

Approved:

Deena Horst
(2-12-02)

Approved as amended

Deena Horst
(4-10-02)

MINUTES OF THE E-GOVERNMENT COMMITTEE.

The meeting was called to order by Chairperson Deena Horst at 3:38 p.m. on February 5, 2002, in Room 526-S of the Capitol.

All members were present except Representatives Cook and Faber, who were excused.

Committee staff present:

Robert Chapman, Kansas Legislative Research Department
Jim Wilson, Revisor of Statutes' Office
Lisa Montgomery, Revisor of Statutes' Office
Gary Deeter, Committee Secretary
Dean Samuelson, Assistant Secretary

Others attending: See attached sheet.

The minutes for the January 24, 2002, meeting were approved as printed. (Motion, Representative Gatewood, second Representative Williams)

Dr. Lorne Phillips, Director, Center for Health and Environmental Statistics, Kansas Department of Health and Environment (KDHE), appeared before the Committee to speak in favor of **HB 2667**, a bill which he said will ensure that the Kansas Vital Statistics Act conforms with the Uniform Electronic Transactions Act to use electronic and digital signatures for vital records. (Attachment 1) He reviewed the agency's history in collecting data electronically, saying that for over a decade KDHE has utilized technology for recording vital statistics. He noted that 98% of all births in Kansas are collected and submitted electronically. The present bill, he stated, will authorize electronic or digital signatures for all vital statistics, such as signatures on death certificates by physicians and funeral directors, explaining that such timely reporting will help the Social Security Administration meet its goal to process all death certificates within 48 hours; the present lag time in some states is 6-8 months. A letter of support was distributed from the Kansas Funeral Directors and Embalmers Association (Attachment 2), and a fiscal note from the Division of the Budget was made available which stated that **HB 2667** would have no impact on the State General Fund. (Attachment 3) Answering questions, Dr. Phillips said the bill would save time for the agency, but not much money. There was no opposition to the bill.

Tom Winters, Chairman, Information Network of Kansas (INK) Board of Directors, before proceeding with his testimony, introduced other members of the board: Dean Carlson, Secretary, Kansas Department of Transportation; Charles Ranson, President, Kansas, Inc.; Marvin Maydew, INK Treasurer; and Robert Knapp, General *Manager**, INK, and President/CEO of the Kansas Information Consortium. Mr. Winters traced the beginnings of what has become AccessKansas, the official state portal for digital services. (Attachment 4, 5, 6, and 7) He said that INK was created by **SB 683** in 1990 to create wider access to state government. Subsequent law (K.S.A. 74-9301 through 74-9308) created a quasi-government agency with 5 public and 5 private board members, all unpaid, who, in 1991, contracted with the Kansas Information Consortium (KIC) to build and maintain a statewide network serving all state agencies and the public. KIC, as a private company, fronted the capital to build the network; state agencies were urged to cooperate by providing access. Mr. Winters said that INK/KIC is supported entirely by fees at no expense to the taxpayer, the fee structure being established *by contract* on a case-by-case basis. If a fee has historically been charged to the public for a service, INK usually incorporates that fee into their charge. Some fees charged to agencies are absorbed by the agency; others are passed on to the consumer. Some fees (Web development, *KBI Offender List*) are waived. He noted that in 2001 the Gartner Group published a report showing the national average for state IT expenditures was 6.2% of the state's budget; Kansas' expenditures are only 2.8%. *Center for Digital Government* recently designated Kansas the #1 Digital State in the U.S.

Answering questions, Mr. Winters said INK meetings are announced in the Kansas Register. Representative Levinson suggested they be posted on AccessKansas. Answering further questions regarding fee structure, Robert Knapp, as General Manager for INK, said fees are variable, depending on the fee's history, the agency's needs and costs, and the INK Board's decision. He said that regardless of whether the service provided is fee-associated or free, there is a cost to KIC to provide the service. He said all state government web sites are hosted without charge; funds come from agency fees and from businesses who have historically paid fees to interact with government (UCC filings, truck permits,

CONTINUATION SHEET

driver's license records). He said fees for *certain* legislative services (e.g., Lobbyist-in-a-Box) are set by *contract with the Revisor of Statute's Office**, and that *6 cents of each transaction is* returned to the legislature. He noted that *all except statutory* fees are waived for all legislative members.

