

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 ~~xxx~~ a.m./p.m. on March 6, 19 85 in room 522-S of the Capitol.

All members were present except:

Committee staff present:

Ray Hauke, Research Department
Scott Rothe, Research Department
James A. Wilson, III, Senior Assistant Revisor
Jean Mellinger, Secretary to the Committee

Conferees appearing before the committee:

Chairman Jayne Aylward called the meeting to order and opened the floor for discussion on HB 2511.

Representative Chronister moved that HB 2511 be reported adversely. Representative Dean seconded the motion. The motion carried.

The chairman opened the floor for discussion on HB 2526 and the amendments suggested by Dr. Harder, and she said Marjorie Van Buren had asked her to tell the committee that Judicial likes the way the board functions now and if it gets too large it will be strictly an advisory rather than a policy making board.

Representative Roper moved that the section "appointed by the secretary of administration" be stricken and "appointed by the governor" be substituted and the amendment be adopted. Representative Green seconded the motion. Representative Friedeman asked if there needed to be additional dressing to not be a vendor. Representative Dean said he didn't think so because although the amendment is trying to get away from the secretary of administration, he thinks the governor will listen to him. Representative Sallee said he didn't feel this would be any better but he doesn't know where to move it. Representative Green said he would feel more comfortable if someone other than the secretary of administration would appoint these people. The motion carried.

Representative Friedeman moved the second amendment, "four times a year," be adopted. Representative Sifers seconded the motion. The motion carried.

Representative Friedeman moved the third amendment to strike lines 46 through 54 and substitute the suggested wording, "It shall be the function of the policy board....etc.," be adopted. Representative Sifers seconded the motion. Representative Brown said she didn't think this made much sense. The chairman said from what Dr. Harder told her, if this is adopted, rather than coming up with a statewide plan, they are making their plan one step at a time and he felt this more nearly spelled out the function of what the board was actually doing. Representative Green said he thought it was sort of an ongoing thing. Representative Erne asked if they felt it was a good idea to have a plan. He thought we needed a plan, not just a hodgepodge of something happening occasionally. The motion failed.

Representative Chronister moved HB 2526 be tabled. Representative Friedeman seconded the motion. The motion carried.

Chairman Aylward opened discussion on HB 2228 and turned the discussion over to Jim Wilson. He distributed substitute bills Alternative #1 (Attachment 1) and Alternative #2 (Attachment 2) and said the basic difference between the two drafts is that in Alternative #1 there is the administrative oversight and Alternative #2 is primarily one where there is no administrative agency overlooking what is being done and under which approval would not be required, merely that there are standards imposed by the statute and the agency could deny approval. The agency which has been under discussion and utilized for consideration in the subcommittee has been that of the State Records Board which is a statutorily composed body made up of the attorney general, state

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON COMMUNICATION, COMPUTERS AND TECHNOLOGY,

room 522-S, Statehouse, at 3:30 ~~am~~/p.m. on March 6, 1985

librarian, secretary of administration, secretary of the state historical society, state archivist, and an ex officio member, essentially that of the head of the agency that is having records reviewed. He said that at the request of the subcommittee, the staff from the state archivist office submitted to him some additional policy changes or suggestions. One of the major ones resulted in the wording in brackets in New Section 1. (a). Representative Shore asked if it was, not every time they wanted to computerize something but every time they wanted to destroy something that they would have to go to the board. Jim Wilson said Section (e) at the bottom of page 2 on Alternative #1 and Section (c) on page 2 of Alternative #2 speaks to this.

Representative Chronister asked how often the State Records Board meets. Jim Wilson said they meet quarterly now, but they are not restrained from meeting more often.

Representative Dean said he had some real reservations about running this out real quick. He thinks of records from petty cash to oil grants and land transfers. If it was just incidental information to be stored for short periods of time, he wouldn't have any problem, but it is a fact that tapes just don't hold up for long periods of time. He thinks it is an indepth issue and he thinks the committee should spend more time on it.

