

SENATE RESOLUTION NO. 170

BY COMMITTEE ON GOVERNMENT OVERSIGHT

1 A Resolution conferring authority upon the standing
2 Committee on Government Oversight to conduct an
3 investigation into the compensation levels, use of
4 public moneys, personnel, operations, funding, and
5 oversight of the Central Iowa Employment and Training
6 Consortium, the Iowa Department of Workforce
7 Development, and all matters reasonably related
8 thereto.

9 WHEREAS, the Auditor of State conducted a special
10 investigation of programs administered by the Central
11 Iowa Employment and Training Consortium and the Iowa
12 Department of Workforce Development and in a report
13 issued March 31, 2006, identified unallowable uses of
14 federal funds, including excessive compensation for
15 Central Iowa Employment and Training Consortium
16 executive employees, improper allocation of salaries
17 and supplemental payments to federal grants, and an
18 indication of less-than-arm's-length transactions
19 between the Central Iowa Employment and Training
20 Consortium and the Iowa Department of Workforce
21 Development; and

22 WHEREAS, the Auditor of State further reported
23 concerns with operations at the Iowa Department of
24 Workforce Development, relating to and including use
25 of excess federal funds, monitoring of providers, the
26 provision of additional funds to the Central Iowa
27 Employment and Training Consortium through the
28 amendment process, and reporting requirements

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1 established for providers; and

2 WHEREAS, the serious concerns raised by the Auditor
3 of State regarding the misuse of public funds,
4 improper relationships linked to questionable
5 transactions, and failure to provide necessary
6 monitoring and oversight violate the public trust and
7 demand further investigation by the General Assembly,
8 as well as by other state and federal agencies; and

9 WHEREAS, the standing Committee on Government
10 Oversight is empowered, pursuant to Iowa Code sections
11 2.15 and 2.23, to require information of state
12 agencies with full cooperation of their personnel, to
13 review the operations of state agencies and
14 departments, and to conduct investigations, with
15 authority to call witnesses, administer oaths, issue
16 subpoenas, and cite for contempt; NOW THEREFORE,

17 BE IT RESOLVED BY THE SENATE, That the standing
18 Committee on Government Oversight is authorized to
19 conduct an investigation into compensation levels, use
20 of public moneys, personnel, operations, funding, and
21 oversight of the Central Iowa Employment and Training
22 Consortium, its Board of Directors, affiliated boards,
23 agencies, and organizations, and all matters
24 reasonably related thereto, including but not limited
25 to oversight of the Central Iowa Employment and
26 Training Consortium by the Iowa Department of
27 Workforce Development and its affiliated agencies and
28 boards; and

29 BE IT FURTHER RESOLVED, That the investigation
30 shall be conducted in accordance with the full

1 authority granted the standing Committee on Government
2 Oversight by law including but not limited to the
3 authority to conduct the investigation, call
4 witnesses, administer oaths, issue subpoenas, cite and
5 impose punishment for contempt, and otherwise enforce
6 these investigative powers as authorized by and in
7 accordance with law, subject to the following:

8 1. A subpoena may be issued by mutual agreement of
9 the Co-chairpersons of the standing Committee on
10 Government Oversight.

11 2. Subpoena authority conferred by this Resolution
12 shall exist for a ninety-day period following the date
13 of passage of this Resolution.

14 3. A citation and punishment for contempt may be
15 issued and imposed according to the following
16 schedule:

17 a. An initial citation may be issued by the
18 standing Committee on Government Oversight by a
19 majority vote of the members of the Committee and is
20 punishable by a fine of \$500.

21 b. A second or subsequent citation may be issued
22 by the standing Committee on Government Oversight by a
23 majority vote of the members of the Committee and is
24 punishable by a fine of \$1,000.

25 c. In addition to the fines authorized pursuant to
26 paragraphs "a" and "b", the Senate may by resolution
27 impose a punishment of imprisonment for a period of up
28 to six months.

29 4. Subpoenas and citations for contempt shall be
30 signed by the Co-chairpersons of the standing

1 Committee on Government Oversight, the presiding Co-
2 President of the Senate for constitutional duties
3 pursuant to Senate Resolution 1, and the Secretary of
4 the Senate. Warrants for contempt shall be signed by
5 the presiding Co-President of the Senate for
6 constitutional duties pursuant to Senate Resolution 1,
7 and the Secretary of the Senate; and

8 BE IT FURTHER RESOLVED, That the standing Committee
9 on Government Oversight is authorized to retain
10 outside special legal counsel to coordinate, direct,
11 and conduct the investigation, and in furtherance of
12 this authority to retain two outside special legal
13 counsel, one to be selected by Republican members, and
14 one to be selected by Democratic members,
15 respectively, to serve jointly regarding the
16 coordination, direction, and conduct of the
17 investigation, and including authorization to
18 compensate such outside special legal counsel at a
19 reasonable rate of compensation for all work
20 undertaken, including compensation or reimbursement of
21 such reasonable expenses as may be necessary to carry
22 out the investigation authorized hereunder; and

23 BE IT FURTHER RESOLVED, That outside special legal
24 counsel conducting the investigation hereunder shall
25 advise and report to the standing Committee on
26 Government Oversight in such manner and at such times
27 as shall be directed by the Committee; and

28 BE IT FURTHER RESOLVED, That the standing Committee
29 on Government Oversight may meet at such times and at
30 such places as the Co-chairpersons of the Committee

1 deems necessary and may coordinate its investigation
2 with a standing committee of the House of
3 Representatives conducting a similar investigation;
4 and

5 BE IT FURTHER RESOLVED, That the investigation and
6 retention of outside special legal counsel shall
7 continue until the investigation is completed, or
8 until such time as the investigation is terminated by
9 the standing Committee on Government Oversight by
10 majority vote of the members of the Committee.

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