

Approved: 3-22-94
Date

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND ELECTIONS.

The meeting was called to order by Chairperson Marvin Smith at 9:00 a.m. on March 21, 1994 in Room 521-S of the Capitol.

All members were present except: Representative Tom Bradley (E)
Representative Elaine Wells (E)

Committee staff present: Carolyn Rampey, Legislative Research Department
Dennis Hodgins, Legislative Research Department
Julian Efird, Legislative Research Department
Arden Ensley, Revisor of Statutes
Nancy Kippes, Committee Secretary

Conferees appearing before the committee:

Senator Todd Tiahrt
Senator Morris
Susan Seltsam, Secretary of Administration
Ron Terzian, Director of Operations, Boeing Computer Services in Wichita
Ben Nelson, Chief of Bureau of Computer Services, Department of Transportation
David Buhler, Information Network of Kansas
John Bucher, Kansas State University

Others attending: See attached list

Hearing on:

SB 655 - establishing the Kansas information resources council and the office of chief information architect.

Senator Todd Tiahrt provided written testimony in support of SB 655, advising this is a portion of the Governor's efforts to reinvent government. The private sector has participated and invested their resources and that is part of why this bill is so significant. Senator Tiahrt provided a balloon amendment that would reduce the council from 15 to 11 which would narrow the scope to the Administrative Branch of Kansas government, would narrow the scope of the bill to administrative policies, and would exclude the lottery, Board of Regents and Information Network of Kansas from the scope of this committee. Senator Tiahrt also handed out a letter signed by all members of the Joint Committee on Computers and Tech-Communications (Attachment 1).

Representative George Dean appeared to give his support to SB 655 and amendments as offered by Senator Tiahrt.

Susan Seltsam, Secretary of Administration, testified in support of SB 655 stating this bill would establish the Kansas Information Resources Council as a policy making body, which would facilitate the coordination of information technology standards, tools and methodologies and is the most positive way to bring about data coordination and sharing. It would also establish a chief information architect to be appointed by the Council and give the Council approval authority over planning and acquisition of equipment, programs, systems and maintenance. Secretary Seltsam proposed an amendment to review the effectiveness of the Council by a K-GOAL audit rather than abolishment on July 1, 1997 (Attachment 2).

Bill Jarrell, Kansas Government Affairs Manager of the Boeing Company, introduced Ron Terzian, Director of Operations, Boeing Computer Services in Wichita, who gave testimony in support of SB 655. Boeing Company was one of the private industries participants on reinventing Kansas Government and Mr. Terzian was team leader of the information management system team. Mr. Terzian provided written testimony in

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND ELECTIONS, Room 521-S Statehouse, at 9:00 a.m. on March 21, 1994.

information technology to the state's business. The initiatives derived from these issues form the basis of SB 655 (Attachment 3).

Ben Nelson, Chief of the Bureau of Computer Services, Department of Transportation, provided written testimony to support SB 655, which will allow Kansas to meet the challenges of the changing technology industry. This bill would establish an organization needed to manage the state's information technology (Attachment 4).

David Buhler, Information Network of Kansas, testified in support of SB 655 (Attachment 5). He stated they remain neutral on the policy decision of whether to enact this bill, however would recommend an amendment to the bill that would exempt Information Network of Kansas from SB 655. Mr. Buhler stated INK is a free-standing public instrumentality created by the Legislature, governed by a board of directors, one being the Director of DISC.

Pat Hurley, Information Network of Kansas, in response to a question reiterated that INK was created as a public entity and really is not a state agency as such and therefore should be exempt from SB 655.

John Bucher, Director of Computing and Network Services at Kansas State University, speaking for the computer advisory committee appeared in support of SB 655. Their concern had been for the removal of the exemption for the Board of Regents but they would now support SB 655 with the suggested amendment to exempt the Board of Regents from the bill. Mr. Bucher was in favor of the notion of a Users Council inasmuch as campuses have similar types of groups who advise them constantly.

Representative Gilbert made a motion to approve the minutes for the March 18, 1994 meeting as submitted. Representative Ballard seconded. The motion carried.

The meeting was adjourned at 10:00 a.m. The next meeting is scheduled for March 22, 1994.

GUEST LIST

COMMITTEE: House Governmental Organization & Elections DATE: 3-21-94

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
BILL JARRELL	WICHITA	BOEING
WARREN NEUDORFF	TOPEKA	DISC
RICHARD MILLER	TOPEKA	KDHE / ESOS
B. MARVIN	TOPEKA	Dept
SHARON BOLYARD	TOPEKA	SKS
DAVID BUEHLER	TOPEKA	INFORMATION NETWORK OF KANSAS (INK)
JOHN BUCHER	MANHATTAN	K.S.U.
Debra McClure	TOPEKA	KBOR
TED D. AYRES	TOPEKA	REGENTS OFFICE
LOW JOSSELYN	Lawrence	KU
ERIC SEXTON	WICHITA	Wichita State
RITA NOLL	TOPEKA	KS INS DEPT
John J. Federico	"	KS Info Network
Dave Larson	TOPEKA	Legislature
KOU TERZIAN	WICHITA	BOEING
Gas A. Bunk	KDA-TV	KAN..
Tess Bannan	TOPEKA	KARE
Marshall B. Boren	Statehouse	Dept. of Labor
Pat Higgins	"	"
Elaine Frishie	"	Div. of Budget
Gatwick, Shirley	TOPEKA	SKX

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TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS
 VICE CHAIRMAN: ASSESSMENT & TAXATION
 VICE CHAIRMAN: JOINT COMMITTEE ON COMPUTERS
 & TELECOMMUNICATIONS
 MEMBER: EDUCATION
 TRANSPORTATION & UTILITIES
 JOINT COMMITTEE ON
 LEGISLATIVE POST AUDIT

SB 655 Testimony

House Governmental Organization Committee

Thank you Chairman Smith for the opportunity to testify in favor of SB 655.

I think this is a very important piece of legislation and I hope this committee will approve SB 655 with the amendments I am about to propose.

Before I explain the amendments I would like to say that this bill is a portion of the Governor's efforts to reinvent government. It has involved many hours and much effort from those in the state government as well as those from the private sector. This is the only bill that I know of that has come forward in relation to the task teams that worked on reinventing government.

It is also important, in my mind, that we have extended our hand to the private sector and asked them to become involved in improving the processes we use in conducting the business of state government. That is part of why this bill is so significant. The private sector has much to offer, the cutting edge of technology, the test bed for administrative policy, and the proof of what works. They have participated. They have invested their resources. If we ignore the efforts of our supporters in the private sector, I fear we will shut off or frustrate a wonderful resource, our Kansas private industries. So I encourage you to give this bill strong consideration.

As Vice Chairman of the Joint Committee on Computers and Telecommunications (JCCT) I have been organizing support for SB 655. Originally this bill was past forward without recommendation by the JCCT. Subsequently, I have been in coordination with all members of the committee and we have worked out the committees concerns. The major concern was to focus this effort on the administrative branch of government. We have also taken into consideration the Speaker of the House's concern with the number of members on committees and of having members of the legislature participating in the Kansas information resources council.

House Gov't Org + Elections
March 21, 1994
Attachment 1

I have had a balloon prepared to present the amendments, which I believe is an acceptable compromise. Basically, it does three things;

First, it reduces from 15 to 11 the members of the council. The purpose of this is three fold. One is to remove the representation of the Chairman of the JCCT to meet Speaker Miller's concerns. It also removes members from the court system and the regents. That narrows the scope of this to the Administrative branch of Kansas government. The revisors also reduced from 4 to 3 the representatives from the private sector. The purpose was to keep an odd number on the committee.

Second, on page 2 the scope of the bill is narrowed to "administrative" policies which is consistent with the direction of the amendments and this addresses the concerns of some of us on the JCCT.

Finally, reference to the Lottery, the board of regents and the information network of Kansas, Inc. are excluded from the scope of this committee again to narrow the focus on the administrative branch of government.

This bill has been worked and reworked. I believe it is good shape and can be moved forward and successfully become law. I urge this committee to move this bill favorably with the proposed amendments included. Thank you for your time.

Sincerely,



Todd Tiahrt
State Senator

SENATE BILL No. 655

By Committee on Ways and Means

2-2

9 AN ACT relating to the state's information resources; concerning the
10 development, management, coordination and planning for the util-
11 ization of such resources; establishing the Kansas information re-
12 sources council and the office of chief information architect and
13 prescribing the powers, duties and authority thereof; amending
14 K.S.A. 75-4705, 75-4706 and 75-4707 and K.S.A. 1993 Supp. 75-
15 4709 and repealing the existing sections.

16
17 *Be it enacted by the Legislature of the State of Kansas:*

18 New Section 1. (a) There is hereby established the Kansas in-
19 formation resources council which shall be attached to the Depart-
20 ment of Administration for purposes of administrative functions.

21 (b) The council shall be composed of ~~15~~ members as follows: The
22 secretary of administration; the secretary of health and environment;
23 the secretary of human resources; the secretary of revenue; the
24 secretary of social and rehabilitation services; the secretary of trans-
25 portation; ~~the judicial administrator of the Kansas supreme court;~~
26 ~~the executive director of the Kansas board of regents; the chairperson~~
27 ~~of the joint committee on computers and telecommunications; four~~
28 additional chief administrative officers of various state agencies; and
29 two representatives from the private sector to serve as advisory, non-
30 voting members. The ~~four~~ chief administrative officers and repre-

31 sentatives from the private sector shall be appointed by the governor
32 for a term not to exceed 18 months. Other members shall be per-
33 manent members on the council. Upon expiration of a member's
34 term, the member shall continue to hold office until the appointment
35 of a successor.

36 (c) The chief information architect and the director of the budget
37 shall serve as non-voting members of the council

38 (d) The secretary of administration shall serve as the interim
39 chairperson until such time as a permanent chair is determined by
40 the council.

41 (e) The council shall hold meetings and hearings in the city of
42 Topeka or at such times and places as it designates, on call of the
43 chairperson or on request of four or more members.

11

three

three

(f) Members of the council may not appoint an individual to represent them on the council.

(g) Members of the council shall not be eligible for compensation, subsistence allowances, mileage or other expenses as provided in K.S.A. 75-3223 and amendments thereto for attendance at any meeting of the council or any subcommittee meeting authorized by the council, except that agencies may pay subsistence, mileage and other expenses to their representatives on the council.

New Sec. 2. (a) The council is hereby authorized to adopt such policies and rules and regulations as necessary to implement, administer and enforce the provisions of this act.

(b) The council shall:

(1) Approve the ~~policies for the management of the state's information resources, including the strategic information management plan;~~

administrative

(2) provide direction and coordination for the application of the state's information resources;

(3) approve major information technology and telecommunications projects and provide authorization to proceed with the program plans at specific points of completion;

(4) designate the ownership of information resource processes and the lead agency implementation of new technologies;

(5) monitor the return on investment for information resources used within the state; and

(6) perform such other functions and duties as necessary to carry out the provisions of this act.

New Sec. 3. There is hereby established, within and as a part of the department of administration, an office of the chief information architect, the head of which shall be the chief information architect. Under the supervision of the Kansas information resources council, the chief information architect shall administer the office of the chief information architect. The chief information architect shall be in the unclassified service under the Kansas civil service act and shall be appointed by the Kansas information resources council.

New Sec. 4. The chief information architect shall:

(a) Initiate and publish the strategic information management plan for the state;

(b) develop and maintain an information infrastructure and standards for data management;

(c) serve as secretary to the Kansas information resources council;

(d) propose information resource policies and procedures for approval by the Kansas information resources council;

(e) coordinate implementation of new computer and telecom-

munication technologies;

(f) coordinate the integration of the state strategic plan and business processes and information technology where appropriate;

(g) audit compliance with infrastructure standards and review findings with the organization for appropriate action; and

(h) serve as counsel to agency executives for information technology investment management.

Sec. 5. K.S.A. 75-4705 is hereby amended to read as follows: 75-4705. (a) Central processing of data by computer, for all divisions, departments and agencies of the state shall be performed by the division of information systems and communications, under the supervision of the secretary of administration. No other division, department or agency of the state shall perform central processing computer functions or control or possess any central processing unit of a computer, except as otherwise provided in this section.

(b) With the approval of the secretary of administration, any division, department or agency of the state may possess and operate central processing units of a computer if the same are adjunct to the central processing computer unit or units of the division of information systems and communications.

(c) Data to be centrally processed by the division of information systems and communications shall be prepared for such processing by the division, department or agency of the state requesting the same to be processed in accordance with rules and regulations adopted by the secretary of administration as provided in K.S.A. 75-4703 and amendments thereto. Programs for processing the data of any division, department or agency of the state shall be prepared by such division, department or agency of the state in accordance with standards prescribed by rules and regulations adopted by the secretary of administration as provided in K.S.A. 75-4703 and amendments thereto. Notwithstanding the other provisions of this subsection, the division of information systems and communications shall prepare data or programs, or provide technical consultation, when a division, department or agency of the state requests such service of the division of information systems and communications and the director of information systems and communications, subject to the approval of the secretary of administration agrees thereto.

(d) In accordance with the comprehensive plan approved by the information systems policy board pursuant to K.S.A. 75-4708 and amendments thereto, the director of information systems and communications, subject to approval by the secretary of administration, shall determine all data processing programs, contract services and new data processing positions needed by

any division, department or agency of the state. Subject to approval by the secretary of administration, the director of information systems and communications shall establish data processing standards to be used by the divisions, departments and agencies in the state and shall audit the activities of these units to assure compliance with the standards as well as with generally accepted principles of data processing practice. Such audits shall be conducted annually covering data processing applications, systems development and information processing facilities. The director of information systems and communications, under the supervision of the secretary of administration, shall review the data processing budget requests submitted by all divisions, departments and agencies annually and submit recommendations to the division of the budget as to the technical and management merit of the requests.

(e) This section shall not apply to the universities under the jurisdiction and control of the state board of regents.

Sec. 6. K.S.A. 75-4706 is hereby amended to read as follows: 75-4706. (a) No state agency, as defined in K.S.A. 75-3701 and amendments thereto, shall lease, cause to be leased, purchase, contract for, issue a letter of intent to contract for or cause to be installed, any data information processing equipment, including auxiliary equipment or any data information processing programs or systems, or maintenance thereon without the prior approval of the secretary of administration Kansas information resources council or specific legislative authorization. The director of accounts and reports shall not issue any warrant in payment for any lease or purchase contract for any data information processing equipment, programs and systems acquired without such prior approval or authorization.

(b) All specifications for bids for acquisition of the data information processing equipment, including auxiliary equipment and data information processing programs and systems, or maintenance thereof shall be prepared by the director of information systems and communications chief information architect, under the supervision of the secretary of administration Kansas information resources council. This subsection shall not apply to universities under the jurisdiction and control of the state board of regents or to the Kansas lottery.

Sec. 7. K.S.A. 75-4707 is hereby amended to read as follows: 75-4707. Notwithstanding the provisions of K.S.A. 75-3738 and 75-3739 and amendments thereto, state agencies using data information processing equipment under lease are hereby authorized to enter

(d) This section shall not apply to the universities under the jurisdiction and control of the state board of regents, to the information network of Kansas, Inc. or the the Kansas lottery.

This subsection shall not apply to universities under the jurisdiction and control of the state board of regents, to the information network of Kansas, Inc. or to the Kansas lottery.

1 into contracts with leasing service companies for purchase by the
2 agency of such equipment with nonstate funds furnished by such
3 leasing service companies and transfer of title to such equipment by
4 the agency to such leasing service company for lease back to the
5 agency. Any such contract shall first be approved by the ~~secretary~~
6 ~~of administration~~ *chief information architect under the supervision*
7 *of the Kansas information resources council.*

8 Sec. 8. K.S.A. 1993 Supp. 75-4709 is hereby amended to read
9 as follows: 75-4709. (a) The secretary of administration shall make
10 provision for and coordinate all telecommunications services for all
11 divisions, departments and agencies of the state *pursuant to policies*
12 *established by the Kansas information resources council.* The sec-
13 retary of administration shall have the authority to control the ac-
14 quisition, retention and use of all telecommunications services for
15 all divisions, departments and agencies of the state, and to develop
16 and review plans and specifications for telecommunications services
17 throughout the state. The secretary of administration, when feasible,
18 may extend the use of state intercity telecommunications facilities
19 and services under the control of the secretary to private, nonprofit
20 corporations designated by the governor pursuant to federal law to
21 perform functions within the state as provided by federal law or to
22 any governmental units, and may enter into agreements with such
23 private, nonprofit corporations or governmental units for provision
24 of such service.

25 (b) Every record made, maintained or kept by the secretary of
26 administration or the division of information systems and commu-
27 nications, or any agency or instrumentality thereof, which relates to
28 the acquisition, retention or use of telecommunications services pro-
29 vided to any division, department or agency of the state, state officer
30 or governmental unit and which pertains to individually identifiable
31 individuals using such telecommunication services shall constitute for
32 purposes of the open records act a record of the division, department
33 or agency of the state, state officer or governmental unit to which
34 such records relate and the official custodian of such records for the
35 purposes of the open records act shall be the official custodian of
36 the records of such division, department or agency of the state, state
37 officer or governmental unit.

38 *[New Sec. 9. The Kansas information resources council estab-*
39 *lished by section 1 shall be and is hereby abolished on July 1, 1997.]*

40 Sec. 9 [10]. K.S.A. 75-4705, 75-4706 and 75-4707 and K.S.A.
1993 Supp. 75-4709 are hereby repealed.

42 Sec. 10 [11]. This act shall take effect and be in force from and
43 after its publication in the statute book.

TODD TIAHRT
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TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS
VICE CHAIRMAN: ASSESSMENT & TAXATION
VICE CHAIRMAN: JOINT COMMITTEE ON COMPUTERS
& TELECOMMUNICATIONS
MEMBER: EDUCATION
TRANSPORTATION & UTILITIES
JOINT COMMITTEE ON
LEGISLATIVE POST AUDIT

March 16, 1994
Representative Marvin Smith
Chairman House Governmental Organization Committee

Dear Chairman Smith,


Thank you for your consideration in scheduling SB 655.

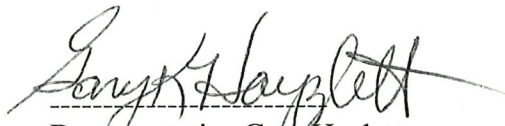
As Vice Chairman of the Joint Committee on Computers and Tele-Communications and member of the Senate, I have been organizing support for SB 655. As you are aware this bill was past forward without recommendation by the JCCT. Subsequent to our last meeting I have been in coordination with all members of the committee and we have worked out the committees concerns.

