

Approved

Thomas F. Walker
Date *3-16-90*

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Representative Thomas F. Walker at
Chairperson

9:00 a.m./p.m. on Thursday, March 15, 1990 in room 522-S of the Capitol.

All members were present except:

Committee staff present:

Avis Swartzman - Revisor
Carolyn Rampey - Legislative Research Dept.
Jackie Brey Meyer - Committee Secretary

Conferees appearing before the committee:

Representative Al Ramirez

Chairman Walker called the meeting to order. The minutes of the previous day's meeting were distributed. He said they would stand approved at the end of the meeting if there were no corrections or additions.

Chairman Walker stated he had appointed a subcommittee committee on the Dealer Review Board. Members are: Representative Weimer, Chairman, Representative Graeber and Representative Krehbiel.

The agenda for the day was the Subcommittee Report on the Civil Rights Commission. Copies of the signed Subcommittee Report were distributed to the Committee. (Attachment 1) Representative Ramirez began by thanking his subcommittee for its hard work in reviewing the Commission.

The Subcommittee held five meetings to review the duties and operations of the Commission. It reviewed the Commission's budget and a 1986 performance audit report from the Legislative Division of Post Audit. This report pertained to the processing of civil rights cases. Following its review and deliberations, the following recommendations were made by the Subcommittee:

1. The Commission should be continued under Kansas Sunset Law until July 1, 1992. It was the opinion of the Subcommittee that Commission activities warrant more frequent review. This would amend SB 490 from a sunset of 8 years to 2 years.
2. The Commission's budget for the current year is more than 1.4 million, of which 72% is from the State General Fund. The number of authorized positions is 40.0 FTE. As a result of a serious revenue shortfall facing the state, the Commission, like a number of agencies, will have to examine its procedures and activities in order to make the most effective use of its resources. The Commission's caseload (1,349 complaints with backlog) filed in FY 1989 has no contingency plan to streamline procedures to cope with this increasing workload. It might be possible for the Commission to make changes in its investigatory procedures.
3. The Chairman of the House Committee on Governmental Organization should request a performance audit of the Commission on Civil Rights for review by the Committee during the 1991 session. The 1986 audit, which addressed such issues as staff productivity and the prompt and accurate investigation of complaints, should be updated. In addition, the audit should also consider qualifications and job descriptions of staff, assignments of duties within the agency, and overall agency management.

Chairman Walker thanked Representative Ramirez for the Subcommittee Report. Questions were asked concerning caseloads, complaints and review procedures.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION,
room 522-S Statehouse, at 9:00 a.m./p.m. on Thursday, March 15, 1990.

Roger Lovett, General Counsel, Civil Rights Commission, was present to monitor the proceedings. He stated that of the 1,349 complaints, 1,100 were taken care of, with 240 still pending. He explained that this does not mean that litigation is involved in all cases, some might go to court, but others are unresolved at this time and will take some type of processing.

Other comments of a general nature concerning the Commission were made.

Representative Ramirez moved the adoption of the Subcommittee Report.
Representative Sughrue gave a second to the motion. The motion carried.

The Chairman stated that he would write the letter requesting a performance audit of the Commission.

Representative Reinert moved to amend SB 490 to continue the Civil Rights Commission for two years. Representative Krehbiel gave a second to the motion.
The motion carried.

Representative Sughrue moved to pass SB 490 favorably as amended.
Representative Ramirez gave a second to the motion. The motion carried.

The Chairman stated the Committee would meet tomorrow.
The meeting was adjourned.

MEMORANDUM

Kansas Legislative Research Department

Room 545-N - Statehouse
Topeka, Kansas 66612-1586
(913) 296-3181

March 13, 1990

To: House Governmental Organization Committee

From: Subcommittee on the Sunset Review of the Kansas
Commission on Civil Rights

Re: Subcommittee Report

The Subcommittee on the sunset review of the Kansas Commission on Civil Rights held five meetings to review the duties and operations of the Commission. At these meetings, the Subcommittee received reports from the Commission on its activities, reviewed the Commission's budget, and reviewed a 1986 performance audit report from the Legislative Division of Post Audit that pertained to processing civil rights cases.

