

MINUTES

JOINT COMMITTEE ON INFORMATION TECHNOLOGY

December 16, 2020
Room 112-N—Statehouse

Members Present

Senator Mike Petersen, Chairperson
Representative Kyle Hoffman, Vice-chairperson
Senator Kevin Braun
Senator Caryn Tyson
Senator Marci Francisco, appointed substitute member to the Committee
Representative Kenneth Collins
Representative Pam Curtis
Representative Steve Huebert, *via Zoom*
Representative Jeff Pittman

Members Absent

Senator Tom Holland, Ranking Minority Member
Senator Dinah Sykes

Staff Present

James Fisher, Kansas Legislative Research Department (KLRD), *via Zoom*
Steven Wu, KLRD
Matt Sterling, Office of Revisor of Statutes
Gary Deeter, Committee Assistant

Conferees

Alan Weis, Kansas Legislative Office of Information Services
Andy Sandberg, Chief Information Technology Officer, Kansas Department of Revenue, *via Zoom*
Mike Barnett, Vice President for Administration and Finance, Fort Hays State University, *via Zoom*
Travis Rail, Chief Information Technology Architect, Office of Information Technology Services
Ryan Wright, Acting Secretary of Labor, *via Zoom*
Dr. DeAngela Burns-Wallace, Secretary of Administration
Katrin Osterhaus, IT Audit Manager, Legislative Division of Post Audit (LPA)
Justin Stowe, Legislative Post Auditor, LPA

Others Attending

See [Attached List](#).

ALL DAY SESSION

Welcome

The Chairperson called the meeting to order at 10:17 a.m. and welcomed members to the calendar year's final meeting.

Virtual Statehouse Project Update

The Chairperson welcomed Alan Weis, Legislative Chief Information Technology Officer (CITO). Mr. Weis updated the Committee on the Virtual Statehouse Project (Project [Attachment 1](#)). He reported the vendor, World Wide Technology, was selected to implement the project and will have the committee rooms ready by the beginning of the 2021 Legislative Session. The Legislative CITO reported the process will integrate the Cisco Webex video conferencing system for software and required hardware (monitors, cameras, microphones) and support services at a cost of \$2.7 million. He stated the Legislative Coordinating Council has also given approval to expand the project to include the ten Statehouse conference rooms and the Visitor Center auditorium for a total cost of about \$3.6 million. Installation of equipment is proceeding as scheduled, and staff training began on December 14, 2020. Mr. Weis also noted upgrades to the Statehouse network infrastructure (network switches and legislative firewalls) and committee room audio systems.

In response to Committee members' questions, Mr. Weis provided the following responses:

- The Kansas Legislative Office of Information Services (KLOIS) has requested two additional full-time equivalent positions;
- KLOIS and Legislative Administrative Services will work in collaboration with legislative leadership to develop policies and procedures for use of the virtual Statehouse systems; and
- Terri Clark, Director of Technical Services, KLOIS, has been at the forefront by providing oversight of the Project.

Members offered comments regarding the Project:

- The Project should not detract from the beauty of the Statehouse, nor should the virtual Statehouse reduce respect for the legislative process or create a casual attitude toward legislative activity. Joint Senate and House Rules should be created for conducting virtual legislative activity;
- It is important not only to see and hear a conferee speaking remotely, but also to be able to read the testimony;

- The Information Technology Executive Council (ITEC) and the Executive CITO should be consulted in determining best practices for conducting a virtual environment; and
- A virtual Statehouse increases information security risks.

Tax Season Information Technology (IT) Preparedness and Kansas Department of Revenue IT Project Update

Andy Sandberg, CITO, Kansas Department of Revenue (KDOR), presented *via Zoom*. Mr. Sandberg stated KDOR is fully prepared for the upcoming tax season ([Attachment 2](#)). He commented 2020 was an unprecedented year and a majority of KDOR's tax processing staff is working remotely without a single day of non-production. Approximately 1.7 million individual income tax returns have been processed for the 2020 tax season. He also noted a recently completed Internal Revenue Service triannual audit indicated no issues of concern regarding systemic or procedural functions. Mr. Sandberg stated the agency's three-year IT plan indicated that KDOR's server and data center migration was "off-track" due to the project being paused for performance concerns brought forward by Office of Information and Technology Services (OITS) and the vendor. He indicated these issues have been addressed by adding a data center in Overland Park, and the project is scheduled to be completed prior to the upcoming tax season.

Review and Approval of November 12, 2020, Minutes

Representative Hoffman moved, and Representative Collins seconded, to approve the minutes for November 12, 2020. The motion passed, with Senator Francisco abstaining.

