

**1999 BOND BILL AND CAPITAL  
FACILITIES EXPENDITURES**

1999 GENERAL SESSION

STATE OF UTAH

**Sponsor: Beverly Ann Evans**

AN ACT RELATING TO CAPITAL INFRASTRUCTURE; AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS FOR CAPITAL FACILITIES, COMPUTER SOFTWARE, COMPUTER HARDWARE, COMPUTER SYSTEM DEVELOPMENT, BUILDINGS, AND RELATED FACILITIES; SPECIFYING THE USE OF BOND PROCEEDS AND THE MANNER OF ISSUANCE; IMPOSING AND ABATING A PROPERTY TAX; CREATING SINKING FUNDS; APPROVING THE ISSUANCE OF CERTAIN OBLIGATIONS BY THE STATE BUILDING OWNERSHIP AUTHORITY; AUTHORIZING OTHER CAPITAL FACILITY EXPENDITURES; PROVIDING FOR RELATED MATTERS; DIRECTING THE DIVISION OF FACILITIES AND CONSTRUCTION MANAGEMENT'S USE OF THE MONIES REMAINING IN THE CAPITAL PROJECTS FUND FOR THE SALT LAKE COURT COMPLEX; AND MAKING TECHNICAL CORRECTIONS.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**21-1-5**, as last amended by Chapter 171, Laws of Utah 1998

**63B-7-501**, as enacted by Chapter 67, Laws of Utah 1998

ENACTS:

**63B-8-101**, Utah Code Annotated 1953

**63B-8-102**, Utah Code Annotated 1953

**63B-8-103**, Utah Code Annotated 1953

**63B-8-104**, Utah Code Annotated 1953

**63B-8-105**, Utah Code Annotated 1953

**63B-8-106**, Utah Code Annotated 1953

**63B-8-107**, Utah Code Annotated 1953

**63B-8-108**, Utah Code Annotated 1953

**63B-8-109**, Utah Code Annotated 1953  
**63B-8-110**, Utah Code Annotated 1953  
**63B-8-111**, Utah Code Annotated 1953  
**63B-8-112**, Utah Code Annotated 1953  
**63B-8-113**, Utah Code Annotated 1953  
**63B-8-114**, Utah Code Annotated 1953  
**63B-8-115**, Utah Code Annotated 1953  
**63B-8-116**, Utah Code Annotated 1953  
**63B-8-117**, Utah Code Annotated 1953  
**63B-8-401**, Utah Code Annotated 1953  
**63B-8-402**, Utah Code Annotated 1953  
**63B-8-403**, Utah Code Annotated 1953  
**63B-8-404**, Utah Code Annotated 1953  
**63B-8-405**, Utah Code Annotated 1953  
**63B-8-406**, Utah Code Annotated 1953  
**63B-8-407**, Utah Code Annotated 1953  
**63B-8-408**, Utah Code Annotated 1953  
**63B-8-409**, Utah Code Annotated 1953  
**63B-8-410**, Utah Code Annotated 1953  
**63B-8-411**, Utah Code Annotated 1953  
**63B-8-412**, Utah Code Annotated 1953  
**63B-8-413**, Utah Code Annotated 1953  
**63B-8-414**, Utah Code Annotated 1953  
**63B-8-415**, Utah Code Annotated 1953  
**63B-8-416**, Utah Code Annotated 1953  
**63B-8-417**, Utah Code Annotated 1953  
**63B-8-501**, Utah Code Annotated 1953  
**63B-8-502**, Utah Code Annotated 1953

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **21-1-5** is amended to read:

**21-1-5. Civil fees of the courts of record -- Courts complex design.**

(1) (a) The fee for filing any civil complaint or petition invoking the jurisdiction of a court of record not governed by another subsection is \$120.

(b) The fee for filing a complaint or petition is:

(i) \$37 if the claim for damages or amount in interpleader exclusive of court costs, interest, and attorney fees is \$2,000 or less;

(ii) \$80 if the claim for damages or amount in interpleader exclusive of court costs, interest, and attorney fees is greater than \$2,000 and less than \$10,000;

(iii) \$120 if the claim for damages or amount in interpleader is \$10,000 or more; and

(iv) \$80 if the petition is filed under Title 30, Chapter 3, Divorce, or Title 30, Chapter 4, Separate Maintenance.

(c) The fee for filing a small claims affidavit is:

(i) \$37 if the claim for damages or amount in interpleader exclusive of court costs, interest, and attorney fees is \$2,000 or less; and

(ii) \$60 if the claim for damages or amount in interpleader exclusive of court costs, interest, and attorney fees is greater than \$2,000.

(d) The fee for filing a counter claim, cross claim, complaint in intervention, third party complaint, or other claim for relief against an existing or joined party other than the original complaint or petition is:

(i) \$45 if the claim for relief exclusive of court costs, interest, and attorney fees is \$2,000 or less;

(ii) \$60 if the claim for relief exclusive of court costs, interest, and attorney fees is greater than \$2,000 and less than \$10,000;

(iii) \$90 if the original petition is filed under Subsection (1)(a) or when the claim for relief is \$10,000 or more; and

(iv) \$60 if the original petition is filed under Title 30, Chapter 3, Divorce, or Title 30,

## Chapter 4, Separate Maintenance.

(e) The fee for filing a small claims counter affidavit is:

(i) \$35 if the claim for relief exclusive of court costs, interest, and attorney fees is \$2,000 or less; and

(ii) \$50 if the claim for relief exclusive of court costs, interest, and attorney fees is greater than \$2,000.

(f) The fee for depositing funds under Section 57-1-29 when not associated with an action already before the court is determined under Subsection (1)(b) based on the amount deposited.

(g) The fee for filing a petition for trial de novo of an adjudication of the justice court or of the small claims department is \$70.

(h) The fee for filing a notice of appeal, petition for appeal of an interlocutory order, or petition for writ of certiorari is \$190.

(i) (i) Except for a petition filed under Subsection 77-18-10(2), the fee for filing a petition for expungement is \$50.

(ii) There is no fee for a petition filed under Subsection 77-18-10(2).

(j) (i) Fifteen dollars of the fees established by Subsections (1)(a) through (i) shall be allocated to the Judges' Retirement Trust Fund, as provided in Title 49, Chapter 6, Judges' Retirement Act.

(ii) Two dollars of the fees established by Subsections (1)(a) through (i) shall be allocated by the state treasurer to be deposited in the restricted account, Children's Legal Defense Account, as provided in Section 63-63a-8.

