

House Resolution 126 - Introduced

HOUSE RESOLUTION NO. 126

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STUTSMAN, WESSEL-KROESCHELL, BEARINGER, WOLFE,
RUFF, DUNKEL, LUNDBY, KEARNS, STAED, and HEDDENS

1 A Resolution directing the standing Committee on
2 Government Oversight to investigate certain state
3 government matters.

4 WHEREAS, legislative investigations are an essential
5 function of the General Assembly's constitutional
6 duties of lawmaking, appropriation of state moneys,
7 and open and transparent oversight relating to public
8 policy decisions made by the General Assembly and the
9 implementation of the law by the executive branch; and

10 WHEREAS, Governor Terry E. Branstad created an
11 Iowa Juvenile Home Protection Task Force in August
12 2013, which recommended in October 2013 that a 20-bed
13 facility of last resort be maintained for delinquent
14 girls and that child-in-need-of-assistance youth not be
15 placed at the Iowa Juvenile Home, but Governor Branstad
16 closed the Iowa Juvenile Home on January 15, 2014,
17 two days after the convening of the 2014 Legislative
18 Session, impounding and redirecting the use of state
19 funds and transferring residents without allowing the
20 General Assembly time to perform its public policy and
21 lawmaking functions with regard to the home and its

1 residents; and

2 WHEREAS, Teresa Wahlert, Director of Iowa Workforce
3 Development, eliminated the Chief Administrative Law
4 Judge's position responsible for the oversight of
5 unemployment compensation cases in her agency, assuming
6 the supervision herself, and allegedly directing the
7 Administrative Law Judges to conduct themselves in a
8 manner favorable to employers, thereby interfering with
9 their ability to impartially judge cases as required
10 by federal law; and

11 WHEREAS, during Governor Branstad's current
12 administration the employment of state employees has
13 been terminated through the use of personnel settlement
14 agreements that contain confidentiality clauses
15 attempting to force state employees to maintain the
16 confidentiality of facts, circumstances, and terms
17 related to the settlement agreements, with additional
18 compensation offered or paid to some state employees
19 for the inclusion of such confidentiality clauses; and

20 WHEREAS, the Department of Administrative Services,
21 pursuant to a recent public records law request,
22 has released a list of hundreds of workers who are
23 disqualified from future employment because they were
24 discharged or resigned before termination, a practice
25 which has been concealed from the public and often from
26 workers on the list; and

27 WHEREAS, it is the duty of the standing Committee on
28 Government Oversight to act as the investigative arm of
29 the House of Representatives; and

30 WHEREAS, the standing Committee on Government

1 Oversight in the past has investigated or conducted
2 inquiries regarding government wrongdoing involving the
3 Central Iowa Employment and Training Consortium, the
4 Atalissa boardinghouse workers, the Iowa Film Office,
5 and the Iowa Association of School Boards, and such
6 investigations and inquiries have resulted in the
7 improvement of governmental functions; and

8 WHEREAS, the abrupt closing of the Iowa Juvenile
9 Home, the alleged attempt to interfere with
10 impartiality in Iowa Workforce Development cases,
11 the unenforceable use of confidentiality clauses
12 in personnel settlement agreements in the executive
13 branch, and the secret disqualifying of former state
14 employees have not been as thoroughly investigated
15 as anticipated, and therefore these issues remain
16 unresolved; and

17 WHEREAS, additional investigation by the elected
18 representatives of the citizens of Iowa is necessary to
19 assure transparency and openness in state government
20 actions, to protect citizens and prevent future abuses
21 of the law, and to restore the citizens' faith in state
22 government; NOW THEREFORE,

23 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
24 That the standing Committee on Government Oversight is
25 directed to thoroughly investigate the issues described
26 in this resolution and any related issues that may
27 arise; and

28 BE IT FURTHER RESOLVED, That the House standing
29 Committee on Government Oversight is encouraged
30 to consult and cooperate with the Senate standing

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1 Committee on Government Oversight regarding any or all
2 of the issues described in this resolution or on other
3 related issues; and

4 BE IT FURTHER RESOLVED, That the standing
5 Committee on Government Oversight, in conducting such
6 investigation, pursuant to Iowa Code sections 2.15
7 and 2.23, is authorized to call witnesses, administer
8 oaths, issue subpoenas, and cite for contempt, and
9 to meet at such times and at such places as the
10 Chairperson of the Committee deems necessary; and

11 BE IT FURTHER RESOLVED, That the standing Committee
12 on Government Oversight is directed to receive and
13 review any relevant public records information
14 available through a request for examination or copying
15 of public records pursuant to Iowa Code chapter 22; and

16 BE IT FURTHER RESOLVED, That the standing Committee
17 on Government Oversight is authorized to retain, at
18 a reasonable rate of compensation, independent legal
19 counsel, with expertise in investigatory work, and
20 special investigators to coordinate, direct, and
21 conduct such investigation, as necessary, to reimburse
22 such persons for reasonable expenses related to such
23 investigation, and to make recommendations to the
24 committee regarding legislative and prosecutorial
25 actions.