

REVENUE BOND AND CAPITAL FACILITIES**AMENDMENTS**

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gage Froerer

Senate Sponsor: J. Stuart Adams

LONG TITLE**General Description:**

This bill makes modifications to provisions relating to revenue bonding; authorizes certain state agencies and institutions to issue revenue bonds; and authorizes the construction or renovation of capital facilities using agency, institutional, or donated funds.

Highlighted Provisions:

This bill:

- ▶ exempts the 2012-13 fiscal year from funding and construction restrictions relating to budget deficits;
- ▶ reduces the fund raising goal that the University of Utah is required to meet before revenue bonds are issued to finance the cost of constructing an on-campus student life center;
- ▶ permits non-student fees to be used in addition to student recreation fees as the primary revenue source for the repayment of bonds for the student life center;
- ▶ increases the maximum square footage from the amount of revenue bonding that was previously authorized for the Dee Glen Smith Athletic Center and requires that donations and television revenues be used as the primary revenue source for repayment of the bonds;
- ▶ authorizes the State Building Ownership Authority to issue revenue bonds for the



following:

- \$1,900,000 for the acquisition of the Sevier County Courts Building in Richfield, Utah;
- ▶ authorizes the State Board of Regents to issue bonds for the following:
 - \$9,580,000 for expanding the Orthopaedic Center at the University of Utah;
 - \$21,702,000 for constructing a parking structure in the HPER area at the University of Utah;
 - \$19,980,000 for constructing a parking structure in the Health Sciences area at the University of Utah;
 - \$4,000,000 for constructing student housing for the Utah State University Eastern San Juan Campus in Blanding, Utah;
 - \$8,000,000 for an addition to the Stromberg Center for student recreation at Weber State University; and
 - \$60,500,000 for constructing a S.J. Quinney College of Law Building at the University of Utah; and
- ▶ provides either authorizations for or prohibitions on state funding for operations and maintenance and capital improvement costs on the above projects; and
- ▶ authorizes the planning, design, and construction or renovation of the following, provided that only agency, institutional, or donated funds are used:
 - for a dental school building at the University of Utah at a cost of up to \$37,4000,00, and prohibits the use of state funds for operation and maintenance and capital improvement costs on the building; and
 - for a petroleum technology, energy safety, and transportation training center at the Uintah Basin Applied Technology College at a cost of up to \$1,000,000, and permits state funds to be used for operations and maintenance and capital improvement costs on the building.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63A-5-104, as last amended by Laws of Utah 2011, Chapters 219 and 409

63B-16-202, as enacted by Laws of Utah 2007, Chapter 174

63B-20-103, as enacted by Laws of Utah 2011, Chapter 409

ENACTS:

63B-21-101, Utah Code Annotated 1953

63B-21-102, Utah Code Annotated 1953

63B-21-201, Utah Code Annotated 1953

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

Section 1. Section **63A-5-104** is amended to read:

63A-5-104. Definitions -- Capital development and capital improvement process

-- Approval requirements -- Limitations on new projects -- Emergencies.

(1) As used in this section:

(a) "Capital developments" means a:

(i) remodeling, site, or utility project with a total cost of \$2,500,000 or more;

(ii) new facility with a construction cost of \$500,000 or more; or

(iii) purchase of real property where an appropriation is requested to fund the purchase.

(b) "Capital improvements" means a:

(i) remodeling, alteration, replacement, or repair project with a total cost of less than \$2,500,000;

(ii) site and utility improvement with a total cost of less than \$2,500,000; or

(iii) new facility with a total construction cost of less than \$500,000.

(c) (i) "New facility" means the construction of a new building on state property regardless of funding source.

(ii) "New facility" includes:

(A) an addition to an existing building; and

(B) the enclosure of space that was not previously fully enclosed.

(iii) "New facility" does not mean:

(A) the replacement of state-owned space that is demolished or that is otherwise removed from state use, if the total construction cost of the replacement space is less than

90 \$2,500,000; or

91 (B) the construction of facilities that do not fully enclose a space.