(iii) One dollar of the fees established under Subsections (1)(a) through (e), (1)(g), and (1)(r) shall be allocated to and deposited with the Dispute Resolution Fund as provided in Section 78-31b-9.

(k) The fee for filing a judgment, order, or decree of a court of another state or of the United States is \$25.

(l) The fee for filing probate or child custody documents from another state is \$25.

(m) (i) The fee for filing an abstract or transcript of judgment, order, or decree of the Utah

State Tax Commission is \$30.

(ii) The fee for filing an abstract or transcript of judgment of a court of law of this state or a judgment, order, or decree of an administrative agency, commission, board, council, or hearing officer of this state or of its political subdivisions other than the Utah State Tax Commission, is \$40.

(n) The fee for filing a judgment by confession without action under Section 78-22-3 is \$25.

(o) The fee for filing an award of arbitration for confirmation, modification, or vacation under Title 78, Chapter 31a, Utah Arbitration Act, that is not part of an action before the court is \$25.

(p) The fee for filing a petition or counter-petition to modify a decree of divorce is \$30.

(q) The fee for filing any accounting required by law is:

(i) \$10 for an estate valued at \$50,000 or less;

(ii) \$20 for an estate valued at \$75,000 or less but more than \$50,000;

(iii) \$40 for an estate valued at \$112,000 or less but more than \$75,000;

(iv) \$80 for an estate valued at \$168,000 or less but more than \$112,000; and

(v) \$150 for an estate valued at more than \$168,000.

(r) The fee for filing a demand for a civil jury is \$50.

(s) The fee for filing a notice of deposition in this state concerning an action pending in another state under Utah Rule of Civil Procedure 26 is \$25.

(t) The fee for filing documents that require judicial approval but are not part of an action before the court is \$25.

(u) The fee for a petition to open a sealed record is \$25.

(v) The fee for a writ of replevin, attachment, execution, or garnishment is \$20 in addition to any fee for a complaint or petition.

(w) The fee for a petition for authorization for a minor to marry required by Section 30-1-9 is \$5.

(x) The fee for a certificate issued under Section 26-2-25 is \$2.

(y) The fee for a certified copy of a document is \$2 per document plus 50 cents per page.

(z) The fee for an exemplified copy of a document is \$4 per document plus 50 cents per page.

(aa) The Judicial Council shall by rule establish a schedule of fees for copies of documents and forms and for the search and retrieval of records under Title 63, Chapter 2, Government Records Access and Management Act. Fees under this subsection shall be credited to the court as a reimbursement of expenditures.

(bb) There is no fee for services or the filing of documents not listed in this section or otherwise provided by law.

(cc) Except as provided in this section, all fees collected under this section are paid to the General Fund. Except as provided in this section, all fees shall be paid at the time the clerk accepts the pleading for filing or performs the requested service.

(dd) The filing fees under this section may not be charged to the state, its agencies, or political subdivisions filing or defending any action. In judgments awarded in favor of the state, its agencies, or political subdivisions, except the Office of Recovery Services, the court shall order the filing fees and collection costs to be paid by the judgment debtor. The sums collected under this subsection shall be applied to the fees after credit to the judgment, order, fine, tax, lien, or other penalty and costs permitted by law.

(2) (a) (i) From March 17, 1994 until June 30, 1998, the administrator of the courts shall transfer all revenues representing the difference between the fees in effect after May 2, 1994, and the fees in effect before February 1, 1994, as dedicated credits to the Division of Facilities Construction and Management Capital Projects Fund.

(ii) (A) Except as provided in Subsection (2)(a)(ii)(B), the Division of Facilities Construction and Management shall use up to \$3,750,000 of the revenue deposited in the Capital Projects Fund under this Subsection (2)(a) to design and take other actions necessary to initiate the development of a courts complex in Salt Lake City.

(B) If the Legislature approves funding for construction of a courts complex in Salt Lake City in the 1995 Annual General Session, the Division of Facilities Construction and Management shall use the revenue deposited in the Capital Projects Fund under Subsection (2)(a)(ii) to construct a courts complex in Salt Lake City.

(C) After the courts complex is completed and all bills connected with its construction have

been paid, the Division of Facilities Construction and Management shall use any monies remaining in the Capital Projects Fund under Subsection (2)(a)(ii) to fund the Vernal District Court building.

(iii) The Division of Facilities Construction and Management may enter into agreements and make expenditures related to this project before the receipt of revenues provided for under this subsection.

(iv) The Division of Facilities Construction and Management shall:

(A) make those expenditures from unexpended and unencumbered building funds already appropriated to the Capital Projects Fund; and

(B) reimburse the Capital Projects Fund upon receipt of the revenues provided for under this Subsection (2).

(b) After June 30, 1998, the administrator of the courts shall ensure that all revenues representing the difference between the fees in effect after May 2, 1994, and the fees in effect before February 1, 1994, are transferred to the Division of Finance for deposit in the restricted account.

(c) The Division of Finance shall deposit all revenues received from the court administrator into the restricted account created by this section.

(d) (i) From May 1, 1995 until June 30, 1998, the administrator of the courts shall transfer \$7 of the amount of a fine or bail forfeiture paid for a violation of Title 41, Motor Vehicles, in a court of record to the Division of Facilities Construction and Management Capital Projects Fund. The division of money pursuant to Section 78-3-14.5 shall be calculated on the balance of the fine or bail forfeiture paid.

(ii) After June 30, 1998, the administrator of the courts shall transfer \$7 of the amount of a fine or bail forfeiture paid for a violation of Title 41, Motor Vehicles, in a court of record to the Division of Finance for deposit in the restricted account created by this section. The division of money pursuant to Section 78-3-14.5 shall be calculated on the balance of the fine or bail forfeiture paid.

(3) (a) There is created within the General Fund a restricted account known as the State Courts Complex Account.

(b) The Legislature may appropriate monies from the restricted account to the administrator

of the courts for the following purposes only:

- (i) to repay costs associated with the construction of the court complex that were funded from sources other than revenues provided for under this subsection; and
- (ii) to cover operations and maintenance costs on the court complex.

Section 2. Section **63B-7-501** is amended to read:

**63B-7-501. Revenue bond authorizations.**

(1) (a) It is the intent of the Legislature that the State Building Ownership Authority, under the authority of Title 63, Chapter 9a, State Building Ownership Act, may issue or execute obligations, or enter into or arrange for a lease purchase agreement in which participation interests may be created, to provide up to \$1,568,600 for the construction of a Utah Correctional Industries Facility at the Central Utah Correctional Facility at Gunnison, together with additional amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service requirements.

