

Senator Mulroe stated that the Commission should trust the Auditor General's opinion regarding the deficiencies. He added it is the job of the legislative bodies to provide legislative remedies. He suggested that if it is wrong for people to get money in one neighborhood when another neighborhood is more deserving, then the LAC should offer a remedy for that. He added that the audit says the program failed because the agency did not have certain factors in place. Senator Barickman stated that he preferred to understand how things went wrong. Representative Reis stated that a remedy cannot be proposed without knowing the real problem, and that the auditor still had questions like where did the unspent money go.

Representative Rita began to offer names of others who could be subpoenaed such as Malcolm Weems, Warren Ribley, and Jack Lavin. The Subcommittee took a short recess.

After the recess, Senator Barickman proposed that the group consider a two-pronged approach: move forward on the motion to subpoena Barbara Shaw and then consider others that should be called. Senator Mulroe stated that the purpose of the Audit Commission is to provide remedies for deficiencies that are brought up by the Auditor General. He stated a State agency was eliminated and the legislature should provide safeguards. Senator Barickman said the State continues to make grants to an agency that owes the State money from NRI money that was not reclaimed by the State. Senator Mulroe stated that the State is in the process of collecting that money and withholding what they owe us from what we owe them.

Senator Barickman offered that if a majority voted to subpoena Barbara Shaw, he would vote to subpoena others. Senator Mulroe stated that Representative Mautino may not agree with all the subpoenas, but each subpoena must be signed by both co-chairs before it can be issued.

Senator Mulroe asked how the Commission will deal with privileged information. Senator Barickman stated that the Auditor General's files have documents marked as privileged which means the document is missing from the file. Senator Barickman stated that subpoenaed documents would be turned over to the custody of the Audit Commission.

Upon a vote of 4-0, the Subcommittee voted to subpoena Barbara Shaw. Senator Barickman stated that Ms. Stricklin should communicate with Mr. Theis on how to serve the subpoena to Ms. Shaw to minimize disruption to her. However, if the subpoena cannot be delivered to Mr. Theis, then it should be issued as provided by law.

As for others involved in the creation and implementation of NRI that should be subpoenaed along with any NRI documents or emails in their possession, Senator Barickman offered Malcolm Weems, Jack Lavin, Toni Irving, Bill Ocasio, Warren Ribley and Andy Ross. Senator Barickman's analysis was that Mr. Weems, Mr. Lavin, Mr. Ocasio, and Ms. Irving directed Ms. Shaw in regards to the funding to be received, the communities the funds were targeted to, the aldermen who would be invited to participate

and beyond. Mr. Ribley's DCEO was identified in the NRI press release as administering a \$10 million grant program.

Representative Reis wondered what would happen if the LAC could not finish its interview of all seven witnesses on July 16-17. Representative Rita stated that if each person were interviewed for four hours, that would take 28 hours across two days and some would need less than four hours. Senator Barickman expressed concern that there would be insufficient time for questioning and that Representative Mautino would limit questioning if he was chairing the meeting. Senator Mulroe reminded members that the role of the Audit Commission is to address deficiencies and provide remedies so they don't happen again. Representative Rita insisted that two days would be enough time to hear testimony from all seven witnesses. Senator Barickman stated that he agreed there should be no unnecessary questioning, questions should stay within the scope of the audit, and things should move as expeditiously as possible, but if questioning is not complete, then individuals will have to appear on another date chosen by the co-chairs in consultation with the members as soon as possible after the hearing. Senator Mulroe stated that if two days is not enough, then the matter should be taken up then to consider whether to extend the subpoenas to another date. Senator Mulroe stated that if the LAC could not finish in two days, people may not object to an extension unless the hearing becomes a political circus.

Ms. Stricklin stated that the hearing on July 16 was scheduled for 10:00am, but the one on July 17 could start at 9:00am. She also advised members to provide questions in advance to reduce the probability of people saying they could not remember the events clearly from four years ago.

The motion to subpoena Malcolm Weems, Jack Lavin, Billy Ocasio, Tony Irving, Warren Ribley and Andy Ross passed 4-0.

Senator Barickman urged Ms. Stricklin to contact the attorneys of the other six people to be subpoenaed to see if they will accept service of the subpoena.

The meeting was adjourned.