92 (d) "Replacement cost of existing state facilities" means the replacement cost, as
93 determined by the Division of Risk Management, of state facilities, excluding auxiliary
94 facilities as defined by the State Building Board.

95 (e) "State funds" means public money appropriated by the Legislature.

96 (2) The State Building Board, on behalf of all state agencies, commissions,
97 departments, and institutions shall submit its capital development recommendations and
98 priorities to the Legislature for approval and prioritization.

99 (3) (a) Except as provided in Subsections (3)(b), (d), and (e), a capital development
100 project may not be constructed on state property without legislative approval.

101 (b) Legislative approval is not required for a capital development project that consists
102 of the design or construction of a new facility if the State Building Board determines that:

103 (i) the requesting state agency, commission, department, or institution has provided
104 adequate assurance that:

105 (A) state funds will not be used for the design or construction of the facility; and

106 (B) the state agency, commission, department, or institution has a plan for funding in
107 place that will not require increased state funding to cover the cost of operations and
108 maintenance to, or state funding for, immediate or future capital improvements to the resulting
109 facility; and

110 (ii) the use of the state property is:

111 (A) appropriate and consistent with the master plan for the property; and

112 (B) will not create an adverse impact on the state.

113 (c) (i) The Division of Facilities Construction and Management shall maintain a record
114 of facilities constructed under the exemption provided in Subsection (3)(b).

115 (ii) For facilities constructed under the exemption provided in Subsection (3)(b), a state
116 agency, commission, department, or institution may not request:

117 (A) increased state funds for operations and maintenance; or

118 (B) state capital improvement funding.

119 (d) Legislative approval is not required for:

120 (i) the renovation, remodeling, or retrofitting of an existing facility with nonstate funds

that has been approved by the State Building Board;

(ii) a facility to be built with nonstate funds and owned by nonstate entities within research park areas at the University of Utah and Utah State University;

(iii) a facility to be built at This is the Place State Park by This is the Place Foundation with funds of the foundation, including grant money from the state, or with donated services or materials;

(iv) a capital project that:

(A) is funded by:

(I) the Uintah Basin Revitalization Fund; or

(II) the Navajo Revitalization Fund; and

(B) does not provide a new facility for a state agency or higher education institution; or

(v) a capital project on school and institutional trust lands that is funded by the School and Institutional Trust Lands Administration from the Land Grant Management Fund and that does not fund construction of a new facility for a state agency or higher education institution.

(e) (i) Legislative approval is not required for capital development projects to be built for the Department of Transportation as a result of an exchange of real property under Section 72-5-111.

(ii) When the Department of Transportation approves those exchanges, it shall notify the president of the Senate, the speaker of the House, and the cochairmen of the Capital Facilities and Administrative Services Subcommittee of the Legislature's Joint Appropriation Committee about any new facilities to be built under this exemption.

(4) (a) (i) The State Building Board, on behalf of all state agencies, commissions, departments, and institutions shall by January 15 of each year, submit a list of anticipated capital improvement requirements to the Legislature for review and approval.

(ii) The list shall identify:

(A) a single project that costs more than \$1,000,000;

(B) multiple projects within a single building or facility that collectively cost more than \$1,000,000;

(C) a single project that will be constructed over multiple years with a yearly cost of \$1,000,000 or more and an aggregate cost of more than \$2,500,000;

(D) multiple projects within a single building or facility with a yearly cost of

152 \$1,000,000 or more and an aggregate cost of more than \$2,500,000;

153 (E) a single project previously reported to the Legislature as a capital improvement
154 project under \$1,000,000 that, because of an increase in costs or scope of work, will now cost
155 more than \$1,000,000; and

156 (F) multiple projects within a single building or facility previously reported to the
157 Legislature as a capital improvement project under \$1,000,000 that, because of an increase in
158 costs or scope of work, will now cost more than \$1,000,000.