(b) The State Building Ownership Authority shall work cooperatively with the Department of Corrections to seek out the most cost effective and prudent lease purchase plan available.

(c) It is the intent of the Legislature that program revenues be used as the primary revenue source for repayment of any obligation created under authority of this subsection.

(2) It is the intent of the Legislature that:

(a) the State Board of Regents, on behalf of the University of Utah, issue, sell, and deliver revenue bonds or other evidences of indebtedness of the University of Utah to borrow money on the credit, income, and revenues of the University of Utah, other than appropriations of the Legislature, to finance the cost of constructing, furnishing, and equipping student housing;

(b) University funds and housing rental revenues be used as the primary revenue source for repayment of any obligation created under authority of this Subsection (2); and

(c) the bonds or other evidences of indebtedness authorized by this Subsection (2) may provide up to \$86,000,000 together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements.

(3) It is the intent of the Legislature that:

(a) the State Board of Regents on behalf of the University of Utah issue, sell, and deliver

revenue bonds or other evidences of indebtedness of the University of Utah to borrow money on the credit, income, and revenues of the University of Utah, other than appropriations of the Legislature, to finance the cost of constructing, furnishing, and equipping a Health Sciences Parking Structure;

(b) University funds and parking revenues be used as the primary revenue source for repayment of any obligation created under authority of this Subsection (3); and

(c) the bonds or other evidences of indebtedness authorized by this Subsection (3) may provide up to \$12,000,000, together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements.

(4) It is the intent of the Legislature that:

(a) the State Board of Regents, on behalf of the University of Utah, issue, sell, and deliver revenue bonds or other evidences of indebtedness of the University of Utah to borrow money on the credit and income and revenues of the University of Utah, other than appropriations of the Legislature, to finance the cost of constructing, furnishing, and equipping a Southwest Campus Parking Structure;

(b) University funds and parking revenues be used as the primary revenue source for repayment of any obligation created under authority of this Subsection (4); and

(c) the bonds or other evidences of indebtedness authorized by this Subsection (4) may provide up to [~~\$6,500,000~~] \$7,200,000, together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements.

(5) It is the intent of the Legislature that:

(a) the State Board of Regents, on behalf of the University of Utah, issue, sell, and deliver revenue bonds or other evidences of indebtedness of the University of Utah to borrow money on the credit and income and revenues of the University of Utah, other than appropriations of the Legislature, to finance the cost of constructing, furnishing, and equipping an expansion of the Eccles Broadcast Center;

(b) University funds and service revenues be used as the primary revenue source for repayment of any obligation created under authority of this Subsection (5); and

(c) the bonds or other evidences of indebtedness authorized by this Subsection (5) may

provide up to \$5,100,000, together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements.

(6) It is the intent of the Legislature that:

(a) the State Board of Regents, on behalf of the University of Utah, issue, sell, and deliver revenue bonds or other evidences of indebtedness of the University of Utah to borrow money on the credit and income and revenues of the University of Utah, other than appropriations of the Legislature, to finance the cost of constructing, furnishing, equipping, and remodeling facilities for perinatal services, adult critical care services, clinical training and support, and upgrade of the University Hospital Rehabilitation Unit, and for purchase of the University Neuropsychiatric Institute and Summit Health Center in Park West;

(b) University Hospital revenues be used as the primary revenue source for repayment of any obligation created under authority of this Subsection (6); and

(c) the bonds or other evidences of indebtedness authorized by this Subsection (6) may provide up to \$23,300,000 together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements.

(7) It is the intent of the Legislature that:

(a) the State Board of Regents, on behalf of Weber State University, issue, sell, and deliver revenue bonds or other evidences of indebtedness of Weber State University to borrow money on the credit and income and revenues of Weber State University, other than appropriations of the Legislature, to finance the cost of constructing, furnishing, and equipping student housing;

(b) University funds and housing rental revenues be used as the primary revenue source for repayment of any obligation created under authority of this Subsection (7); and

(c) the bonds or other evidences of indebtedness authorized by this Subsection (7) may provide up to \$19,000,000 together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements.

(8) (a) It is the intent of the Legislature that the State Building Ownership Authority, under the authority of Title 63, Chapter 9a, State Building Ownership Act, may issue or execute obligations, or enter into or arrange for a lease purchase agreement in which participation interests

may be created, to provide up to \$1,100,000 for the construction of surplus property facilities for the Division of Fleet Operations, together with additional amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements.

(b) The State Building Ownership Authority shall work cooperatively with the Department of Administrative Services to seek out the most cost effective and prudent lease purchase plan available.

(c) It is the intent of the Legislature that Internal Service Fund revenues be used as the primary revenue source for repayment of any obligation created under authority of this Subsection (8).

(9) (a) Contingent upon the state of Utah receiving a perfected security interest in accordance with Senate Joint Resolution 14, 1998 annual general session, the State Building Ownership Authority, under authority of Title 63, Chapter 9a, State Building Ownership Authority Act, may issue or execute obligations, or enter into or arrange for a lease purchase agreement in which participation interests may be created, to provide up to \$25,000,000 for the cost of constructing, furnishing, and equipping housing facilities at the University of Utah, together with additional amounts necessary to:

- (i) pay costs of issuance;
- (ii) pay capitalized interest; and
- (iii) fund any debt service reserve requirements.

(b) The State Building Ownership Authority and the University of Utah may enter into real estate arrangements and security arrangements that are:

- (i) necessary to accomplish the purposes of this subsection; and
- (ii) not inconsistent with the requirements of Senate Joint Resolution 14, 1998 annual general session.

(10) In order to achieve a debt service savings, it is the intent of the Legislature that the State Building Ownership Authority, under authority of Title 63, Chapter 9a, State Building Ownership Authority Act, may issue or execute obligations, or enter into or arrange for a lease purchase agreement in which participation interests may be created, to provide sufficient funding to exercise

the state's option to purchase the Youth Corrections Facility in Salt Lake County currently financed by Salt Lake County.

Section 3. Section **63B-8-101** is enacted to read:

**CHAPTER 8. 1999 BONDING**

**Part 1. Capital Facilities General Obligation Bond**

**63B-8-101. State Bonding Commission authorized to issue general obligation bonds.**

The commission created under Section 63B-1-201 may issue and sell general obligation bonds of the state pledging the full faith, credit, and resources of the state for the payment of the principal of and interest on the bonds to provide funds to the division.

Section 4. Section **63B-8-102** is enacted to read:

**63B-8-102. Maximum amount -- Projects authorized.**

(1) The total amount of bonds issued under this part may not exceed \$48,500,000.