Answering further questions, Charles Ranson, President, Kansas, Inc., said INK has no employees, but *has an office at Kansas, Inc.* as authorized by the legislature. *KIC has 17 FTEs (Full-Time Equivalent), and* these FTEs are paid through a contract between INK and KIC. He said because of the increased complexity of services provided by KIC, INK is advertising for an Executive Director as a liaison between the INK board, Kansas Inc., KIC., and the business community. Mr. Knapp said that fee contracts are re-evaluated on a yearly basis. Mr. Winters said that the subsequent contract for Network Manager *presently held by KIC* will be based on an RFP and submitted for bids, as was the original contract in 1990. Representative Gatewood requested INK provide the committee with financial reports on KIC, especially since it is connected with the National Information Consortium, a publicly-traded company. Mr. Winters said INK's records are subject to the open-records statutes, but they are not published on-line.


The Chair reminded members of the sub-committees meetings on Thursday, February 7, the KAN-ED presentation on Tuesday, February 12, and the hearing on **HB 2719** on Thursday, February 14, 2002. The meeting was adjourned at 4:53 p.m.

**Italics* indicate changes requested by INK and Kansas, Inc. to correct inaccuracies in their reporting.

e-GOVERNMENT COMMITTEE

GUEST LIST

DATE: FEBRUARY 5 2002

NAME	REPRESENTING
Wicky Bagdikian	Columbus City Council
Kim Richards	Columbus City Clerk
LORNE PHILLIPS	KDHE
Gabriel R. Falmon	KDHE
Richard Hays	Legislature
J. Chubb	SOS
Andy Schlapp	Sedgwick County
Whitney Danna	KS Information Consortium
Robert Knapp	accessKansas/INK
Kathy Sachs	SOS
Rebecca Guerny	Federico Consulting
Terr Clark	LAS
 PHILIP HURVEY	PAT HURVEY & Co. / Accenture
Ron Caches	KS. INFORMATION Consortium
Dave Larson	LAS
Nally Bolton	accessKansas
Pam Scott	Ks funeral Directors Assn.
Michelle Peterson	Ks. Governmental Consulting



KANSAS
DEPARTMENT OF HEALTH & ENVIRONMENT
BILL GRAVES, GOVERNOR
Clyde D. Graeber, Secretary

Testimony on Use of Electronic and Digital Signatures for Vital Records (HB 2667)
to
House e-Government Committee

Presented by Dr. Lorne A. Phillips
Director, Center for Health and Environmental Statistics

February 5, 2002

Chairperson Horst and members of the House e-Government Committee, I am pleased to appear before you today to discuss legislation which would ensure the Vital Statistics Act (K.S.A. 65-2401 *et seq.*) conforms with the Uniform Electronic Transactions Act (2000 Supp. K.S.A.16-1601 *et seq.*) to use of electronic and digital signatures for vital records.

Enactment of the Vital Statistics Act in 1951 predated the concept of electronic transactions, as defined in 2000 Supp. K.S.A.16-1602. As defined in the Uniform Electronic Transactions Act, "electronic" means "...relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities." [2000 Supp. K.S.A.16-1602(f)]. "Transactions" means "...an action or set of actions occurring between two or more persons relating to the conduct of business, insurance, commercial or governmental (emphasis added) affairs." [2000 Supp. K.S.A.16-1602(t)].

Provisions of K.S.A. 65-2402 which specify duties of the Secretary of Health and Environment include, "The secretary shall...install a statewide system of vital statistics...(m)ake and...amend...necessary regulations, give instructions and prescribe forms (emphasis added) for collection, transcribing, compiling and preserving vital statistics." The Act provides authority for the Secretary and State Registrar to establish specific signature requirements. Consequently, throughout the Act, terminology such as "signature," "written consent," "written statement," etc., relates to content of forms and associated documents. However, the Act does contain one provision or stipulation which directly identifies or requires a specific signature for recording a vital event. That provision states, "One of the parents of any child shall sign the certificate of live birth to attest to the accuracy of the personal data entered thereon..." [K.S.A. 2000 Supp. 65-2409a(d)].

For more than a decade, the Office of Vital Statistics has relied extensively on information technology to enhance its operations. The 2001 Session of the Kansas Legislature granted approval to re-

engineer the technology and equipment in the Office to implement and maintain a vital statistics integrated information system (2001 Session Laws of Kansas, Ch. 168, Sec. 3). A functional requirement of the re-engineered system is to make it possible to establish records of vital events through application of technological advances, particularly web-based communication and electronic transaction systems. For example, since signatures of physicians, funeral directors and other authentic sources of vital record information may be obtained through electronic and/or digital means, the Social Security Administration is making plans to receive authenticated fact of death information from any state within 48 hours after death of a resident.

