

SJR006S01 compared with SJR006

~~{deleted text}~~ shows text that was in SJR006 but was deleted in SJR006S01.

Inserted text shows text that was not in SJR006 but was inserted into SJR006S01.

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Representative Michael S. Kennedy proposes the following substitute bill:

**JOINT RESOLUTION URGING LEGISLATIVE APPROVAL
FOR THE ~~{SALE OR}~~ LEASE OF WATER RIGHTS BY THE
STATE DEVELOPMENTAL CENTER**

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Margaret Dayton

House Sponsor: ~~{~~ Michael S. Kennedy

LONG TITLE

General Description:

This joint resolution authorizes a portion of the Utah State Developmental Center's campus, including water rights, to be ~~{leased}~~ approved for ~~{commercial purposes}~~ a long-term lease.

Highlighted Provisions:

This resolution:

- ▶ recognizes the important role the Utah State Developmental Center (USDC) plays in the provision of resources and support for disabled individuals with complex or acute needs in Utah;~~{~~

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- ~~expresses support for the USDC master plan;~~
- ~~recognizes that the master plan creates a long-term vision for undeveloped property that aligns with the Legislature's original purpose when creating the USDC;~~ and
 - ▶ authorizes approximately 7.7 acres of land and water rights located in the northeast corner of the USDC's campus to be ~~leased~~approved for ~~commercial purposes in accordance with the master plan~~a long-term lease.

Special Clauses:

None

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

WHEREAS, Utah Code Subsection 62A-5-206.6(5) requires that the Utah State Developmental Center's Governing Board obtain the approval of the Legislature before offering real property or water rights associated with the Utah State Developmental Center (USDC) for sale, exchange, or long-term lease;

WHEREAS, in 1929, the Legislature established the Utah State Training Center to assist with the care, protection, treatment, and education of individuals with mental disabilities;

WHEREAS, the Utah State Training Center, later known as the USDC, was established during an era when relatively little was known about the causes of mental disabilities;

WHEREAS, like other states, Utah built a public institution in a remote location and within a broad perimeter of land that provided a physical barrier between the institution and the nearest rural homes and communities;

WHEREAS, since its establishment in 1929, the USDC has evolved and improved regarding what public services should be provided for individuals with mental disabilities and how to provide those services;

WHEREAS, since state governments first acknowledged a public interest in and accepted some fiscal responsibility for citizens with disabilities, states have made sweeping changes in the philosophy and practice of providing public services to those citizens;

WHEREAS, these paradigm shifts have resulted from a growing knowledge about disabilities, including their causes, preventions, interventions, and accommodations;

WHEREAS, also contributing to the paradigm shifts was an improving regard for individuals who experience disabilities, as evidenced by public laws that affirm and promote

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their rights, an expansion of publicly funded services, and greater inclusion by their communities;

~~{ WHEREAS, in April 1999, Utah's Lieutenant Governor, Olene Walker, issued a set of guiding principles entitled "Principles to Guide the Delivery of Publicly Funded Services for People with Disabilities in Utah";~~

~~WHEREAS, these principles were developed by a group of individuals representing the Governor's office, the Legislature, state agencies, service providers, and parent advocates;~~

~~WHEREAS, the principles were distributed in the community and public comment was received at a meeting conducted by the Lieutenant Governor on April 13, 1999;~~

~~WHEREAS, the Department of Human Services and the Department of Health subsequently adopted these principles to guide how they provide services;~~

~~WHEREAS, like providers of community-based services, the USDC is currently working to support and promote more individual-centered services, a greater choice of services and supports, and increased opportunities for inclusion of individuals with mental disabilities in the community;~~

~~WHEREAS, today, Utah's citizens across the entire state are served under the direction of the Department of Human Services and the Division of Services for People with Disabilities;~~

~~WHEREAS, the USDC provides 24-hour residential care, is Utah's only state-operated intermediate care facility for individuals with intellectual disabilities, and takes great pride in serving these most vulnerable of Utah's citizens;~~

~~WHEREAS, as other providers in the state struggle to provide care for individuals with complex emotional, medical, and behavioral issues, the USDC is in the unique position of providing most of the essential services at a single location;~~

~~WHEREAS, the USDC's development of a master plan to guide its service is central to its present and future success in providing services for individuals with mental disabilities;~~

~~WHEREAS, the master plan was developed in conjunction with an overall strategic vision for the future use of the USDC;~~

~~WHEREAS, the strategic planning group included a wide range of stakeholders and the master plan was vetted by conducting over 30 public meetings and planning sessions;~~

~~WHEREAS, input for the planning process was received from:~~

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~~— individuals living at the USDC and their families;~~

~~— neighborhoods, counties, and cities surrounding the USDC;~~

~~— community advocacy groups representing individuals with disabilities; and~~

~~— community service providers that regularly work with the USDC;~~

~~— WHEREAS, the USDC master plan creates a long-term vision for undeveloped property that is in accordance with the original purpose of the Legislature in creating this resource for Utahns with disabilities;~~

~~— WHEREAS, the master plan provides a long-term revenue source for individuals with disabilities living in Utah, while preserving the original purpose of the land and maximizing development potential;~~

~~— WHEREAS, the master plan was created with a sustainable methodology, including a balance between environmental sensitivity, community connections, artistic beauty, and economic viability;~~

‡ WHEREAS, the USDC's mission is "dedication to providing an array of resources and supports for individuals with disabilities with complex or acute needs in Utah"; and

WHEREAS, the USDC's vision is to "provide an effective, efficient array of critical services and supports that promote independence and quality of life for Utah's most vulnerable individuals with disabilities in partnership with families, guardians and the community"‡

~~— WHEREAS, by following the master plan, the USDC is in a position to better assist individuals with disabilities to achieve their highest potential in an atmosphere that preserves personal dignity; and~~

~~— WHEREAS, the USDC is ready to begin incrementally developing a portion of the USDC campus in accordance with the master plan};~~

NOW, THEREFORE, ~~{BE IT RESOLVED that the Legislature of the state of Utah expresses support for the incremental implementation of the USDC's master plan.~~

~~— }BE IT {FURTHER} RESOLVED that the Legislature of the state of Utah, in accordance with Utah Code Subsection 62A-5-206.6(5), ~~{the Legislature }~~authorizes the Utah State Developmental Center's ~~{Governing Board}~~governing board to ~~{enter into}~~approve a long-term lease for approximately 7.7 acres of land and water rights located in the northeast corner of the USDC's campus.~~

‡

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Legislative Review Note

Office of Legislative Research and General Counsel