

March 18, 1985  
Approved Jayne Aylward  
date

MINUTES OF THE HOUSE COMMITTEE ON COMMUNICATION, COMPUTERS AND TECHNOLOGY

The meeting was called to order by Representative Jayne Aylward at  
Chairperson

3:30 ~~am~~/p.m. on March 5, 1985 in room 522-S of the Capitol.

All members were present except:

Committee staff present:

Ray Hauke, Research Department  
Jean Mellinger, Secretary to the Committee

Conferees appearing before the committee:

Dr. Marvin Harder, Secretary of Administration  
Marjorie Van Buren, Judicial Branch

Chairman Jayne Aylward opened the meeting for hearing on HB 2511.

Dr. Harder spoke in opposition to HB 2511 and stated he opposed it on the grounds that it violated the separation of powers. He said the problem with this bill is that it would involve a legislative branch in the implementation of a policy decision. He thinks to be effective in negotiations, you need a tight, cohesive negotiating group. He said he has adhered to full disclosure to legislative committees and has due respect to the legislative committees' right to make the major policy decisions. He feels that once the legislative branch has made a policy decision, then the implementation of it is an executive branch responsibility. He also feels the bill would be vetoed by the Governor.

Representative Friedeman asked if it would be all right to put two people on the board without a vote. Dr. Harder said he felt anybody who was a participant in the negotiating process should be a full participant. Representative Friedeman asked Dr. Harder if he as chairman of this negotiating committee would be willing to tell the committee all the proposals so we begin to understand why something was rejected or accepted. Dr. Harder suggested he work with an informal group, for instance the chairperson, vice chairman, etc. He would give them daily information about what they are trying to accomplish and what the responses are.

The chairman said the committee would appreciate any suggestions Dr. Harder would have for keeping the committee informed of things as they go along so they don't just see the last proposal and they could have a closer working relationship. Dr. Harder said he would be glad to try harder. The chairman said probably the committee should make more of an effort to ask him to come in and report to them.

The hearing on HB 2511 concluded and the hearing on HB 2526 was opened.

Marjorie Van Buren appeared to express support for the policy board. They feel the board has given them what they feel is a very good opportunity to have information about the information processing system and have some input into it. Data processing is a very vital thing to the Judicial Branch although their needs are small. They have been very pleased with the responsiveness of the board and feel it is important that it continue.

Representative Friedeman asked if she had as much concern as Dr. Harder expressed in the sense that this policy board does not have responsibility for proposals involving bids, etc. She said she wouldn't see any separation of powers issue here because as presently constituted, there is a representative from each branch of government.

Dr. Harder spoke in support of HB 2526 and stated he convened the policy board almost immediately after starting in his position and they have met many times during the summer and fall. Basically, he thinks the policy board function is to overview all the data processing, to develop policy proposals, and to provide continuing guidance so that when he has to go to

## CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON COMMUNICATION, COMPUTERS AND TECHNOLOGYroom 522-S, Statehouse, at 3:30 ~~am~~ p.m. on March 5, 1985

the legislature or when he has to go to the governor for a major proposal for the budget that involves data processing, he has proposals that have been developed in concert. He sees no reason why legislators, executive branch and judicial people cannot participate in policy agenda building. The expansion of this committee has to be a plus, particularly the addition of a senator. He suggested that the committee consider adding two people from the private sector inasmuch as it is not a policy making board but a policy agenda building board. He said the bill says the board should meet quarterly; and, inasmuch as it is difficult to meet during the legislative session, he would suggest that it state four times a year. He distributed a balloon with the changes (Attachment 1).

Representative Friedeman asked how we would define the term policy agenda building board in a bill. Dr. Harder said he had offered a suggested change to paragraph (c) on page 2 of the balloon. Representative Friedeman said he had included telecommunications and he assumed Dr. Harder meant this in relation to data transcribing and not imposing upon the Telecommunications Negotiating Committee as such. Dr. Harder said that was right but there are probably other issues that will arise in respect to telecommunications. He said this really broadens what was perhaps the intent of this bill, but it is based on the fact that they have gotten into telecommunications as well as data processing.

