



KANSAS LEGISLATIVE
DIVISION *of*
POST AUDIT

A Limited-Scope Performance Audit Report Presented to the Legislative Post Audit Committee

Reviewing the African American Affairs Commission's Statutory Compliance and Expenditures

August 2023

Report Number: L-23-010

Introduction

Representative Patrick Penn requested this limited-scope audit, which was authorized by the Legislative Post Audit Committee at its February 15, 2023 meeting.

Objectives, Scope, & Methodology

Our audit objective was to answer the following question:

1. Did the Kansas African American Affairs Commission comply with key legal requirements and make appropriate expenditures last year?

To answer whether the commission complied with key legal requirements, we reviewed relevant policies, bylaws, and meeting minutes from January 2022 through June 2023. We reviewed news information and social media events to understand the commission's initiatives and activities. We also interviewed the executive director and several commissioners.

To evaluate the appropriateness of expenditures, we interviewed the commission's director, the Governor's Office, and officials from the Department of Administration to understand the process to request and approve expenditures. We reviewed the commission's expenditure details for the first 11 completed months of fiscal year 2023. We judgmentally selected 11 expenses above \$100 that appeared to be one-time or non-routine expenditures. For those, we requested supporting documentation from the director and the Governor's Office to determine whether the approval processes were followed. Lastly, we surveyed all 7 commissioners about their opinions on the responsiveness, effectiveness, and quality of services provided by the director.

More specific details about the scope of our work and the methods we used are included throughout the report as appropriate.

Legislative Post Audit Committee rules require us to report when an agency fails to respond to a recommendation or responds negatively. The commission's executive director rejected our recommendation to provide training on travel expenditures.

Important Disclosures

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. Overall, we believe the evidence obtained provides a reasonable basis for our findings and conclusions based on those audit objectives.

Audit standards require us to report our work on internal controls relevant to our

audit objectives. In this audit, we identified expected controls related to making appropriate expenditures and creating an environment of sound financial oversight. We interviewed stakeholders and reviewed evidence to determine whether those controls were followed or in place. We identified issues with some controls, which are explained more later in this report.

The Kansas African American Affairs Commission did not comply with 3 key requirements related to its duties, and did not always get pre-approval for selected fiscal year 2023 expenditures.

Background

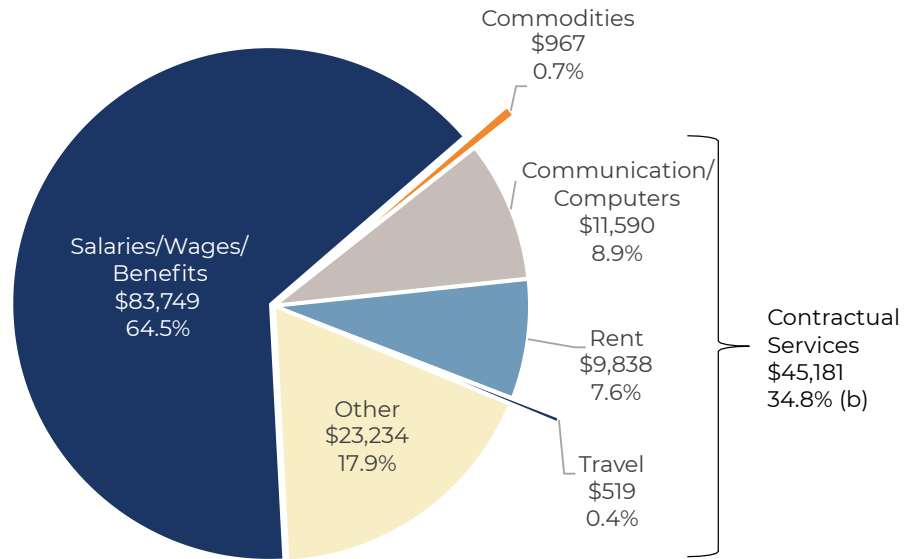
The Kansas African American Affairs Commission is a liaison office within the Governor's Office and its fiscal year 2022 expenditures were about \$130,000.

