

MINUTES

KANSAS PERFORMANCE MEASUREMENT COMMISSION

November 6, 2008
Room 545-N—Statehouse

Members Present

Representative Jeff Whitham, Chairperson
Jerry Younger, Vice-Chairperson
Senator Anthony Hensley
Representative Ann Mah
Representative Marc Rhoades
Duane Goossen
Laura Howard
Diane Duffy
Patricia Henshall

Members Absent

Senator Roger Reitz
Senator Jean Kurtis Schodorf

Staff Present

Alan Conroy, Kansas Legislative Research Department
J. G. Scott, Kansas Legislative Research Department
Cindy Lash, Kansas Legislative Research Department
Amy Deckard, Kansas Legislative Research Department
Audrey Dunkel, Kansas Legislative Research Department
Mike Heim, Office of Revisor of Statutes
Melissa Doeblin, Office of Revisor of Statutes
Leo Hafner, Legislative Post Audit
Shirley Jepson, Committee Assistant

Other Attendees

See attached list.

Morning Session

Chairperson Whitman called the meeting to order at 9:05 a.m.

Approval of Minutes

Representative Mah moved to approve the minutes of the August 28, 2008, meeting as written. The motion was seconded by Representative Rhoades. Motion carried.

Statutory Study Committees, Various Legislative Appointments, and Agency Committees

As requested by the Commission at their August meeting, Cindy Lash, Legislative Research Department, provided an overview of a document listing committees, task forces and other groups that meet to examine public policy or agency operations in Kansas (Attachment 1). Part A of the document is a listing of all statutory committees that conduct interim studies or oversight activities and whose membership is principally legislative. Part B lists agencies or groups that are created by law whose membership can include legislators only, appointments made by the Legislature, or a combination of both.

The second document (Attachment 2) is a list compiled by the Legislative Research Department showing all committees, task forces, councils, and other groups created by certain state agencies, outside of state law, to focus on various issues or agency operations.

Ms. Lash noted that primarily legislative members of the committees in Attachment 1 are covered by statute that allows for daily compensation and paid expenses through the Legislature's budget. Members of the committees or commissions in Attachment 2 are primarily agency staff and meet as a part of their employment.

Responding to a question from the Commission, Leo Hafner, Legislative Post Audit, stated that the Division of Legislative Post Audit has completed an audit on financial regulatory agencies. Currently, an audit is being conducted that is reviewing whether the State Conservation Commission and the Animal Health Department can be combined within the Department of Agriculture. A meeting on November 18, 2008, will look at topics for future audits.

Discussion of Report of Activities and Proposal for Pilot Project

Cindy Lash provided an overview of a draft proposal, Report of Activities and Proposal for Pilot Project, developed as a result of the Subcommittee meeting held on October 1, 2008 (Attachment 3). Members of the Subcommittee, as appointed by the Chairperson, were Chairperson Whitham, Vice-Chairperson Younger, Representative Mah, and Secretary Goossen.

Judy Zelio, Program Director, Fiscal Affairs, National Conference of State Legislatures, appeared before the Subcommittee to provide testimony on performance measurements and reporting formats which have worked well for legislatures in other states. A copy of Ms. Zelio's testimony is included in Attachment 3.

Chairperson Whitham reviewed conclusions that have been put forth as a result of previous Commission meetings and the Subcommittee meeting, including:

- Not to hire outside counsel to assist the Commission at this time; and
- Narrow the scope of the Commission charge to a pilot project within one or two state agencies.

Chairperson Whitham noted that the pilot project would focus on measures for specific programs or initiatives, rather than on an entire agency. The Department of Social and Rehabilitation Services (SRS) has been suggested as a possible pilot agency because it currently collects data on many measures and receives significant appropriations from the State General Fund (SGF).

With regard to the pilot project, Chairperson Whitham indicated that he will contact the Chairperson of the House Appropriations Social Services Budget Committee and the Chairperson of the Senate Ways and Means Committee to determine the types of information to be addressed in the pilot project that would be most beneficial to those Committees and the Legislature during the budgeting process.

During discussion, Commission members brought forth the following suggestions for items to be included in the report to the 2009 Legislature:

- Philosophy of the Commission;
- Performance measurement systems in other states;
- Key measures will need to be developed for a streamlined reporting tool to better assist the Legislature;
- Observations on what the Commission learned;
- Recognition of the differences in the Legislature's responsibilities and the Executive Branch's responsibilities in the budgeting process to avoid micro-managing the state agencies with regard to long-range planning;
- Role of K-GOAL in the process;
- Agreement that the Division of the Budget is the proper agency for collection of performance measures; and
- Provide for continuance of the performance measurement process to insure that it moves forward as put forth by the Commission.

Representative Mah moved to adopt the proposal to develop a pilot project in one or two state agencies as proposed by the Subcommittee. The motion was seconded by Secretary Goossen. Motion carried.

Chairperson Whitham stated that a draft copy of the final report to the 2009 Legislature will be e-mailed to all Commission members for their review by December 1, 2008. After the distribution, staff will request feedback from members of the Commission to determine if there are any concerns or questions with regard to the final report. If there are no concerns from Commission members, the report will be finalized for distribution to the 2009 Legislature.

Chairperson Whitham noted that the statutory authority establishing the Commission contains a sunset of July 1, 2009. Members of the Commission indicated that it might be important to wait until the pilot project is completed to determine what further action should be taken. Another suggestion was to fold the duties of the Commission into existing Committees such as the House

Government Efficiency and Technology Committee and the Senate Ways and Means Committee. The Commission will meet again before July 1, 2009, to make further recommendations.

Adjournment

The meeting was adjourned at 10:05 a.m. The next meeting of the Commission will be "on call" of the Chairperson.

Prepared by Shirley Jepson
Edited by Cindy Lash

Approved by Commission on:

January 8, 2009

(Date)