Therefore, we the undersigned members of the JCCT hereby support SB 655 as amended.
(Amendments attached)

Once again thank you for expediting this matter.

Sincerely,


Todd Tiahrt



Representative Gary Hazlett
Chairman, JCCT


Senator Steve Morris


Representative Jim Morrison


Senator Bill Brady


Representative George Dean


Senator Todd Tiahrt

SENATE BILL No. 655

By Committee on Ways and Means

2-2

AN ACT relating to the state's information resources; concerning the development, management, coordination and planning for the utilization of such resources; establishing the Kansas information resources council and the office of chief information architect and prescribing the powers, duties and authority thereof; amending K.S.A. 75-4705, 75-4706 and 75-4707 and K.S.A. 1993 Supp. 75-4709 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) There is hereby established the Kansas information resources council which shall be attached to the Department of Administration for purposes of administrative functions.

(b) The council shall be composed of 15 members as follows: The secretary of administration; the secretary of health and environment; the secretary of human resources; the secretary of revenue; the secretary of social and rehabilitation services; the secretary of transportation; ~~the judicial administrator of the Kansas supreme court;~~ ~~the executive director of the Kansas board of regents;~~ ~~the chairperson of the joint committee on computers and telecommunications;~~ four additional chief administrative officers of various state agencies; and two representatives from the private sector to serve as advisory, non-voting members. The four chief administrative officers and representatives from the private sector shall be appointed by the governor for a term not to exceed 18 months. Other members shall be permanent members on the council. Upon expiration of a member's term, the member shall continue to hold office until the appointment of a successor.

(c) The chief information architect and the director of the budget shall serve as non-voting members of the council.

(d) The secretary of administration shall serve as the interim chairperson until such time as a permanent chair is determined by the council.

(e) The council shall hold meetings and hearings in the city of Topeka or at such times and places as it designates, on call of the chairperson or on request of four or more members.

Chairman Smith,
I will send a letter
Hallon drawn by
the revision.
Todd

(f) Members of the council may not appoint an individual to represent them on the council.

(g) Members of the council shall not be eligible for compensation, subsistence allowances, mileage or other expenses as provided in K.S.A. 75-3223 and amendments thereto for attendance at any meeting of the council or any subcommittee meeting authorized by the council, except that agencies may pay subsistence, mileage and other expenses to their representatives on the council.

New Sec. 2. (a) The council is hereby authorized to adopt such policies and rules and regulations as necessary to implement, administer and enforce the provisions of this act.

(b) The council shall:

(1) Approve the policies for the management of the state's information resources, including the strategic information management plan;

(2) provide direction and coordination for the application of the state's information resources;

(3) approve major information technology and telecommunications projects and provide authorization to proceed with the program plans at specific points of completion;

(4) designate the ownership of information resource processes and the lead agency implementation of new technologies;

(5) monitor the return on investment for information resources used within the state; and

(6) perform such other functions and duties as necessary to carry out the provisions of this act.

New Sec. 3. There is hereby established, within and as a part of the department of administration, an office of the chief information architect, the head of which shall be the chief information architect. Under the supervision of the Kansas information resources council, the chief information architect shall administer the office of the chief information architect. The chief information architect shall be in the unclassified service under the Kansas civil service act and shall be appointed by the Kansas information resources council.

New Sec. 4. The chief information architect shall:

(a) Initiate and publish the strategic information management plan for the state;

(b) develop and maintain an information infrastructure and standards for data management;

(c) serve as secretary to the Kansas information resources council;

(d) propose information resource policies and procedures for approval by the Kansas information resources council;

(e) coordinate implementation of new computer and telecom-

munication technologies;

(f) coordinate the integration of the state strategic plan and business processes and information technology where appropriate.

(g) audit compliance with infrastructure standards and review findings with the organization for appropriate action; and

(h) serve as counsel to agency executives for information technology investment management.

Sec. 5. K.S.A. 75-4705 is hereby amended to read as follows:

75-4705. (a) Central processing of data by computer, for all divisions, departments and agencies of the state shall be performed by the division of information systems and communications, under the supervision of the secretary of administration. No other division, department or agency of the state shall perform central processing computer functions or control or possess any central processing of a computer, except as otherwise provided in this section.

(b) With the approval of the secretary of administration, any division, department or agency of the state may possess and operate central processing units of a computer if the same are adjunct to the central processing computer unit or units of the division of information systems and communications.

(c) Data to be centrally processed by the division of information systems and communications shall be prepared for such processing by the division, department or agency of the state requesting the same to be processed in accordance with rules and regulations adopted by the secretary of administration as provided in K.S.A. 75-4703 and amendments thereto. Programs for processing the data of any division, department or agency of the state shall be prepared by such division, department or agency of the state in accordance with standards prescribed by rules and regulations adopted by the secretary of administration as provided in K.S.A. 75-4703 and amendments thereto. Notwithstanding the other provisions of this subsection, the division of information systems and communications shall prepare data or programs, or provide technical consultation, when a division, department or agency of the state requests such service of the division of information systems and communications and the director of information systems and communications, subject to the approval of the secretary of administration agrees thereto.

(d) In accordance with the comprehensive plan approved by the information systems policy board pursuant to K.S.A. 75-4708 and amendments thereto, the director of information systems and communications, subject to approval by the secretary of administration, shall determine all data processing programs, contract services and new data processing positions nec-

any division, department or agency of the state. Subject to approval by the secretary of administration, the director of information systems and communications shall establish data processing standards to be used by the divisions, departments and agencies in the state and shall audit the activities of these units to assure compliance with the standards as well as with generally accepted principles of data processing practice. Such audits shall be conducted annually covering data processing applications, systems development and information processing facilities. The director of information systems and communications, under the supervision of the secretary of administration, shall review the data processing budget requests submitted by all divisions, departments and agencies annually and submit recommendations to the division of the budget as to the technical and management merit of the requests.

(e) This section shall not apply to the universities under the jurisdiction and control of the state board of regents.

Sec. 6. K.S.A. 75-4706 is hereby amended to read as follows: 75-4706. (a) No state agency, as defined in K.S.A. 75-3701 and amendments thereto, shall lease, cause to be leased, purchase, contract for, issue a letter of intent to contract for or cause to be installed, any data information processing equipment, including auxiliary equipment or any data information processing programs or systems, or maintenance thereon without the prior approval of the secretary of administration *Kansas information resources council* or specific legislative authorization. The director of accounts and reports shall not issue any warrant in payment for any lease or purchase contract for any data information processing equipment, programs and systems acquired without such prior approval or authorization.

(b) All specifications for bids for acquisition of the data information processing equipment, including auxiliary equipment and data information processing programs and systems, or maintenance thereof shall be prepared by the director of information systems and communications *chief information architect*, under the supervision of the secretary of administration *Kansas information resources council*. This subsection shall not apply to universities under the jurisdiction and control of the state board of regents or to the Kansas lottery.

Sec. 7. K.S.A. 75-4707 is hereby amended to read as follows: 75-4707. Notwithstanding the provisions of K.S.A. 75-3738 and 75-3739 and amendments thereto, state agencies using data information processing equipment under lease are hereby authorized to enter

into contracts with leasing service companies for purchase by the agency of such equipment with nonstate funds furnished by leasing service companies and transfer of title to such equipment by the agency to such leasing service company for lease back to the agency. Any such contract shall first be approved by the secretary of administration *chief information architect under the supervision of the Kansas information resources council*.

Sec. 8. K.S.A. 1993 Supp. 75-4709 is hereby amended to read as follows: 75-4709. (a) The secretary of administration shall make provision for and coordinate all telecommunications services for all divisions, departments and agencies of the state *pursuant to policies established by the Kansas information resources council*. The secretary of administration shall have the authority to control the acquisition, retention and use of all telecommunications service for all divisions, departments and agencies of the state, and to develop and review plans and specifications for telecommunications services throughout the state. The secretary of administration, when feasible, may extend the use of state intercity telecommunications facilities and services under the control of the secretary to private, nonprofit corporations designated by the governor pursuant to federal law to perform functions within the state as provided by federal law or to any governmental units, and may enter into agreements with such private, nonprofit corporations or governmental units for provision of such service.

(b) Every record made, maintained or kept by the secretary of administration or the division of information systems and communications, or any agency or instrumentality thereof, which relates to the acquisition, retention or use of telecommunications services provided to any division, department or agency of the state, state officer or governmental unit and which pertains to individually identifiable individuals using such telecommunication services shall constitute purposes of the open records act a record of the division, department or agency of the state, state officer or governmental unit to which such records relate and the official custodian of such records for the purposes of the open records act shall be the official custodian of the records of such division, department or agency of the state, state officer or governmental unit.

[New Sec. 9. The Kansas information resources council established by section 1 shall be and is hereby abolished on July 1, 1997.]

Sec. 9 [10]. K.S.A. 75-4705, 75-4706 and 75-4707 and K.S.A. 1993 Supp. 75-4709 are hereby repealed.

Sec. 10 [11]. This act shall take effect and be in force from and after its publication in the statute book.

HOUSE GOVERNMENTAL ORGANIZATION AND ELECTIONS

March 21, 1994

PRESENTED BY SUSAN M. SELTSAM
SECRETARY OF ADMINISTRATION

Mr. Chairman, Members of the Committee:

Thank you for the opportunity to appear on Senate Bill 655.