- The Legislature created the Kansas African American Affairs Commission in 1997. The commission is one of 3 liaison affairs offices within the Governor's Office. The other 2 are the Kansas Hispanic and Latino American Affairs Commission and the Kansas Native American Affairs Office.
- By law, the Kansas African American Affairs Commission consists of 7 commissioners selected by legislative leadership (4 members) and the Governor (3 members). The commission has one paid full-time position, which is its executive director.
- The commission's expenditures in fiscal year 2022 were nearly \$130,000. **Figure 1** shows expenditures by category. As the figure shows, salaries and benefits made up almost two-thirds of those costs. The commission's other largest spending categories were for other contractual services, which includes things like fees for professional services and training conference registrations, communication and computers, and rent.
- The 2023 legislature authorized an additional 0.5 FTE assistant staff for the commission for fiscal year 2024, bringing the approved budget to about \$146,000.

The commission's fiscal year 2022 and 2023 expenditures included general funds, but also portions of a \$50,000 Kansas Health Foundation grant.

- The Kansas Health Foundation provided a \$50,000 grant to the commission in December 2021. According to the foundation's information, the grant money is supposed to be used to "increase capacity and rebuild infrastructure that will help identify clearer goals and increase community outreach."
- Officials from the foundation told us the grant does not have a time limit and may be used as needed until it's spent. One of the primary ways the executive director planned to use the funding was for strategic planning for the commission, which was completed in August 2022.
- As shown in **Figure 1**, the commissions' fiscal year 2022 expenditures were nearly \$130,000. Of that amount, about \$110,600 was state general funding. The remaining \$19,400 came from the Kansas Health Foundation grant.

Figure 1. The commission's FY 2022 expenditures totaled nearly \$130,000 (a).



(a) This includes about \$19,400 from a Kansas Health Foundation grant.

(b) Communication/computers, rent, travel, and other categories are bundled under "contractual services" for SMART accounting purposes.

Source: Expenditure data from the Statewide Management and Accounting Reporting Tool (SMART), Division of Budget, unaudited.

Kansas Legislative Division of Post Audit

- The commission spent about \$6,400 from the grant in the first 11 months of fiscal year 2023. That means about \$24,000 in grant funds remained to be spent as of June 1, 2023.

Compliance with Key Legal and Other Requirements

The commission and its executive director are required to meet various statutory requirements and bylaws to accomplish their mission.

- The commission's mission is to be a representative for programs, research, and policy advice to state and local agencies to address concerns of the African American community in Kansas.
- State law specifies a number of things about how the commission is to be staffed and operated. For example, it spells out how commissioners must be appointed, the requirements for bipartisanship, and how many meetings they're required to have annually.
- The law also specifies several duties that both the commission and its executive director have. That includes things like assisting state agencies' efforts to serve the needs of African Americans in such areas as education,

health and housing, evaluating programs and proposed legislation that affect African Americans, and carrying out public education programs.

- The commission created bylaws, which were last revised in 2011. Those bylaws expand on state laws related to composition and meeting requirements, establish rules of parliamentary authority, and contain other provisions for managing the commission. We reviewed those bylaws to identify additional criteria for review.
- We selected a total of 9 requirements related to the commission’s meeting and staffing requirements. We also reviewed whether the commission and executive director completed the functions and outlined in statute. **Figure 2** shows the requirements we chose to review.

The commission did not comply with 2 of 6 meeting-related duties outlined in law or bylaws in the timeframe we reviewed.

- **Figure 2** shows whether the commission complied with each of the requirements we reviewed. As the figure shows, the commission met 6 of the 9 requirements we reviewed related to meeting and staffing operations. For example, the commissioners were appointed by the required parties and the commission held 5 meetings in 2022.
- However, the commission did not meet 2 meeting-related requirements we reviewed.
 - The commission did not elect a new chairperson and secretary annually, as required by law. In fiscal year 2022, the commission held elections for those positions in April of 2022. However, in fiscal year 2023 the commission has not held elections in any meeting including the last fiscal year 2023 meeting (June 2, 2023).
 - The commission did not have standing committees as outlined in its bylaws. Bylaws specify the need for 7 standing committees. Those are executive, budget, legislative, public affairs and health and human services, education, business and economic development, and special projects committees.
- As the commission’s administrative officer, the executive director didn’t sufficiently ensure that the commission followed those requirements. She told us she had been unaware of the statutory requirement for annual elections. Similarly, commissioners also didn’t ensure the requirements were followed. Although the bylaws were last revised in 2011, they are binding until the commission updates them.

