

**RESOLUTION APPROVING SETTLEMENT FOR
PRIVATE PRISON**

2001 FIRST SPECIAL SESSION

STATE OF UTAH

Sponsor: David L. Gladwell

This joint resolution of the Legislature approves the legal settlement reached between the Utah Department of Corrections and Cornell Corrections Corporation and their subcontractors VCBO Architects and Hogan Construction. This joint resolution has an immediate effective date.

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

WHEREAS, the Utah Department of Corrections, following a lengthy mediation process conducted by the Honorable Judge James S. Sawaya (retired), entered into a Stipulation and Agreement to pay Cornell Corrections Corporation and their subcontractors VCBO Architects and Hogan Construction for claims resulting from the cancellation of the privatized prison project;

WHEREAS, the Stipulation and Agreement will be paid out of funds that have already been budgeted in the Department of Corrections, and the Division of Risk Management, thus eliminating the need for further appropriation;

WHEREAS, the Governor has approved the settlement agreement and is submitting it to the Legislature for approval as required by Subsection 63-38b-104(2)(a); and

WHEREAS, Utah Code Section 63-38b-104 requires the Legislature's approval before a state agency can execute a settlement agreement that might cost government entities more than \$1 million to implement:

NOW, THEREFORE, BE IT RESOLVED that the Legislature of the State of Utah approves the settlement agreement that the Utah Department of Administrative Services, the Attorney General's Office, and the Utah Department of Corrections negotiated with Cornell Corrections Corporation and their subcontractors VCBO Architects and Hogan Construction for the payment of \$1,547,000, which includes the \$675,000 previously paid by the state to Cornell



28 Corrections Corporation and their subcontractors VCBO Architects and Hogan Construction.

29 BE IT FURTHER RESOLVED that if approved by two-thirds of all the members elected
30 to each house, this resolution takes effect upon approval by the governor, or the day following the
31 constitutional time limit of Utah Constitution Article VII, Section 8, without the governor's
32 signature, or in the case of a veto, the date of veto override.

Legislative Review Note

as of 6-14-01 12:51 PM

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

Office of Legislative Research and General Counsel