159 (b) Unless otherwise directed by the Legislature, the State Building Board shall
160 prioritize capital improvements from the list submitted to the Legislature up to the level of
161 appropriation made by the Legislature.

162 (c) In prioritizing capital improvements, the State Building Board shall consider the
163 results of facility evaluations completed by an architect/engineer as stipulated by the building
164 board's facilities maintenance standards.

165 (d) The State Building Board may require an entity that benefits from a capital
166 improvement project to repay the capital improvement funds from savings that result from the
167 project.

168 (e) The State Building Board may provide capital improvement funding to a single
169 project, or to multiple projects within a single building or facility, even if the total cost of the
170 project or multiple projects is \$2,500,000 or more, if:

171 (i) the capital improvement project or multiple projects require more than one year to
172 complete; and

173 (ii) the Legislature has affirmatively authorized the capital improvement project or
174 multiple projects to be funded in phases.

175 (5) The Legislature may authorize:

176 (a) the total square feet to be occupied by each state agency; and

177 (b) the total square feet and total cost of lease space for each agency.

178 (6) (a) Except as provided in Subsection (6)(b) or (c), the Legislature may not fund the
179 design or construction of any new capital development projects, except to complete the funding
180 of projects for which partial funding has been previously provided, until the Legislature has
181 appropriated 1.1% of the replacement cost of existing state facilities to capital improvements.

182 (b) (i) As used in this Subsection (6)(b):

(A) "Education Fund budget deficit" is as defined in Section 63J-1-312; and

(B) "General Fund budget deficit" is as defined in Section 63J-1-312.

(ii) If the Legislature determines that an Education Fund budget deficit or a General Fund budget deficit exists, the Legislature may, in eliminating the deficit, reduce the amount appropriated to capital improvements to 0.9% of the replacement cost of state buildings.

(c) The requirements under Subsections (6)(a) and (b) do not apply to the 2008-09, 2009-10, 2010-11, ~~and~~ 2011-12, and 2012-13 fiscal years.

(7) (a) If, after approval of capital development and capital improvement priorities by the Legislature under this section, emergencies arise that create unforeseen critical capital improvement projects, the State Building Board may, notwithstanding the requirements of Title 63J, Chapter 1, Budgetary Procedures Act, reallocate capital improvement funds to address those projects.

(b) The State Building Board shall report any changes it makes in capital improvement allocations approved by the Legislature to:

(i) the Office of Legislative Fiscal Analyst within 30 days of the reallocation; and

(ii) the Legislature at its next annual general session.

(8) (a) The State Building Board may adopt a rule allocating to institutions and agencies their proportionate share of capital improvement funding.

(b) The State Building Board shall ensure that the rule:

(i) reserves funds for the Division of Facilities Construction and Management for emergency projects; and

(ii) allows the delegation of projects to some institutions and agencies with the requirement that a report of expenditures will be filed annually with the Division of Facilities Construction and Management and appropriate governing bodies.

(9) It is the intent of the Legislature that in funding capital improvement requirements under this section the General Fund be considered as a funding source for at least half of those costs.

Section 2. Section **63B-16-202** is amended to read:

63B-16-202. Revenue bond authorizations -- Board of Regents.

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

(a) when the University of Utah certifies to the Board of Regents that the university has

obtained reliable commitments, convertible to cash, of [~~\$15,000,000~~] \$10,000,000 or more in nonstate funds to construct an on-campus student life center, the Board of Regents, on behalf of the University of Utah, may issue, sell, and deliver revenue bonds or other evidences of indebtedness of the University of Utah to borrow money on the credit, revenues, and reserves of the University of Utah, other than appropriations from the Legislature, to finance the cost of constructing an on-campus student life center;

(b) student recreation fees and non-student fees be used as the primary revenue source for repayment of any obligation created under authority of this section;

(c) the University of Utah may increase student recreation fees to not more than \$60 per semester for not more than 20 years, and use those revenues, together with the \$15,000,000 collected under Subsection (1)(a), to service the student life center revenue bond debt;

(d) the bonds or other evidences of indebtedness authorized by this section may provide up to \$42,500,000, together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements;

(e) the University of Utah may plan, design, and construct the on-campus student life center subject to requirements in Section 63A-5-206; and

(f) the university may not request state funds for operation and maintenance costs or capital improvements.

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

(a) the Board of Regents, on behalf of Southern Utah University, may issue, sell, and deliver revenue bonds or other evidences of indebtedness of Southern Utah University to borrow money on the credit, revenues, and reserves of Southern Utah University, other than appropriations of the Legislature, to finance the cost of constructing on-campus student dormitories;

(b) student housing rental fees be used as the primary revenue source for repayment of any obligation created under authority of this section;

(c) the bonds or other evidences of indebtedness authorized by this section may provide up to \$17,500,000, together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements;

(d) Southern Utah University may plan, design, and construct the on-campus student dormitories subject to requirements in Section 63A-5-206; and

(e) the university may not request state funds for operation and maintenance costs or capital improvements.

Section 3. Section **63B-20-103** is amended to read:

63B-20-103. Revenue Bond Authorizations -- Board of Regents.

(1) The Legislature intends that:

(a) the Board of Regents, on behalf of Utah Valley University, may issue, sell, and deliver revenue bonds or other evidences of indebtedness of Utah Valley University to borrow money on the credit, revenues, and reserves of the university, other than appropriations of the Legislature, to finance the cost of constructing a Student Life and Wellness building with up to 170,000 square feet;

(b) Utah Valley University use student fees as the primary revenue sources for repayment of any obligation created under authority of this section;

(c) the maximum amount of revenue bonds or evidences of indebtedness authorized by this section is \$40,000,000, together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements;

(d) the university may plan, design, and construct the Student Life and Wellness building subject to the requirements of Title 63A, Chapter 5, State Building Board - Division of Facilities Construction and Management; and

(e) the university may not request state funds for operation and maintenance costs or capital improvements.

(2) The Legislature intends that:

(a) the Board of Regents, on behalf of Utah Valley University, may issue, sell, and deliver revenue bonds or other evidences of indebtedness of Utah Valley University to borrow money on the credit, revenues, and reserves of the university, other than appropriations of the Legislature, to finance the cost of constructing a parking structure with up to 534 stalls;

(b) Utah Valley University use parking fees as the primary revenue sources for repayment of any obligation created under authority of this section;

(c) the maximum amount of revenue bonds or evidences of indebtedness authorized by this section is \$8,000,000, together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements;

(d) the university may plan, design, and construct the parking structure, subject to the

requirements of Title 63A, Chapter 5, State Building Board - Division of Facilities
Construction and Management; and

(e) the university may not request state funds for operation and maintenance costs or
capital improvements.

(3) The Legislature intends that:

(a) the Board of Regents, on behalf of the University of Utah, may issue, sell, and
deliver revenue bonds or other evidences of indebtedness of the University of Utah to borrow
money on the credit, revenues, and reserves of the university, other than appropriations of the
Legislature, to finance the cost of constructing a parking structure for the Ambulatory Care
Complex;

(b) the University of Utah use clinical revenues and other institutional funds as the
primary revenue sources for repayment of any obligation created under authority of this
section;

(c) the maximum amount of revenue bonds or evidences of indebtedness authorized by
this section is \$16,328,000, together with other amounts necessary to pay costs of issuance, pay
capitalized interest, and fund any debt service reserve requirements;

(d) the university may plan, design, and construct the parking structure, subject to the
requirements of Title 63A, Chapter 5, State Building Board - Division of Facilities
Construction and Management; and

(e) the university may not request state funds for operation and maintenance costs or
capital improvements.