Figure 2. The commission didn't comply with all requirements we evaluated.

Meeting Requirements. The commission must:	
(1) meet at least 4 times a year	✓
(2) designate and publish regular meetings dates before the start of each fiscal year (bylaws)	✓
(3) open all meetings to members of the public (with exceptions)	✓
(4) provide date, time, and place of meetings to anyone who requests it	✓
(5) organize annually by electing a Chairperson and secretary at its last regular meeting of the fiscal year	X
(6) create and staff 7 standing committees: executive, budget, legislative, public affairs and health & human services, education, business and economic development, and special projects (bylaws)	X
Staffing Requirements. The commission must:	
(1) have 7 members, 4 appointed by legislative leadership (President of Senate, Senate Minority Leader, Speaker of the House, House Minority Leader) and 3 by the Governor	✓
(2) appoint an executive director, subject to the approval of the Governor	X
(3) appoint an executive director who is qualified by education and experience to carry out commission duties	✓
The commission's functions, powers, and duties are as follows:	
(1) Gather and disseminate information and conduct hearings, conferences, and special studies on problems and programs concerning African Americans	✓
(2) Coordinate, assist, and cooperate with state agencies' efforts to serve African Americans especially in the areas of culture, education, employment, health, housing, welfare, and recreation	
(3) Develop, coordinate, and assist other public and private organizations with understanding the problems of African Americans	
(4) Develop, coordinate, and assist other public and private organizations to provide services to African Americans	
(5) Propose new programs concerning African Americans	
(6) Evaluate existing programs and proposed legislation concerning African Americans	
(7) Conduct public education programs to stimulate public awareness of the concerns and problems of African Americans	
(8) Conduct training programs for community leadership and service project staff	
(9) Accept contributions to assist in these duties and seek cooperation of private, charitable, religious, labor, civic and benevolent organizations	
(10) Solicit, receive, and expend federal funds to assist in these duties and enter into contracts and agreements with any federal agency for such purposes	
(11) Establish advisory committees on special subjects	
The executive director has the following duties to serve the commission:	
(1) gathering information	✓
(2) disseminating findings of fact and other information	
(3) forwarding proposals and evaluations to the Governor, the legislature and various state agencies	
(4) carrying out public education programs	
(5) conducting hearings and conferences	

Source: LPA analysis of statutory and bylaws requirements and supporting documentation.

Further, the commission did not comply with 1 of 3 staffing duties outlined in state law.

- The law requires the commission to appoint and the Governor to approve the selection of the executive director. This was a staffing-related requirement we evaluated as shown in **Figure 2**.
- The Governor appointed the director on May 28, 2021. Based on email communications we reviewed, Governor's Office staff reached out to the commission chair prior to the announcement. The chair supported the selection and supplied a public statement to the Governor's staff giving her and her fellow commissioners' support of the announcement.
- This may have happened because the same process was used for the previous executive director during Governor Brownback's term. A news article from that time indicates that the previous director was appointed directly by the then-Governor, which may have set the precedent.

State law authorizes the commission to conduct activities in 11 areas, and we saw evidence of activity relating to about half of those.

- The law gives the commission 11 functions, powers, and duties. These include things like coordinating and assisting state agencies with education, employment, housing, and several other types of services to African Americans. They're also authorized to evaluate existing programs and proposed legislation that affect African Americans. The full list of functions, powers, and duties we evaluated is shown in **Figure 2**.
- The commission conducted activities in fiscal years 2022 or 2023 that related to 5 of those areas. For example, the commission held 2 townhall meetings in Wichita that align with its duty of gathering and disseminating information and conducting hearings, conferences, and special studies on problems and programs concerning African Americans.
- The commission didn't conduct activities in 6 of those areas in 2022 or 2023. For example, we didn't see evidence of activities to either propose new programs concerning African Americans, or to conduct training programs for community leadership and service project staff.
- However, the law doesn't require activity in each of those 11 areas each year. Also, by identifying these areas as functions, powers, and duties (instead of only duties), the commission has discretion to decide which of those areas it wants to focus on.

