

1 **2004 GENERAL OBLIGATION BOND**

2 **AMENDMENTS**

3 2005 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Peter C. Knudson**

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the list of projects authorized by the Legislature to be built or
10 purchased from the proceeds of the 2004 General Obligation Bond.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ removes the monies earmarked in the 2004 General Obligation Bond Authorization
14 for the Oxbow Jail purchase and authorizes DFCM to spend those monies to
15 purchase the Bourn's Building in Logan, Utah for the use and benefit of the
16 Bridgerland Applied Technology College Campus; and

17 ▶ exempts the Bourn's Building from the requirement that part of the funds be used
18 for public art.

19 **Monies Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **63B-13-101**, as enacted by Chapter 310, Laws of Utah 2004

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



28 Section 1. Section **63B-13-101** is amended to read:

29 **63B-13-101. Capital facilities bonds -- Maximum amount -- Projects authorized.**

30 (1) The total amount of bonds issued under this section may not exceed \$87,400,000.

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

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

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

41 -----

42 CAPITAL DEVELOPMENT PROJECTS

	Estimated	
	Operations	Project
Project	and	Amount
Description	Maintenance	Funded
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48 State Capitol Remodel	\$0	\$50,000,000
49 Weber State University -		
50 Swenson Building Remodel	\$75,400	\$5,569,000
51 Salt Lake Community College -		
52 Health Sciences Building		
53 (West Jordan)	\$762,000	\$21,000,000
54 Utah National Guard -		
55 North Salt Lake		
56 Readiness Center	\$42,500	\$2,719,000
57 College of Eastern Utah		
58 San Juan Library	\$127,200	\$2,400,000

59	[Oxbow Prison Purchase]	[\$0]	
60	Bourn's Building Purchase	\$ [438,700 <u>296,800</u>]	\$4,800,000
61	TOTAL CAPITAL		
62	DEVELOPMENT		
63	PROJECTS		\$86,488,000
64	-----		
65	TOTAL GENERAL OBLIGATION BOND AUTHORIZATION		
66	FOR CAPITAL DEVELOPMENT PROJECTS		\$86,488,000
67	-----		

- 68 (d) For purposes of this section, operations and maintenance costs:
- 69 (i) are estimates only;
- 70 (ii) may include any operations and maintenance costs already funded in existing
- 71 agency budgets; and
- 72 (iii) are not commitments by this Legislature or future Legislatures to fund those
- 73 operations and maintenance costs.
- 74 (3) (a) The amounts funded as listed in Subsection (2) are estimates only and do not
- 75 constitute a limitation on the amount that may be expended for any project.
- 76 (b) The board may revise these estimates and redistribute the amount estimated for a
- 77 project among the projects authorized.
- 78 (c) The commission, by resolution and in consultation with the board, may delete one
- 79 or more projects from this list if the inclusion of that project or those projects in the list could
- 80 be construed to violate state law or federal law or regulation.
- 81 (4) (a) The division may enter into agreements related to these projects before the
- 82 receipt of proceeds of bonds issued under this chapter.
- 83 (b) The division shall make those expenditures from unexpended and unencumbered
- 84 building funds already appropriated to the Capital Projects Fund.
- 85 (c) The division shall reimburse the Capital Projects Fund upon receipt of the proceeds
- 86 of bonds issued under this chapter.
- 87 (d) The state intends to use proceeds of tax-exempt bonds to reimburse itself for
- 88 expenditures for costs of the projects listed in Subsection (2)(c).
- 89 (5) It is the intent of the Legislature that:

90 (a) the funding authorized for projects in Subsection (2) includes funds for public art,
91 except for the following projects:

92 (i) state capitol remodel;

93 (ii) Utah National Guard North Salt Lake Readiness Center; and

94 **§ [(iii) ~~Oxbow prison~~ Bourn's Building]; §**

95 (b) no state funds may be expended for the National Guard North Salt Lake Readiness
96 Center project until the United States Congress appropriates monies for the project; and

97 (c) the Bonding Commission may not issue bonds for the National Guard North Salt
98 Lake Readiness Center project until the United States Congress appropriates monies for the
99 project.

Legislative Review Note
as of 11-27-04 2:29 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number SB0086

2004 General Obligation Bond Amendments

10-Jan-05

4:51 PM

State Impact

No new fiscal impact on state bonding. This bill amends the prior year general obligation bond authorization, for which a fiscal impact was calculated. However, annual operation and maintenance costs for the Bourns Building are not currently built into

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst