

## ***PERFORMANCE AUDIT COMMITTEE***

Meeting Minutes  
November 12, 2010 – 3:30 p.m.

Senator Harms called the meeting to order at 3:35 p.m. The following Committee members were present:

Senator John Harms, Chair  
Senator Danielle Conrad, Vice Chair  
Speaker Mike Flood (via telephone)  
Senator Lavon Heidemann  
Senator Arnie Stuthman (via telephone)  
Senator Dennis Utter  
Senator John Wightman

Also present were Martha Carter, Legislative Auditor; Clarence Mabin, Performance Auditor; Dana McNeil, Performance Auditor; Stephanie Meese, Legal Counsel and Sandy Harman, Committee Clerk.

### 1. Approval of Agenda

**Motion:** By Senator Wightman and seconded by Senator Utter to approve the agenda for the November 12, 2010, meeting. The motion carried by voice vote. Voting aye: Senators Flood, Harms, Stuthman, Utter, and Wightman. Voting nay: None. Absent: Senator Conrad and Senator Heidemann.

### 2. Approval of the October 12, 2010 Meeting minutes.

**Motion:** By Senator Utter and seconded by Senator Wightman to approve the minutes from the October 12, 2010, meeting. The motion carried by voice vote. Voting aye: Senators Flood, Harms, Heidemann, Stuthman, Utter, and Wightman. Voting nay: None. Absent: Senator Conrad and Senator Heidemann.

**Motion:** By Senator Flood and seconded by Senator Wightman to go into closed session. The motion carried by voice vote. Voting aye: Senators Flood, Harms, Heidemann, Stuthman, Utter and Wightman. Voting nay: None. Absent: Senator Conrad.

### 3. Discuss issues relating to current audits.

**Motion:** By Senator Wightman and seconded by Senator Utter to return to open session. The motion carried by voice vote. Voting aye: Senators Conrad, Flood, Harms, Heidemann, Utter, Stuthman and Wightman. Voting nay: None. Absent: none.

4. Action on item discussed in closed session as needed.

**Motion:** By Senator Utter and seconded by Senator Wightman to adopt the draft scope statement and audit plan for the state employees' health insurance costs performance audit being conducted by the State Auditor. The motion carried by roll call vote. Voting aye: Senators Conrad, Flood, Harms, Heidemann, Stuthman, Utter, and Wightman. Voting nay: None. Absent: none.

**Motion:** By Senator Wightman and seconded by Senator Utter to send letters from the Committee to: (1) the State Auditor regarding issues relating the Auditor's compliance with the Legislative Performance Audit Act; and (2) DAS in response to the August 16 letter to the Committee. The motion carried by roll call vote. Voting aye: Senators Conrad, Flood, Harms, Heidemann, Stuthman, Utter, and Wightman. Voting nay: None. Absent: none.

**Motion:** By Senator Utter and seconded by Senator Wightman to have the Committee send a letter to the Attorney General encouraging an opinion as soon as possible on the issue of whether state auditors must pay for information from state agencies in the course of statutorily authorized audits and indicating that the Committee will introduce legislation in the 2011 session to prohibiting agencies from charging for data in those circumstances. The motion carried by roll call vote. Voting aye: Senators Conrad, Flood, Harms, Heidemann, Utter, Stuthman and Wightman. Voting nay: None. Absent: none.

5. Other business. None

**Motion:** By Senator Wightman and seconded by Senator Utter adjourn at 4:00 p.m.. The motion carried by voice vote. Voting aye: Senators Conrad, Flood, Harms, Heidemann, Stuthman, Utter, and Wightman. Voting nay: None. Absent: none.