(2) (a) Proceeds from the issuance of bonds shall be provided to the division to provide funds to pay all or part of the cost of acquiring and constructing the projects listed in this Subsection (2).

(b) These costs may include the cost of acquiring land, interests in land, easements and rights-of-way, improving sites, and acquiring, constructing, equipping, and furnishing facilities and all structures, roads, parking facilities, utilities, and improvements necessary, incidental, or convenient to the facilities, interest estimated to accrue on these bonds during the period to be covered by construction of the projects plus a period of six months after the end of the construction period, and all related engineering, architectural, and legal fees.

(c) For the division, proceeds shall be provided for the following:

| <u>PROJECT</u>                     | <u>AMOUNT</u>       | <u>ESTIMATED</u>      |
|------------------------------------|---------------------|-----------------------|
| <u>DESCRIPTION</u>                 | <u>FUNDED</u>       | <u>OPERATIONS AND</u> |
|                                    |                     | <u>MAINTENANCE</u>    |
| <u>Southern Utah University -</u>  | <u>\$2,493,200</u>  | <u>\$447,744</u>      |
| <u>Physical Education Building</u> |                     |                       |
| <u>Utah Valley State College -</u> | <u>\$29,000,000</u> | <u>\$721,875</u>      |

Information Sciences Building

|                             |                    |                  |
|-----------------------------|--------------------|------------------|
| <u>University of Utah -</u> | <u>\$7,268,500</u> | <u>\$140,217</u> |
|-----------------------------|--------------------|------------------|

Cowles Building Renovation

|                              |                    |                  |
|------------------------------|--------------------|------------------|
| <u>Vernal District Court</u> | <u>\$4,539,500</u> | <u>\$149,989</u> |
|------------------------------|--------------------|------------------|

|                                      |                    |                  |
|--------------------------------------|--------------------|------------------|
| <u>Salt Lake Community College -</u> | <u>\$4,200,000</u> | <u>\$281,784</u> |
|--------------------------------------|--------------------|------------------|

Applied Education Center

|                          |                     |  |
|--------------------------|---------------------|--|
| <u>TOTAL CAPITAL AND</u> | <u>\$47,501,200</u> |  |
|--------------------------|---------------------|--|

ECONOMIC DEVELOPMENT

(d) For purposes of this section, operations and maintenance costs:

(i) are estimates only;

(ii) may include any operations and maintenance costs already funded in existing agency budgets; and

(iii) are not commitments by this Legislature or future Legislatures to fund those operations and maintenance costs.

(3) (a) The amounts funded as listed in Subsection (2) are estimates only and do not constitute a limitation on the amount that may be expended for any project.

(b) The board may revise these estimates and redistribute the amount estimated for a project among the projects authorized.

(c) The commission, by resolution and in consultation with the board, may delete one or more projects from this list if the inclusion of that project or those projects in the list could be construed to violate state law or federal law or regulation.

(4) (a) The division may enter into agreements related to these projects before the receipt of proceeds of bonds issued under this chapter.

(b) The division shall make those expenditures from unexpended and unencumbered building funds already appropriated to the Capital Projects Fund.

(c) The division shall reimburse the Capital Projects Fund upon receipt of the proceeds of bonds issued under this chapter.

(d) The commission may, by resolution, make any statement of intent relating to that

reimbursement that is necessary or desirable to comply with federal tax law.

(5) (a) For those projects for which only partial funding is provided in Subsection (2), it is the intent of the Legislature that the balance necessary to complete the projects be addressed by future Legislatures, either through appropriations or through the issuance or sale of bonds.

(b) For those phased projects, the division may enter into contracts for amounts not to exceed the anticipated full project funding but may not allow work to be performed on those contracts in excess of the funding already authorized by the Legislature.

(c) Those contracts shall contain a provision for termination of the contract for the convenience of the state as required by Section 63-56-40.

(d) It is also the intent of the Legislature that this authorization to the division does not bind future Legislatures to fund projects initiated from this authorization.

Section 5. Section **63B-8-103** is enacted to read:

**63B-8-103. Use of bond proceeds for issuance and other costs.**

The proceeds of bonds issued under this chapter shall be used for the purposes described in Section 63B-8-102 and to pay all or part of any cost incident to the issuance and sale of the bonds including, without limitation, printing, registration and transfer costs, legal fees, trustees' fees, financial advisors' fees, and underwriters' discounts.

Section 6. Section **63B-8-104** is enacted to read:

**63B-8-104. Manner of issuance -- Amounts, interest, and maturity.**

(1) Bonds issued under this chapter may be authorized, sold, and issued at times and in a manner determined by the commission by resolution.

(2) Bonds may be issued in one or more series, in amounts, and shall bear dates, interest rate or rates, including a variable rate, and maturity dates as the commission determines by resolution.

(3) A bond issued may not mature later than 20 years after the date of final passage of this chapter.

Section 7. Section **63B-8-105** is enacted to read:

**63B-8-105. Terms and conditions of sale -- Plan of financing -- Signatures -- Replacement -- Registration -- Federal rebate.**

(1) In the issuance of bonds, the commission may determine by resolution:

(a) the manner of sale, including public or private sale;

(b) the terms and conditions of sale, including price, whether at, below, or above face value;

(c) denominations;

(d) form;

(e) manner of execution;

(f) manner of authentication;

(g) place and medium of purchase;

(h) redemption terms; and

(i) other provisions and details it considers appropriate.

(2) The commission may by resolution adopt a plan of financing, which may include terms and conditions of arrangements entered into by the commission on behalf of the state with financial and other institutions for letters of credit, standby letters of credit, reimbursement agreements, and remarketing, indexing, and tender agent agreements to secure the bonds, including payment from any legally available source of fees, charges, or other amounts coming due under the agreements entered into by the commission.

(3) (a) Any signature of a public official authorized by resolution of the commission to sign the bonds may be a facsimile signature of that official imprinted, engraved, stamped, or otherwise placed on the bonds.

(b) If all signatures of public officials on the bonds are facsimile signatures, provision shall be made for a manual authenticating signature on the bonds by or on behalf of a designated authentication agent.

(c) If an official ceases to hold office before delivery of the bonds signed by that official, the signature or facsimile signature of the official is nevertheless valid for all purposes.

(d) A facsimile of the state seal may be imprinted, engraved, stamped, or otherwise placed on the bonds.

(4) (a) The commission may enact resolutions providing for the replacement of lost, destroyed, or mutilated bonds, or for the exchange of bonds after issuance for bonds of smaller or

larger denominations.

