

**REVIEW OF LEASE OR PURCHASE OF  
UTAH STATE DEVELOPMENTAL CENTER  
LAND BY UTAH VALLEY STATE COLLEGE**

1998 GENERAL SESSION

STATE OF UTAH

**Sponsor: LeRay McAllister**

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; MANDATING THAT THE BOARD OF REGENTS REVIEW THE ADVISABILITY OF THE LEASE OR PURCHASE BY UTAH VALLEY STATE COLLEGE OF CERTAIN LANDS OWNED BY THE UTAH STATE DEVELOPMENTAL CENTER; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS:

**63A-5-220**, as last amended by Chapter 179, Laws of Utah 1996

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

Section 1. Section **63A-5-220** is amended to read:

**63A-5-220. Definitions -- Creation of Trust Fund for People with Disabilities -- Use of trust fund monies -- Review -- Study.**

(1) As used in this section:

(a) "Developmental center" means the Utah State Developmental Center described in Section 62A-5-201.

(b) "Division" means the Division of Services for People with Disabilities within the Department of Human Services.

(c) "Fund" means the Trust Fund for People with Disabilities created by this section.

(2) Notwithstanding the provisions of Section 63A-5-215, any monies received by the division from the sale, lease, except any lease existing on May 1, 1995, or other disposition of real property associated with the developmental center shall be deposited in the fund.

(3) (a) There is created a restricted account within the General Fund entitled the "Trust Fund for People with Disabilities."

(b) The Division of Finance shall deposit the following revenues into the fund:

(i) revenue from the sale, lease, except any lease existing on May 1, 1995, or other disposition of real property associated with the developmental center;

(ii) revenue from the sale, lease, or other disposition of water rights associated with the developmental center; and

(iii) revenue from voluntary contributions made to the fund.

(c) Notwithstanding the provisions of Section 65A-4-1, any sale or disposition of real property or water rights associated with the developmental center shall be conducted as [follows:] provided in this Subsection (3)(c).

(i) ~~[the]~~ The division shall secure the approval of the governor through the director of the Division of Facilities Construction and Management before making the sale or other disposition of land or water rights~~[-and]~~.

(ii) ~~[the]~~ The Division of Facilities Construction and Management shall sell or otherwise dispose of the land or water rights as directed by the governor.

(d) The state treasurer shall invest monies contained in the fund according to the procedures and requirements of Title 51, Chapter 7, State Money Management Act, and all interest shall remain with the fund.

(e) (i) The Legislature may appropriate from the principal of the fund and from interest earned on fund monies to the Division of Services for People with Disabilities within the Department of Human Services for use by that division for programs described in Title 62A, Chapter 5.

(ii) Fund monies appropriated under Subsection (i) may not be expended unless reviewed by the Board of Services for People with Disabilities within the Department of Human Services.

(4) By July 1, 1998, the Board of Regents shall:

(a) review the advisability of leasing developmental center land by Utah Valley State College;

(b) in conducting their review, consult with the Division of Facilities Construction and Management about the advantages and disadvantages of the leasing and purchasing options;

(c) if the board determines that a lease or purchase is advisable, identify which land should be acquired, the terms of the lease or purchase, and the financing mechanism to be used; and

(d) report its findings, conclusions, and recommendations to the Education Interim Committee, the Health and Human Services Interim Committee, and the Executive Appropriations Interim Committee.