

Senator Beverly Ann Evans proposes the following substitute bill:

1                           **2002 GENERAL OBLIGATION BOND AND**  
2                           **CAPITAL FACILITIES AUTHORIZATIONS**

3   2002 GENERAL SESSION

4   STATE OF UTAH

5   **Sponsor: Gerry A. Adair**

6   **This act modifies the Bonding Code by authorizing the issuance and sale of general**  
7   **obligation bonds by the State Bonding Commission for capital facilities. This act specifies**  
8   **the use of the bond proceeds and the manner of issuance. This act imposes and abates a**  
9   **property tax and creates a sinking fund. This act approves the issuance of certain**  
10 **obligations by the State Building Ownership Authority, authorizes other capital facility**  
11 **expenditures, repeals authorization for abandoned projects, and makes technical corrections.**

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

13 AMENDS:

14           **63B-6-102**, as last amended by Chapter 327, Laws of Utah 2000

15 ENACTS:

16           **63B-11-101**, Utah Code Annotated 1953

17           **63B-11-102**, Utah Code Annotated 1953

18           **63B-11-103**, Utah Code Annotated 1953

19           **63B-11-104**, Utah Code Annotated 1953

20           **63B-11-105**, Utah Code Annotated 1953

21           **63B-11-106**, Utah Code Annotated 1953

22           **63B-11-107**, Utah Code Annotated 1953

23           **63B-11-108**, Utah Code Annotated 1953

24           **63B-11-109**, Utah Code Annotated 1953

25           **63B-11-110**, Utah Code Annotated 1953



- 26 **63B-11-111**, Utah Code Annotated 1953
- 27 **63B-11-112**, Utah Code Annotated 1953
- 28 **63B-11-113**, Utah Code Annotated 1953
- 29 **63B-11-114**, Utah Code Annotated 1953
- 30 **63B-11-115**, Utah Code Annotated 1953
- 31 **63B-11-116**, Utah Code Annotated 1953
- 32 **63B-11-117**, Utah Code Annotated 1953
- 33 **63B-11-401**, Utah Code Annotated 1953
- 34 **63B-11-402**, Utah Code Annotated 1953

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

36 Section 1. Section **63B-6-102** is amended to read:

37 **63B-6-102. Maximum amount -- Projects authorized.**

38 (1) The total amount of bonds issued under this part may not exceed \$57,000,000.

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

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

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

49 **CAPITAL AND ECONOMIC DEVELOPMENT**

50		ESTIMATED
51		OPERATIONS
52	AMOUNT	AND
53	FUNDED	MAINTENANCE
54	Youth Corrections - Carbon / Emery (18 beds)	\$2,298,100 \$70,000
55	State Hospital - 100 bed Forensic Facility	\$13,800,700 \$320,600
56	Utah State University - Widtsoe Hall	\$23,986,700 \$750,200

57	Davis Applied Technology Center	\$6,344,900	\$144,000
58	- Medical/Health Tech Addition		
59	Southern Utah University -- Physical	\$1,100,000	\$456,100
60	Education Building (Design)		
61	Salt Lake Community College -- High	\$1,165,000	\$718,500
62	Technology Building, 90th So. Campus (Design)		
63	Department of Natural Resources - Antelope	\$3,600,000	None
64	Island Road		
65	Youth Corrections	\$1,500,000	None
66	- Region 1 72 Secured Bed Facility		
67	Department of Natural Resources - Dead Horse	\$1,350,000	\$5,700
68	Point Visitors Center		
69	[National Guard]	[\$1,600,000]	[\$5,700]
70	TOTAL CAPITAL AND ECONOMIC	[\$56,745,400]	<u>\$55,145,400</u>

71 DEVELOPMENT

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

73 (i) are estimates only;

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

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

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

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

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

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

87 (b) The division shall make those expenditures from unexpended and unencumbered

88 building funds already appropriated to the Capital Projects Fund.

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

91 (d) The commission may, by resolution, make any statement of intent relating to that  
92 reimbursement that is necessary or desirable to comply with federal tax law.

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

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

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

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

103 Section 2. Section **63B-11-101** is enacted to read:

104 **CHAPTER 11. 2002 BONDING AND FINANCING AUTHORIZATIONS**

105 **Part 1. Capital Facilities General Obligation Bonds**

106 **63B-11-101. State Bonding Commission authorized to issue general obligation bonds.**

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

110 Section 3. Section **63B-11-102** is enacted to read:

111 **63B-11-102. Maximum amount -- Projects authorized.**

112 (1) The total amount of bonds issued under this part may not exceed \$218,000,000.