Provisions of the Uniform Electronic Transactions Act establish legal status of electronic transactions and records and electronic and digital signatures, stating that use satisfies legal requirements for enforceability, writing, effect, attribution and retention. Enactment of HB 2667 will ensure the Vital Statistics Act (K.S.A. 65-2401 *et seq.*) conforms with the Uniform Electronic Transactions Act (2000 Supp. K.S.A. 16-1601 *et seq.*) to allow use of electronic and digital signatures for vital records.

Thank you for the opportunity to appear before the House e-Government Committee. I will be pleased to respond to any questions members of the committee may have regarding this topic.



KANSAS FUNERAL DIRECTORS AND EMBALMERS ASSOCIATION, INC.

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MARC RYAN
Salina

EXECUTIVE DIRECTOR

PAM SCOTT
Topeka

Date: February 5, 2002
To: House e-Government Committee
From: Pam Scott, Executive Director
Kansas Funeral Directors and Embalmers Association
Re: House Bill No. 2667

The Kansas Funeral Directors and Embalmers Association (KFDA) would like to express support for House Bill No. 2667.

The KFDA applauds any effort by the Kansas Department of Health and Environment to move toward an electronic death registration system. This piece of legislation moves the Office of Vital Statistics closer to being able to implement such a system in the future. Once in place, it is our hope that such a system will speed up the death registration process.

When a death occurs, death certificates are often required in order for survivors to receive the proceeds of a life insurance policy, obtain access to bank accounts or even apply for social security benefits. The more quickly families can obtain copies of death certificates, the sooner they will be to put their financial affairs in order after the death of a family member.

The KFDA requests your support of House Bill No. 2667.

"Committed to Caring"

*Attachment 2
e-Gov 2-5-02*



DIVISION OF THE BUDGET
State Capitol Building, Room 152-E
Topeka, Kansas 66612-1575
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FAX (785) 296-0231
<http://da.state.ks.us/budget>

Bill Graves
Governor

Duane A. Goossen
Director

February 1, 2002

The Honorable Deena Horst, Chairperson
House Committee on e-Government
Statehouse, Room 174-W
Topeka, Kansas 66612

Dear Representative Horst:

SUBJECT: Fiscal Note for HB 2667 by House Committee on Health and Human Services

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2667 is respectfully submitted to your committee.

HB 2667 would allow the Department of Health & Environment to use electronic and digital signatures in the Vital Statistics Program, and be in compliance with the Uniform Electronic Transactions Act, passed by the 2000 Legislature. The Act states that use of electronic and digital signatures satisfies legal requirements. Currently, the Vital Statistics Program accepts only handwritten signatures on documents. Legislation from the 2001 Session granted approval to re-engineer the technology and equipment in the Vital Statistics Office. Establishing electronic signatures would be in keeping with the legislation.

The Department of Health & Environment indicates that the passage of this bill would have no fiscal effect on the State General Fund. The use of electronic signatures on death certificates would reduce delays for funeral directors who currently have to wait for a physician's handwritten signature. The National Funeral Directors Association estimates that funeral directors would realize \$100 in cost savings on each new certificate of death. In addition, reduction of delays associated with obtaining handwritten signatures would enable dependents and heirs to receive Social Security and insurance benefits in a more timely manner.

Sincerely,

A handwritten signature in black ink that reads "Duane A. Goossen".

Duane A. Goossen
Director of the Budget

cc: Joe Fund, Health & Environment

Attachment 3
25-02 e-Gov

EXTERNAL COMMUNICATION

TO: eGovernment Committee
FROM: Information Network of Kansas
DATE: February 5, 2002
SUBJECT: Information Network of Kansas Review

Ten years ago the many members of Kansas government had a vision. This vision was created out of the need of the government associations in Kansas to deliver and access documents in Topeka – rather than drive to and from the state capital. The desire became to open up access to the state mainframes, databases and systems to provide ease of access for businesses and citizens of the state of Kansas without impacting the tax appropriations of the state. This desire led to the introduction of Senate Bill 682 which was subsequently approved and enacted in Kansas statute 74-9301 through 74-9308, proposing the creation of the Information Network of Kansas (INK) to serve the purpose of:

- a. Providing electronic access to public information of agencies;
- b. developing a electronic network for this access;
- c. providing appropriate oversight of any network manager;
- d. exploring ways of providing more public information and increasing the use of that information;
- e. exploring technological ways and means of improving citizen and business access to public information; and
- f. exploring options for expanding the network and its services to citizens and businesses through revenue-based applications

As outlined in statute, INK was tasked with:

- a. Serving in an advisory capacity regarding the provision of state data to the citizens and businesses of Kansas;
- b. seeking advice from the general public, its subscribers, professional associations, academic groups and institutions; and
- c. developing charges for the services provided to subscribers, which include the actual costs of providing such services.

INK was established as the entity to provide these functions and deemed to be governed by a board of ten members. An important distinction made by the Kansas legislature at that time that is still carried forward today is the public-private model – not only for its board but also for its Network Manager. The INK Board was designed to consist half public and half private representation with the purpose of accurately representing the needs of both parties in the creation, design and use of solutions that would enable bringing government closer to its citizens. The primary functions of the INK Board include:

- ◆ Annual fiscal audits;
- ◆ annual performance audits;

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Network Manager: Kansas Information Consortium, Inc., a Kansas Corporation

Attachment 4
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- ◆ final approval of all new online services;
- ◆ final approval of the annual network manager business plan;
- ◆ final approval of all state agency contracts;
- ◆ monthly marketing status reports;
- ◆ monthly financial status reports;
- ◆ monthly technical hardware and programming status reports; and
- ◆ regulating network pricing structure.

In 1991, INK hired an organization – Kansas Information Consortium, Inc.(KIC) to serve as its Network Manager. In this hiring, it carried forward the vision of the legislature that called for a public-private partnership by requiring that KIC make the initial and ongoing capital investments and operational expenditures required in maintaining the network and for agencies, boards and government bodies to cooperate with INK providing services to the citizens and businesses of Kansas.

Through collaboration, INK and its Network Manager developed a business plan to be updated on a yearly basis that provided for the services and solutions to be provided for the state of Kansas. In this business plan, as well as the creation of INK, there was a recognition that this service was not to be based on tax-based appropriations, but rather funded by the users who desired and took advantage of the services – more specifically the businesses that needed and desired the convenience of access to state government. Through these services, the INK Network Manager would be able to fund additional development for agencies or information that needed to be opened for access by businesses and citizens at no charge to those users. The Network Manager would also be able to return a portion of its return to the INK Board for investment in other state agencies, the network itself, or other endeavors deemed by the INK Board to further the cause of creating an ease of access to state government.

Fees on individual applications are subject to the agency and the INK board approval. Some elements considered in the decision to charge a fee include whether fees are charged today for that process currently and whether the agency desires or is required by statute to charge a fee for the service. After consideration of these and other factors, the agency then decides its wishes with regards to the fee (i.e. whether they want to pass that on to the consumer/business, absorb the fee internally, or whether that service should be deemed free). In many cases agencies and the INK board make the decision that fees are not appropriate and that service is provided at no charge to the consumer (i.e. Website development, Kansas Offender Registry, or access to Kansas laws and statutes, general access to agency Websites). It is important to note that the services deemed to be services of no charge to the user do have a value – both in benefit to the user and cost to the Network Manager.

Conversely, there are value-added enhancements that may be added to a service that allows a fee to be deemed appropriate (i.e. Lobbyist in a Box, Criminal History Records, professional licensing, drivers license records). A few of the criteria in setting the fee include current access to that information, historical perspective, similar applications already implemented, internal process efficiencies that may be achieved, greater access/adoption rate through the use of the Internet, costs of development for the Network Manager and the state agency, an understanding of the legislative vision adopted nearly 10 years ago calling for a return on the investment for the Network Manager and the state that would not impact the baseline tax

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February 4, 2002

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appropriations. It is these elements and others that state agencies look at in ultimately determining the assessment of a fee or lack thereof for each application. Subsequently, a contract is agreed upon and presented to the INK Board of Directors for their review and approval and the service is provided according to that contract.

As prescribed in statute, INK offers subscription access to its breadth of services. This allows accessKansas users to be charged on a monthly basis for the services they use throughout the month. They are provided with a detailed billing statement for these services with an alternative to have an ACH drawn against their account, an immediate debit of their credit card, or the submission of a check by mail.