(b) Bonds in changed denominations shall:

(i) be exchanged for the original bonds in like aggregate principal amounts and in a manner that prevents the duplication of interest; and

(ii) bear interest at the same rate, mature on the same date, and be as nearly as practicable in the form of the original bonds.

(5) (a) Bonds may be registered as to both principal and interest or may be in a book entry form under which the right to principal and interest may be transferred only through a book entry.

(b) The commission may provide for the services and payment for the services of one or more financial institutions or other entities or persons, or nominees, within or outside the state, for the authentication, registration, transfer, including record, bookkeeping, or book entry functions, exchange, and payment of the bonds.

(c) The records of ownership, registration, transfer, and exchange of the bonds, and of persons to whom payment with respect to the obligations are made, are private records as provided in Section 63-2-302 or protected records as provided in Section 63-2-304.

(d) The bonds and any evidences of participation interest in the bonds may be issued, executed, authenticated, registered, transferred, exchanged, and otherwise made to comply with Title 15, Chapter 7, Registered Public Obligations Act, or any other act of the Legislature relating to the registration of obligations enacted to meet the requirements of Section 149 of the Internal Revenue Code of 1986, as amended, or any successor to it, and applicable regulations.

(6) The commission may:

(a) by resolution, provide for payment to the United States of whatever amounts are necessary to comply with Section 148 (f) of the Internal Revenue Code of 1986, as amended; and

(b) enter into agreements with financial and other institutions and attorneys to provide for:

(i) the calculation, holding, and payment of those amounts; and

(ii) payment from any legally available source of fees, charges, or other amounts coming due under any agreements entered into by the commission.

Section 8. Section **63B-8-106** is enacted to read:

**63B-8-106. Constitutional debt limitation.**

(1) The commission may not issue bonds under this chapter in an amount that violates the limitation described in Utah Constitution Article XIV, Section 1.

(2) For purposes of applying the debt limitation contained in Utah Constitution Article XIV, Section 1, the value of the taxable property in Utah is considered to be 100% of the fair market value of the taxable property of the state, as computed from the last assessment for state purposes previous to the issuance of the bonds.

Section 9. Section **63B-8-107** is enacted to read:

**63B-8-107. Tax levy -- Abatement of tax.**

(1) Each year after issuance of the bonds and until all outstanding bonds are retired, there is levied a direct annual tax on all real and personal property within the state subject to state taxation, sufficient to pay:

(a) applicable bond redemption premiums, if any;

(b) interest on the bonds as it becomes due; and

(c) principal of the bonds as it becomes due.

(2) (a) The State Tax Commission shall fix the rate of the direct annual tax levy each year.

(b) The tax shall be collected and the proceeds applied as provided in this chapter.

(3) The direct annual tax imposed under this section is abated to the extent money is available from sources, other than ad valorem taxes in the sinking fund, for the payment of bond interest, principal, and redemption premiums.

Section 10. Section **63B-8-108** is enacted to read:

**63B-8-108. Creation of sinking fund.**

(1) There is created a sinking fund, to be administered by the state treasurer, entitled the "1999 General Obligation Bonds Sinking Fund."

(2) All monies deposited in the sinking fund, from whatever source, shall be used to pay debt service on the bonds.

(3) The proceeds of all taxes levied under this chapter are appropriated to this fund.

(4) The state treasurer may create separate accounts within the sinking fund for each series

of bonds issued.

Section 11. Section **63B-8-109** is enacted to read:

**63B-8-109. Payment of interest, principal, and redemption premiums.**

(1) The Division of Finance shall draw warrants on the state treasury before any interest, principal, or redemption premiums become due on the bonds.

(2) After receipt of the warrants, the state treasurer shall:

(a) promptly pay the warrants from funds within the sinking fund; and

(b) immediately transmit the amount paid to the paying agent for the bonds.

Section 12. Section **63B-8-110** is enacted to read:

**63B-8-110. Investment of sinking fund money.**

(1) The state treasurer may, by following the procedures and requirements of Title 51, Chapter 7, State Money Management Act, invest any money contained in the sinking fund until it is needed for the purposes for which the fund is created.

(2) Unless otherwise provided in the resolution of the commission authorizing the issuance of bonds under this chapter, the treasurer shall retain all income from the investment of any money contained in the sinking fund in the sinking fund and use it for the payment of debt service on the bonds.

Section 13. Section **63B-8-111** is enacted to read:

**63B-8-111. Bond proceeds -- Deposits -- Investment -- Disposition of investment income and unexpended proceeds.**

(1) (a) Proceeds from the sale of bonds issued under this chapter shall be deposited within one or more accounts as determined by resolution of the commission.

(b) The state treasurer shall administer and maintain these accounts unless otherwise provided by the commission by resolution.

(c) The commission by resolution may provide for the deposit of these monies with a trustee and the administration, disposition, or investment of these monies by this trustee.

(2) (a) The commission by resolution shall provide for the kinds of investments in which the proceeds of bonds issued under this chapter may be invested.

(b) Income from the investment of proceeds of bonds issued under this chapter shall be applied as provided by resolution of the commission.

(3) Any unexpended bond proceeds issued under this chapter shall be deposited, upon completion of the purposes for which the bonds were issued, in the sinking fund, unless otherwise provided in the resolution of the commission authorizing the issuance of bonds under this chapter.

Section 14. Section **63B-8-112** is enacted to read:

**63B-8-112. Refunding of bonds.**

(1) The commission may provide for the refunding of any of the bonds in accordance with Title 11, Chapter 27, Utah Refunding Bond Act.

(2) For purposes of Title 11, Chapter 27, Utah Refunding Bond Act, the state is considered the public body and the commission its governing body.

Section 15. Section **63B-8-113** is enacted to read:

**63B-8-113. Certification of satisfaction of conditions precedent -- Conclusiveness.**

(1) The commission may not issue any bond under this chapter until it finds and certifies that all conditions precedent to issuance of the bonds have been satisfied.

(2) A recital on any bond of this finding and certification conclusively establishes the completion and satisfaction of all conditions precedent.

Section 16. Section **63B-8-114** is enacted to read:

**63B-8-114. Tax exemption.**

The bonds issued under this chapter, any interest paid on the bonds, and any income from the bonds are not taxable in this state for any purpose, except for the corporate franchise tax.

Section 17. Section **63B-8-115** is enacted to read:

**63B-8-115. Legal investment status.**

Bonds issued under this chapter are legal investments for all state trust funds, insurance companies, banks, trust companies, and the State School Fund and may be used as collateral to secure legal obligations.