Representative Friedeman said it is a significant issue and there are 1,700 references to records in the statutes at least. Part of their concern was that as these issues come up, they would have to be addressed separately. This recognizes what some of the big counties are already doing. He told Jim Wilson that the sponsors of this bill want their names left on it if it is made a substitute bill.

Representative Friedeman made a motion that Alternative #2 including Section 2 would be the committee report for consideration on HB 2228. Representative Shore seconded the motion. Representative Erne said the reference in the bill in Section 2 is an attempt to clean up but the reference to the register's office which is made in several places, he feels, is inadequate because there isn't a county register's office; it is a register of deeds office. Jim Wilson said that was just clean up, that they are working under Coordinating Council requirement to make the language neuter and he will take care of that. Representative Brown asked if Tom Groneman's input was taken into account when this was written and was assured it was but he hadn't seen it since it was written. Representative Chronister said she realized that the State Records Board has three members on it that are mainly interested in historical preservation but she feels that asking them for approval is better. She has some concerns about simply saying that notice to the State Records Board is all that we are going to ask. Because of that, she said she was going to oppose Alternative #2 but would support Alternative #1. She said she understands the counties need this and doesn't have any argument with that, but this is a very drastic step. Representative Friedeman said he would still like to see his motion go and then do some more changing if necessary.

Representative Dean made a substitute motion that we adopt Alternative #1. Representative Chronister seconded the motion. The motion carried.

Representative Friedeman asked if the committee wanted to leave Section (d) in on page 2. Representative Chronister said that if you allow them to adopt rules and regulations, it would at least give people an idea of whether or not they were going to be able to obtain approval. Representative Shore asked what would happen if the committee doesn't do anything. Jim Wilson said there were some problems with the way records are being kept, that they don't quite comply with the statutes.

Representative Friedeman moved that we pass HB 2228 favorable for passage as amended by Draft #1. Representative Chronister seconded the motion. The motion carried.

The meeting adjourned at 4:25 p.m.

The next meeting of the committee will be held at 3:30 p.m. on Monday, March 18, 1985.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

Your Committee on Communication, Computers and Technology

Recommends that House Bill No. 2228

"AN ACT concerning records and recordation; relating to using computer disks, tapes or other electronically accessed media; amending K.S.A. 58-2224 and repealing the existing section."

Be amended:

On page 1, by striking all in lines 24 to 45, inclusive;

On page 2, by striking all in lines 46 to 53, inclusive, and inserting in lieu thereof the following material to read as follows:

"New Section 1. (a) Whenever any state agency or local agency is required by law to make a record or to record any transaction or any instrument, paper or document, the making of such record on computer disk, tape or other electronically accessed media, in accordance with a procedure approved by the state records board under this section, shall be deemed to be recording or the making of the record as required by law.

(b) Each local agency or state agency may make written application to the state records board for approval of proposed procedures to make records, which are required by law, on computer disks, tapes or other electronically accessed media. The board shall prescribe the form for such application and the information required therein. Upon receipt of each such application, the state records board shall review the proposed procedures for the use of computer disk, tape or other electronically accessed media to assure that such use will be in accordance with the requirements under this section. In judging the merits of any such application, the board shall consider, among other factors that the board deems appropriate, (1) the nature and potential uses of the records to be made on computer

disks, tapes or other electronically accessed media and (2) the quality of the computer or other electronically accessed media system, including the quality of the storage media, to be utilized. If the board fails to act upon any such application within 90 days after receipt thereof by approving the application or by disapproving the application and specifying the changes or additions in the proposed procedures required for approval by the board, the application shall be deemed to be approved by the board.

