

**Senator LeRay McAllister** proposes to substitute the following bill:

**LONG TERM LEASE - NORTH CAMPUS OF**

**UVSC**

1998 GENERAL SESSION

STATE OF UTAH

**Sponsor: LeRay McAllister**

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; MANDATING THAT DFCM  
ENTER A LEASE PURCHASE AGREEMENT WITH UTAH VALLEY STATE COLLEGE  
FOR 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.**

(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.

**\*SB0177S1\***

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

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

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

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

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

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

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

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

17 (iii) The Division of Facilities Cons00truction and Management shall enter into a contract  
18 sales agreement with Utah Valley State College that:

19 (A) provides for the sale of approximately 100 acres of real property at the developmental  
20 center with title to transfer after the contract has been paid in full;

21 (B) provides fair compensation to the fund for the market value of the property at the time  
22 the contract is entered into;

23 (C) provides for payments to be made over a period not to exceed 30 years; and

24 (D) provides for interest to be paid at the rate the fund could have earned if the purchase  
25 price were deposited into the fund at the time the contract is entered into.

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

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

- 1 Chapter 5.
- 2 (ii) Fund monies appropriated under Subsection (i) may not be expended unless reviewed
- 3 by the Board of Services for People with Disabilities within the Department of Human Services.