(4) The Legislature intends that:

(a) the Board of Regents, on behalf of the University of Utah, may issue, sell, and
deliver revenue bonds or other evidences of indebtedness of the University of Utah to borrow
money on the credit, revenues, and reserves of the university, other than appropriations of the
Legislature, to finance the cost of constructing a University of Utah Healthcare Medical
Services building with up to 70,000 square feet;

(b) the University of Utah use clinical revenues, donations, and other institutional
funds as the primary revenue sources for repayment of any obligation created under authority of
this section;

(c) the maximum amount of revenue bonds or evidences of indebtedness authorized by

307 this section is \$25,857,000, together with other amounts necessary to pay costs of issuance, pay
308 capitalized interest, and fund any debt service reserve requirements;

309 (d) the university may plan, design, and construct the Healthcare Medical Services
310 building, subject to the requirements of Title 63A, Chapter 5, State Building Board - Division
311 of Facilities Construction and Management; and

312 (e) the university may not request state funds for operation and maintenance costs or
313 capital improvements.

314 (5) The Legislature intends that:

315 (a) the Board of Regents, on behalf of Snow College, may issue, sell, and deliver
316 revenue bonds or other evidences of indebtedness of Snow College to borrow money on the
317 credit, revenues, and reserves of the university, other than appropriations of the Legislature, to
318 finance the cost of constructing student housing with up to 93,000 square feet;

319 (b) Snow College use student housing rental fees as the primary revenue source for
320 repayment of any obligation created under authority of this section;

321 (c) the maximum amount of revenue bonds or evidences of indebtedness authorized by
322 this section is \$15,689,000, together with other amounts necessary to pay costs of issuance, pay
323 capitalized interest, and fund any debt service reserve requirements;

324 (d) the university may plan, design, and construct the student housing, subject to the
325 requirements of Title 63A, Chapter 5, State Building Board - Division of Facilities
326 Construction and Management; and

327 (e) the university may not request state funds for operation and maintenance costs or
328 capital improvements.

329 (6) The Legislature intends that:

330 (a) the Board of Regents, on behalf of the University of Utah, may issue, sell, and
331 deliver revenue bonds or other evidences of indebtedness of the University of Utah to borrow
332 money on the credit, revenues, and reserves of the university, other than appropriations of the
333 Legislature, to finance the cost of expanding the Dee Glen Smith Athletic Center with up to
334 ~~[58,000]~~ 115,000 new square feet;

335 (b) the University of Utah use donations and ~~[other institutional funds]~~ television
336 revenues as the primary revenue sources for repayment of any obligation created under
337 authority of this section;

(c) the maximum amount of revenue bonds or evidences of indebtedness authorized by this section is [~~\$20,000,000~~] \$30,000,000, together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements;

(d) the university may plan, design, and construct the athletic center subject to the requirements of Title 63A, Chapter 5, State Building Board - Division of Facilities Construction and Management; and

(e) the university may not request state funds for operation and maintenance costs or capital improvements.

(7) The Legislature intends that:

(a) the Board of Regents, on behalf of the University of Utah, may issue, sell, and deliver revenue bonds or other evidences of indebtedness of the University of Utah to borrow money on the credit, revenues, and reserves of the university, other than appropriations of the Legislature, to finance the cost of acquiring the University of Utah South Jordan Health Center that is currently leased;

(b) the University of Utah use clinical enterprise revenues as the primary source for repayment of any obligation created under authority of this section;

(c) the maximum amount of revenue bonds or evidences of indebtedness authorized by this section is \$66,000,000, together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements;

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

(e) the university may not request state funds for operation and maintenance costs or capital improvements.