(c) When any such records are made on computer disks, tapes or other electronically accessed media under this section, such records shall be maintained and adequate provisions shall be made for their preservation, examination and availability for ready use by those persons lawfully entitled to view them through the use of computer terminal displays, computer printouts, other computer-generated displays or other suitable facilities which may be made available at one or more locations designated by the state agency or local agency therefor. The capability to produce a computer printout or other printed version of such records stored on computer disks, tapes or other electronically accessed media shall be maintained by the state agency or local agency at all times so that such a printed copy of such records may be made available to persons lawfully entitled to view the records, subject to any applicable fees for such printed copies, from one or more locations designated by the state agency or local agency therefor. Microphotographic copies, which meet the standards approved by the state records board therefor, shall be made of all records made on computer disks, tapes or other electronically accessed media under this section when such records are deemed by the state records board to be government records with enduring value. Each computer or other electronically accessed media system used to make records under this section shall include adequate security procedures and other provisions for a permanent record of all persons who have access to and make, amend or delete any records or other data in such system.

(d) The state records board may adopt rules and regulations

prescribing standards and procedures for preservation, examination and availability of records made on computer disks, tapes or other electronically accessed media under this section.

(e) No state agency or local agency which records or stores information on computer disks, tapes or other electronically accessed media shall be required to receive approval therefor under this section or to satisfy the standards and procedures imposed under this section, unless such records and information are records required by law and such records are not also made or maintained in another manner required or permitted by law.

(f) As used in this section, the words and phrases set out in K.S.A. 45-402 and amendments thereto have the meanings ascribed to them in that section, unless the context requires a different meaning.

(g) This section shall be supplemental to existing statutes.

Sec. 2. K.S.A. 19-1204 is hereby amended to read as follows: 19-1204. The register of deeds shall have custody of and safely keep and preserve all the books, records, deeds, maps, papers and microphotographs deposited or kept in ~~his~~ the office of the register of deeds. The register of deeds shall also record, or cause to be recorded, in a plain and ~~distinct-handwriting~~ legible manner, in suitable books to be provided and kept in ~~his~~ the office of the register of deeds or shall make such record in another manner authorized by statute, all deeds, mortgages, maps, instruments and writings authorized by law to be recorded in ~~his~~ the office of the register of deeds and left with ~~him~~ the register of deeds for that purpose, and shall perform all other duties as are required of him by law.

Sec. 3. K.S.A. 19-1205 is hereby amended to read as follows: 19-1205. (a) Every register of deeds shall keep a general index, direct and inverted, in ~~his~~ the office of the register of deeds. The general index, direct, shall be divided into seven columns, with heads to the respective columns as follows, ~~to-wit:~~

| | | | | Volume | | Descrip- |
|------|-------|-------|--------|--------|----------|----------|
| Time | Names | Names | Nature | and | Remarks. | tion of |
| of | of | of | of | Page | | Tract. |

| | | | | |
|--------|--------|--------|---------|---------|
| Recep- | Grant- | Grant- | Instru- | Where |
| tion. | ors. | ees. | ment. | Record- |
| | | | | ed. |

He The register of deeds shall make correct entries, in such general index, of every instrument recorded, under the appropriate headings, by entering the names of the grantors in an alphabetical form.

(b) The general index, inverted, shall be divided into seven columns, as follows~~7--to-wit~~:

| | | | | | | |
|--------|--------|--------|---------|---------|----------|----------|
| | | | | Volume | | Descrip- |
| Time | Names | Names | Nature | and | Remarks. | tion of |
| of | of | of | of | Page | | Tract. |
| Recep- | Grant- | Grant- | Instru- | Where | | |
| tion. | ors. | ees. | ment. | Record- | | |
| | | | | ed. | | |

He The register of deeds shall make, in such general index, correct entries of every instrument required by law to be entered in the general index, direct, by entering the names of the grantors in alphabetical order~~7--and~~.

(c) Whenever any mortgage, bond or other instrument has been released or discharged from record~~7--whether-by-written-release-upon-the-margin-of-the-record-or~~ by recording a deed or release, the register of deeds shall immediately note, in both general indexes, under the column headed "Remarks," and opposite to the appropriate entry or in another manner which provides appropriate cross-referencing of such information, that such instrument has been satisfied.