The executive director complied with her statutory duties to serve the commission in 2022 and the first half of 2023.

- State law outlines 5 required duties for the executive director to serve the commission. That includes responsibilities to gather and disseminate information and conduct public education programs. The full list of duties is shown in the bottom portion of **Figure 2**.
- The director took several actions in 2022 or 2023 related to each of the 5 duties outlined in law. For example:
 - The director commissioned a strategic planning session, initiated weekly lunch and learn interviews, and conducted a joint survey to learn about the most important issues in the African American community to help shape legislative priorities. This relates to the “gather information” duty.
 - The director periodically updated the commission’s website, Facebook, and Twitter pages, and posted meeting agendas and minutes. This relates to the “disseminate findings of fact and other information” duty.
- The statutory duties of the director are general and do not prescribe an amount or depth of activities. As a result, the director’s activities meet the law.

The commissioners who responded to our survey generally had positive reviews of the executive director’s performance, but some thought she wasn’t as effective or responsive as she should be.

- We surveyed commission members on their opinions of the executive director’s effectiveness, quality of service, and responsiveness. 6 of the 7 commissioners responded.
- Commissioners generally had positive opinions of the executive director’s effectiveness, responsiveness, and quality of services. We asked a total of 6 questions related to the director’s performance in terms of effectiveness, quality, and responsiveness to commissioners and constituents. Average ratings ranged from 3.8 (responsiveness to commissioners) to 4.4 (responsiveness and quality services to constituents). The highest possible rating was 5.
- However, several comments indicated dissatisfaction about the executive director’s communication, such as not informing commissioners about her activities in their districts and not being responsive to questions from commissioners.

The distinction between the role of the director and commissioners is unclear.

- There appears to be a blurred understanding on who—the director or commissioners—is responsible for deciding on and conducting specific activities.
- Statute defines the executive director as an administrative officer who must serve the commission. However, both the director and commissioners viewed the director as having a more active decision-making role.
 - For example, in our interviews, the director told us she is responsible for carrying out the majority of the commission’s activities. She said she initiated a number of social media activities and was instrumental in starting up lunch-and-learn meetings and other new activities. She stated she is the only paid person, and she was not comfortable asking commissioners to do these things as volunteers.
 - In its strategic planning discussions, commissioners and the director provided feedback on who they thought had primary responsibility for each of the commission’s 11 functions, powers, and duties in state law. They thought the director was mainly responsible for about half of those areas, as opposed to the commission.
 - Meeting minutes we reviewed showed the commissioners taking a more passive role. Of the 12 meeting minutes we reviewed in calendar year 2022 and first half of 2023, minutes showed commissioners taking votes on activities only once in 2023 when members were to prioritize the legislative items they wanted to focus on.
 - The commission also hadn’t established the 7 standing committees outlined in its bylaws. Those committees would then be in a position to propose and discuss activities and initiatives related to the commission’s statutory functions, powers, and duties.
- Thus, there appears to be a disconnect between statute and commission operations as far as the role and power of the executive director. The commission’s 2022 strategic plan may be a starting point to resolve this issue.

Compliance with Commission Expenditures

At a high level, the commission’s fiscal year 2023 expenditures seemed reasonable to accomplishing its duties.

- We reviewed the commission’s expenditures for the first 11 months of fiscal year 2023 to identify any inappropriate expenses.
- We only reviewed expenditures at a high level, but didn’t see any expenses that we thought were inappropriate.

- 93% of expenditures were regular recurring or routine expenditures for things like salaries, rent, computers, and parking. We considered those expenditures appropriate on its face, not needing further evaluation. We dismissed several other expenditures because they were less than \$25.
- 7% of expenditures weren't routine expenditures, but were instead for things like consulting fees, job-related training, official hospitality, and other professional fees. None of these appeared to be inappropriate. However, we can't say whether the commission regards these expenditures as appropriate because they weren't involved in approving them (discussed further below).