As part of the Reinventing Kansas Government initiative an in depth study was performed on the management of the state's information systems. The project team that examined information systems in state agencies recognized a need to increase quality and lower cost of services provided to Kansas citizens and believed informed application of information technology aligned with defined business strategies would improve the quality of services provided to the people of Kansas into the next century.

The team's vision for establishing that kind of environment is:

1. State policy makers establish and coordinate information technology direction.
2. Information technology professionals are business partners in accomplishing the state's goals and share responsibility for the success of state operations.
3. Processes are in place to define, implement and enforce architecture standards, tools and methodologies.
4. Invest in the state's human resources allowing professional development opportunities, and promoting productivity and innovation.
5. Ensure an infrastructure exists to promote efficient service delivery and data sharing within and among state organizations.
6. That budgeting, accounting and procurement procedures facilitate efficient management and acquisition of information technology resources.

This bill establishes a structure to implement this vision and is a recommendation of the team which the Administration strongly supports.

Reese Gov't Org + Elections
March 21, 1994
Attachment 2

New Sec. 1 Establishes the Kansas Information Resources Council as a policy making body. Its members are comprised of representatives of the executive, legislative and judicial branches, the Board of Regents, and the private sector.

The Council is charged with the following responsibilities found in New Sec. 2:

- (1) Approve the policies for the management of the state's information resources, including the strategic information management plan;
- (2) provide direction and coordination for the application of the state's information resources;
- (3) approve major information technology and telecommunications projects and provide authorization to proceed with the program plan at specific points of completion;
- (4) designate the ownership of information resource processes and the lead agency implementation of new technologies;
- (5) monitor the return on investment for information resources used within the state; and
- (6) perform such other functions and duties as necessary to carry out the provisions of this act.

The establishment of the Council will facilitate the coordination of information technology standards, tools and methodologies, and is the most positive way to bring about data coordination and sharing.

The bill also establishes the position of a chief information architect who is to be appointed by the Council. The position is designed to provide leadership, guidance and coordination of information technology issues for the KIRC.

The responsibilities of the chief information architect are found in New Sec. 4 and are as follows:

- (a) Initiate and publish the strategic information management plan for the state;
- (b) develop and maintain an information infrastructure and standards for data management.

- (c) serve as secretary to the Kansas information resources council;
- (d) propose information resource policies and procedures for approval by the Kansas information resources council;
- (e) coordinate implementation of new computer and telecommunication technologies;
- (f) coordinate the integration of the state strategic plan and business processes and information technology where appropriate;
- (g) audit compliance with infrastructure standards and review findings with the organization for appropriate action; and
- (h) serve as counsel to agency executives for information technology investment management.

The Department of Administration's Division of Information Systems and Communication's (DISC) role is redefined to allow that organization to focus on providing central computer and telecommunication services; thus the State's central information resource has a clearly defined central service role allowing for more effective service delivery. DISC currently has a conflicting role between services and control.

In the remaining sections of the bill, various statutes are amended to give the Kansas Information Resource Council approval authority over planning and acquisition of equipment, programs, systems and maintenance. Currently, this authority rests with the Secretary of Administration and is administered by DISC.

In an age where information technology is increasingly important, it is vital that we in Kansas carefully structure our management policy to provide and promote the most effective use of dollar and human resources possible. I believe Senate Bill 655 enables us to do that.

The Senate Amendment in New Sec. 9 calls for abolishment of the Council on July 1, 1997.

I propose an amendment to review the effectiveness of the Council utilizing a K-GOAL audit. It will be very difficult to attract a highly qualified individual for the position of the Chief Information Architect with this provision which puts into question continued employment beyond July 1, 1997.

I urge your support of the bill.

SENATE BILL No. 655

By Committee on Ways and Means

2-2

9 AN ACT relating to the state's information resources; concerning the
10 development, management, coordination and planning for the util-
11 ization of such resources; establishing the Kansas information re-
12 sources council and the office of chief information architect and
13 prescribing the powers, duties and authority thereof; amending
14 K.S.A. 75-1705, 75-1706 and 75-1707 and K.S.A. 1993 Supp. 75-
15 1709 and repealing the existing sections.

16
17 *Be it enacted by the Legislature of the State of Kansas:*

18 New Section 1. (a) There is hereby established the Kansas in-
19 formation resources council which shall be attached to the Depart-
20 ment of Administration for purposes of administrative functions.

21 (b) The council shall be composed of 15 members as follows: The
22 secretary of administration; the secretary of health and environment;
23 the secretary of human resources; the secretary of revenue; the
24 secretary of social and rehabilitation services; the secretary of trans-
25 portation; the judicial administrator of the Kansas supreme court;
26 the executive director of the Kansas board of regents; the chairperson
27 of the joint committee on computers and telecommunications; four
28 additional chief administrative officers of various state agencies; and
29 two representatives from the private sector to serve as advisory, non-
30 voting members. The four chief administrative officers and repre-
31 sentatives from the private sector shall be appointed by the governor
32 for a term not to exceed 18 months. Other members shall be per-
33 manent members on the council. Upon expiration of a member's
34 term, the member shall continue to hold office until the appointment
35 of a successor.

36 (c) The chief information architect and the director of the budget
37 shall serve as non-voting members of the council.

38 (d) The secretary of administration shall serve as the interim
39 chairperson until such time as a permanent chair is determined by
40 the council.

41 (e) The council shall hold meetings and hearings in the city of
42 Topeka or at such times and places as it designates, on call of the
43 chairperson or on request of four or more members.

2-4

(f) Members of the council may not appoint an individual to represent them on the council.

(g) Members of the council shall not be eligible for compensation, subsistence allowances, mileage or other expenses as provided in K.S.A. 75-3223 and amendments thereto for attendance at any meeting of the council or any subcommittee meeting authorized by the council, except that agencies may pay subsistence, mileage and other expenses to their representatives on the council.

New Sec. 2. (a) The council is hereby authorized to adopt such policies and rules and regulations as necessary to implement, administer and enforce the provisions of this act.

(b) The council shall:

(1) Approve the policies for the management of the state's information resources, including the strategic information management plan;

(2) provide direction and coordination for the application of the state's information resources;

(3) approve major information technology and telecommunications projects and provide authorization to proceed with the program plans at specific points of completion;

(4) designate the ownership of information resource processes and the lead agency implementation of new technologies;

(5) monitor the return on investment for information resources used within the state; and

(6) perform such other functions and duties as necessary to carry out the provisions of this act.

New Sec. 3. There is hereby established, within and as a part of the department of administration, an office of the chief information architect, the head of which shall be the chief information architect. Under the supervision of the Kansas information resources council, the chief information architect shall administer the office of the chief information architect. The chief information architect shall be in the unclassified service under the Kansas civil service act and shall be appointed by the Kansas information resources council.

New Sec. 4. The chief information architect shall:

(a) Initiate and publish the strategic information management plan for the state;

(b) develop and maintain an information infrastructure and standards for data management;

(c) serve as secretary to the Kansas information resources council;

(d) propose information resource policies and procedures for approval by the Kansas information resources council;

(e) coordinate implementation of new computer and telecom-

9-2

1 munication technologies;

2 (f) coordinate the integration of the state strategic plan and busi-
3 ness processes and information technology where appropriate;

4 (g) audit compliance with infrastructure standards and review
5 findings with the organization for appropriate action; and

6 (h) serve as counsel to agency executives for information tech-
7 nology investment management.

8 Sec. 5. K.S.A. 75-4705 is hereby amended to read as follows:

9 75-4705. (a) Central processing of data by computer, for all divisions,
10 departments and agencies of the state shall be performed by the
11 division of information systems and communications, under the su-
12 pervision of the secretary of administration. No other division, de-
13 partment or agency of the state shall perform central processing
14 computer functions or control or possess any central processing unit
15 of a computer, except as otherwise provided in this section.

16 (b) With the approval of the secretary of administration, any
17 division, department or agency of the state may possess and operate
18 central processing units of a computer if the same are adjunct to
19 the central processing computer unit or units of the division of
20 information systems and communications.

21 (c) Data to be centrally processed by the division of information
22 systems and communications shall be prepared for such processing
23 by the division, department or agency of the state requesting the
24 same to be processed in accordance with rules and regulations
25 adopted by the secretary of administration as provided in K.S.A. 75-
26 4703 and amendments thereto. Programs for processing the data of
27 any division, department or agency of the state shall be prepared
28 by such division, department or agency of the state in accordance
29 with standards prescribed by rules and regulations adopted by the
30 secretary of administration as provided in K.S.A. 75-4703 and amend-
31 ments thereto. Notwithstanding the other provisions of this subsec-
32 tion, the division of information systems and communications shall
33 prepare data or programs, or provide technical consultation, when
34 a division, department or agency of the state requests such service
35 of the division of information systems and communications and the
36 director of information systems and communications, subject to the
37 approval of the secretary of administration agrees thereto.