(d) The indexes required by this statute may be kept in bound paper books or in another manner authorized by statute.

Sec. 4. K.S.A. 19-1206 is hereby amended to read as follows: 19-1206. He The register of deeds shall ~~also~~ keep a receiving book, each page of which shall be divided into five columns, as follows~~7--to-wit~~:

| | | | | |
|------------|----------|----------|------------|-----------|
| Time of | Name of | Name of | To Whom | Fees |
| Reception. | Grantor. | Grantee. | Delivered. | Received. |

Whenever any instrument has been received by him the register of

deeds for record, he the register of deeds shall immediately endorse upon such instrument his the certificate of the register of deeds, noting the day, hour and minute of its reception, and the fees received for recording the same,--and instrument. The date of record of such instrument shall be from the date of filing. Whenever any instrument has been filed as aforesaid required by this section, the register of deeds shall immediately make an entry of the same filing in his the receiving book of the register of deeds, under the appropriate heading, with the amount paid as fee for recording the same,--and filing. After such instrument has been recorded he, the register of deeds shall deliver it to the person authorized to receive the same, writing the name of the person to whom it is delivered in the appropriate column. The receiving records required under this section may be kept in bound paper books or in another manner authorized by statute.

Sec. 5. K.S.A. 19-1207 is hereby amended to read as follows: 19-1207. (a) The register of deeds shall also keep a large, well-bound book, in which shall be platted all maps of towns, villages or additions to the same within the county, together with the description, acknowledgment or other writing thereon. The register shall keep an index to such book of plats, which index shall contain the name or names of the proprietor or proprietors of such town ~~or~~, village, or addition and the name of the town, village or addition. No register of deeds shall be bound to perform any of the duties required to be performed by this act, for which a fee is allowed, unless such fee has been paid or tendered.

(b) The register of deeds shall not record any plat unless such plat is accompanied by a receipt from the county treasurer for all real estate taxes due and owing on land to be platted.

(c) The record of plats and indexes required by this section may be kept in bound paper books or in another manner authorized by statute.

Sec. 6. K.S.A. 19-1208 is hereby amended to read as follows: 19-1208. He The register of deeds shall also keep an index of

each volume of records kept in ~~his~~ the office, ~~showing on one~~
page of the register of deeds. The index shall be prepared by
listing the names of the grantors in alphabetical order, and on
~~the other page~~ shall contain a cross-index listing of the names
of the grantees in alphabetical order. The index required by
this section may be kept in bound paper books or in another
manner authorized by statute.

Sec. 7. K.S.A. 19-1209 is hereby amended to read as follows:
19-1209. Whenever the board of county commissioners of any
county ~~shall deem~~ deems it necessary, ~~they~~ the board may order
the register of deeds to furnish for the use of ~~said~~ the county,
in addition to ~~the books above specified~~ other records and
indexes required by law, a numerical index containing the name of
the instrument, the name of the grantor, the name of the grantee,
a brief description of the property and the volume and page in
which each instrument indexed is recorded. A numerical index
required under this section may be kept in bound paper books or
in another manner authorized by statute."

And by renumbering sections accordingly;

Also on page 2, in line 54, by striking "58-2224 is" and
inserting in lieu thereof the following: "19-1204, 19-1205,
19-1206, 19-1207, 19-1208 and 19-1209 are";

On page 1, in the title, in line 20, by striking "using" and
inserting in lieu thereof the following: "the method of making
records or recording; authorizing the use of"; in line 21, after
the semicolon, by inserting the following: "prescribing powers,
duties and functions for the state records board;"; in line 22,
by striking "58-2224" and inserting in lieu thereof the
following: "19-1204, 19-1205, 19-1206, 19-1207, 19-1208 and
19-1209"; also in line 22, by striking "section" and inserting in
lieu thereof "sections";

And the bill be passed as amended.