(8) The Legislature intends that:

(a) the Board of Regents, on behalf of Weber State University, may issue, sell, and deliver revenue bonds or other evidences of indebtedness of Weber State University to borrow money on the credit, revenues, and reserves of the university, other than appropriations of the Legislature, to finance a portion of the cost of constructing a Professional Programs Classroom Building on the Davis Campus;

(b) Weber State University use student fees and other contributions as the primary revenue sources for repayment of any obligation created under authority of this section;

(c) the maximum amount of revenue bonds or evidences of indebtedness authorized by

this section is \$8,400,000, together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements;

(d) the university may plan, design, and construct the classroom building subject to the requirements of Title 63A, Chapter 5, State Building Board - Division of Facilities

Construction and Management; and

(e) the university may not request state funds for operation and maintenance costs or capital improvements.

Section 4. Section **63B-21-101** is enacted to read:

Part 1. 2012 Revenue Bond Authorizations

63B-21-101. Revenue Bond Authorizations -- State Building Ownership

Authority.

The Legislature intends that:

(1) the State Building Ownership Authority, under the authority of Title 63B, Chapter 1, Part 3, 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 \$1,900,000 for the acquisition of the Sevier County Courts Building in Richfield City, together with additional amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements;

(2) the Judicial Branch use existing lease budgets as the primary revenue source for repayment of any obligation created under authority of this section; and

(3) the Judicial Branch may not request additional state funds for operation and maintenance costs.

Section 5. Section **63B-21-102** is enacted to read:

63B-21-102. Revenue Bond Authorizations -- Board of Regents.

(1) The Legislature intends that:

(a) the Board of Regents, on behalf of the University of Utah, may issue, sell, and deliver revenue bonds or other evidences of indebtedness of the University of Utah to borrow money on the credit, revenues, and reserves of the university, other than appropriations of the Legislature, to finance the cost of expanding the Orthopaedic Center with up to 25,200 new and remodeled square feet;

(b) University of Utah use clinical revenues, donations, and other institutional funds as

the primary revenue sources for repayment of any obligation created under authority of this section;

(c) the maximum amount of revenue bonds or evidences of indebtedness authorized by this section is \$9,580,000, together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements;

(d) the university may plan, design, and construct the Orthopaedic Center expansion subject to the requirements of Title 63A, Chapter 5, State Building Board - Division of Facilities Construction and Management; and

(e) the university may not request state funds for operation and maintenance costs or capital improvements.

(2) The Legislature intends that:

(a) the Board of Regents, on behalf of the University of Utah, may issue, sell, and deliver revenue bonds or other evidences of indebtedness of the University of Utah to borrow money on the credit, revenues, and reserves of the university, other than appropriations of the Legislature, to finance the cost of constructing a parking structure in the HPER area;

(b) the University of Utah use parking revenue and permit fees as the primary revenue sources for repayment of any obligation created under authority of this section;

(c) the maximum amount of revenue bonds or evidences of indebtedness authorized by this section is \$21,702,000, together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements;

(d) the university may plan, design, and construct the parking structure subject to the requirements of Title 63A, Chapter 5, State Building Board - Division of Facilities Construction and Management; and

(e) the university may not request state funds for operation and maintenance costs or capital improvements.

(3) The Legislature intends that:

(a) the Board of Regents, on behalf of the University of Utah, may issue, sell, and deliver revenue bonds or other evidences of indebtedness of the University of Utah to borrow money on the credit, revenues, and reserves of the university, other than appropriations of the Legislature, to finance the cost of constructing a parking structure in the Health Sciences area;

(b) the University of Utah use parking revenue and permit fees as the primary revenue

431 sources for repayment of any obligation created under authority of this section;

432 (c) the maximum amount of revenue bonds or evidences of indebtedness authorized by
433 this section is \$19,980,000, together with other amounts necessary to pay costs of issuance, pay
434 capitalized interest, and fund any debt service reserve requirements;

435 (d) the university may plan, design, and construct the parking structure subject to the
436 requirements of Title 63A, Chapter 5, State Building Board - Division of Facilities
437 Construction and Management; and

438 (e) the university may not request state funds for operation and maintenance costs or
439 capital improvements.

440 (4) The Legislature intends that:

441 (a) the Board of Regents, on behalf of Utah State University, may issue, sell, and
442 deliver revenue bonds or other evidences of indebtedness of Utah State University to borrow
443 money on the credit, revenues, and reserves of the university, other than appropriations of the
444 Legislature, to finance the cost of constructing student housing for the Utah State University
445 Eastern San Juan campus in Blanding with up to 16,000 new square feet;

446 (b) Utah State University use student housing rental fees as the primary revenue source
447 for repayment of any obligation created under authority of this section;

448 (c) the maximum amount of revenue bonds or evidences of indebtedness authorized by
449 this section is \$4,000,000, together with other amounts necessary to pay costs of issuance, pay
450 capitalized interest, and fund any debt service reserve requirements;

451 (d) the university may plan, design, and construct the student housing subject to the
452 requirements of Title 63A, Chapter 5, State Building Board - Division of Facilities
453 Construction and Management; and

454 (e) the university may not request state funds for operation and maintenance costs or
455 capital improvements.

456 (5) The Legislature intends that:

457 (a) the Board of Regents, on behalf of Weber State University, may issue, sell, and
458 deliver revenue bonds or other evidences of indebtedness of Weber State University to borrow
459 money on the credit, revenues, and reserves of the university, other than appropriations of the
460 Legislature, to finance the cost of constructing an addition to the Stromberg Center for student
461 recreation with up to 29,200 new square feet;

(b) Weber State University use student fees and facility use fees as the primary revenue sources for repayment of any obligation created under authority of this section;

(c) the maximum amount of revenue bonds or evidences of indebtedness authorized by this section is \$8,000,000, together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements;

(d) the university may plan, design, and construct the Stromberg Center addition subject to the requirements of Title 63A, Chapter 5, State Building Board - Division of Facilities Construction and Management; and

(e) the university may not request state funds for operation and maintenance costs or capital improvements.

(6) The Legislature intends that:

(a) the Board of Regents, on behalf of the University of Utah, may issue, sell, and deliver revenue bonds or other evidences of indebtedness of the University of Utah to borrow money on the credit, revenues, and reserves of the university, other than appropriations of the Legislature to finance the cost of constructing a S.J. Quinney College of Law Building with up to 155,900 new square feet;

(b) the University of Utah use donations and institutional funds as the primary revenue sources for repayment of any obligation created under authority of this section;

(c) the maximum amount of revenue bonds or evidences of indebtedness authorized by this section is \$60,500,000, together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements;

(d) the university may plan, design, and construct the ~~Ĥ~~→ [parking structure] building ←Ĥ
subject to the

requirements of Title 63A, Chapter 5, State Building Board - Division of Facilities Construction and Management; and

(e) the university may use previously authorized state funds for operation and maintenance costs or capital improvements.

Section 6. Section **63B-21-201** is enacted to read:

Part 2. 2012 Capital Facility Design and Construction Authorizations

63B-21-201. Authorizations to design and construct capital facilities using institutional or agency funds.

(1) The Legislature intends that:

493 (a) the University of Utah may, subject to requirements in Title 63A, Chapter 5, State
494 Building Board - Division of Facilities Construction and Management, use \$37,400,000 in
495 donations and institutional funds to plan, design, and construct a Dental School Building with
496 up to 70,200 new square feet;

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

498 (c) the university may not request state funds for operation and maintenance costs or
499 capital improvements.

500 (2) The Legislature intends that:

501 (a) the Uintah Basin Applied Technology College may, subject to requirements in Title
502 63A, Chapter 5, State Building Board - Division of Facilities Construction and Management,
503 use \$1,000,000 in donations and institutional funds to plan, design, and construct a Petroleum
504 Technology, Energy Safety, and Transportation Training Center with up to 6,500 new square
505 feet;

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

507 (c) the college may use state funds for operation and maintenance costs and capital
508 improvements.

Legislative Review Note
as of 3-8-12 9:04 AM

Office of Legislative Research and General Counsel