

MINUTES
Legislative Post Audit Committee
August 5, 2024

Call to Order

Welcome – The meeting was called to order by Chair Caryn Tyson at 9:01 a.m. in Room 546-S of the Statehouse. Chris Clarke, Legislative Post Auditor, called roll. Committee members present:

Sen. Caryn Tyson, Chair*
Sen. Ethan Corson
Sen. Mike Petersen
Sen. Mike Thompson
Sen. Mary Ware

Rep. Shannon Francis, Vice Chair
Rep. Jason Probst
Rep. Tom Sawyer
Rep. Sean Tarwater
Rep. Kristey Williams

*Attended in person.

Performance Audit Requests

Kristen Rottinghaus, Deputy Post Auditor, reviewed an audit proposal the Legislative Post Audit Committee requested of Ford County's 2022 general election policies and procedures. Representative Francis made the following motion:

I move to approve the audit reviewing Ford County's 2022 general election and the security of storage units, ballots, and devices used to tabulate votes during the 2022 general election; that the legislative division of post audit begin work on such audit immediately; that if any person fails to make any books, accounts, contracts or records, files, documents and correspondence, confidential or otherwise, related to such audit available to the post auditor or any officer or employee of the division of post audit upon request for the purpose of such audit as directed by this committee under the authority of the post audit act, the post auditor shall report such failure immediately in writing to the legislative post audit committee, the governor and the attorney general; and that this motion, if adopted, be recorded in the minutes and be maintained as a part of the permanent records of the committee.

Senator Petersen seconded the motion. Motion carried.

Committee Business

Representative Francis made a motion to issue a subpoena for the records from Ford County's 2022 general election pursuant to the preliminary motion adopted by the committee for such subpoena at its previous meeting.

I move, pursuant to the authority granted under article 10 of chapter 46 of the Kansas Statutes Annotated, that this committee issue a subpoena duces tecum commanding Debbie Cox, Ford County Clerk, or her representative to produce documents, electronically stored information, or objects related to the investigation now pending before this committee on the audit and investigation into whether Ford County's election office had adequate policies and procedures to ensure the accuracy and security of voting machines used for the 2022 general election and the security of storage units, ballots, and devices used to tabulate votes during the 2022 general election at a meeting of this committee to be held on August 14, 2024, at 1:00 p.m. in room 546-S of the Statehouse or, in lieu of personally appearing before this committee, to produce such documents for Chris Clarke, Post Auditor, prior to such meeting in a form and manner acceptable to both Ms. Cox and Ms. Clarke; and that Ms. Clarke report to this committee at such meeting as to whether such documents, electronically stored information, or objects have been received if Ms. Cox or her representative do not appear in person; and that this motion, if adopted, be recorded in the minutes and be maintained as a part of the permanent records of the committee.

Senator Petersen seconded the motion. Motion carried.

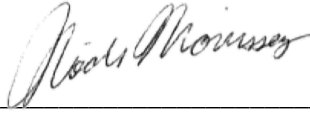
Additional Business

Next Meeting Date – Chair Tyson explained to the committee that it would need to meet several times in the coming months to handle committee business and release audit reports. The committee decided to hold a virtual meeting on August 14 to receive documents provided by Ford County in response to the committee's subpoena. Chair Tyson and Chris Clarke, Legislative Post Auditor, will schedule dates for future meetings of the executive committee and the full committee.

Caregiver Act Update – Chris Clarke, Legislative Post Auditor, provided the committee with an update on the status of the Lay Caregiver Act audit. Chris explained that LPA staff had started the audit, but temporarily put it on hold while staff work to resolve some legal questions.

Adjournment

The meeting adjourned at 9:15 a.m.



Nicole Morrissey, Secretary
Legislative Post Audit Committee

10/3/20024

date

All handouts and other documents referred to in these minutes are on file with Legislative Post Audit. Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim and have not been submitted to the individuals appearing before the committee for editing or corrections.