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

116 (b) These costs may include the cost of acquiring land, interests in land, easements and  
117 rights-of-way, improving sites, and acquiring, constructing, equipping, and furnishing facilities and  
118 all structures, roads, parking facilities, utilities, and improvements necessary, incidental, or

119 convenient to the facilities, interest estimated to accrue on these bonds during the period to be  
 120 covered by construction of the projects plus a period of six months after the end of the construction  
 121 period, and all related engineering, architectural, and legal fees.

122 (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</u>
		<u>AND</u>
		<u>MAINTENANCE</u>
<u>Dixie State College</u>		
<u>Eccles/Graff Performing Arts Ctr.</u>	<u>\$13,308,000</u>	<u>\$281,200</u>
<u>Snow College Performing Arts Center</u>	<u>\$15,583,000</u>	<u>\$200,000</u>
<u>WSU Classroom Building---Davis Campus</u>	<u>\$20,500,000</u>	<u>\$558,200</u>
<u>U of U Health Sciences Building</u>	<u>\$33,000,000</u>	<u>\$676,000</u>
<u>Capitol Restoration Design/Parking Structure</u>	<u>\$25,970,000</u>	<u>\$ 0</u>
<u>U of U Marriott Library</u>	<u>\$37,253,500</u>	<u>\$500,000</u>
<u>USU Merrill Library</u>	<u>\$8,922,000</u>	<u>\$500,000</u>
<u>UVSC Wasatch Campus</u>	<u>\$9,587,000</u>	<u>\$324,600</u>
<u>SLCC Health Sciences (West Jordan)</u>	<u>\$16,687,400</u>	<u>\$612,000</u>
<u>SUU Teacher Education</u>	<u>\$15,583,000</u>	<u>\$481,300</u>
<u>DABC - Tooele Package Store Replacement</u>	<u>\$1,836,000</u>	<u>\$ 0</u>
<u>UVSC Alpine School Purchase</u>	<u>\$9,000,000</u>	<u>\$ 0</u>
<u>CEU Fine Arts Facility</u>	<u>\$8,500,000</u>	<u>\$240,000</u>
<u>TOTAL CAPITAL AND</u>		
<u>ECONOMIC DEVELOPMENT</u>	<u>\$215,729,900</u>	

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

144 (i) are estimates only;

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

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

149 (3) (a) The amounts funded as listed in Subsection (2) are estimates only and do not

150 constitute a limitation on the amount that may be expended for any project.

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

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

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

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

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

162 (d) The commission may, by resolution, make any statement of intent relating to that  
163 reimbursement that is necessary or desirable to comply with federal tax law.

164 Section 4. Section **63B-11-103** is enacted to read:

165 **63B-11-103. Use of bond proceeds for issuance and other costs.**

166 The proceeds of bonds issued under this chapter shall be used for the purposes described  
167 in Section 63B-11-102 and to pay all or part of any cost incident to the issuance and sale of the  
168 bonds including, without limitation, printing, registration and transfer costs, legal fees, trustees'  
169 fees, financial advisors' fees, and underwriters' discounts.

170 Section 5. Section **63B-11-104** is enacted to read:

171 **63B-11-104. Manner of issuance -- Amounts, interest, and maturity.**

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

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

177 (3) A bond issued may not mature later than 15 years after the date of final passage of this  
178 chapter.

179 Section 6. Section **63B-11-105** is enacted to read:

180 **63B-11-105. Terms and conditions of sale -- Plan of financing -- Signatures --**

181 **Replacement -- Registration -- Federal rebate.**

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

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

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

185 value;

186 (c) denominations;

187 (d) form;

188 (e) manner of execution;

189 (f) manner of authentication;

190 (g) place and medium of purchase;

191 (h) redemption terms; and

192 (i) other provisions and details it considers appropriate.

193 (2) The commission may, by resolution, adopt a plan of financing, which may include

194 terms and conditions of arrangements entered into by the commission on behalf of the state with

195 financial and other institutions for letters of credit, standby letters of credit, reimbursement

196 agreements, and remarketing, indexing, and tender agent agreements to secure the bonds, including

197 payment from any legally available source of fees, charges, or other amounts coming due under

198 the agreements entered into by the commission.

199 (3) (a) Any signature of a public official authorized by resolution of the commission to

200 sign the bonds may be a facsimile signature of that official imprinted, engraved, stamped, or

201 otherwise placed on the bonds.

202 (b) If all signatures of public officials on the bonds are facsimile signatures, provision shall

203 be made for a manual authenticating signature on the bonds by or on behalf of a designated

204 authentication agent.

205 (c) If an official ceases to hold office before delivery of the bonds signed by that official,

206 the signature or facsimile signature of the official is nevertheless valid for all purposes.

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

208 on the bonds.

209 (4) (a) The commission may enact resolutions providing for the replacement of lost,

210 destroyed, or mutilated bonds, or for the exchange of bonds after issuance for bonds of smaller or

211 larger denominations.