Alternatively, there are services that are available to non-subscribers. These services are things such as UCC filing, Kansas Board of Nursing License, Kansas Department Wildlife and Parks Permits and Licenses, and the Kansas Board of Pharmacy License Renewals. In these services users are presented an option that allows them to pay by a state approved credit card or electronic check (i.e. ACH) process.

An important criterion that INK and the state agencies pursue is not just automating the way things have always been done. It is important to look to really improve and revamp the previous paper-based systems and do that with a focus on the customer. The recent Kansas Secretary of State Uniform Commercial Code Filings system is a perfect example of such focus. For nearly 4 years, INK provided electronic filing for SOS and only 15% of all UCC's were filed electronically. In July of 2001, INK worked with the KSOS office and implemented an Internet-based filing system that in its first month resulted in a 65% adoption rate and in subsequent months has resulted in as high as 80% adoption. This was accomplished through collaboration with the user community, specifically, the Kansas Banker's Association and through an awareness that the actual costs incurred by the KSOS office for its paper filings was \$25 per filing. This led to a realignment of the costs whereby paper-based filings increased from \$6 to \$15 to more accurately account for the true costs of those filings and electronic filings lowered from \$6 to \$5 online- thus providing businesses a more efficient means of filing and providing the KSOS office internal efficiencies as well. In this case, it was determined that INK would retain \$2.00 for every electronic filing submitted until it had recovered the initial costs of development of the application - at which time further efforts would be made to lower the online costs for filing with the KSOS office.

For over ten years the vision of the Kansas legislature has been implemented and carried out through INK and its Network Manager in mirrored alignment with the state of Kansas IT governance structure. As reported by Gartner Group in December of 2001, on average states spend approximately 6.2% of their budgets on IT. The state of Kansas under the guidance of the legislature spends only 2.8% of its budget on IT. It is the foresight and the purpose set forth by this legislative body that has allowed nearly 120 partnerships to be established with state agencies, boards, associations and governmental bodies resulting in much national recognition for the state of Kansas including its recognition as "*the birthplace of eGovernment*" and its recent designation as the #1 Digital State in the United States.

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Network Manager: Kansas Information Consortium, Inc., a Kansas Corporation

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ATTACHMENT A

INK/State of Kansas IT Awards and Recognition

2001 Digital State Survey

- # 1 Ranking In the United States - 2001 Digital State Award Ranking Overall
- # 1 Ranking In the United States - 2001 Digital State Award Ranking - GIS Transportation
- # 7 Ranking In the United States - 2001 Digital State Award - K-12 Education
- # 4 Ranking In the United States - 2001 Digital State Award - Digital Democracy
- #10 Ranking In the United States - 2001 Digital State Award - Management and Administration
- #1 Ranking In the United States - 2001 Digital State Award - Social Services
- #3 Ranking In the United States - 2001 Digital State Award - Taxation/Revenue
- #15 Ranking In the United States - 2001 Digital State Award - eCommerce/Business Regulation

2000 Digital State Survey

- #3: Ranking In the United States - 2000 Digital State Award - Digital Democracy
- #3: Ranking In the United States 2000 Digital State Award - Electronic Commerce

1998 Digital State Survey

- #1 Ranking In the United States - 1998 Digital State Award - Digital Democracy
- #1 Ranking In the United States - 1998 Digital State Award - Other Initiatives

Center for Digital Government

- 2001 Center for Digital Government Best of Breed - Board of Nursing
- 2001 Center for Digital Government Best of Breed - Trucking Permit Portal
- 2001 Center for Digital Government Best of Breed - UCC Filing

PriceWaterhouse Coopers Endowment for Business of Government

- #7 Ranking In the United States - 2001 Overall Ranking

2000 Brown University Study: "Assessing E-Government: The Internet, Democracy, and Service Delivery, by State and Federal Governments" - Kansas was profiled in this study for its excellence in eGovernment.