However, about half of the 11 individual expenditures we reviewed in detail did not receive written approval to ensure they were appropriate.

- The Governor's Office is responsible for approving and paying the commission's expenditures. The executive director is not involved in that process for regularly occurring expenditures, such as salaries, rent, and interagency expenditures (e.g. computer-related costs from the Office of Information Technology Services).
- We reviewed policies and interviewed the director and Governor's Office staff to understand how non-regular expenditure requests are processed. There are 2 components, as follows:
 - Pre-approval: the director must seek written pre-approval (via email, with necessary documentation) from the Governor's Office. Governor's Office staff review and approve the planned expense, or ask for more details or documentation as needed.
 - Payment approval: After the expense is incurred, the director supplies supporting documentation to the Governor's Office staff. Those staff then approve the expense to initiate the payment through the state's accounting system.
- This process maintains an appropriate segregation of duties because the requestor (the director) is different from the approver or payer of bills (Governor's Office staff).
- We selected 11 expenses and reviewed records to verify each received the required approvals through the Governor's Office. We chose those 11 expenses because they appeared to be one-time or non-routine items. In all, the judgmental sample totaled about \$7,400 of the \$110,500 spent from July 1, 2022 through May 30, 2023 (6.7%). Lastly, the selected expenditures covered almost all of the commission's non-routine expenses in the 11 months.

- All 11 expenditures we judgmentally selected were ultimately approved for payment. However, 6 expenditures lacked written pre-approval from the Governor’s Office. **Figure 3** summarizes all 11 items we reviewed and our results. For example, one expense we reviewed was for a leadership training tuition fee. The Governor’s Office did not receive a written request from the executive director before the training so it did not pre-approve the expense of nearly \$800 (the executive director submitted a written request for travel to the leadership training, which the Governor’s Office pre-approved).

Figure 3. The executive director didn't request or receive written approvals for 6 of 11 expenditures we evaluated.

Item	Description	Details	Amount	Governor's Office	
				Pre-Approval	Expense Approval
1	Meals and Lodging	2 hotel nights for the director to attend leadership training.	\$ 224.02	✓	✓
2	Meals and Lodging	1 hotel night for director to attend leadership training and a townhall event.	\$ 162.24	✓	✓
3	Job Related Training & Conference Registration	5 tickets for the director, 2 commissioners, and their guests to attend an NAACP banquet.	\$ 375.00	✓	✓
4	Professional Fees	Speaker fees for MLK, Jr. Day event.	\$ 300.00	✓	✓
5	Official Hospitality	Black Leadership Brunch.	\$ 2,160.00	✓	✓
6	Job Related Training & Conference Registration	6 tickets for the director, 2 commissioners, and guests to attend a MLK, Jr. Legacy and Scholarship awards dinner.	\$ 400.00	X	✓
7	Consulting Services Other	Facilitation costs for help with townhall activities.	\$ 300.00	X	✓
8	Professional Fees	Payment for consulting services to help the commission with strategic planning efforts.	\$ 999.80	X	✓
9	Professional Fees	Building rental (2 hours) for KAAAC Townhall event.	\$ 200.00	X	✓
10	Professional Fees	Tuition fee for the executive director to attend leadership training.	\$ 799.00	X	✓
11	Professional Fees	Sponsorship to the Kansas African American Museum Trailblazer fundraiser event.	\$ 1,500.00	X	✓

Source: LPA analysis of sampled expenditure documentation from KAAAC and Governor's Office staff.

- We saw evidence the Governor's Office was aware of several of these expenditures even though they didn't provide official written approval. For example, we saw emails showing the Governor's Office was informed and aware of several of the commission's planned activities. However, the emails didn't always include amounts for specific planned activities. Governor's Office staff told us they may have verbally discussed some of these planned activities and associated expenditures with the director during regular meetings.
- Lastly, the Governor's Office staff acknowledged the pre-approval process should be better documented.

Commissioners told us they had insufficient financial awareness and oversight, in part because the executive director has not shared relevant information.

