsection (1) and shall be available for site preparation
23 expenditures, unless otherwise provided by law. The economic
24 development sites authorized in subsection (1) are hereby
25 authorized for sale consistent with state law. Expenditures from
26 the fund are hereby authorized for site preparation activities that
27 enhance the marketable sale value of the sites. Site preparation

1 activities include, but are not limited to, demolition,
2 environmental studies and abatement, utility enhancement, and site
3 excavation.

4 (3) A cash advance in an amount of not more than
5 \$25,000,000.00 is hereby authorized from the general fund to the
6 site preparation economic development fund.

7 (4) An annual report shall be transmitted to the senate and
8 house of representatives appropriations committees not later than
9 December 31 of each year. This report shall detail both of the
10 following:

11 (a) The revenue and expenditure activity in the fund for the
12 preceding fiscal year.

13 (b) The sites identified as economic development sites under
14 subsection (1).

15 Sec. 1303. No funds shall be spent on any building, lease, or
16 other development project on property commonly referred to as the
17 triangle property located at Kalamazoo Street and Grand Avenue in
18 downtown Lansing. Any and all previously approved building, lease,
19 or other development projects on the triangle property are hereby
20 canceled. Any proposed building, lease, or other development
21 project for any state agency on the site of the triangle property
22 shall require prior approval of the joint capital outlay
23 subcommittee.