Section 18. Section **63B-8-116** is enacted to read:

**63B-8-116. Publication of resolution or notice -- Limitation on actions to contest**

**legality.**

(1) The commission may:

(a) publish any resolution it adopts under this chapter once in a newspaper having general circulation in Utah; or

(b) in lieu of publishing the entire resolution, publish a notice of bonds to be issued, titled as such, containing the information required in Subsection 11-14-21(3).

(2) (a) Any interested person, for 30 days after the date of publication, may contest:

(i) the legality of the resolution;

(ii) any of the bonds authorized under it; or

(iii) any of the provisions made for the security and repayment of the bonds.

(b) After 30 days, a person may not contest the legality of the resolution, any of the bonds authorized under it, or any of the provisions made for the security and repayment of the bonds for any cause.

Section 19. Section **63B-8-117** is enacted to read:

**63B-8-117. Report to Legislature.**

The governor shall report the commission's proceedings to each annual general session of the Legislature in his budget for as long as bonds issued under this chapter remain outstanding.

Section 20. Section **63B-8-401** is enacted to read:

**Part 4. Computer System General Obligation Bonds**

**63B-8-401. State Bonding Commission authorized to issue general obligation bonds.**

The commission created under Section 63B-1-201 may issue and sell general obligation bonds of the state pledging the full faith, credit, and resources of the state for the payment of the principal of and interest on the bonds to provide funds to the State Tax Commission.

Section 21. Section **63B-8-402** is enacted to read:

**63B-8-402. Maximum amount -- Projects authorized.**

(1) The total amount of bonds issued under this part may not exceed \$7,400,000.

(2) (a) Proceeds from the issuance of bonds shall be provided to the State Tax Commission to provide funds to pay all or part of the cost of the project described in this Subsection (2).

(b) These costs may include:

(i) the cost of acquisition, development, and conversion of computer hardware and software for motor vehicle fee systems and tax collection and accounting systems of the state;

(ii) interest estimated to accrue on these bonds during the period to be covered by that development and conversion, plus a period of six months following the completion of the development and conversion; and

(iii) all related engineering, consulting, and legal fees.

(c) For the State Tax Commission, proceeds shall be provided for the following:

| <u>PROJECT</u>                     | <u>AMOUNT</u>      |
|------------------------------------|--------------------|
| <u>DESCRIPTION</u>                 | <u>FUNDED</u>      |
| <u>UTAX Systems --</u>             | <u>\$7,000,000</u> |
| <u>Acquisition and Development</u> |                    |

(3) The commission, by resolution, may decline to issue bonds if the project could be construed to violate state law or federal law or regulation.

(4) (a) For this project, for which only partial funding is provided in Subsection (2), it is the intent of the Legislature that the balance necessary to complete the project be addressed by future Legislatures, either through appropriations or through the issuance or sale of bonds.

(b) The State Tax Commission may enter into contracts for amounts not to exceed the anticipated full project funding but may not allow work to be performed on those contracts in excess of the funding already authorized by the Legislature.

(c) Those contracts shall contain a provision for termination of the contract for the convenience of the state as required by Section 63-56-40.

(d) It is also the intent of the Legislature that this authorization to the State Tax Commission does not bind future Legislatures to fund projects initiated from this authorization.

Section 22. Section **63B-8-403** is enacted to read:

**63B-8-403. Use of bond proceeds for issuance and other costs.**

The proceeds of bonds issued under this chapter shall be used for the purposes described in Section 63B-8-402 and to pay all or part of any cost incident to the issuance and sale of the bonds

including, without limitation, printing, registration and transfer costs, legal fees, trustees' fees, financial advisors' fees, and underwriters' discounts.

Section 23. Section **63B-8-404** is enacted to read:

**63B-8-404. Manner of issuance -- Amounts, interest, and maturity.**

(1) Bonds issued under this chapter may be authorized, sold, and issued at times and in a manner determined by the commission by resolution.

(2) Bonds may be issued in one or more series, in amounts, and shall bear dates, interest rate or rates, including a variable rate, and maturity dates as the commission determines by resolution.

(3) A bond issued may not mature later than 20 years after the date of final passage of this chapter.

Section 24. Section **63B-8-405** is enacted to read:

**63B-8-405. Terms and conditions of sale -- Plan of financing -- Signatures -- Replacement -- Registration -- Federal rebate.**

(1) In the issuance of bonds, the commission may determine by resolution:

(a) the manner of sale, including public or private sale;

(b) the terms and conditions of sale, including price, whether at, below, or above face value;

(c) denominations;

(d) form;

(e) manner of execution;

(f) manner of authentication;

(g) place and medium of purchase;

(h) redemption terms; and

(i) other provisions and details it considers appropriate.

(2) The commission may by resolution adopt a plan of financing, which may include terms and conditions of arrangements entered into by the commission on behalf of the state with financial and other institutions for letters of credit, standby letters of credit, reimbursement agreements, and remarketing, indexing, and tender agent agreements to secure the bonds, including payment from any legally available source of fees, charges, or other amounts coming due under the agreements entered

into by the commission.

(3) (a) Any signature of a public official authorized by resolution of the commission to sign the bonds may be a facsimile signature of that official imprinted, engraved, stamped, or otherwise placed on the bonds.

(b) If all signatures of public officials on the bonds are facsimile signatures, provision shall be made for a manual authenticating signature on the bonds by or on behalf of a designated authentication agent.

(c) If an official ceases to hold office before delivery of the bonds signed by that official, the signature or facsimile signature of the official is nevertheless valid for all purposes.

(d) A facsimile of the state seal may be imprinted, engraved, stamped, or otherwise placed on the bonds.

(4) (a) The commission may enact resolutions providing for the replacement of lost, destroyed, or mutilated bonds, or for the exchange of bonds after issuance for bonds of smaller or larger denominations.

(b) Bonds in changed denominations shall:

(i) be exchanged for the original bonds in like aggregate principal amounts and in a manner that prevents the duplication of interest; and

(ii) bear interest at the same rate, mature on the same date, and be as nearly as practicable in the form of the original bonds.

(5) (a) Bonds may be registered as to both principal and interest or may be in a book entry form under which the right to principal and interest may be transferred only through a book entry.

(b) The commission may provide for the services and payment for the services of one or more financial institutions or other entities or persons, or nominees, within or outside the state, for the authentication, registration, transfer, including record, bookkeeping, or book entry functions, exchange, and payment of the bonds.