Chairperson

Substitute for HOUSE BILL NO. 2228

By Committee on Communication, Computers and Technology

AN ACT concerning records and recordation; relating to the method of making records or recording; authorizing the use of computer disks, tapes or other electronically accessed media; prescribing powers, duties and functions for the state records board; amending K.S.A. 19-1204, 19-1205, 19-1206, 19-1207, 19-1208 and 19-1209 and repealing the existing sections.

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

New Section 1. (a) Whenever any state agency or local agency is required by law to make a record or to record any transaction on any instrument, paper or document, making such record on computer disk, tape or other electronically accessed media [in accordance with a procedure] approved by the state records board under this section, shall be deemed recording or the making of the record as required by law.

(b) Each local agency or state agency may make written application to the state records board for approval of proposed procedures to make records, which are required by law, on computer disks, tapes or other electronically accessed media. The board shall prescribe the form for such application and the information required therein. Upon receipt of each such application, the state records board shall review the proposed procedures for the use of computer disk, tape or other electronically accessed media to assure that such use will be in accordance with the requirements under this section. In judging the merits of any such application, the board shall consider, among other factors that the board deems appropriate, (1) the nature and potential uses of the records to be made on computer disks, tapes or other electronically accessed media and (2) the quality of the computer or other electronically accessed media system, including the quality of the storage media, to be utilized. If the board fails to act upon any such application within 90 days after receipt thereof by approving the application

3/6/85 (Attachment 1)

or by disapproving the application and specifying the changes or additions in the proposed procedures required for approval by the board, the application shall be deemed to be approved by the board.

(c) When any such records are made on computer disk, tape or other electronically accessed media under this section, such records shall be maintained and adequate provisions shall be made for their preservation, examination and availability for ready use by those persons lawfully entitled to view them through the use of computer terminal displays, computer printouts, other computer-generated displays or other suitable facilities which may be made available at one or more locations designated by the state agency or local agency therefor. The capability to produce a computer printout or other printed version of such records stored on computer disk, tape or other electronically accessed media shall be maintained by the state agency or local agency at all times so that such a printed copy of such records may be made available to persons lawfully entitled to view the records, subject to any applicable fees for such printed copies from one or more locations designated by the state agency or local agency therefor. Microphotographic copies, which meet the standards approved by the state records board therefor, shall be made of all records made on computer disk, tape or other electronically accessed media under this section when such records are deemed by the state records board to be government records with enduring value. Each computer or other electronically accessed media system used to make records under this section shall include adequate security procedures and other provisions for a permanent record of all persons who have access to and make, amend or delete any records or other data in such system.

(d) The state records board may adopt rules and regulations prescribing standards and procedures for preservation, examination and availability of records made on computer disks, tapes or other electronically accessed media under this section.

(e) No state agency or local agency which records or stores

information on computer disks, tapes or other electronically accessed media shall be required to receive approval therefor under this section or to satisfy the standards and procedures imposed under this section, unless such records and information are records required by law and such records are not also made or maintained in another manner required or permitted by law.

(f) As used in this section, the words and phrases set out in K.S.A. 1984 Supp. 45-402 and amendments thereto have the meanings ascribed to them in that section, unless the context requires a different meaning.

(g) This section shall be supplemental to existing statutes.

Sec. 2. K.S.A. 19-1204 is hereby amended to read as follows: 19-1204. The register of deeds shall have custody of and safely keep and preserve all the books, records, deeds, maps, papers and microphotographs deposited or kept in ~~his~~ the register's office, ~~he~~. The register of deeds shall also record, or cause to be recorded, in a plain and ~~distinct-handwriting~~ legible manner, in suitable books to be provided and kept in ~~his~~ the register's office or shall make such record in another manner authorized by statute, all deeds, mortgages, maps, instruments and writings authorized by law to be recorded in ~~his~~ the register's office and left with ~~him~~ the register of deeds for that purpose, and shall perform all other duties as are required ~~of-him~~ by law.