Following its review and deliberations, the Subcommittee makes the following recommendations:

1. The Kansas Commission on Civil Rights should be continued under the Kansas Sunset Law until July 1, 1992. It is the Subcommittee's opinion that the activities of the Commission warrant a more frequent review by the Legislature than would be the case if the Commission were to be extended for a longer period of time. Therefore, the Subcommittee recommends that S.B. 490, which would extend the Commission the maximum number of years under the Sunset Law (eight), be amended to extend the Commission two years.
2. The Commission's budget for the current year, as recommended by the Governor, is more than \$1.4 million, of which 72 percent (\$1,031,928) is from the State General Fund. The number of authorized positions is 40.0 FTE.

Although the budget process is not complete, it would appear that the Commission, like a number of other state agencies, perhaps will be forced to hold positions vacant or even lay employees off as the result of the serious revenue shortfall that faces the state. The Subcommittee's opinion is that every state agency should begin to examine its procedures and activities in order to make the most effective use of the resources it has. In the case of the Commission on Civil Rights, the Subcommittee notes that, although the Commission's caseload is increasing (1,349 complaints were filed in FY 1989 and a backlog has begun to climb), no contingency plans have been developed to streamline the agency's procedures so that it can cope with its increasing workload in the face of revenue shortfalls. It is possible changes could be made in the Commission's investigatory procedures. While the Subcommittee expects the Commission to

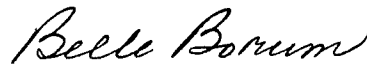
ATTACHMENT 1
GOVERNMENTAL ORGANIZATION
MARCH 15, 1990

thoroughly investigate each complaint, the Subcommittee also expresses the concern that the Commission neither burden other agencies and individuals with unnecessary requests for information nor waste its own time on inquiries and procedures that are beyond what is needed to perform its duties.

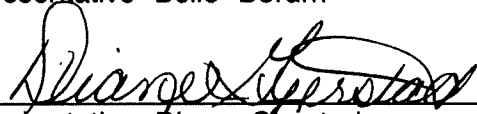
3. The Chairman of the House Committee on Governmental Organization should request a performance audit of the Commission on Civil Rights for review by the Committee during the 1991 Session. The audit done in 1986 by the Legislative Division of Post Audit concerned the Commission's effectiveness in handling civil rights cases. The audit addressed such things as staff productivity and the prompt and accurate investigation of complaints. The Subcommittee believes the issues addressed in the 1986 audit should be reexamined and the information contained in that audit updated. In addition, the audit should consider the following issues, which are of concern to the Subcommittee:
 - a. The qualifications and job descriptions of staff;
 - b. the assignment of duties within the agency; and
 - c. the overall management of the agency to determine if the best use is being made of existing staff and resources.



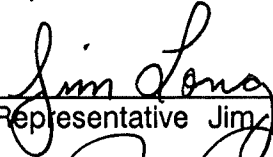
Representative Al Ramirez
Subcommittee Chairperson



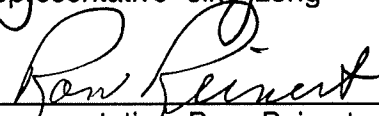
Representative Belle Borum



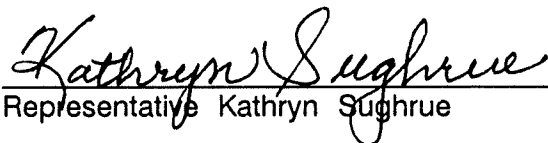
Representative Diane Ojerstad



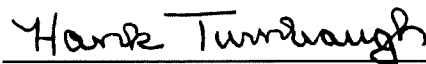
Representative Jim Long



Representative Ron Reinert



Representative Kathryn Sughrue



Representative Hank Turnbaugh