38 (d) In accordance with the comprehensive plan approved
39 by the information systems policy board pursuant to K.S.A. 75-
40 4708 and amendments thereto, the director of information sys-
41 tems and communications, subject to approval by the secretary
42 of administration, shall determine all data processing programs,
43 contract services and new data processing positions needed by

1 any division, department or agency of the state. Subject to
2 approval by the secretary of administration, the director of in-
3 formation systems and communications shall establish data
4 processing standards to be used by the divisions, departments
5 and agencies in the state and shall audit the activities of these
6 units to assure compliance with the standards as well as with
7 generally accepted principles of data processing practice. Such
8 audits shall be conducted annually covering data processing
9 applications, systems development and information processing
10 facilities. The director of information systems and communi-
11 cations, under the supervision of the secretary of administra-
12 tion, shall review the data processing budget requests sub-
13 mitted by all divisions, departments and agencies annually and
14 submit recommendations to the division of the budget as to
15 the technical and management merit of the requests.

16 (e) This section shall not apply to the universities under
17 the jurisdiction and control of the state board of regents.

18 Sec. 6. K.S.A. 75-4706 is hereby amended to read as follows:
19 75-4706. (a) No state agency, as defined in K.S.A. 75-3701 and
20 amendments thereto, shall lease, cause to be leased, purchase, con-
21 tract for, issue a letter of intent to contract for or cause to be
22 installed, any data information processing equipment, including aux-
23 iliary equipment or any data information processing programs or
24 systems, or maintenance thereon without the prior approval of the
25 secretary of administration Kansas information resources council
26 or specific legislative authorization. The director of accounts and
27 reports shall not issue any warrant in payment for any lease or
28 purchase contract for any data information processing equipment,
29 programs and systems acquired without such prior approval or au-
30 thorization.

31 (b) All specifications for bids for acquisition of the data infor-
32 mation processing equipment, including auxiliary equipment and
33 data information processing programs and systems, or maintenance
34 thereof shall be prepared by the director of information systems
35 and communications chief information architect, under the su-
36 pervision of the secretary of administration Kansas information
37 resources council. This subsection shall not apply to universities
38 under the jurisdiction and control of the state board of regents
39 or to the Kansas lottery.

40 Sec. 7. K.S.A. 75-4707 is hereby amended to read as follows:
41 75-4707. Notwithstanding the provisions of K.S.A. 75-3738 and 75-
42 3739 and amendments thereto, state agencies using data information
43 processing equipment under lease are hereby authorized to enter

1 into contracts with leasing service companies for purchase by the
 2 use of such equipment with nonstate funds furnished by such
 3 leasing service companies and transfer of title to such equipment by
 4 the agency to such leasing service company for lease back to the
 5 agency. Any such contract shall first be approved by the secretary
 6 of administration *chief information architect under the supervision*
 7 *of the Kansas information resources council.*

8 Sec. 8. K.S.A. 1993 Supp. 75-4709 is hereby amended to read
 9 as follows: 75-4709. (a) The secretary of administration shall make
 10 provision for and coordinate all telecommunications services for all
 11 divisions, departments and agencies of the state *pursuant to policies*
 12 *established by the Kansas information resources council.* The sec-
 13 retary of administration shall have the authority to control the ac-
 14 quisition, retention and use of all telecommunications services for
 15 all divisions, departments and agencies of the state, and to develop
 16 and review plans and specifications for telecommunications services
 17 throughout the state. The secretary of administration, when feasible,
 18 may extend the use of state intercity telecommunications facilities
 19 and services under the control of the secretary to private, nonprofit
 20 corporations designated by the governor pursuant to federal law to
 21 perform functions within the state as provided by federal law or to
 22 any governmental units, and may enter into agreements with such
 23 private, nonprofit corporations or governmental units for provision
 24 of such service.

25 (b) Every record made, maintained or kept by the secretary of
 26 administration or the division of information systems and commu-
 27 nications, or any agency or instrumentality thereof, which relates to
 28 the acquisition, retention or use of telecommunications services pro-
 29 vided to any division, department or agency of the state, state officer
 30 or governmental unit and which pertains to individually identifiable
 31 individuals using such telecommunication services shall constitute for
 32 purposes of the open records act a record of the division, department
 33 or agency of the state, state officer or governmental unit to which
 34 such records relate and the official custodian of such records for the
 35 purposes of the open records act shall be the official custodian of
 36 the records of such division, department or agency of the state, state
 37 officer or governmental unit.

38 *[New Sec. 9. The Kansas information resources council estab-*
 39 *lished by section 1 shall be and is hereby abolished on July 1, 1997.]*

40 Sec. 9 [10]. K.S.A. 75-4705, 75-4706 and 75-4707 and K.S.A.
 41 1993 Supp. 75-4709 are hereby repealed.

42 Sec. 10 [11]. This act shall take effect and be in force from and
 43 after its publication in the statute book.

subject to audit under the Kansas
 governmental operations accountability law,
 and to review and evaluation during the 1997
 regular session of the legislature.

Kansas register

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INFORMATION SYSTEM MANAGEMENT

The Information System Management team studied information systems and telecommunications in the State of Kansas. The team found the systems and services to be in working order and accomplishing the daily activities needed by the State, although some processes and systems could benefit from several changes. The team proposes and the Steering Committee endorses several initiatives to enhance the effectiveness of the information resource assets of the State. The initiatives in this report provide a path to the vision the team has outlined. The vision was created reviewing fundamental issues and problems revealed in the surveys and interviews accomplished during this study.

FINDINGS

Kansas state government is a complex combination of organizations and functions providing a wide variety of services to citizens and other customers. Information technology currently plays an important supportive role in the conduct of the state's business. A need exists to increase the quality and lower the cost of services provided to Kansas citizens through customer-focused process improvement and informed application of information technology. To that end, state organizations should embark on a journey of continuous process improvement, define business strategies, and align their use of information technology with those strategies to improve the quality of services provided to the people of Kansas into the next century.

VISION

Our vision is to establish an environment where:

- State policy makers establish and coordinate information technology direction.
- Information technology professionals are business partners in the accomplishment of the State's strategic goals and share responsibility for the success of state operations.
- Processes are in place to define, implement, and enforce architecture standards, tools and methodologies.
- Investments in the state's human resources allow professional development opportunities that promote productivity and innovation. Key information

technology professionals are properly compensated and are not penalized for risk taking.

- An infrastructure exists to promote efficient service delivery and data sharing within and among state organizations.
- Budget, accounting, and procurement procedures facilitate efficient management and acquisition of information technology resources.

QUICK HITS

- Discontinue the required approval by the Division of Information Systems and Communications (DISC) for procurement of information technology if the total cost is not more than \$50,000, the item is on state contract, the item is a continuation of established policy; and the organization has in place an internal procedure detailing its Information Technology requisition review process.
- Reduce the number of state contracts regarding maintenance service for information technology hardware.
- Review existing object codes in the accounting system (STARS) to identify sub-object codes that can be merged or eliminated and establish new subobject codes to better track state expenditures for information technology.

MAJOR INITIATIVES

- Charter and establish the Kansas Information Resource Council (KIRC) to set statewide Information Resource Management policy, direction, and priorities; review and approve proposals from the state Chief Information Architect; and assure the linkage of information technology planning and statewide business strategies to achieve the state's strategic goals and Information Resource vision.
- Charter, establish, and fill the position of Chief Information Architect who will create and staff a

support organization to define, propose, and implement the tasks and projects necessary to achieve the Information Resource vision of the state.

- Redefine and rename the Division of Information Systems and Communications (DISC) to allow the organization to focus on provision of central computer and telecommunication services.
- Establish the inter-agency Information Technology Advisory Board (ITAB) to assure consistent implementation of Information Technology policy as directed by KIRC. This group would advise the Chief Information Architect on technical issues facing the state and its organizations and instigate sharing of state resources and data.

SUMMARY

The proposed initiatives establish a framework for effective information resource management in Kansas. Information resource policy, direction, and support for statewide strategic business goals will be the charge of the KIRC. The Office of the Chief Information Architect is designed to provide leadership, guidance, and coordination of information technology issues for the KIRC and the ITAB. A redefined and focused DISC will provide central computer services and telecommunications management. Creation of the ITAB establishes a structure to bring together information professionals from across state government to recommend and implement standards, respond to technology developments, and provide advice and counsel to the Chief Information Architect and KIRC.

These entities, working in concert, will increase communication and consensus on information resource issues, establish meaningful standards to guide technology deployment, and promote shared ownership in the decision making process among all sectors of state government. The process established by these initiatives will advance the informed management of the state's investments in this increasingly critical arena while establishing a foundation to support the goals and objectives of Kansas Quality Management.