Fort Hays State University Enterprise Resource Planning Implementation Project Update

Michael Barnett, Vice President for Administration and Finances, Fort Hays State University, updated the Committee on the University's Enterprise Resource Planning Implementation Project (Project) ([Attachment 3](#)). He reviewed the background of the Project, noting it was approved by the Kansas Information Technology Office (KITO) in 2015. Phase one of the Project, dealing with university finances and payroll, was completed by 2017. Phase two, dealing with university admissions and recruiting, is more complex and has required adjustments, extensions, and scope growth, causing the original budget of \$11.6 million to increase to a projected \$17.5 million and an anticipated completion date in August 2021. Mr. Barnett explained the Project, once completed, will offer one of the most advanced student management systems in the country.

Mr. Barnett provided the following responses to Committee members' questions:

- About 3,500 students from two partner Chinese universities residing in China are registered students at Fort Hays State University; that number is about 20 percent of the University's student population. There are 4,500 on-campus students and an additional 7,500 online students;

- The University provides sufficient IT security for its online students by a separate Blackboard online learning management system for its partnerships; and
- The Project relied on several outside resources, including a consulting service.

Members expressed concern the project did not seek to collaborate with other Regents institutions and opted to purchase an overly advanced system. Members also expressed concerns the University's Chinese connections may pose additional IT risks.

Unemployment Insurance Fraud Prevention Update

Ryan Wright, Acting Secretary of Labor, reviewed the status of the agency's unemployment benefits backlog at the Kansas Department of Labor (KDOL) and updated the Committee on the agency's fraud prevention initiatives ([Attachment 4](#)). He reported the agency has paid out more than \$3.4 million in weekly claims, totaling over \$2.4 billion, and reduced the backlog of regular claims to about 4,400. He also reviewed the timeline of other federal benefits: Pandemic Emergency Unemployment Compensation, Pandemic Unemployment Assistance (PUA), and Lost Wages Assistance. He explained the backlog of 25,000 PUA claims had been reduced to around 10,000; the remainder await verification/adjudication. He cited the work of vendor Accenture in helping to address system infrastructure, call-center performance, and IT stabilization. He listed details for each area and how Accenture is serving to improve processes. He commented most staff increases are temporary until all issues have been resolved.

Secretary Wright and Brett Flachsbarth, Deputy Secretary of Labor, provided the following responses to Committee members' questions:

- Claimants are able to access the agency's website to obtain information;
- If there is a new surge in claims, any claimant who has previously been certified will be eligible to submit a new claim without being required to re-certify;
- The agency is on target to eliminate the claims backlog by the first week of January 2021;
- A more accurate number for the PUA backlog is 10,000. The remainder of the 25,000 are likely fraudulent claims; and
- A claimant determined to be ineligible for benefits is notified as soon as the claim has been adjudicated.

Two members expressed appreciation for the work of the agency in addressing unemployment claims.

The following motion was made by Representative Hoffman, seconded by Senator Francisco, and passed unanimously by the Committee:

I move that the open meeting of the Joint Committee on Information Technology in Room 112-N of the Statehouse be recessed for a closed,

executive meeting to commence immediately in Room 112-N of the Statehouse pursuant to KSA 2020 Supp. 75-4319(b)(12)(C) for a discussion of the security of the information systems with individuals from the Department of Labor, which subject is under consideration by the Joint Committee on Information Technology, because open discussion would jeopardize the security of the information systems; that the Joint Committee on Information Technology resume the open meeting in Room 112-N of the Statehouse at 12:20 p.m.; and that this motion, if adopted, be recorded in the minutes of the Joint Committee on Information Technology and be maintained as a part of the permanent records of the Committee.

Lunch

The Committee recessed for lunch from 12:25 p.m. to 1:45 p.m.

IT Architecture Inventory Project Update and Chief Information Technology Architect Introduction and Update

Dr. DeAngela Burns-Wallace, Secretary of Administration and Executive CITO, reviewed progress on the IT Architecture Inventory Project ([Attachment 5](#)). Working with vendor Truss Works, she reported the project will bring together the current state IT architecture (all digital systems, supporting resources, and hosting environments) comprising 1,300 IT systems and assess the risks in four categories: security, access, skills, and continuity.

Dr. Burns-Wallace replied to members' questions:

- The Department of Administration and OITS offer incentives for those who obtain various industry certifications;
- If a person resigns soon after obtaining a certification, the employee is required to reimburse the employing agency for the costs of training; and
- OITS has assigned one staff person to assist smaller agencies in addressing IT issues.

Dr. Burns-Wallace introduced Travis Rail as the new Chief Information Technology Architect (CITA). Mr. Rail commented he had reactivated the Kansas Technical Architecture Review Board and is reviewing the ITEC policies, procedures related to data management, and IT strategic direction. The CITA stated his current goals for the position are to increase communications and collaboration among agencies, expand the role of KITO, and update the state IT blueprints and standards.

