

1 **LONG TERM LEASE - NORTH CAMPUS OF**

2 **UVSC**

3 1998 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: LeRay McAllister**

6 AN ACT RELATING TO STATE AFFAIRS IN GENERAL; MANDATING THAT DFCM
7 ENTER A LEASE PURCHASE AGREEMENT WITH UTAH VALLEY STATE COLLEGE
8 FOR CERTAIN LANDS OWNED BY THE UTAH STATE DEVELOPMENTAL CENTER;
9 AND MAKING TECHNICAL CORRECTIONS.

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

11 AMENDS:

12 **63A-5-220**, as last amended by Chapter 179, Laws of Utah 1996

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

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

15 **63A-5-220. Definitions -- Creation of Trust Fund for People with Disabilities -- Use**
16 **of trust fund monies.**

17 (1) As used in this section:

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

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

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

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

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

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

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

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

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

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

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

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

15 (iii) The Division of Facilities Construction and Management shall:

16 (A) enter into a long-term lease with Utah Valley State College for the use of
17 approximately 100 acres of real property owned by the developmental center; and

18 (B) ensure that the lease provides fair compensation to the fund for the market value of
19 the property at the time the lease is entered into and provides for the transfer of ownership of the
20 property to Utah Valley State College after the fair compensation has been paid in full.

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

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

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

Legislative Review Note
as of 1-27-98 6:55 PM

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel