

## MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS

The meeting was called to order by Chairman Lana Oleen at 11:15 a.m. on April 6, 1993 in Room 254-E of the Capitol.

All members were present except:  
Sens. Hensley and Walker were excused

Committee staff present: Mary Galligan, Legislative Research Department  
Mary Ann Torrence, Revisor of Statutes  
Jeanne Eudaley, Committee Secretary

Conferees appearing before the committee:  
C.E. "Sonny" Scroggins, Member, National/International Black History Month  
Randy Tongier, Post Audit Department  
Janet Chubb, Executive Director, Racing Commission

Others attending: See attached list

Sen. Oleen recognized Sen. Papay, who introduced pages from her district who are assisting the committee today. Sen. Papay, Chairman of the Human Rights Subcommittee, also announced SB 431, concerning appropriations for fiscal year ending June 30, for the Human Rights Commission, (Attachment 1) which the committee voted to introduce, was referred to the Ways and Means Committee. They will not be conducting hearings on the bill this session; consequently, the committee will attempt to amend the Omnibus Bill to include provisions for appropriations contained in SB 431.

Sen. Oleen introduced Sonny Scroggins who presented a request (Attachment 2) for an interim study creating a Commission on African-American Affairs. He stated the Black Community is in trouble and this committee has a chance to show support, and the Hispanic Community has indicated they will support this effort and become a part of it. Sen. Jones made a statement supporting the establishment of a commission and urged the interim study include ways to encourage appointments of blacks and minorities to state boards and commissions. Sen. Jones made a motion the committee request an interim study as outlined by Mr. Scroggins, and it was seconded by Sen. Ramirez; the motion passed.

The Chairman, Sen. Oleen, referred to HB 2519, concerning the racing commission, procedures for annual audits and reviews, and asked Mary Galligan to brief the committee. Ms. Galligan referred to the Supplemental Note (Attachment 3). Sen. Oleen stated the Racing Commission conducts several audits annually and asked if this bill is a separate request for Post Audit, and Ms. Galligan responded this bill would require an annual, financial-compliance audit. Any other audits would be the result of separate requests. Sen. Vidricksen stated the Racing Commission has numerous audits annually and stated this bill is unnecessary. He stated his concern that bills requesting separate audits are taking control away from the Post Audit Department and that he does not want to see staff increased in the Post Audit Department just to keep up with the many requests for audits. He stated we are starting a bad trend and it doesn't make sense. Sen. Parkinson reminded the committee that any legislator can make a request for an audit. Sen. Oleen stated she is a new member of the Post Audit Committee and asked Randy Tongier how many requests will be considered at their next meeting. Mr. Tongier answered there are approximately 20 requests and possibly two to three will be approved. Sen. Oleen stated each major state agency is considered for an audit annually and that this is a policy issue. Ms. Galligan emphasized this bill would require an annual financial-compliance audit and asked if it would be conducted by the Post Audit Department personnel or contracted. Mr. Tongier explained the audits which are statutorily required annually, and stated the audit being discussed would probably be contracted out to a CPA firm. Sen. Ramirez asked who requested this bill, and Sen. Oleen stated it was requested for introduction by the Appropriation Subcommittee working with the Racing Commission, and the Chairman of that Subcommittee, Rep. Lowther, presented testimony to the House Federal and State Affairs Committee. Sen. Gooch asked Mr. Tongier of the size of the Post Audit staff and if they have adequate personnel to conduct audits, specifically technical staff. Mr. Tongier responded he is the only CPA on staff,

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS, Room 254-E  
Statehouse, at 11:05 a.m. on April 6, 1993.

that they lack technical staff to conduct performance audits, or the financial-compliance audits. Sen. Oleen asked Janet Chubb what audits the Racing Commission has had in the past and who conducts those audits. Ms. Chubb responded the Commission has conducted their own yearly audits and use their own staff. Sen. Vidricksen asked if the audits are available to legislators and to the public. Ms. Chubb responded the audits are all a matter of public record and are subject to public scrutiny, subject to the Public Records Act. Sen. Oleen asked Ms. Chubb if she had discussed this bill with the Appropriation Subcommittee, and she answered there was only general discussion, but that the Commission has stated they would not oppose the audit. Ms. Chubb stated the Commission will be doing their 100-hour audit. Sen. Oleen closed the hearing on HB 2519.

Sen. Oleen announced a hearing tomorrow on SB 434, regarding confirmation of appointments to state boards and commission, which will consist of a briefing by staff. She stated it is a big piece of legislation which the committee will consider and possibly request an interim study on it.

The committee considered Minutes of Committee Meetings for the following dates:

February 11, 18, 19, 22, 23, Rail 23, 24 and 25

Sen. Vidricksen made a motion the Minutes be approved for those meetings, and the motion was seconded by Sen. Jones; the motion passed.

Meeting adjourned at 11:40.

DATE: April 6, 1993

[illegible]

Attach. 1

3 RS 1283

MEMBERS COPY

To - Ways &  
Means

SENATE BILL NO. 431

By Committee on Federal and State Affairs

AN ACT making and concerning appropriations for the fiscal year ending June 30, 1994, for the Kansas human rights commission.

Be it enacted by the Legislature of the State of Kansas:

Section 1. For the fiscal year ending June 30, 1994, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

Sec. 2.

