

STATE AFFAIRS COMMITTEE

March 19, 1965

Afternoon

The meeting was called to order by the Chairman who introduced Mr. McAtee to discuss HCR 517. He stated that he supported the resolution; was anxious to have the proposed survey made, but gave information and statistics in defense of the prison system, stating that in spite of the charges made previously, improvements are made and there have been many steps forward, in spite of inadequate funds and inadequate provision for personnel. He stated that provision was made for psychiatrists on the staff at the reception and diagnostic center but that they were not "exempt" civil service as they are at the other institutions and therefore the higher salaries take priority over the work at the center. He states that a previous study urged the "immediate" construction and staffing of a minimum security station for youthful and first offenders where they would be able to work at rehabilitation, recreation and vocational training; that a sum of money has been appropriated by the legislature for this purpose but that for various reasons this has necessarily been delayed. Mr. Rogers inquired about Dr. Menninger's statement concerning how much money had been saved in capital improvements in the mental health system. Mr. McAtee stated that the Budget Division gave him figures as follows: In the last 9 years there have been 25 million dollars spent in capital improvements in the institutions, to compare with 5 million for capital improvements in the penal system.

Mr. Clay Headrick, State Auditor, appeared in behalf of HB 896,* and introduced Mr. George Yandell who stated that this would license municipal accountants whether or not they were CPA's; that there have been complaints about the improper audits and audit reports and this would help the problem; that it would propose an increase also in the license fee, to what they feel is a more realistic figure. Mr. Griffith inquired if one needed to be a CPA in order to get the license and Mr. Yandell replied that it was not, but for just an accountant to be qualified he must take two examinations whereas the CPA takes only the Municipal Law examination. Mr. Rogers inquired about the number of violations, and Mr. Yandell replied that there had been several complaints in the last year.

Representative Loux appeared to introduce opponents to the bill; Mr. Robert I. Cory, Ben Kubik, John Logsdon, Marvin Maydew, Roy Crane, Howard Stettler, Dean Lemon, Mike Yadon and Bob Mize. Mr. Cory is the President of the CPA organization, and introduced Mr. Kubik who is Chairman of the Legislative Council for the CPA's. He stated that

* see exhibit in folder

he was defending the position of the CPA's; that they had had seven complaints in the last year and that because this is the busy season they have investigated only one; that they will handle this matter themselves without legislation and that there is no need for this bill; that if they Auditor will just tell them, they will see that the violations are stopped. He states that not all CPA's are qualified to do municipal audits; that it is a specialized field. Mr. Woodworth asked if some CPA's fail the examination and it was established that a substantial number do fail. They presented a proposed amendment which they said would make the bill acceptable to them.

The Chairman stated that he had promised Mr. Glatt more time to discuss HB 720; and Mr. Glatt stated that there were some areas where apparently there had been some changes from what he thought was the original draft presented to the Bill Drafter. Mr. Rogers inquired about the language on page three in the exceptions, and Mr. Glatt stated that it was the language used in most of the state laws. Mr. Glatt again stressed investigative and subpoena powers, emphasizing that in many cases they cannot get cooperation, and stated that if they could say that in cases of employment, if the cooperation was not offered, that retroactive benefits might accrue, it would be helpful. Mr. Turner stated that "you want to blackmail them". Miss Jacquart asked if subpoena powers were not granted by the legislature, would the bill help the Commission, and Mr. Glatt stated "very little". He went on to say that was the key to the whole proposal, and that the time element is important; if they can't get cooperation, the Federal Government would come in and take over. Mr. Turner asked if Mr. Glatt knew of any case where this had happened, while the Commission was actively engaged in working on a case, and Mr. Glatt did not. Mr. Marshall asked for a clarification concerning "rules of evidence of courts" and Mr. Glatt stated that it was the feeling of the Commission that a Judge would be in a position of sifting out his prejudices and would give a more equitable decision than would a jury of 12 citizens. Mr. Griffith stated that the evidence section should be worked on; that hearsay evidence should not be entered into an appeal to the court. Mr. Glatt stated that they had over 153 complaints in the life of the Commission, 14 of which were public accommodations; that they have had only 3 public hearings since 1961; that he considers the Commission's function primarily conciliatory.

The Chairman stated that he had a proposed resolution which he had been requested to introduce; a constitutional amendment to do away with the printing plant; that he would like to have it referred back. He received unanimous consent for this to be done.

Meeting was adjourned.