Sec. 3. K.S.A. 19-1205 is hereby amended to read as follows: 19-1205. (a) Every register shall keep a general index, direct and inverted, in ~~his~~ the register's office. The general index, direct, shall be divided into seven columns, with heads to the respective columns as follows, ~~---to-wit:~~

| | Volume | Descrip- |
|--------|---------|----------|
| Time | and | tion of |
| of | Page | Tract. |
| Recep- | Where | |
| tion. | Record- | |
| | ed. | |

~~He~~ The register of deeds shall make correct entries, in such

general index, of every instrument recorded, under the appropriate headings, entering the names of the grantors in an alphabetical form.

(b) The general index, inverted, shall be divided into seven columns, as follows, ~~to-wit:~~

| Time | Names | Names | Nature | Volume | Remarks. | Descrip- |
|--------|--------|--------|---------|-------------|----------|-------------------|
| of | of | of | of | and Page | | tion of Tract. |
| Recep- | Grant- | Grant- | Instru- | Where | | |
| tion. | ors. | ees. | ment. | Record- | | |
| | | | | ed. | | |

He The register of deeds shall make, in such general index, correct entries of every instrument required by law to be entered in the general index, direct, entering the names of the grantors in alphabetical order, ~~and.~~

(c) Whenever any mortgage, bond or other instrument has been released or discharged from record, ~~whether-by-written-release upon-the-margin-of-the-record-or~~ by recording a deed or release, the register shall immediately note, in both general indexes, under the column headed "Remarks," and opposite to the appropriate entry or in another manner which provides appropriate cross-referencing of such information, that such instrument has been satisfied.

(d) The indexes required by this statute may be kept in a bound paper book or in another manner authorized by statute.

Sec. 4. K.S.A. 19-1206 is hereby amended to read as follows:
19-1206. He The register of deeds shall ~~also~~ keep a receiving-book, each page of which shall be divided into five columns, as follows, ~~to-wit:~~

| Time of | Name of | Name of | To Whom | Fees |
|------------|----------|----------|------------|-----------|
| Reception. | Grantor. | Grantee. | Delivered. | Received. |

Whenever any instrument has been received by ~~him~~ the register of deeds for record, ~~he~~ the register shall immediately endorse upon such instrument ~~his~~ the register's certificate, noting the day, hour and minute of its reception, and the fees received for

recording the same, instrument and the date of record of such instrument shall be from the date of filing. Whenever any instrument has been filed as ~~afesaid~~ required by this section, the register shall immediately make an entry of the same filing in ~~his~~ the register's receiving-book, under the appropriate heading, with the amount paid as fee for recording the same, ~~and~~ filing. After such instrument has been recorded ~~he~~, the register shall deliver it to the person authorized to receive the same, writing the name of the person to whom it is delivered in the appropriate column. The receiving records required under this section may be kept in a bound paper book or in any other form authorized by statute.

Sec. 5. K.S.A. 19-1207 is hereby amended to read as follows: 19-1207. (a) The register of deeds shall also keep a large, well-bound book, in which shall be platted all maps of towns, villages or additions to the same within the county, together with the description, acknowledgment or other writing thereon. The register shall keep an index to such book of plats, which index shall contain the name or names of the proprietor or proprietors of such town or village, or addition and the name of the town, village or addition. No register of deeds shall be bound to perform any of the duties required to be performed by this act, for which a fee is allowed, unless such fee has been paid or tendered.

(b) The register of deeds shall not record any plat unless such plat is accompanied by a receipt from the county treasurer for all real estate taxes due and owing on land to be platted.

(c) The record of plats and indexes required by this section may be kept in a bound paper book or books or in any other manner authorized by statute.

Sec. 6. K.S.A. 19-1208 is hereby amended to read as follows: 19-1208. ~~He~~ The register of deeds shall also keep an index of each volume of records kept in ~~his~~ the register's office, ~~showing~~ en--one-page. The index shall be prepared by listing the names of the grantors in alphabetical order, ~~and en-the-ether--page~~ shall

contain a cross-index listing the names of the grantees in alphabetical order. The index required by this section may be kept in a bound paper book or in another manner authorized by statute.