KANSAS HUMAN RIGHTS COMMISSION

There is appropriated for the above agency from the state general fund the following:

Operating expenditures..... \$102,398

Provided, That expenditures from this account may be made only for salaries and related expenses of three new special project investigator positions in addition to the three new special project investigator positions provided by 1993 Senate Bill No. 41: Provided, however, That no expenditures from this account shall be made if moneys for a total of six or more new special project investigator positions are otherwise appropriated for the fiscal year ending June 30, 1994.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Sen. F. & S. A.  
4-6-93  
Att 1

Attach. 3

The Kansas Fever Committee  
Member  
3730 Truman  
Topeka, KS 66609  
Tel.: (913) 267-5381

October 22, 1990

Joan Finney, Gubernatorial Candidate  
700 SW Jackson Street, Suite 412  
Topeka, Kansas 66603

Dear Mrs. Finney:

I wish to acknowledge with much gratitude your endorsement of a Commission on African-American Affairs.

Your support to create a Commission on African-American Affairs, if elected, and support of the hanging of a second portrait of a noted black Kansan in the Capitol was communicated to the Associated Press.

The Commission we talked about regarding the Iowa Commission on the Status of Blacks is enclosed. The legislation can be used as a model. Also enclosed is a newspaper article dated March 24, 1988, concerning the creation of the Iowa Commission on the Status of Blacks is a follow up of our discussion. This is a model for the State of Kansas in establishing a Kansas Commission on the Status of African-Americans Affairs.

According to current figures, the population of blacks in Kansas is 145,000, compared to 52,000 in Iowa.

The legislation in Iowa which created the Iowa Commission on the Status of Blacks was supported by the Honorable Governor Terry Brandstad.

Sincerely,

C. E. "Sonny" Scroggins

C. E. "Sonny" Scroggins  
Member of the National/International Black History Month  
(renamed African-American History Month)

CES:sal

Enclosures

cc:

Lou Ferguson, Associated Press  
Karen Sipes, Topeka Capital-Journal  
Charles Bullard, Iowa Register, Staff Writer

Sen. F. & S. Q.  
4-6-93  
att 2

# KANSAS

W E D N E S D A Y

## Advisory panel for blacks sought

■ But lawmakers have cut most of the proposed funding for Advisory Committee on African-American Affairs

By MARK SOMMER  
The Capital-Journal

**G**ov. Joan Finney's proposal to create a state Advisory Committee on African-American Affairs would serve an important need for blacks, according to a coalition of primarily African-American church, civic and community groups in Topeka.

The plan, tucked inside a Senate appropriations bill, would place such a committee within the Kansas Department of Human Resources.

However, a Senate Ways and Means subcommittee recently stripped away most of the requested funding, calling instead for a study of African-American needs.

Meanwhile, a recommendation on the bill by a subcommittee of the House Appropriations Committee will be presented to the rest of the panel a week from today.

Clyde Howard, a member of the African-American Community Forum, said the value of the

advisory committee would be its ability to inform and involve black people in such areas as government, housing, employment and social services. He said it also could serve as a statewide networking resource for black individuals and businesses.

Howard, who is active with Saint Mark's African Methodist Episcopal Church, said the community forum is involved in several areas aimed at helping Topeka's black community become more self-sufficient. A state apparatus, he suggested, could provide a needed service to blacks throughout Kansas.

"Oftentimes, things are said suggesting the African-American community wants the government to do things for us," he said. "Our goal is to do something for ourselves, to take responsibility for doing things for each other."

The proposal calls for the committee to be staffed with three full-time employees and have a budget of \$146,131. The money would come from the state's general fund.

The funding and staff levels would be identical to the Advisory Committee on Hispanic Affairs, also housed within KDHR.

If the Legislature fails to back her proposal, Finney could establish the advisory committee on her own because it requires no change in the law. However, funding would have to come from her existing budget.

Mary Holladay, the governor's appointments

secretary, said Finney is committed to the creation of the advisory committee and is monitoring the bill's status.

"It's a pretty strong statement when the governor places something in her budget recommendations," Holladay said.

The idea for the advisory committee originated with Mordean Taylor-Archer, a Kansas State University administrator, who approached the governor with the idea last fall.

Sen. Bill Brady, D-Parsons, who served on the Senate subcommittee that investigated the proposal, said supporters failed to show up when hearings were held.

He said a study was recommended because there was a need to determine the best course of action, including whether there should be a single minority affairs office.

Sen. Sherman Jones, D-Kansas City, strongly favors separate advisory committees. He said it would open up greater opportunities in the Statehouse for blacks to be represented on commissions and boards and in assisting in the drafting of legislation.

Jones also said it would be a boon to blacks Americans as it has been for Hispanics.

"The Hispanic community has found it advantageous," he said. "It would put the state's largest ethnic minority group on an even playing field."

Kansas had 143,076 blacks in the 1990 federal census.

Attach. 3

SESSION OF 1993

## SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2519

As Amended by House Committee on  
Federal and State Affairs

### Brief\*

The bill would require that the Racing Commission be subject to an annual financial-compliance audit and other audits as directed by the Legislative Post Audit Committee. Each audit would have to include a review of revenues and expenditures of the Commission and an assessment of the financial condition of each organization licensee, facility owner licensee, and facility manager licensee.

The Post Audit Committee would determine whether required audits would be performed by an outside firm or conducted by the Post Auditor. If the Committee directs that the audit be conducted by an outside firm, that firm would be chosen in accordance with statutes governing that process. The Racing Commission would be required to reimburse the Division of Post Audit for the cost of the required audit.

### Background

The bill was requested for introduction by the Appropriations Subcommittee that reviewed the FY 1994 budget of the Racing Commission. The bill was presented to the Federal and State Affairs Committee by the Chair of that Subcommittee. No opponents to the bill appeared before the Committee at its hearing.

The House Committee amended the bill to include in the financial assessment all three major licensees of the Racing Commission. As introduced, the bill would not necessarily have included financial assessments of the organization licensee and the facility manager licensee.

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\* Supplemental Notes are prepared by the Legislative Research Department and do not express legislative intent.

5554/mkg

Sen. 7 + SA  
4-6-93  
att 3