A few Kansas rankings to note:

- #1 Ranking In the United States: Percentage of Web sites Showing Security Policy
- #4 Ranking In the United States: Percentage of Web Sites with Privacy Features
- #1 Ranking In the United States: Percentage of Web Sites Offering Services
- #6 Ranking In the United States: Overall ranking

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ATTACHMENT B

2000-2002 INK APPLICATIONS AND SOLUTIONS

In addition to these rankings and awards INK has provided the following services in and applications in just 2001, to the state agencies, boards, associations and government bodies:

2001 Applications and Services

- Kansas Board of Nursing License Renewals
- Kansas Board of Nursing Continuing Education Tracking
- Behavioral Sciences Regulatory Board License Verifications
- Kansas Secretary of State Corporate Annual Report Online Forms
- Kansas Ethics Commission - Lobbyist Expenditure Report
- Kansas Equus Bed Web Site - GIS Integration
- Kansas Inc. Strategic Survey
- Kansas CLE Online Transcript Application
- Kansas Society of Association Executives Web Site
- Standalone Kiosk - Kansas Board of Nursing
- Kansas Attorney General Complaints
- KDOR Motor Carrier Services
 - Oversize/Overweight Permits
 - Kansas Fuel Permits
 - 72 Hour Registration Permits
 - Kansas Corporation Commission Special Permits
 - 30 Day Registration Permits
 - 60 Day Harvest Permits
 - KTA Access Permits
 - OSOW Annual Permits
- Kansas Board of Pharmacy
 - Ambulance License Renewal
 - Analytical Laboratory License Renewal
 - County Health/Family Planning License Renewal
 - Distributor License Renewal
 - Institutional Drug Room License Renewal
 - Manufacturer License Renewal
 - Non-Resident Pharmacies License Renewal
 - NPD Distributor License Renewal
 - Pharmacies License Renewal
 - Pharmacist License Renewal
 - Research and Teaching License Renewal
 - Retail Dealers License Renewal
- Kansas Department of Wildlife and Parks Bulk Entry Application
- Kansas Department of Wildlife and Parks Manager's Forum
- Standalone Kiosk - Kansas Board of Nursing - Revenue Enhancer
- Board of Veterinary Examiners Web Site
- Behavioral Sciences Review Board License Renewals
- Kansas Bureau of Investigation Drug Enforcement Web Site
- Kansas Bureau of Investigation Drug Tip Sheet

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Trucking Permit Portal Online Survey
 Kansas Secretary of State Uniform Commercial Code Online Survey
 Kansas Board of Nursing Address Change
 Kansas Secretary of State Uniform Commercial Code Past Filings Service
 Kansas Administration Regulations - 2001
 Kansas Session Laws - 2001
 Kansas Secretary of State Uniform Commercial Code Ammendment Filings
 Kansas Secretary of State Uniform Commercial Code Termination Filings
 Kansas Secretary of State Uniform Commercial Code Continuations Filings
 Kansas Secretary of State Uniform Commercial Code Assignment Filings
 Kansas Secretary of State Uniform Commercial Code Financing Statements
 Kansas County Property Tax – 35 Counties
 Kansas Board of Nursing Online Survey
 Kansas Continuing Legal Education Transcript Application
 Emergency Management Terrorism Survey
 Kansas County Counselors Association Web Site
 Kansas Corporation Commission Authority Renewals
 Governor Bill Graves Web Site
 Cedar Crest Web Site
 Kansas Year Round Property Tax – Wyandotte County
 Kansas Secretary of State Uniform Commercial Code Image Retrieval
 Kansas Board of Pharmacy Retail Licenses
 Kansas Legislature Web Site

2000 Applications and Services

Cedar Crest Web Site
 Securities Commissioner of Kansas Web Site
 Kansas Commission on Veteran Affairs Web Site
 Kansas State Fire Marshals Association Web Site
 Kansas County Treasurer's Association Web Site
 Kansas Commission of Deaf and Hard of Hearing Web Site
 "Super Search" Legislative Services
 Governor's Vision 21st Century Task Force Web Site
 Kansas Legislature Member Web Sites (39)
 Kansas Correctional Industries Web Site
 Kansas Bankers Association Online Conference/Seminar Registration Application
 Kansas Department of Wildlife and Parks Urban and Rural Fishing Condition Reports
 Kansas Department of Wildlife and Parks Hunter's Education Calendars
 Kansas Legislative Services House and Senate Roster
 Department of Social and Rehabilitation Services Office Locations
 Kansas School Nurses Organization Web Site
 Pratt County Web Site
 Haskell County Web Site
 Mentoring Works Web Site
 Older Kansas Employment Program Web Site
 Statewide Calendar Application

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NASS (National Association of Secretaries of State) Moderated Guestbook
Legislative Lobbyist in a Box Wireless Application
accessKansas PowerUser
accessKansas Web Site

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Network Manager: Kansas Information Consortium, Inc., a Kansas Corporation

4-7

**INFORMATION NETWORK OF KANSAS
BOARD OF DIRECTORS TELECONFERENCE MEETING
Minutes of August 7, 2001**

The teleconference meeting was called to order at 9:35 a.m., August 7, 2001.