Chairman Aylward asked if he felt that if this is a policy building board, it would eliminate the need for the director of DISC to submit a proposal to the board for approval. He replied that what they were doing was building a plan by almost a piece by piece basis because they are all going through a learning process on this matter; and, thus, the plan is unfolding as they work together. Maybe in a year or two they can produce a comprehensive plan, but he doesn't think they have reached that state. They can try if that is what the legislature wants.

Representative Erne, after ascertaining that the director of purchases and the director of information services work under Dr. Harder, asked him why he wanted the two persons from the private sector appointed by him. Dr. Harder said he wouldn't press that, that it had been his job to try to find people in the private sector who are knowledgeable about data processing.

The hearing on HB 2526 was concluded.

Representative Sallee moved that the minutes of the meetings of February 27 and 28 be approved. Representative Dean seconded the motion. The motion carried.

The meeting adjourned at 4:10 p.m.

The next meeting of the committee will be held at 3:30 p.m. on Wednesday, March 6, 1985.

# HOUSE BILL No. 2526

By Committee on Communication, Computers and Technology

2-26

0017 AN ACT concerning the division of information systems and  
0018 communications of the department of administration; relating  
0019 to the composition of the information systems policy board;  
0020 amending K.S.A. 75-4708 and repealing the existing section.

0021 *Be it enacted by the Legislature of the State of Kansas:*

0022 Section 1. K.S.A. 75-4708 is hereby amended to read as fol-  
0023 lows: 75-4708. (a) There is hereby established the information  
0024 systems policy board, to be composed of (1) the secretary of  
0025 administration, (2) the chief justice of the supreme court, or a  
0026 person designated by the chief justice, ~~and~~ (3) the chairperson of  
0027 the legislative coordinating council, or a person designated by  
0028 such chairperson, (4) *a member of the house of representatives*  
0029 *appointed by the speaker of the house,* ~~and~~ (5) *a member of the*  
0030 *senate appointed by the president of the senate.* Members of the  
0031 information systems policy board attending meetings of such  
0032 board, or attending a subcommittee meeting thereof authorized  
0033 by such board, shall be paid compensation, subsistence allow-  
0034 ances, mileage and other expenses as provided in K.S.A. 75-3223  
0035 and amendments thereto.

→ and (6) two members from the private sector appointed by the secretary of administration.

0036 (b) The secretary of administration shall be chairperson of  
0037 the information systems policy board and the director of infor-  
0038 mation systems and communications shall serve as secretary of  
0039 the board but the director shall not be a member thereof. The  
0040 board shall meet on call of the chairperson at least ~~quarterly~~ and  
0041 at such other times as the chairperson deems necessary. Only  
0042 those persons appointed to the board or serving as a member  
0043 thereof by virtue of their office shall have the right to vote at  
0044 meetings of the board and at least ~~two~~ *three* of such persons shall  
0045 be present to constitute a quorum to do business.

→ four times a year

(Attachment 1)

Atch. 1  
3/5/85

0046 (c) ~~[Subject to approval by the secretary of administration, the~~  
0047 ~~division of information systems and communications shall pre-~~  
0048 ~~pare a comprehensive plan to implement the provisions of stat-~~  
0049 ~~utes requiring central processing of data by the division of~~  
0050 ~~information systems and communications. Such plan shall be~~  
0051 ~~submitted for approval of the information systems policy board.~~  
0052 ~~A copy of such plan as approved by the board shall be furnished~~  
0053 ~~upon request to any division, department or agency of the state~~  
0054 ~~affected thereby.]~~

It shall be the function of the policy board to participate with the department of administration in the development of policy proposals in respect to data processing and telecommunications.

0055 Sec. 2. K.S.A. 75-4708 is hereby repealed.

0056 Sec. 3. This act shall take effect and be in force from and  
0057 after its publication in the statute book.