(c) The records of ownership, registration, transfer, and exchange of the bonds, and of persons to whom payment with respect to the obligations are made, are private records as provided in Section 63-2-302 or protected records as provided in Section 63-2-304.

(d) The bonds and any evidences of participation interest in the bonds may be issued, executed, authenticated, registered, transferred, exchanged, and otherwise made to comply with Title 15, Chapter 7, Registered Public Obligations Act, or any other act of the Legislature relating to the registration of obligations enacted to meet the requirements of Section 149 of the Internal Revenue Code of 1986, as amended, or any successor to it, and applicable regulations.

(6) The commission may:

(a) by resolution, provide for payment to the United States of whatever amounts are necessary to comply with Section 148 (f) of the Internal Revenue Code of 1986, as amended; and

(b) enter into agreements with financial and other institutions and attorneys to provide for:

(i) the calculation, holding, and payment of those amounts; and

(ii) payment from any legally available source of fees, charges, or other amounts coming due under any agreements entered into by the commission.

Section 25. Section **63B-8-406** is enacted to read:

**63B-8-406. Constitutional debt limitation.**

(1) The commission may not issue bonds under this chapter in an amount that violates the limitation described in Utah Constitution Article XIV, Section 1.

(2) For purposes of applying the debt limitation contained in Utah Constitution Article XIV, Section 1, the value of the taxable property in Utah is considered to be 100% of the fair market value of the taxable property of the state, as computed from the last assessment for state purposes previous to the issuance of the bonds.

Section 26. Section **63B-8-407** is enacted to read:

**63B-8-407. Tax levy -- Abatement of tax.**

(1) Each year after issuance of the bonds and until all outstanding bonds are retired, there is levied a direct annual tax on all real and personal property within the state subject to state taxation, sufficient to pay:

(a) applicable bond redemption premiums, if any;

(b) interest on the bonds as it becomes due; and

(c) principal of the bonds as it becomes due.

(2) (a) The State Tax Commission shall fix the rate of the direct annual tax levy each year.

(b) The tax shall be collected and the proceeds applied as provided in this chapter.

(3) The direct annual tax imposed under this section is abated to the extent money is available from sources, other than ad valorem taxes in the sinking fund, for the payment of bond interest, principal, and redemption premiums.

Section 27. Section **63B-8-408** is enacted to read:

**63B-8-408. Creation of sinking fund.**

(1) There is created a sinking fund, to be administered by the state treasurer, entitled the "1999 UTAX General Obligation Project Bonds Sinking Fund."

(2) All monies deposited in the sinking fund, from whatever source, shall be used to pay debt service on the bonds.

(3) The proceeds of all taxes levied under this chapter are appropriated to this fund.

(4) The state treasurer may create separate accounts within the sinking fund for each series of bonds issued.

Section 28. Section **63B-8-409** is enacted to read:

**63B-8-409. Payment of interest, principal, and redemption premiums.**

(1) The Division of Finance shall draw warrants on the state treasury before any interest, principal, or redemption premiums become due on the bonds.

(2) After receipt of the warrants, the state treasurer shall:

(a) promptly pay the warrants from funds within the sinking fund; and

(b) immediately transmit the amount paid to the paying agent for the bonds.

Section 29. Section **63B-8-410** is enacted to read:

**63B-8-410. Investment of sinking fund money.**

(1) The state treasurer may, by following the procedures and requirements of Title 51, Chapter 7, State Money Management Act, invest any money contained in the sinking fund until it is needed for the purposes for which the fund is created.

(2) Unless otherwise provided in the resolution of the commission authorizing the issuance of bonds under this chapter, the treasurer shall retain all income from the investment of any money

contained in the sinking fund in the sinking fund and use it for the payment of debt service on the bonds.

Section 30. Section **63B-8-411** is enacted to read:

**63B-8-411. Bond proceeds -- Deposits -- Investment -- Disposition of investment income and unexpended proceeds.**

(1) (a) Proceeds from the sale of bonds issued under this chapter shall be deposited within one or more accounts as determined by resolution of the commission.

(b) The state treasurer shall administer and maintain these accounts unless otherwise provided by the commission by resolution.

(c) The commission by resolution may provide for the deposit of these monies with a trustee and the administration, disposition, or investment of these monies by this trustee.

(2) (a) The commission by resolution shall provide for the kinds of investments in which the proceeds of bonds issued under this chapter may be invested.

(b) Income from the investment of proceeds of bonds issued under this chapter shall be applied as provided by resolution of the commission.

(3) Any unexpended bond proceeds issued under this chapter shall be deposited, upon completion of the purposes for which the bonds were issued, in the sinking fund, unless otherwise provided in the resolution of the commission authorizing the issuance of bonds under this chapter.

Section 31. Section **63B-8-412** is enacted to read:

**63B-8-412. Refunding of bonds.**

(1) The commission may provide for the refunding of any of the bonds in accordance with Title 11, Chapter 27, Utah Refunding Bond Act.

(2) For purposes of Title 11, Chapter 27, Utah Refunding Bond Act, the state is considered the public body and the commission its governing body.

Section 32. Section **63B-8-413** is enacted to read:

**63B-8-413. Certification of satisfaction of conditions precedent -- Conclusiveness.**

(1) The commission may not issue any bond under this chapter until it finds and certifies that all conditions precedent to issuance of the bonds have been satisfied.

(2) A recital on any bond of this finding and certification conclusively establishes the completion and satisfaction of all conditions precedent.

Section 33. Section **63B-8-414** is enacted to read:

**63B-8-414. Tax exemption.**

The bonds issued under this chapter, any interest paid on the bonds, and any income from the bonds are not taxable in this state for any purpose, except for the corporate franchise tax.

Section 34. Section **63B-8-415** is enacted to read:

**63B-8-415. Legal investment status.**

Bonds issued under this chapter are legal investments for all state trust funds, insurance companies, banks, trust companies, and the State School Fund and may be used as collateral to secure legal obligations.

Section 35. Section **63B-8-416** is enacted to read:

**63B-8-416. Publication of resolution or notice -- Limitation on actions to contest legality.**

(1) The commission may:

(a) publish any resolution it adopts under this chapter once in a newspaper having general circulation in Utah; or

(b) in lieu of publishing the entire resolution, publish a notice of bonds to be issued, titled as such, containing the information required in Subsection 11-14-21(3).

(2) (a) Any interested person, for 30 days after the date of publication, may contest:

(i) the legality of the resolution;

(ii) any of the bonds authorized under it; or

(iii) any of the provisions made for the security and repayment of the bonds.

