

Approved: April 29, 1994
Date

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Chairperson August Bogina at 2:45 p.m. on April 28, 1994 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: Paul West, Legislative Research Department
Tim Colton, Legislative Research Department
Julian Efird, Legislative Research Department
Norm Furse, Revisor of Statutes
Judy Bromich, Administrative Assistant
Ronda Miller, Committee Secretary

Conferees appearing before the committee: Secretary Seltsam, Department of Administration

Others attending: See attached list

HB 2571 --BUDGET ESTIMATES OF STATE AGENCIES RELATING TO INFORMATION TECHNOLOGY PROJECTS

The Chairman told members that it would be his intent to use HB 2571 as a vehicle to accommodate a recommendation of the Joint Committee on Building Construction to expand the KBI building at 1620 SW Tyler and had copies of a bill draft distributed to members (Attachment 1). Staff explained that the proposed addition to the facility would provide 12,000 additional square feet on one story and would be engineered so as to accommodate further expansion. It was stated that the fund created in the bill would receive proceeds from the refinancing of existing construction bonds plus the \$1.75 million appropriation for the expansion project. The bill contains a proviso which limits spending for the project to \$1.75 million and issuance costs. It was stated that refinancing of the debt service is an issue which is not contained in this bill. In answer to a question, it was stated that the proposed expansion would be architecturally in keeping with the building. Staff mentioned that the building was purchased in 1989 with the expectation that it would be expanded.

Senator Petty stated that the subcommittee had addressed the issue of refinancing and had not recommended it in deference to other priorities of the agency. She expressed concern about the lack of longterm planning for space needs. Senator Moran confirmed that the subcommittee had addressed the issue of expansion and had not chosen to recommend it because of other more immediate agency needs. However, he affirmed the agency's need for expansion, and stated that he would not oppose this proposal.

Senator Kerr noted that the most propitious time for refinancing was past and questioned why the proposal was being requested now. It was stated that the agency has been working with the Joint Committee on Building Construction for two years on this expansion project, and had just been given approval for the expansion at a meeting earlier in the morning.

It was moved by Senator Rock and seconded by Senator Moran that Senate Substitute for HB 2571 (Attachment 1) be introduced and sent directly to the floor. The motion failed on a roll call vote.

HB 2573 -- STATE AGENCY ACQUISITION OF DATA PROCESSING AND TELECOMMUNICATIONS EQUIPMENT, PRODUCTS AND SERVICES

The Chairman stated that SB 655 was stalled in conference and he would suggest that the provisions in SB 655 be included in a Senate substitute for HB 2573. Secretary Seltsam, Department of Administration, distributed copies of Attachment 2 and explained the variations from the original SB 655: Sec 2, 6 and 7 are new items which clarify what the Council should do; New Sec. 6 sends all the project budgets to the Council

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS, Room 123-S Statehouse, at 2:40 p.m. on April 28, 1994.

and lets the Council set priorities; the Commissioner of Education is an additional member on the Council because of TeleKansas in the schools. She stated that New Sec. 2 would keep the state from spending additional moneys on database systems. In answer to Senator Salisbury, the Secretary stated that any telecommunications have to be pursuant to the policies set by the Council.

Senator Morris expressed his support for another legislative member of the Council. Senator Morris moved that Attachment 2 be conceptually amended to include a legislator of the opposite party as the current president of the Joint Committee on Computers and Telecommunications who would be chosen by that president and that a Senate Substitute for HB 2573 including this amendment be introduced and sent to the floor. The motion carried on a roll call vote.

INTRODUCTION OF BILLS

Senator Rock moved, Senator Salisbury seconded, that bill draft 3 RS 2705 be introduced as requested. The motion carried on a voice vote.

APPROVAL OF MINUTES

Senator Karr offered a motion which was seconded by Senator Rock that the minutes of April 27, 1994 be approved. The motion carried on a voice vote.

The Chairman adjourned the meeting at 3:25 P.M.

The next meeting is scheduled for April 29, 1994.

GUEST LIST

COMMITTEE: SENATE WAYS AND MEANS

DATE: ^{P.M.} April 28, 1994

[illegible]

SENATE Substitute for HOUSE BILL NO. 2571

By Committee on Ways and Means

AN ACT making and concerning appropriations for the fiscal year ending June 30, 1995, and authorizing certain financing, and authorizing certain capital improvement projects for the attorney general--Kansas bureau of investigation; authorizing the initiation and completion of certain capital improvement projects; and directing or authorizing certain disbursements and acts incidental to the foregoing.

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

Section 1. (a) For the fiscal year ending June 30, 1995, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, disbursements and acts incidental to the foregoing are hereby directed or authorized to initiate and complete capital improvement projects as provided in this act.

(b) The agencies named in this act are hereby authorized to initiate and complete the capital improvement projects specified and authorized by this act or for which appropriations are made by this act, subject to the restrictions and limitations imposed by this act.

(c) This act shall not be subject to the provisions of subsection (a) of K.S.A. 1993 Supp. 75-6702 and amendments thereto.

Sec. 2.

ATTORNEY GENERAL--KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the following special revenue fund for the fiscal year ending June 30, 1995, all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures other than refunds authorized by law shall not exceed the following:

| | |
|--|----------|
| Attorney general--Kansas bureau of investigation | |
| headquarters addition construction fund..... | No limit |

SWAM
April 28, 1994
Attachment 1

Provided, That the attorney general--Kansas bureau of investigation may make expenditures from this fund for the capital improvement project to construct and equip an addition to the Kansas bureau of investigation headquarters building at 1620 SW Tyler in Topeka in an amount of not more than \$1,750,000, plus all amounts required for cost of bond issuance, cost of interest on the bonds during the construction of the project and required reserves for the payment of principal and interest on the bonds: Provided further, That such capital improvement project is hereby approved for the attorney general--Kansas bureau of investigation for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: And provided further, That all moneys received from the issuance of any such bonds shall be deposited in the state treasury to the credit of this fund.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

SENATE Substitute for HOUSE BILL NO. 2573

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 19 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; the commissioner of education; four additional chief administrative officers of various state agencies; and three representatives from the private sector, the chief information architect and the director of the budget to serve as advisory, nonvoting 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.

SWAM

April 28, 1994

Attachment 2

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

(d) 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.

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

(f) 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;

(6) develop and adopt a strategic information plan;

(7) prescribe guidelines, standards, policies and procedures for advance planning documents for acquisition of information processing equipment, information processing products or services, or any combination thereof; and

(8) 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 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.

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

New Sec. 6. The chief information architect, under the supervision of the Kansas information resources council, shall review the information 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. In making such recommendations the chief information architect shall consider the following factors: (a) Whether the request is consistent with the comprehensive plan approved by the Kansas information resources council; (b) whether the request is consistent with present and future needs of the state; (c) the current ability of the state or agency thereof to meet the system demands intended to be satisfied by the request; (d) the reasonably foreseeable future demands on the current system, if any, affected by the request; (e) the economic benefits or adverse impact of recommending the request; (f) alternate methods of meeting the system demands intended to be satisfied by the request; (g) the adequacy of the plan for integration of the requested project into the current system; (h) the availability of resources necessary to finance the request; and (i) such other factors as the chief information architect deems relevant.

Sec. 7. 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 reviewed 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~~ the information network of Kansas.

Sec. 8. 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 such 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. 9. 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 services 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 for 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.

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

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