- The Governor's Office is officially responsible for approving the commission's individual expenditures.
- However best practices recommend periodic monitoring and review of expenditures within the entity, such as by the commissioners. This control ensures the commission agrees with the activities that funds are spent on. This is especially important in light of the available discretionary grant funds described earlier.
- Because of this, we expected the commission to receive periodic budget reports to provide members insight into what moneys are being spent in what areas. We also expected at least some of the members to be involved with reviewing and approving expenditures on new or non-ordinary initiatives.
- Our review of meeting minutes revealed no discussions regarding the commission's budget status or planned expenditures. Without more oversight, the director may spend money on activities that commissioners disagree with, even when the Governor's Office approves them. For example, there's no record of commission discussion for a sponsorship for the Kansas African American Museum (\$1,500). The executive director submitted the expenditure to the Governor's Office indicating it was supported by the commission, though we did not see any discussion of the sponsorship reflected in commission minutes.
- Commissioners responding to our survey told us they generally did not have sufficient oversight over its financial management, averaging a score of 2.5 (out of 5). Further, survey comments stated that commissioners had not received a written budget, financial report, or any overview of financial transactions.
- We confirmed the director receives monthly budget information for the commission from the Division of Budget. She also told us she tracks expenditures out of the grant fund. The director told us she hadn't shared that information with commissioners because they had not asked about it until

recently. The lack of a finance subcommittee likely contributes to the lack of the commission's awareness of its financial information.

Reimbursements for commissioners' travel expenditures may be inconsistent.

- State law requires meeting attendees to be paid mileage and subsistence for commissioners who don't reside in the city in which the meeting is held. The commission's bylaws also mandate commissioners to be paid allowable expenditures connected with meetings and events.
- We identified a handful of commissioners' travels to events outside the cities they live in. However, we did not readily identify associated expenditures in the commission's fiscal year 2023 financial records.
- We contacted 4 commissioners we knew had traveled for commission purposes. Several told us they had chosen not to be reimbursed. However, at least one commissioner said they wanted to be reimbursed but said they weren't provided sufficient instructions to get the paperwork processed.
- Since commissioners are unpaid, it's important to ensure everyone knows and follows requirements for allowable reimbursements. This also may help increase commissioners' involvement and activities to further its mission.

Recommendations

1. The executive director should ensure the commission holds an annual vote for Chair and Secretary positions in accordance with state law.
 - Executive Director's Response: This will happen at the next meeting on July 7, 2023.
2. The executive director should ensure the commission elects several members to each of the standing committees included in the commission's bylaws.
 - Executive Director's Response: The establishment of advisory committees on special subjects falls under the "functions, powers, and duties" of the commission. The audit found that "The law doesn't require activity in each of those 11 areas each year. Also, by identifying these areas as functions, powers, and duties (instead of only duties), the commission has discretion to decide which of those areas it wants to focus on." While establishing committees is a good recommendation and will be taken under consideration, the commission, and not the executive director, will have the discretion to decide whether to follow the recommendation.
3. The executive director should get written approval from the Governor's Office for all non-routine expenses to ensure there's documentation of the purpose and planned amount before proceeding with the activity.

- Executive Director's Response: The Executive Director and the Governor's Office will work together to establish tighter procedural standards.
4. The executive director should share the commission's budget details and financial transactions (in detail or summary) with the commission periodically and on request.
 - Executive Director's Response: While neither the KAAAC statute nor the bylaws require such reporting, and commissioners have not made requests to be briefed on the commission budget, such reporting is a good recommendation and will be taken under consideration as an item of discussion with the commissioners.
 5. The executive director should provide training to commissioners to clarify what travel expenses are reimbursable, and inform members of the process to claim and submit such expenditures.
 - Executive Director's Response: The commission received comprehensive instructions on travel expenses and reimbursements simultaneously. There is no documentation of any commissioner expressing confusion or requesting clarification of the procedures.
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Potential Issues for Further Consideration

We identified a potential issue that might be worth evaluating in more detail, but because of the limited scope of the audit, we did not have time to fully develop it.