212 (b) Bonds in changed denominations shall:

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

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

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

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

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

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

231 (6) The commission may:

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

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

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

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

238 Section 7. Section **63B-11-106** is enacted to read:

239 **63B-11-106. Constitutional debt limitation.**

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

242 (2) For purposes of applying the debt limitation contained in Utah Constitution Article



243 XIV, Section 1, the value of the taxable property in Utah is considered to be 100% of the fair  
244 market value of the taxable property of the state, including fee-in-lieu property, as computed from  
245 the last assessment for state purposes previous to the issuance of the bonds.

246 Section 8. Section **63B-11-107** is enacted to read:

247 **63B-11-107. Tax levy -- Abatement of tax.**

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

251 (a) applicable bond redemption premiums, if any;

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

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

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

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

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

259 Section 9. Section **63B-11-108** is enacted to read:

260 **63B-11-108. Creation of sinking fund.**

261 (1) There is created a sinking fund, to be administered by the state treasurer, entitled the  
262 "2002 Capital Facilities General Obligation Bonds Sinking Fund."

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

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

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

268 Section 10. Section **63B-11-109** is enacted to read:

269 **63B-11-109. Payment of interest, principal, and redemption premiums.**

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

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

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

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

275 Section 11. Section **63B-11-110** is enacted to read:

276 **63B-11-110. Investment of sinking fund money.**

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

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

284 Section 12. Section **63B-11-111** is enacted to read:

285 **63B-11-111. Bond proceeds -- Deposits -- Investment -- Disposition of investment**  
286 **income and unexpended proceeds.**

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

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

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

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

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

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

300 Section 13. Section **63B-11-112** is enacted to read:

301 **63B-11-112. Refunding of bonds.**

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

304 (2) For purposes of Title 11, Chapter 27, Utah Refunding Bond Act, the state is considered

305 the public body and the commission its governing body.

306 Section 14. Section **63B-11-113** is enacted to read:

307 **63B-11-113. Certification of satisfaction of conditions precedent -- Conclusiveness.**

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

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

312 Section 15. Section **63B-11-114** is enacted to read:

313 **63B-11-114. Tax exemption.**

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

316 Section 16. Section **63B-11-115** is enacted to read:

317 **63B-11-115. Legal investment status.**

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

321 Section 17. Section **63B-11-116** is enacted to read:

322 **63B-11-116. Publication of resolution or notice -- Limitation on actions to contest**  
323 **legality.**

324 (1) The commission may:

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

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

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

330 (i) the legality of the resolution;

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

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

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

336 Section 18. Section **63B-11-117** is enacted to read:

337 **63B-11-117. Report to Legislature.**

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

340 Section 19. Section **63B-11-401** is enacted to read:

341 **Part 4. Revenue Bond Authorizations**

342 **63B-11-401. Revenue bond authorizations.**

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

344 (a) the Board of Regents, on behalf of the University of Utah, issue, sell, and deliver  
345 revenue bonds or other evidences of indebtedness of the University of Utah to borrow money on  
346 the credit, revenues, and reserves of the University of Utah, other than appropriations of the  
347 Legislature, to refinance the cost of acquiring, constructing, furnishing, and equipping the  
348 East-Campus Central Plant and related energy improvements;

349 (b) savings in heating and cooling costs be used as the primary revenue source for  
350 repayment of any obligation created under authority of this section; and

351 (c) the bonds or other evidences of indebtedness authorized by this section may provide  
352 up to \$33,000,000, together with other amounts necessary to pay costs of issuance, pay capitalized  
353 interest, and fund any debt service reserve requirements.

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

355 (a) the Board of Regents, on behalf of Utah State University, issue, sell, and deliver  
356 revenue bonds or other evidences of indebtedness of Utah State University to borrow money on  
357 the credit, revenues, and reserves of Utah State University, other than appropriations of the  
358 Legislature, to finance the cost of acquiring, constructing, furnishing, and equipping research and  
359 office facilities at its Research Park;

360 (b) revenues from research activities, the Utah State University Research Foundation, and  
361 other institutional funds be used as the primary revenue source for repayment of any obligation  
362 created under authority of this section; and

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

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

367 (a) the Board of Regents, on behalf of Southern Utah University, issue, sell, and deliver  
368 revenue bonds or other evidences of indebtedness of Southern Utah University to borrow money  
369 on the credit, revenues, and reserves of the Southern Utah University, other than appropriations  
370 of the Legislature, to finance the cost of acquiring, constructing, furnishing, and equipping a  
371 Student Living and Learning Facility;

372 (b) student housing and other auxiliary revenues and student building fees be used as the  
373 primary revenue source for repayment of any obligation created under authority of this section; and

374 (c) the bonds or other evidences of indebtedness authorized by this section may provide  
375 up to \$9,000,000, together with other amounts necessary to pay costs of issuance, pay capitalized  
376 interest, and fund any debt service reserve requirements.