Sec. 7. K.S.A. 19-1209 is hereby amended to read as follows: 19-1209. Whenever the board of county commissioners of any county ~~shall--deem~~ deems it necessary, ~~they~~ the board may order the register of deeds to furnish for the use of ~~said~~ the county, in addition to ~~the--books--above--specified~~ other records and indexes required by law, a numerical index containing the name of the instrument, the name of the grantor, the name of the grantee, a brief description of the property and the volume and page in which each instrument indexed is recorded. A numerical index required under this section may be kept in a bound paper book or in another manner authorized by statute.

Sec. 8. K.S.A. 19-1204, 19-1205, 19-1206, 19-1207, 19-1208 and 19-1209 are hereby repealed.

Sec. 9. This act shall take effect and be in force from and after its publication in the statute book.

Substitute for HOUSE BILL NO. 2228

By Committee on Communication, Computers and Technology

AN ACT concerning records and recordation; relating to the method of making records or recording; authorizing the use of computer disks, tapes or other electronically accessed media; amending K.S.A. 19-1204, 19-1205, 19-1206, 19-1207, 19-1208 and 19-1209 and repealing the existing sections.

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

New Section 1. (a) Whenever any state agency or local agency is required by law to make a record or to record any transaction on any instrument, paper or document, making such record on computer disk, tape or other electronically accessed media in accordance with the provisions of this section, shall be deemed recording or the making of the record as required by law.

(b) When any such records are made on computer disk, tape or other electronically accessed media under this section, such records shall be maintained and adequate provisions shall be made for their preservation, examination and availability for ready use by those persons lawfully entitled to view them through the use of computer terminal displays, computer printouts, other computer-generated displays or other suitable facilities which may be made available at one or more locations designated by the state agency or local agency therefor. The capability to produce a computer printout or other printed version of such records stored on computer disk, tape or other electronically accessed media shall be maintained by the state agency or local agency at all times so that such a printed copy of such records may be made available to persons lawfully entitled to view the records, subject to any applicable fees for such printed copies from one or more locations designated by the state agency or local agency therefor. Each computer or other electronically accessed media system used to make records under this section shall include

(attachment 2)
3/6/85

adequate security procedures and other provisions for a permanent record of all persons who have access to and make, amend or delete any records or other data in such system.

(c) No state agency or local agency which records or stores information on computer disks, tapes or other electronically accessed media shall be required to satisfy the standards and procedures imposed under this section, unless such records and information are records required by law and such records are not also made or maintained in another manner required or permitted by law. Each state agency or local agency which makes records or stores information on computer tapes, disks or other electronically accessed media in accordance with this section and does not keep such records or information in another manner shall give written notice to the state records board, identifying all such records and information.

(d) As used in this section, the words and phrases set out in K.S.A. 1984 Supp. 45-402 and amendments thereto have the meanings ascribed to them in that section, unless the context requires a different meaning.

(e) This section shall be supplemental to existing statutes.

Sec. 2. K.S.A. 19-1204 is hereby amended to read as follows:
19-1204. The register of deeds shall have custody of and safely keep and preserve all the books, records, deeds, maps, papers and microphotographs deposited or kept in ~~his~~ the register's office, ~~he~~. The register of deeds shall also record, or cause to be recorded, in a plain and ~~distinct-handwriting~~ legible manner, in suitable books to be provided and kept in ~~his~~ the register's office or shall make such record in another manner authorized by statute, all deeds, mortgages, maps, instruments and writings authorized by law to be recorded in ~~his~~ the register's office and left with ~~him~~ the register of deeds for that purpose, and shall perform all other duties as are required ~~of-him~~ by law.

Sec. 3. K.S.A. 19-1205 is hereby amended to read as follows:
19-1205. (a) Every register shall keep a general index, direct and inverted, in ~~his~~ the register's office. The general index,