Dr. Burns-Wallace also provided updates on other IT initiatives and changes:

- OITS will be working with legislators to introduce a bill that would require state agency IT projects requiring reports to be determined by a risk-basis assessment, rather than a \$250,000 threshold;

- State agency data center migration is 90 percent complete;
- The phone system upgrade is 65 percent complete;
- Cell phones being deployed have the capability of interacting with office desk phones;
- Phase I of the Layer 2 Switch upgrade is nearly complete; and
- Security tools and unified services are being enhanced.

A member requested Dr. Burns-Wallace provide input when rules for conferees are developed as a part of the Virtual Statehouse Project.

In response to a Committee member's questions, the Secretary noted the Office of Facilities and Property Management is remodeling the 7th and 8th floors of the Landon State Office Building; they will be available for office space by July 2021.

IT Security Audit Follow-up—Topeka Correctional Facility

The following motion was made by Representative Hoffman, seconded by Senator Braun, and unanimously adopted by the Committee:

I move that the open meeting of the Joint Committee on Information Technology in Room 112-N of the Statehouse be recessed for a closed, executive meeting to commence immediately in Room 112-N of the Statehouse pursuant to KSA 2020 Supp. 75-4319(b)(12)(C) for a discussion of the security of the information systems with individuals from the Legislative Division of Post Audit, the Department of Corrections, and the Department of Administration, which subject is under consideration by the Joint Committee on Information Technology, because open discussion would jeopardize the security of the information systems; that the Joint Committee on Information Technology resume the open meeting in Room 112-N of the Statehouse at 2:40 p.m.; and that this motion, if adopted, be recorded in the minutes of the Joint Committee on Information Technology and be maintained as a part of the permanent records of the Committee.

A further motion was made by Representative Hoffman, seconded by Representative Collins, and unanimously adopted by the Committee:

I move that the open meeting of the Joint Committee on Information Technology in Room 112-N of the Statehouse be recessed for a closed, executive meeting to commence immediately in Room 112-N of the Statehouse pursuant to KSA 2020 Supp. 75-4319(b)(12)(C) for a discussion of the security of the information systems with individuals from the Legislative Division of Post Audit, the Department of Corrections, and the Department of Administration, which subject is under consideration by the Joint Committee on Information Technology, because open discussion

would jeopardize the security of the information systems; that the Joint Committee on Information Technology resume the open meeting in Room 112-N of the Statehouse at 3:00 p.m.; and that this motion, if adopted, be recorded in the minutes of the Joint Committee on Information Technology and be maintained as a part of the permanent records of the committee.

IT Security Audit—Board of Healing Arts

The following motion was made by Representative Hoffman, seconded by Representative Curtis, and unanimously adopted by the Committee:

I move that the open meeting of the Joint Committee on Information Technology in Room 112-N of the Statehouse be recessed for a closed, executive meeting to commence immediately in Room 112-N of the Statehouse pursuant to KSA 2020 Supp. 75-4319(b)(12)(C) for a discussion of the security of the information systems with individuals from the Legislative Division of Post Audit, the Board of Healing Arts, and the Department of Administration, which subject is under consideration by the Joint Committee on Information Technology, because open discussion would jeopardize the security of the information systems; that the Joint Committee on Information Technology resume the open meeting in Room 112-N of the Statehouse at 3:15 p.m.; and that this motion, if adopted, be recorded in the minutes of the Joint Committee on Information Technology and be maintained as a part of the permanent records of the Committee.

IT Security Audit—Kansas State University

The following motion was made by Representative Hoffman, seconded by Senator Braun, and unanimously adopted by the Committee:

I move that the open meeting of the Joint Committee on Information Technology in Room 112-N of the Statehouse be recessed for a closed, executive meeting to commence immediately in Room 112-N of the Statehouse pursuant to KSA 2020 Supp. 75-4319(b)(12)(C) for a discussion of the security of the information systems with individuals from the Legislative Division of Post Audit, Kansas State University, and the Board of Regents, which subject is under consideration by the Joint Committee on Information Technology, because open discussion would jeopardize the security of the information systems; that the Joint Committee on Information Technology resume the open meeting in Room 112-N of the Statehouse at 3:35 p.m.; and that this motion, if adopted, be recorded in the minutes of the Joint Committee on Information Technology and be maintained as a part of the permanent records of the Committee.