The following Board members or proxy were present: Leroy Gattin, Marvin Maydew, Charles Ranson, Dean Carlson, Tom Winters, Ron Thornburgh, and Bill McBride. Others present were: Debby Fitzhugh of Kansas, Inc.; Dennis Slimmer, Bob Haley, and Ben Nelson of Department of Transportation; Robert Knapp and Lisa Counts of Kansas Information Consortium; and Phil Elwood of Goodell, Stratton, Edmonds & Palmer L.L.P.

Leroy Gattin called the teleconference meeting to order informing the Board that a RFP had been issued by the Department of Revenue #03756 - Automobile Tag Renewal and the Board would be discussing which entity INK or KIC would respond to the RFP issued on July 27 and due August 21.


Robert Knapp provided a brief overview of the RFP and the level of detail required in a short turnaround time. Robert inquired of the Board's direction whether the bid should be from KIC or INK. Discussion ensued with the Board on various concerns including: the intention in the RFP of the development of the software and INK's role in hosting it on the state portal, the scope/mission of KIC per the Network Manager agreement, responsibility of NIC pursuing the bid, KIC's resources and obligations devoted to current projects while preparing the proposal, and the INK/KIC legal line of separation if the bid were not submitted by INK.

Motion was made by Charles Ranson that the Board of INK, pursuant to the terms of agreement represented in the Network Manager contract, authorize and empower KIC independently to pursue the Kansas Department of Revenue RFP #03756 - Automobile Tag Renewal. KIC will be required to provide an accounting of its time and to execute in INK's favor a hold harmless agreement that will absolve INK of any legal or financial responsibility incurred from KIC's pursuant of this RFP. Ron Thornburgh seconded. Marvin Maydew voting "no." Motion passed.


The INK Board authorized Phil Elwood to proceed with drafting a hold harmless and liability agreement between INK and KIC.

Robert Knapp reported he would try to notify the Board by the end of the week on KIC/NIC's position on the bid.

The teleconference adjourned at 10:30 a.m.



Tom Winters, Secretary
Information Network of Kansas



Debby Fitzhugh
Asst. Secretary

Attachment 5

e-Gov 2-5-02

**INFORMATION NETWORK OF KANSAS
BOARD OF DIRECTORS MEETING
Minutes of September 25, 2001**

The meeting was called to order at 1 p.m., September 25, 2001 at the Maner Conference Center, Wheat Room, 17th and Western, Topeka, Kansas.

The following Board members or proxy were present: Leroy Gattin, Marvin Maydew, Don Heiman (arrived late), Charles Ranson, Dennis Slimmer, Tom Winters, Kathy Sachs, Bill McBride, and Stephen Richards. Others present were: Debby Fitzhugh of Kansas, Inc.; Ben Nelson of Department of Transportation; Tim Blevins of Department of Revenue; Robert Knapp, and Winn Mcinnis of Kansas Information Consortium.

EXECUTIVE SESSION

Motion was made by Marvin Maydew to adjourn to an executive session for not longer than 30 minutes to discuss contract negotiations and personnel matters. Dennis Slimmer seconded. Motion carried. Motion was made by Marvin Maydew to extend the session for an additional 10 minutes. Dennis Slimmer seconded. Motion carried.

BOARD RECOGNITION

Leroy Gattin presented Bill McBride with a plaque and signed certificate from Governor Bill Graves in recognition of his service from November 1995 through September 2001. Bill McBride's term expires September 30 and Ron Srajer has been appointed by the Governor.

APPROVAL OF MINUTES - JUNE 27 & AUGUST 7, 2001

Motion was made by Bill McBride to approve the minutes of June 27 and August 7, 2001. Dennis Slimmer seconded. Motion carried.