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

378 (a) the Board of Regents, on behalf of Snow College, issue, sell, and deliver revenue bonds  
379 or other evidences of indebtedness of the Snow College to borrow money on the credit, revenues,  
380 and reserves of Snow College, other than appropriations of the Legislature, to finance the cost of  
381 acquiring, constructing, furnishing, and equipping a Multi-Event Center in Richfield;

382 (b) usage fees and other operating revenues be used as the primary revenue source for  
383 repayment of any obligation created under authority of this section; and

384 (c) the bonds or other evidences of indebtedness authorized by this section may provide  
385 up to \$2,500,000, together with other amounts necessary to pay costs of issuance, pay capitalized  
386 interest, and fund any debt service reserve requirements.

387 Section 20. Section **63B-11-402** is enacted to read:

388 **63B-11-402. Other capital facility authorizations and intent language.**

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

390 (a) Salt Lake Community College use donations and other institutional funds to plan,  
391 design, and construct a renovation of and addition to the Grand Theater under the direction of the  
392 director of the Division of Facilities Construction and Management unless supervisory authority  
393 has been delegated;

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

395 (c) the college may request state funds for operations and maintenance to the extent that  
396 the college is able to demonstrate to the Board of Regents that the facility meets approved  
397 academic and training purposes under Board of Regents policy R710.

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

399 (a) the University of Utah use donations, grants, and other institutional funds to plan,  
400 design, and construct a Department of Chemistry Gauss House under the direction of the director  
401 of the Division of Facilities Construction and Management unless supervisory authority has been  
402 delegated;

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

404 (c) the university may request state funds for operations and maintenance to the extent that  
405 the university is able to demonstrate to the Board of Regents that the facility meets approved  
406 academic and training purposes under Board of Regents policy R710.

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

408 (a) the University of Utah use donations and other institutional funds to plan, design, and  
409 construct an expansion of the Eccles Health Science Library and the associated parking structure  
410 under the direction of the director of the Division of Facilities Construction and Management  
411 unless supervisory authority has been delegated;

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

413 (c) the university may request state funds for operations and maintenance to the extent that  
414 the university is able to demonstrate to the Board of Regents that the facility meets approved  
415 academic and training purposes under Board of Regents policy R710.

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

417 (a) the University of Utah use donations and other institutional funds to plan, design, and  
418 construct a Phase II Addition to the Moran Eye Center under the direction of the director of the  
419 Division of Facilities Construction and Management unless supervisory authority has been  
420 delegated;

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

422 (c) the university may not request state funds for operations and maintenance.

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

424 (a) the University of Utah use donations and other institutional funds to plan, design, and  
425 construct a Children's Dance Theatre under the direction of the director of the Division of Facilities  
426 Construction and Management unless supervisory authority has been delegated;

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

428 (c) the university may not request state funds for operations and maintenance.

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

430 (a) Utah State University use donations and other institutional funds to plan, design, and  
431 construct a Teaching Pavilion at its Animal Science Farm under the direction of the director of the  
432 Division of Facilities Construction and Management unless supervisory authority has been  
433 delegated;

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

435 (c) the university may request state funds for operations and maintenance to the extent that  
436 the university is able to demonstrate to the Board of Regents that the facility meets approved  
437 academic and training purposes under Board of Regents policy R710.

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

439 (a) the Division of Youth Corrections use donations to plan, design, and construct a chapel  
440 at the Slate Canyon Youth Corrections Facility under the direction of the director of the Division  
441 of Facilities Construction and Management unless supervisory authority has been delegated;

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

443 (c) the division may not request additional state funding for operations and maintenance.

444 (8) It is the intent of the Legislature that the Utah National Guard use federal funds and  
445 proceeds from the sale of property to acquire a site for new facilities in Salt Lake or Davis County.

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

447 (a) the Utah National Guard use donations and grants to plan, design, and construct the  
448 renovation and expansion of the Fort Douglas Military Museum under the direction of the director  
449 of the Division of Facilities Construction and Management unless supervisory authority has been  
450 delegated;

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

452 (c) the National Guard may not request additional state funding for operations and  
453 maintenance.

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

455 (a) the Division of Facilities Construction and Management pursue the exchange of public  
456 safety facilities in Orem if:

457 (i) the land and newly constructed replacement facilities meet the needs of the Driver  
458 License Division and the Utah Highway Patrol; and

459 (ii) the replacement property and facilities can be obtained at a cost that is not less than

460 the market value of the existing property and facilities; and

461 (b) the division confirms the value of the properties to be exchanged.