(b) After 30 days, a person may not contest the legality of the resolution, any of the bonds authorized under it, or any of the provisions made for the security and repayment of the bonds for any cause.

Section 36. Section **63B-8-417** is enacted to read:

**63B-8-417. Report to Legislature.**

The governor shall report the commission's proceedings to each annual general session of the Legislature in his budget for as long as bonds issued under this chapter remain outstanding.

Section 37. Section **63B-8-501** is enacted to read:

**Part 5. Revenue Bond and Other Capital Facility Authorizations**

**63B-8-501. Revenue bond authorizations.**

(1) (a) It is the intent of the Legislature that the State Building Ownership Authority, under the authority of Title 63, Chapter 9a, State Building Ownership Act, may issue or execute obligations, or enter into or arrange for a lease purchase agreement in which participation interests may be created, to provide up to \$2,510,000 for the acquisition of the Department of Human Services Office in Brigham City, together with additional amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements.

(b) It is the intent of the Legislature that amounts representing existing budgets for rent for the Department of Human Services be used as the primary revenue source for the Department of Human Services to pay the state for repayment of any obligation created under authority of this Subsection (1).

(2) (a) It is the intent of the Legislature that the State Building Ownership Authority, under the authority of Title 63, Chapter 9a, State Building Ownership Act, may issue or execute obligations, or enter into or arrange for a lease purchase agreement in which participation interests may be created, to provide up to \$6,518,000 for the construction of an office building to house the Department of Corrections and the Board of Pardons and Parole Administration, together with additional amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements.

(b) It is the intent of the Legislature that amounts representing existing budgets for rent for the Department of Corrections and the Board of Pardons and Parole Administration be used as the primary revenue source for the Department of Corrections and the Board of Pardons and Parole Administration to pay the state for repayment of any obligation created under authority of this Subsection (2).

Section 38. Section **63B-8-502** is enacted to read:

**63B-8-502. Other capital facility authorizations and intent language.**

(1) It is the intent of the Legislature that:

(a) Salt Lake Community College use institutional funds to plan, design, and construct an addition to the Student Activity Center at the Redwood Campus under the direction of the director of the Division of Facilities Construction and Management unless supervisory authority has been delegated; and

(b) no state funds be used for any portion of this project.

(2) It is the intent of the Legislature that:

(a) Salt Lake Community College use institutional funds to plan, design, and construct the Student Activity Center at the Jordan Campus under the direction of the director of the Division of Facilities Construction and Management unless supervisory authority has been delegated; and

(b) no state funds be used for any portion of this project.

(3) It is the intent of the Legislature that:

(a) Southern Utah University use institutional funds to plan, design, and construct the Shakespearean Festival Scene Shop under the direction of the director of the Division of Facilities Construction and Management unless supervisory authority has been delegated; and

(b) no state funds be used for any portion of this project.

(4) It is the intent of the Legislature that:

(a) the University of Utah plan, design, and construct a new East Campus Central Plant under the direction of the director of the Division of Facilities Construction and Management unless supervisory authority has been delegated;

(b) the project may be financed through a third party to the extent that energy savings resulting from the project are used to pay the annual debt service; and

(c) the University of Utah obtains the approval of the Board of Regents before entering into a financing arrangement.

(5) It is the intent of the Legislature that:

(a) the University of Utah use institutional funds to plan, design, and construct a pedestrian bridge over Wasatch Drive under the direction of the director of the Division of Facilities

Construction and Management unless supervisory authority has been delegated; and

(b) no state funds be used for any portion of this project.

(6) It is the intent of the Legislature that:

(a) Utah State University use institutional funds to plan, design, and construct an addition to the Nora Eccles Harrison Museum of Art under the direction of the director of the Division of Facilities Construction and Management unless supervisory authority has been delegated;

(b) no state funds be used for the design and construction of this project; and

(c) the University may request state funds for operations and maintenance to the extent it is able to demonstrate to the Board of Regents that the project meets approved academic and training purposes under Board of Regents policy R710.

(7) It is the intent of the Legislature that:

(a) Utah State University use institutional funds to plan, design, and construct a renovation and expansion of the Lyric Theater under the direction of the director of the Division of Facilities Construction and Management unless supervisory authority has been delegated;

(b) no state funds be used for any portion of this project; and

(c) the University may request state funds for operations and maintenance to the extent it is able to demonstrate to the Board of Regents that the project meets approved academic and training purposes under Board of Regents policy R710.

(8) It is the intent of the Legislature that:

(a) the University of Utah use institutional funds to plan, design, and construct an expansion of the Pioneer Memorial Theater under the direction of the director of the Division of Facilities Construction and Management unless supervisory authority has been delegated;

(b) no state funds be used for any portion of this project; and

(c) the University may request state funds for operations and maintenance to the extent it is able to demonstrate to the Board of Regents that the project meets approved academic and training purposes under Board of Regents policy R710.

(9) It is the intent of the Legislature that:

(a) the University of Utah use institutional funds to plan, design, and construct an expansion

of the College of Pharmacy under the direction of the director of the Division of Facilities Construction and Management unless supervisory authority has been delegated;

(b) no state funds be used for the construction of this project; and

(c) consideration be given to appropriating state funds for the increased operation and maintenance costs associated with academic programs and associated support.

(10) It is the intent of the Legislature that:

(a) Weber State University use institutional funds to plan, design, and construct a Visual Arts Building under the direction of the director of the Division of Facilities Construction and Management unless supervisory authority has been delegated;

(b) no state funds be used for the construction of this project; and

(c) consideration be given to appropriating state funds for the increased operation and maintenance costs associated with academic programs and associated support.

(11) It is the intent of the Legislature that the Department of Corrections use federal funds to plan, design, and construct a 300 bed minimum security facility in Draper under the direction of the director of the Division of Facilities Construction and Management unless supervisory authority has been delegated.

(12) It is the intent of the Legislature that:

(a) the Department of Transportation pursue the sale of property located adjacent to the Region One Headquarters in Ogden; and

(b) the Department of Transportation only expend those funds, up to the amount collected, to expand the current Region One Headquarters Building.

(13) It is the intent of the Legislature that the State Hospital be allowed to use available funding, up to \$100,000, to purchase the property adjacent to the Provo campus.

(14) It is the intent of the Legislature that:

(a) Dixie College use institutional funds to plan, design, and construct a satellite campus building under the direction of the director of the Division of Facilities Construction and Management unless supervisory authority has been delegated;

(b) no state funds be used for the construction of this project; and

(c) consideration be given to appropriating state funds for the increased operation and maintenance costs associated with academic programs and associated support.