Reinventing Kansas Government -- Phase I (Continued)
Information Systems Management -- December 15, 1993

		Cost or Savings	Benefits	Responsible Party or Organization	Legislation Required	Date Implemented by
	Major Initiatives					
1	Establish Kansas Information Resource Council to set statewide policy and perform strategic planning for information technology (KIRC).	Undetermined	Provide a structure and processes to allow implementation of statewide goals and agency missions. Link agency information technology plans, budgets, and strategies. Improve statewide management of information resources. Increase accountability of agencies to statewide mission. Use federal funds for overall benefit of the state. Establish a statewide information technology vision, adequate standards, and an overall architecture of hardware and software.	Governor Sec. of Administration	Executive Order, then new legislation	June 1, 1994
2	Establish the position of Chief Information Architect.	Undetermined (fund within current position limit)	Define, propose, and implement the tasks and projects necessary to achieve the information resource vision of the state. Improve statewide coordination and management of information resources. Eliminate duplicative processes. Link costs to benefits.	Chair of Kansas Information Resource Council (established in initiative #1)	New	June 1, 1994
3	Redefine DISC as the provider of central computer & telecommunication services.	None	Clearly define the central service role of the Division of Information Systems & Communications to improve service delivery. Eliminate the conflicting roles of DISC as service provider and controlling agent. Recommend clarification to statutes regarding information technology.	Chief Information Architect	New	Aug. 1, 1994
4	Establish inter-agency Information Technology Advisory Board (ITAB).	Undetermined	Promote multi-agency ownership in information technology standards, direction, & policy recommendations. Provide forum for discussion of complex issues, exceptions to standards, & new technology deployment. Assure consistent implementation of information technology policy as directed by KIRC. Provide advice to Chief Information Architect on technical issues. Instigate sharing of state resources and data. Organize technical advisory committees to address specific information technology subjects.	Chief Information Architect	None	Aug. 1, 1994

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Reinventing Kansas Government -- Phase I
Information Systems Management -- December 15, 1993

		Cost or Savings	Benefits	Responsible Party or Organization	Legislation Required	Date Implemented by
	Quick Hit Initiatives					
1	Reduce need for DISC approval for acquisition of technology covered by state contract.	Save \$100,000 annually in DISC staff approval time upon full implementation. Minimal implementation cost. Allow resource shift to Major Initiative #1.	Provide greater incentive to purchase from state contracts. Redirect DISC staff time to address issues more critical to state technology. Agencies would realize at least one week reduction in the current cycle time.	Sec. of Administration Director of DISC or Chief Information Architect (depends on timing)	None	Feb. 1, 1994
2	Reduce number of hardware maintenance and service contracts.	Save approximately \$900,000 per year upon full implementation. Minimal implementation cost.	Reduce maintenance costs by 20-30% per year. Improve service levels resulting from volume leverage with vendors. Reduce administrative costs by processing fewer than 463 contracts.	Director of Purchasing Agency Information Resource Managers	None	June 1, 1994
3	Revise object codes in state accounting system to track technology charges.	None	Provide quick retrieval of information on other operating expenses associated with information technology at the agency level and statewide. Track professional fees paid to consultants, data processing fees paid to private vendors, and fees charged by DISC.	Sec. of Administration Director of Accounts and Reports Budget Director	None	Feb. 1, 1994

Testimony in Support of Senate Bill No. 655
March 21, 1994

Mr. Chairman, members of the Committee, my name is Ron Terzian, Director of Operations, Boeing Computer Services in Wichita.

I appreciate this opportunity to speak in support of Senate Bill No. 655 which establishes the Kansas Information Resources Council and the office of Chief Information Architect.

This bill is based on a State, private sector team report produced in late 1993. Figure 1 illustrates the process used to determine initiatives and plans.

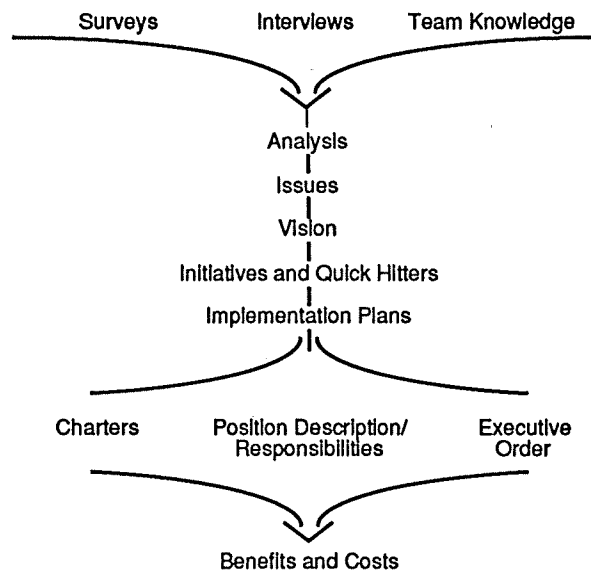


Figure 1

The key to this process was the determination of fundamental issues relative to application of information technology to the State's business. Figure 2 links these issues to a set of proposed initiatives which form the basis of Senate Bill No. 655.

Deane Gout Org & Elections
March 21, 1994
Attachment 3

Initiative	Fundamental Issue
<ul style="list-style-type: none"> • Formation of Kansas Information Resource Council (KIRC) 	<ul style="list-style-type: none"> • Linkage of information resources strategic plan with the state's business plan • Lack of statewide management of the information resource • Statutory and appropriations accountability does not promote statewide strategic solutions • Federal resource sharing • Lack of IT vision, standards and overall architecture of hardware and software
<ul style="list-style-type: none"> • Establishment of a Chief Information Architect 	<ul style="list-style-type: none"> • Lack of IT vision, standards and overall architecture of hardware and software • Lack of statewide management of the information resource • Statutory and appropriations accountability does not promote statewide strategic solutions • Centralized, decentralized and duplicate process • Budget and Accounting • Linking costs to benefits
<ul style="list-style-type: none"> • Redefinition of DISC's role 	<ul style="list-style-type: none"> • The role of DISC is unclear • DISC has a conflicting role between service and control • Information Technology statutes are ambiguous
<ul style="list-style-type: none"> • Establishment of the Information Technology Advisory Board (ITAB) 	<ul style="list-style-type: none"> • Legislative intent for centralized control has not been achieved • No clear rationale for deciding which functions should be centralized or decentralized within the state • No one is responsible for Information Technology • Many agencies lack appropriate management structure to implement RKG proposals • Structure must support smaller agencies • Development of project methodology approach which utilizes cost/benefit and a phased/gated implementation

Figure 2

Given the fundamental issues, knowledge of activities in other states and the private sector, the team developed a Shared Operating Vision for the effective and efficient application of information technology within the State.

Shared Operating VISION

Today, Kansas state government is a complex combination of organizations and functions providing a wide variety of services to citizens and other customers. Information technology currently plays an important supportive role in the conduct of the state's business.

There is a recognized need to increase quality and lower cost of services provided to Kansas citizens through customer focused process improvement and informed application of information technology. To that end, state organizations must embark on a journey of continuous process improvement, define business strategies, and align their use of information technology with those strategies to improve the quality of services provided to the people of Kansas into the next century.

Our vision is to establish an environment where:

- State policy makers establish and coordinate information technology direction
- Information technology professionals are business partners in the accomplishment of the State's strategic goals and share responsibility for the success of state operations
- Processes are in place to define, implement, and enforce architecture standards, tools, and methodologies
- An infrastructure exists to promote efficient service delivery and data sharing within and among state organizations
- Investments in the state's human resources allow professional development opportunities that promote productivity and innovation. Key information technology professionals are properly compensated and are not penalized for risk taking.
- Budget, accounting, and procurement procedures facilitate efficient management and acquisition of information technology resources

A management structure must be established to enable strategies and plans to move toward attainment of the vision. Figure 3 shows the relationships and fundamental responsibilities of such a structure.

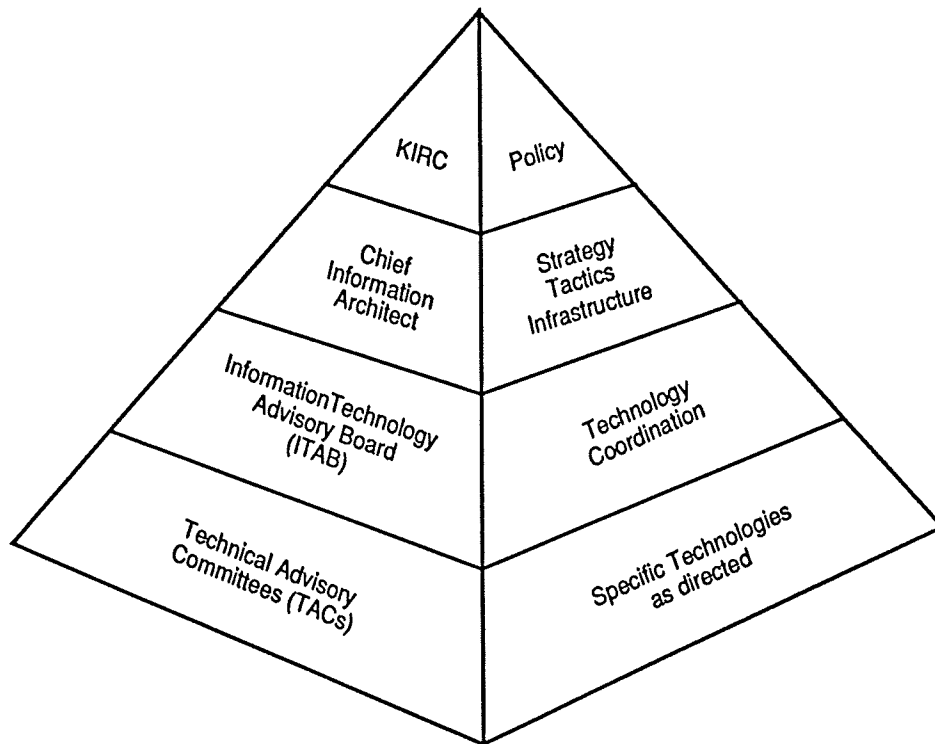


Figure 3

I strongly believe that the Vision is attainable, that it is important for the State to attain it, and passage of Senate Bill No. 655 is fundamental to its attainment.

I urge your favorable consideration of Senate Bill No. 655.

Thank you.



