

1                                   **JOINT RESOLUTION GRANTING LEGISLATIVE**  
2                                   **APPROVAL FOR THE SALE  $\hat{H}\rightarrow$  OR LONG-TERM LEASE  $\leftarrow\hat{H}$**   
2a                                   **OF UTAH STATE**  
3                                   **DEVELOPMENTAL CENTER LAND**

4                                   2018 GENERAL SESSION

5                                   STATE OF UTAH

6                                   **Chief Sponsor: Michael S. Kennedy**

7                                   Senate Sponsor: Daniel Hemmert

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9                                   **LONG TITLE**

10                                  **General Description:**

11                                  This joint resolution of the Legislature authorizes the Utah State Developmental Center  
12                                  Board  $\hat{H}\rightarrow$  **(governing board)**  $\leftarrow\hat{H}$  to approve the sale  $\hat{H}\rightarrow$  or long-term lease  $\leftarrow\hat{H}$  of land  
12a                                  associated with the Utah State Developmental Center  
13                                  (USDC) for the purpose of building an east-west connector road.

14                                  **Highlighted Provisions:**

15                                  This resolution:

- 16                                  ▶ recognizes the important role the USDC plays in the provision of resources and
- 17                                  support for individuals with intellectual disabilities who have complex or acute
- 18                                  needs;
- 19                                  ▶ recognizes the contributions that members of the community make to the USDC;
- 20                                  ▶ recognizes the value of an east-west connector road for the environment, the
- 21                                  economy, the local community, and individuals who visit, volunteer, and work at
- 22                                  the USDC; and
- 23                                  ▶ authorizes the  $\hat{H}\rightarrow$  [~~USDC Board~~] governing board  $\leftarrow\hat{H}$  to approve the sale  $\hat{H}\rightarrow$  or
- 23a                                  long-term lease  $\leftarrow\hat{H}$  of land associated with the USDC
- 24                                  for the purpose of building an east-west connector road.

25                                  **Special Clauses:**

26                                  None



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

29 WHEREAS, Utah Code Subsection 62A-5-206.6(5) requires that the Utah State  
30 Developmental Center Board ~~H~~→ **(governing board)** ←~~H~~ obtain the approval of the Legislature  
30a before offering real  
31 property or water rights associated with the Utah State Developmental Center (USDC) for sale,  
32 long-term lease, or other disposition;

33 WHEREAS, in 1929 the Legislature established the Utah State Training Center, later  
34 known as the USDC, to assist with the care, protection, treatment, and education of individuals  
35 with intellectual disabilities;

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

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

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

44 WHEREAS, also contributing to the paradigm shifts was an improving regard for  
45 individuals who experience intellectual disabilities, as evidenced by public laws that affirm and  
46 promote their rights, an expansion of publicly funded services, and greater inclusion by their  
47 communities;

48 WHEREAS, the ~~H~~→ **[USDC Board] governing board** ←~~H~~ oversees and makes  
48a recommendations to the Legislature  
49 concerning the development of real property associated with the USDC for the long-term  
50 benefit and safety of individuals with intellectual and developmental disabilities who receive  
51 care or support from the USDC;

52 WHEREAS, each year individuals from the local community provide over 16,000 hours  
53 of volunteer service to the USDC;

54 WHEREAS, according to a 2017 Department of Transportation managed study, by the  
55 year 2040, an east-west connector road is projected to save up to 44,000 hours of driving time  
56 each year and reduce miles traveled each year by 1.8 million;

57 WHEREAS, the improved access that an east-west connector road will provide will  
58 benefit USDC volunteers, visitors, and staff members; and

59 WHEREAS, the improved access that an east-west connector road will provide will  
 60 reduce response time for public safety personnel who serve the USDC, thus improving safety  
 61 and security for USDC residents:

62 NOW, THEREFORE, BE IT RESOLVED that the Legislature, in accordance with Utah  
 63 Code Subsection [62A-5-206.6\(5\)](#), authorizes the ~~H→ [USDC Board]~~ **governing board** ←H to  
 63a approve the sale ~~H→~~ **or long-term lease** ←H of land  
 64 associated with the USDC for the purpose of building an east-west connector road, according  
 65 to specifications provided by the Department of Transportation in collaboration with the  
 65a ~~H→ [USDC~~  
 66 **Board]** **governing board** ←H , and in consideration of the resolution passed by the ~~H→ [USDC~~  
 66a **Board]** **governing board** ←H on May 17, 2017.

67 BE IT FURTHER RESOLVED that the Legislature directs that the Department of  
 68 Transportation and all other governmental entities involved in the construction of the east-west  
 69 connector road take all reasonable steps to mitigate any negative impact on the Utah State  
 70 Developmental Center or private property.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**