The commission appears to be paying excessive fees for Office of Information Technology Services (OITS) computer programming and communication services. In this report, we noted communication/computers expenditures represent an unusually high proportion of the commission's budget. In fiscal year 2022, the commission paid about \$10,800 of its roughly \$130,000 total expenditures for such fees, or 8.3%. In the first 11 months of fiscal year 2023, the commission paid about \$10,000 of the \$110,500 in total expenditures for such fees, or 9.1%. This proportion would have been higher if the commission did not have additional special grant funds to spend in each of these 2 years. We noted this same issue in a previous limited-scope audit of the three liaison offices.

Agency Response

On June 27, 2023 we provided the draft audit report to the executive director of the Kansas African American Affairs Commission, as well as the Chief of Staff within the Governor's Office. Their responses are below. The executive director did not comment on our findings but rejected one of our recommendations. The Governor's Office disagreed with several findings in the report. We reviewed those concerns, but chose not to make any changes for the reasons described below.

- **The Governor's Office contends our report places sole responsibility for electing officers and forming committees on the executive director.** However, our findings clearly identify the commission as being responsible for these items. We directed the corresponding recommendation to the executive director because she's the administrative officer for the commission and can facilitate the commission with these actions.
- **The Governor's Office contends it followed applicable statutes, bylaws, and past practice in consultation with the commission when it selected the executive director.** We agree the Governor's Office consulted the commission's then-chair in announcing the new executive director, and the previous executive director was selected similarly. However, state law makes the commission responsible for selecting a director, and for the Governor to approve that selection.
- **The Governor's Office contends the report includes findings related to best practices that were outside the scope of the question.** We agree the question focuses on statutory compliance. However, the approved audit proposal asked us to identify other relevant documents including bylaws, policies, or best practices in evaluating the commission's compliance. As a result, we selected a number of statutory requirements and a handful of bylaws to evaluate the commission's compliance with its duties. To evaluate the appropriateness of expenditures, we reviewed available policies and identified common best practices as identified in other audit publications.

Kansas African American Affairs Commission Executive Director Response

Agency Response: It is the nature of an audit to search for deficiencies. As a result, the final draft of this audit does not reflect the amount of documentation requested and provided that demonstrates how both the commission and the executive director operate in compliance with the statute.

Governor's Office Response

While we question the purpose and necessity of this audit, we appreciate the work of the auditors. Ultimately, we disagree with several the findings and how those are

connected to the executive director as opposed to the commission more generally. Specifically, it is important to note that items such as the election of officers and forming of committees are items that are the responsibility of the commission. The executive director has no authority to execute these responsibilities on her or his own. As for the selection of the executive director, the Governor's Office followed applicable statutes, bylaws and past practice in consultation with the Commission. Therefore, we disagree with the assessment that the commission "did not comply with 1 of 3 staffing duties outlined in state law."

Regarding protocol related to pre-approval and final approval of expenditures, we believe that all items selected for review were pre-approved. We acknowledge that some of them may have lacked written documentation. However, each of these items were discussed regularly with the executive director and the Governor's chief of staff in their bi-weekly standing meetings. We there are appropriate controls in place to ensure appropriateness of expenditures. In 2019, the Governor's Office became aware that the current executive director had possession of a purchase card. We immediately changed that practice and have since maintained the purchase card in the possession of our office and it must be checked out to be used by staff and executive directors of the commissions. This necessarily means that items must be pre-authorized for purchase through the process of checking out the purchase card.

Additionally, as it relates to reimbursement of commissioners for travel expenses, we believe the executive director has gone above and beyond to provide information to commissioners in writing with multiple attachments. Most commissioners chose to not be reimbursed for their expenses after being provided the paperwork. For the single commissioner claiming they did not have enough information to complete the paperwork, we have no record of any questions from such commissioner and no attempt to submit applicable forms. It is the responsibility of commissioners to ask questions if they have them and ultimately submit the paperwork.

This audit demonstrates that the commission and the executive director are engaged in activities and communications across the state in line with the mission set forth in statute. The commission has taken several steps forward over the last several years in this regard. The findings of the audit indicate a lack of adherence to "best practices" without any documentation as to what these "best practices" are and go outside the scope of the question as to whether the commission is in compliance with statutory requirements. As to that question, it is clear that the executive director and the commission are in compliance with statutory requirements.