Michael L. Johnston
Secretary of Transportation

KANSAS DEPARTMENT OF TRANSPORTATION

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Topeka 66612-1568
(913) 296-3566
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Joan Finney
Governor of Kansas

**TESTIMONY BEFORE THE
HOUSE COMMITTEE OF GOVERNMENTAL ORGANIZATION AND ELECTIONS
REGARDING SENATE BILL 0655
March 21, 1994**

Mr. Chair, thank you for the opportunity to present my opinion on Senate Bill 655. I am Ben Nelson, Bureau Chief of the Bureau of Computer Services, Department of Transportation, a position I have held for eight years.

The information technology industry is undergoing a fundamental change. Allow me to quote from Paradigm Shift, a book written by Don Tapscott and Art Caston in 1993¹. This book was highly endorsed by senior managers at Xerox, Travelers Insurance, IBM, NCR, American Airlines, and others.

"A fundamental change is taking place in the nature and application of technology in business. This change has profound and far reaching implications for your organization and for you.. Driven by the demands of the new, competitive business environment on the one

¹Paradigm Shift, Don Tapscott and Art Caston, McGraw-Hill, Inc, 1993, Preface

*House Gov't Org & Elections
March 21, 1994
Attachment 4*

hand and profound changes in the nature of computers on the other...the information age is evolving into a second era. Organizations that do not make this transition will fail. They will become irrelevant or cease to exist."

This change is happening here in Kansas. We are quickly moving to a new paradigm that reinvents fundamental areas such as hardware, software, organizational processing of information, and even the business processes themselves. A survey was conducted four months ago of 1700 Chief Executive Officers and Senior Managers within the greater Kansas City Area, Topeka, and Wichita. The survey shows this year 86% will carry out a major strategy to increase Information Services investment, 76% will carry out a strategy to develop Distributed Systems, and 62% will carry out Business Process Reengineering.² It is my opinion that State Government will mirror this trend in the private sector.

Computer hardware is continuing to change at a staggering rate. If you bought an automobile in the last two years you have more computing power than Neil Armstrong had in his Lunar Landing module. The industry now measures hardware speed in terms of MIPS (millions of instructions processed each second)

²"1994 Kansas City Technology Trends Survey Results" published by Information Industries Incorporated, 8880 Ward Parkway, Suite 200, Kansas City, Missouri 64114

per ounce of hardware weight.³ A PC purchased in a department store today can process more instructions per second than all of the state computers when the Division of Information Services and Communications was organized. Hardware is no longer purchased from a single vendor but from multiple vendors who offer the "best of breed." Responsibility for integrating hardware components has shifted from the vendors to the users. Users without well thought out and robust standards and architectures cannot succeed in today's environment.

Software is rapidly changing from artisanship production to Total Quality Management manufacturing. To achieve productivity from this change, the State will need to introduce engineering-type discipline in its methods, tools, and procedures. Again, effective use of resources is only possible through well-developed, continuously improving processes guided by an information technology management structure that is, itself, continuously improving.

Successful information Technology support units will realign, based upon a solid business foundation rather than purely technological or other non-business considerations. This realignment is best helped by a management structure that views information technology as one of many elements forming a strategic view of state needs. This management structure will be successful if, and only if, it is

³"Where is Technology Taken Us?", Sheldon Weinberg, IBM, presentation at GUIDE Conference, Spring, 1994

driven by a team of top-level government leaders.

Business processes need to be reengineered to achieve the promise of our Kansas Quality Management program and its demand for continuous improvements. This drives us to shift from the idea of producing ONE grand IT Strategic Plan to an era of achieving Continuous Learning Actions. Agency IT strategies become integrated into agency business strategies and the agency business strategies become the basis for a continuously improving statewide process. By accomplishing this we can move from inward agency information technology thinking to include the external business relationships of the state. Differences between agencies are diminished and supplier/customer support teams are organized along functional lines to solve statewide issues.

Senate Bill 655 will allow Kansas to meet these challenges by providing a structure that can best manage the States approximately \$146 million of expenditures for Information resources per year.⁴

About half of the states⁵ have already set up, or are in the process of setting up, a structure similar to that of Senate Bill 655. They, too, recognize the

⁴"Reinventing Kansas Government, Information Systems Management Final Report", October, 1993, p.17.

⁵"Reinventing Kansas Government, Information Systems Management Final Report", October, 1993, p.107 and informal telephone survey conducted by KDOT Bureau of Computer Services, March 1994.

advantage of information technology programs driven by business needs.

I would request you establish the organization needed to manage the state's information technology by passing Senate Bill 655.

Thank you for the opportunity to express my thoughts.

March 21, 1994
sb655.tes

Testimony of David Buhler
on behalf of Information Network of Kansas
on SB 655

Presented to
House Governmental Organizations and Elections Committee
March 21, 1994

Room 521-S - Statehouse
Topeka, Kansas

Mr. Chairman and members of the Committee:

My name is David Buhler and I am here speaking on behalf of
the Information Network of Kansas.

The Information Network of Kansas is neutral on the policy
decision of whether to enact SB 655.

However, the Information Network of Kansas would recommend an
amendment to the bill.

We attended the hearings before the Joint Committee on
Computers and Telecommunications on SB 655, on March 8, 1994, and
understood Secretary of Administration, Susan Seltsam, to testify
it was not her intention to repeal the exemptions under the
current law for the Regents universities and the Kansas Lottery.

These exemptions appear in Sections 5 and 6 of the bill. It
is our understanding that the JCCT Committee supported the
restoration of those exemptions.

House Govt Org & Elections
March 21, 1994
Attachment 5

It has always been the understanding of the Information Network of Kansas that INK was likewise exempt from these provisions of the law. I have attached a copy of the pertinent statutes that created INK and established its authority.

You will note that under these statutes, INK is a free-standing public instrumentality created by the Legislature, which is governed by a board of directors, one of whom is the director of DISC who serves as a non-voting member.

These statutes expressly include, among other duties, that INK is to cooperate with DISC, but clearly does not place INK under the supervision or jurisdiction of DISC.

In fact, under the same statutes DISC is directed to provide INK with such staff and other assistance as may be requested from time to time.

The Information Network of Kansas would therefore request that SB 655 be amended to expressly exempt the Information Network of Kansas from the provisions of this bill.

This could be done by inserting in Section 5 on page 4, line 16, and in Section 6, page 4, line 37, the following language:

"This section should not apply to Information Network of Kansas".

In the alternative, if it is the intent of the committee to restore the current exemption for universities and the lottery in these same sections of the bill, then you could simply add to those exemptions the language "or to the Information Network of Kansas".

We would urge the favorable consideration of these amendments, and I would be happy to answer any questions that you might have.

74-9301. Information network of Kansas, Inc.; definitions. As used in this act, the following words and terms shall have the following meanings, unless the context shall indicate another or different meaning or intent:

(a) The acronym "INK" shall mean the information network of Kansas, Inc., created by K.S.A. 74-9303, or, if INK shall be abolished, the board, body or commission succeeding to the principal functions thereof or to whom the powers given by this act to INK shall be given by law.

(b) The word "gateway" shall mean any centralized electronic information system by which public information shall be provided via dial-in modem or continuous link to the public through subscription or through public libraries.

(c) The term "public information" shall mean any information stored, gathered or generated in electronic or magnetic form by the state of Kansas, its agencies or instrumentalities, which is included within the information deemed to be public pursuant to the Kansas open records act, K.S.A. 45-215 *et seq.*, and amendments thereto.

(d) The word "agency" shall mean any agency or instrumentality of the state of Kansas which stores, gathers or generates public information.

(e) The term "network manager" shall mean the entity or person engaged to manage and run the gateway or network on behalf of INK.

(f) The term "user association" shall mean an association:

(1) Whose membership is identifiable by regular payment of association dues and regularly maintained membership lists;

(2) which is registered with the state or is a Kansas corporation;

(3) which exists for the purpose of advancing the common occupation or profession of its membership; and

(4) which, after the appointment of the initial board of INK, regularly promotes and encourages the subscription of its members to the gateway service provided by INK.

History: L. 1990, ch. 266, § 1; L. 1990, ch. 274, § 1; May 17.

74-9302. Same; purpose and duties. It shall be the purpose of INK to perform the following duties:

(a) Provide electronic access for members of the public to public information of agencies via a gateway service;

(b) develop a dial-in gateway or electronic network for access to public information;

(c) provide appropriate oversight of any network manager;

(d) explore ways and means of expanding the amount and kind of public information provided, increasing the utility of the public information provided and the form in which provided, expanding the base of users who access such public information and, where appropriate, implementing such changes;

(e) cooperate with the division of information systems and communications in seeking to achieve the purposes of INK;

(f) explore technological ways and means of improving citizen and business access to public information and, where appropriate, implement such technological improvements; and

(g) explore options of expanding such network and its services to citizens and businesses by providing add-on services such as access to other for-profit information and databases and by providing electronic mail and calendaring to subscribers.

History: L. 1990, ch. 266, § 2; April 12.

74-9303. Same; creation; governing board, membership; officers elected annually; quorum; vote to take action. (a) There is hereby created a body politic and corporate to be known as the information network of Kansas, Inc. INK is hereby constituted as a public instrumentality and the exercise by INK of the authority and powers conferred by this act shall be deemed and held to be the performance of an essential governmental function.

