

MINUTES
Legislative Post Audit Executive Committee
August 24, 2016

Call to Order

Welcome by the Chair. The meeting was called to order by Chair O'Donnell at 9:36 a.m. in the offices of the Legislative Division of Post Audit and by a published teleconference line. Executive committee members present:

Senator Michael O'Donnell, Chair Representative Virgil Peck, Jr., Vice-Chair
Senator Laura Kelly

Senator Kelly was present at the Legislative Post Audit offices. Chair O'Donnell and Representative Peck attended by conference call.

Consideration of Legislative Post Audit's FY 2018-19 Budget Request

Scott Frank, Legislative Post Auditor, reviewed the division's draft budget request. In response to a question by Senator Kelly, Mr. Frank noted that the division had not prepared a reduced-resources budget, as the executive-branch agencies had been instructed to do, because the Legislative Coordinating Council had not issued a corresponding instruction to the legislative agencies. He also noted that the division had been exempted by proviso in the last two budget cycles from paying the "monumental surcharge," an annual amount assessed to all agencies not quartered in the Statehouse. After further discussion, Senator Kelly moved approval of the FY 2018-19 budget as proposed. Representative Peck seconded the motion; motion carried.

Potential Rules Changes

Mr. Frank reviewed for members staff's proposed amendments to committee rules. If approved, Revisor staff would prepare appropriate language for consideration by the full committee in September. The proposed amendments were:

1. Move the deadline for staff to send out its initial school district solicitation letter from July 1 to July 15. (Modify Rule 1-6(b))
2. Require the Post Auditor to submit a proposal each year for a follow-up audit of significant recommendations from the previous year. (Modify Rule 3-4)
3. Limit the number of times a legislator may testify on the same audit request. (Modify Rule 4-5)

Senator Kelly moved to approve the first and second proposed changes, and to consider the third change (limiting the number of times a legislator may testify in support of an audit request) separately. Representative Peck seconded the motion. Motion carried.

After further discussion, Senator Kelly moved that legislators be allowed to testify on a given audit request once per calendar year, but could submit unlimited written testimony for the committee's consideration. Representative Peck seconded the motion; motion carried.

Potential Legislation for the 2017 Session

Mr. Frank reviewed with members a series of proposed statutory changes. If approved, Revisor staff would prepare appropriate language for consideration by the full committee in September, for possible introduction in the 2017 Legislature. The proposed statutory changes were:

1. Require the Kansas Corporation Commission (KCC) to mandate a measurement and verification report for each Facility Conservation Improvement Program (FCIP) project to confirm that the expected energy savings actually occurred.
2. Amend K.S.A. 60-4117(d)(3) to clarify how much discretion law enforcement agencies should have in how they use forfeiture proceeds.
3. Amend K.S.A. 60-4117(d)(2) to require a centralized report structure for seizure and forfeiture activity by local law enforcement agencies. Alternatively, amend 60-4117(d)(2) to eliminate the reporting requirement altogether.
4. Amend K.S.A. 46-233 to extend the state ethics laws to local units of government.

Following discussion, Representative Peck, seconded by Senator Kelly, moved approval of items two, three, and four; motion carried. Mr. Frank suggested that the Revisor might develop alternative versions for items two and three, so the committee could look at different policy options. Members agreed to take no action on item one at this time.

Senator Kelly further moved to recommend introduction of a bill that would permanently exempt Legislative Post Audit from the monumental surcharge. Representative Peck seconded the motion; motion carried.

Evaluation of the Post Auditor

Mr. Frank told members that they needed to go into executive session to consider his annual evaluation, mandated under committee rules. Representative Peck made the following motion:

I move that the open meeting of the Legislative Post Audit Executive Committee be recessed for a closed, executive meeting to commence immediately pursuant to subsection (b)(1) of K.S.A. 2015 Supp. 75-4319, for a discussion of personnel matters of nonelected personnel relating to the annual evaluation of the Legislative Post Auditor which is under consideration by the committee, to protect the privacy interests of the individual, that the Legislative Post Audit Executive Committee resume the open meeting via telephone at (785) 291-0600, Meeting ID: 1234 and at the Legislative Division of Post Audit's offices at 800 SW Jackson Street, Suite 1200, at 10:30 a.m., and that this motion, if adopted, be recorded in the minutes of the Legislative Post Audit Executive Committee and be maintained as a part of the permanent records of the committee.

Senator O'Donnell seconded the motion; motion carried. Adopted at 10:30 a.m. on August 24, 2016. Remote members disconnected from the conference call and called a second undisclosed number to reconvene in executive session.

The open meeting resumed at 10:40 a.m. as members reconnected to the published teleconference line.

Wrap-Up

Date of next meeting. Mr. Frank indicated there should not be a need for the executive committee to meet again this year. The full committee will meet on September 21.

Adjourn

Senator Kelly moved that the executive committee adjourn. Representative Peck seconded the motion. Motion carried. The chair adjourned the meeting at 10:43 a.m.



8/26/2016

Nicole Blanchett, Secretary
Legislative Post Audit Committee

date

All handouts and other documents referred to in these minutes are on file with Legislative Post Audit. Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim and have not been submitted to the individuals appearing before the committee for editing or corrections.