IT Security Audit—Kansas Public Employees Retirement System

The following motion was made by Representative Pittman, seconded by Senator Francisco, and unanimously adopted by the Committee:

I move that the open meeting of the Joint Committee on Information Technology in Room 112-N of the Statehouse be recessed for a closed, executive meeting to commence immediately in Room 112-N of the Statehouse pursuant to KSA 2020 Supp. 75-4319(b)(12)(C) for a discussion of the security of the information systems with individuals from the Legislative Division of Post Audit and the Kansas Public Employees Retirement System, which subject is under consideration by the Joint Committee on Information Technology, because open discussion would jeopardize the security of the information systems; that the Joint Committee on Information Technology resume the open meeting in Room 112-N of the Statehouse at 3:50 p.m.; and that this motion, if adopted, be recorded in the minutes of the Joint Committee on Information Technology and be maintained as a part of the permanent records of the Committee.

IT Security Audit—Seaman School District

The following motion was made by Representative Hoffman, seconded by Representative Pittman, and unanimously adopted by the Committee:

I move that the open meeting of the Joint Committee on Information Technology in Room 112-N of the Statehouse be recessed for a closed, executive meeting to commence immediately in Room 112-N of the Statehouse pursuant to KSA 2020 Supp. 75-4319(b)(12)(C) for a discussion of the security of the information systems with individuals from the Legislative Division of Post Audit and Seaman School District, which subject is under consideration by the Joint Committee on Information Technology, because open discussion would jeopardize the security of the information systems; that the Joint Committee on Information Technology resume the open meeting in Room 112-N of the Statehouse at 4:05 p.m.; and that this motion, if adopted, be recorded in the minutes of the Joint Committee on Information Technology and be maintained as a part of the permanent records of the Committee.

Following the closed session, the Chairperson opened the meeting to the public. A member noted the Seaman School District superintendent preferred to work with the Kansas State Board of Education to develop security standards before extending them statewide. Another member recommended security standards be developed in increments before being presented officially to the Kansas State Board of Education.

Discussion and Recommendations

Members discussed various recommendations for the Committee to present to the 2021 Kansas Legislature.

The following are general expressions of concern or interest among members as they considered recommendations:

- In order to protect the integrity and official status of conferee testimony, the House and Senate should adopt joint rules for conferees that encourage respect for the legislative process and honor the integrity of legislative hearings;
- In order to protect the beauty of the Statehouse, the use of laptops would be a better alternative than monitors and cameras for a virtual Statehouse;
- Cameras and monitors in the committee rooms help promote transparency in the legislative process;
- This Committee should expand its oversight of agency IT projects so areas of concern are identified earlier in the process. Relevant statutes should be modified to require state agencies to submit technology plans to the Joint Committee on Information Technology (JCIT) prior to any requests for proposals being issued. This should include requests for quotes from sole-source contracts;
- IT security should be a priority for all state agencies; and
- Rules should not be so restrictive or specific that they hamper flexibility in addressing issues.

The following recommendations and accommodation were reached by consensus:

- The House and Senate should independently adopt guidelines for conferees and collaborate on joint rules for use of video conferencing platforms and should include procedures for conferee participation, state agency representative participation, legislator participation, and a course of action on how to proceed when technology is uncooperative or fails;
- The House and Senate should independently adopt guidelines for conferees and collaborate on a joint rule to require each individual participating in a legislative proceeding *via* video conferencing platform to enable their camera to verify the identity of the participant;
- The House and Senate should adopt rules and collaborate on joint rules to protect closed committee meetings from security breaches by prohibiting the use of video conferencing systems for conducting closed sessions and requiring Committee members and the appropriate representative of a state agency being discussed to be physically present to participate in closed sessions;
- Legislative leadership should work in consultation with the Legislative CITO and other experts to develop guidelines and business practices for the use of video conferencing services and other technology to conduct legislative proceedings;

- JCIT should be permitted to meet at least once a month during legislative session on call of the chairperson;
- Legislative leadership should establish standing committees for each chamber for the review of IT and security topics in future legislative sessions;
- Oversight for state agency IT and IT security projects should be expanded under the authority of JCIT so that the Committee is apprised of IT projects from genesis to completion. Relevant statutes should be modified to achieve this purpose. This should also include projects entered into under a sole source contract;
- The Kansas State Board of Education should set guidelines for information security for school districts and provide parameters for information security training to school district employees;
- Increases in state employee IT professional salaries would assist in making IT and IT security a priority for state agencies; and
- The Committee commends KDOL for its efforts to combat fraud and recommends KDOL continue to expand such efforts to combat unemployment insurance fraud across the state. The Committee recommends KDOL work with the Office of the Attorney General to develop and implement fraud prevention guidelines.

Adjourn

The meeting was adjourned at 5:13 p.m. No further meeting was scheduled.

Prepared by Gary Deeter

Edited by James Fisher

Approved by the Committee on:

February 15, 2021

(Date)