(b) INK shall be governed by a board consisting of 10 members as follows:

(1) The president of Kansas, Inc.;

(2) the secretary of state;

(3) two members who are chief executive officers of agencies of the executive branch, appointed by the governor who shall serve at the pleasure of the governor;

(4) one member appointed by the governor from a list of three Kansas bar association members submitted by such association. Such member shall serve a three-year term;

(5) three members from other user associations of a statewide character appointed by the governor from a list of not less than nine individuals and their respective user associations compiled initially by the president of Kansas, Inc. and thereafter by the board of INK and submitted to the governor. No two members appointed pursuant to this paragraph

shall represent the s:
terms for such meml
of three years, except
shall be for one, two
tively;

(6) one member a from a list submitted Kansas public librari prised of three librar libraries. Following hereunder, such list brarians of public libi INK. Such member term; and

(7) the director of communications who is a member.

(c) The board shall select one member from the board of directors and another as vice-chairman and secretary.

(d) Five members constitute a quorum and five members shall be taken by the board. No membership of the board shall constitute a quorum to exercise all the duties of the board.

History: L. 1990, ch. 274, § 2; May 17.

74-9304. Same; d
ies; state agencies to
services and informati
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agency may recover ac
n order to achieve its
his act, INK shall:

(1) Serve in an advisory capacity to the Secretary of administration, services and communications, and to the agencies regarding the policies and procedures to the citizens and business.

(2) seek advice from subscribers, professional groups and institutions of knowledge of and interest in working, electronic mail, press, gateway services, electronic filing of information.

(3) develop charges to be levied on subscribers, which would be sufficient to cover the costs of providing such service;

(b) All state agencies shall cooperate with the Department of Education in providing such assistance as may be requested for the achievement of the purposes of this act.

shall represent the same user association. The terms for such members shall be for a period of three years, except initially, when the terms shall be for one, two and three years, respectively;

(6) one member appointed by the governor from a list submitted by the president of the Kansas public libraries association and comprised of three librarians employed by public libraries. Following the initial appointment hereunder, such list shall be comprised of librarians of public libraries which subscribe to INK. Such member shall serve a three-year term; and

(7) the director of information systems and communications who shall serve as a nonvoting member.

(c) The board shall annually elect one member from the board as chairperson of INK, another as vice-chairperson and another as secretary.

(d) Five members of the board shall constitute a quorum and the affirmative vote of five members shall be necessary for any action taken by the board. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the rights and perform all the duties of the board.

History: L. 1990, ch. 266, § 3; L. 1990, ch. 274, § 2; May 17.

74-9304. Same; duties and responsibilities; state agencies to cooperate and provide services and information; services and information to be provided pursuant to contract; agency may recover actual cost incurred. (a) In order to achieve its purpose as provided in this act, INK shall:

(1) Serve in an advisory capacity to the secretary of administration, division of information services and communications and other state agencies regarding the provision of state data to the citizens and businesses of Kansas;

(2) seek advice from the general public, its subscribers, professional associations, academic groups and institutions and individuals with knowledge of and interest in areas of networking, electronic mail, public information access, gateway services, add-on services and electronic filing of information; and

(3) develop charges for the services provided to subscribers, which include the actual costs of providing such services.

(b) All state agencies shall cooperate with INK in providing such assistance as may be requested for the achievement of its purpose.

Agencies may recover actual costs incurred by providing such assistance. Services and information to be provided by any agency shall be specified pursuant to contract between INK and such agency and shall comply with the provisions of K.S.A. 45-215 et seq. and 21-3914, and amendments thereto.

History: L. 1990, ch. 266, § 4; L. 1990, ch. 274, § 3; May 17.

74-9305. Same; network manager, duties and compensation; contracts for consulting, research and other services; gifts, grants and donations, acceptance; not subject to state purchasing laws. (a) INK shall hire a network manager, which may be either a person or a company or corporation. INK shall draw criteria and specifications in consultation with the division of information services and communications for such a network manager and its duties. INK may negotiate and enter into an employment agreement with the network manager selected which may provide for such duties, responsibilities and compensation as may be provided for in such agreement.

(b) The network manager shall direct and supervise the day-to-day operations and expansion of such gateway and network, including the initial phase of operations necessary to make such gateway operational, and:

(1) May employ, supervise and terminate such other employees of INK as designated by INK;

(2) shall attend meetings of INK;

(3) shall keep a record of all gateway, network and related operations of INK, which records shall be the property of INK, and shall maintain and be a custodian of all financial and operational records, documents and papers filed with INK; and

(4) shall yearly update and revise the business plan of INK, in consultation with and under the direction of INK.

(c) INK is hereby authorized to negotiate and enter into contracts for professional consulting, research and other services.

(d) INK may accept gifts, donations and grants.

(e) INK shall not be subject to state purchasing laws.

History: L. 1990, ch. 266, § 5; April 12.

74-9306. Same; Kansas, Inc. and division of information services and communications to provide staff and other assistance requested; cost of assistance. Kansas, Inc. and the division of information services and com-

munications shall provide to INK such staff and other assistance as may be requested thereby, and the actual costs of such assistance shall be paid for by INK.

History: L. 1990, ch. 266, § 6; April 12.

74-9307. Same; financing of operations; employees considered state employees for certain purposes; agency considered state agency for certain purposes; approval of travel expenses of officers and employees. INK shall fund its operations from revenues generated from subscribers, and from money, goods or in-kind services donated from private sources. Initial funding for start-up costs shall be obtained from private donations.

(a) The employees of INK shall be considered to be state employees, and INK shall be considered to be a state agency for purposes of the laws and procedures governing the payroll accounting system for state agencies under K.S.A. 75-5501 *et seq.*, and amendments thereto, the deferred compensation plan developed and approved for state employees under K.S.A. 75-5521 through 75-5529, and amendments thereto, the Kansas public employees retirement system, the employment security law, the workers compensation act, including the state workers' compensation self-insurance fund as provided in K.S.A. 44-575 through 44-580, and amendments thereto, the state health care benefits program and remittances pursuant to the federal social security act, federal insurance compensation act and the federal internal revenue code. All employees of INK shall be considered to be state employees and INK shall be considered to be a state agency only for the purposes specified in this subsection.

(b) The provisions of article 32 of chapter 75 of the Kansas Statutes Annotated, any acts amendatory thereof or supplemental thereto, and any rules and regulations adopted thereunder, shall not apply to officers or employees of INK. Subject to policies established by the board of INK, the chairperson of INK or the chairperson's designee shall be authorized to approve all travel and travel expenses of such officers and employees.

(c) Nothing in this act shall be construed as placing any officer or employee of INK in the classified service or unclassified service under the Kansas civil service act.

History: L. 1990, ch. 266, § 7; April 12.

Governmental Standards and Conduct Comm. Opinions: Information network of Kansas (INK) employees are not subject to conflict of interest laws. 91-11.

74-9308. Same; moneys, deposit or investment. All moneys received by INK from gifts, donations, grants or any other source outside the state treasury may be deposited in the state treasury and credited to the information network of Kansas fund or may be maintained in interest-bearing accounts in Kansas banks or Kansas savings and loan associations until expended or otherwise disposed of pursuant to this act.

History: L. 1990, ch. 266, § 8; April 12.

74-9309. Same; citation of act. This act may be cited as and shall be known as the information network of Kansas act.

History: L. 1990, ch. 266, § 9; April 12.

Article 94.—KANSAS COMMISSION ON THE FUTURE OF HEALTH CARE, INC.

74-9401. Kansas commission on the future of health care, inc. created; purpose; reports. (a) There is hereby created a body politic and corporate to be known as the Kansas commission on the future of health care, inc. The commission is hereby constituted a public instrumentality and the exercise of the authority and powers conferred by this act shall be deemed and held to be the performance of an essential governmental function.

(b) The purpose of the commission is to develop a long-range health care policy plan, including both short- and long-term strategies, to identify social values of Kansans and to provide a forum for Kansans to participate in the development of health policy. The long-range health care policy plan shall address prevention oriented services, critical health care needs and incorporate the social values of Kansans. In the process of developing the plan, the commission shall directly involve interested citizens by establishing a network of town hall meetings throughout the state where Kansans can participate in open discussions about health policy matters.

(c) In its reports under this act the commission shall propose and recommend changes to laws and rules and regulations as the commission deems appropriate to achieve the health care goals identified by the commission and monitor such recommendations to encourage their implementation.

History: L. 1991, ch. 254, § 1; May 30.

74-9402. Board of directors; qualifications; terms; meetings; compensation and ex-

penses. (a) The Kansas future of health care, by a board of 11 directors of this state. The seven directors appointed follows: One director three nominees submitted by the Kansas provider of health care who is a representative appointed from a list of hospital administrators Kansas hospital association is a licensed nurse appointed three nominees who are submitted by the Kansas state one director who is to health care ethics; one to practice medicine appointed from a list of three nominees to practice medicine and the Kansas medical society who is licensed to practice appointed from a list of who are licensed to practice submitted by the osteopathic medicine. The directors of the board shall follow: One director who health care services appointed of the senate; one director of health care services minority leader of the senate is not a provider of health care appointed by the speaker of representatives; one director of health care services appointed by the minority leader of the house. (b) Directors appointed shall serve for terms which the date of expiration of the act under K.S.A. 74-9401 thereto. In case of a vacancy director appointed under successor shall be appointed subject to the same qualifications as the original appointee for creating the vacancy. (c) The director appointed of the senate shall call the Kansas commission on the future of health care, inc. The board of directors chairperson and vice-chairperson