TREASURER'S REPORT

Marvin Maydew presented the September 2001 expenses:

\$	43.00	- Westside Stamp - plaque
	72.00	- PeachTree Catering - search committee lunches
	2,090.40	- Goodell, Stratton, Edmonds & Palmer - professional & filing fees
	68.25	- Intuit - software upgrade
	19.83	- Glenn, Cornish, Hanson & Karns - telephone expense
	99.00	- Hillmer's - planner & notebook
	553.23	- Leroy Gattin - mileage & hotel
	12.00	- Secretary of State - Kansas Register
	2,200.00	- Wendling, Noe, Nelson & Johnson - professional fees
	2,000.00	- Berberich, Trahan & Co. - professional fees
	<u>105.20</u>	- Tom Winters - mileage and toll
\$	7,262.91	

Motion was made by Marvin Maydew to approve the expenditures for September 2001 and the expense of the Board luncheon upon its receipt. Charles Ranson seconded. Motion carried.

Marvin Maydew presented the INK financial reports for June, July, and August 2001. Motion was made by Stephen Richards to approve the June, July, and August 2001 financial reports for INK. Charles Ranson seconded. Motion carried.

Leroy Gattin presented an out-of-state travel request to attend the Comdex Conference in Las Vegas, Nevada, November 12-15, 2001. The cost is approximately \$1,460. Motion was made by Marvin Maydew to approve the travel request to Comdex for Leroy Gattin. Tom Winters seconded. Motion carried.

Robert Knapp reported that monies received by KIC/INK are deposited on a daily basis in accordance with state policy and procedure. Marvin Maydew requested Robert provide an estimate of all funds that passes through the hands of the Network Manager including insurance, other fees, and property taxes if any, on a monthly basis at the next Board meeting.

Tim Blevins reported that a committee consisting of Revenue, Human Resources, Secretary of State's office, and INK would be meeting on September 26 at KTEC to review the old KBEFS project and begin working towards the one-stop-job electronic filing for businesses and would report the committee's progress at the next Board meeting.

NETWORK MANAGER REPORT

Robert Knapp discussed the KIC Budget and Financial report for May 2001.

Robert Knapp reported that there were no Service Requests or contracts for June. Motion was made by Bill McBride to accept the KIC Budget and Financial report May 2001. Marvin Maydew seconded. Motion carried.

Robert Knapp discussed the KIC Budget and Financial report for June 2001.

Robert presented Service Request 257 - Kansas Bureau of Investigation Offender Registry Mapping Function, Service Request 258 - Kansas Bureau of Investigation Online Criminal History Application, Service Request 259 - Kansas State Board of Nursing Online Address Change Form, Service Request 260 - Secretary of State UCC Filing Past Filings Service, Service Request 261 - Kansas Corporation Commission Online Request for Authority, Service Request 262 - Kansas Division of Emergency Management Online Spill Submission Form, Service Request 263 - Kansas Real Estate Commission Online CEU Verification (attached). Stephen Richards inquired if Service Request 261 incorporated intrastate applications and if it could be electronic. Knapp reported that it did not, but would investigate it further.

Knapp presented the contract amendment to the Kansas Behavioral Sciences Regulatory Board (attached). Motion was made by Bill McBride to amend the Kansas Behavioral Sciences contract. Dennis Slimmer seconded. Motion carried.

Knapp presented the contract amendment to the Kansas Secretary of State Online Uniform Commercial Code Filing System (attached). Motion was made by Bill McBride to amend the Kansas Secretary of State Online Uniform Commercial Code Filing System contract. Marvin Maydew seconded. Motion carried.

Knapp presented the Downtime Report and events surrounding the INK 10 year anniversary. Motion was made by Bill McBride to approve Service Requests 257-263, accept KIC financial statements for June, and approve the July Network Manager report. Stephen Richards seconded. Motion carried.

Knapp presented the KIC Budget and Financial report for July 2001. Knapp presented Service Request 264 - Kansas State Board of Nursing Online Survey, Service Request 265 - Kansas County Counselors Association Web Site, Service Request 266 - Russell County Treasurer Online Property Tax Payments, Service Request 267 - Cowley County Treasurer Online Property Tax Payments, Service Request 268 - Osborne County Treasurer Online Property Tax Payments, Service Request 269 - Leavenworth County Treasurer Online Property Tax Payments, Service Request 270 - Graham County Treasurer Online Property Tax Payments, Service Request 271 - Hodgeman County Treasurer Online Property Tax Payments, Service Request 272 - Finney County treasurer Online Property Tax Payments, Service Request 273 - Miami County Treasurer Online Property Tax Payments, and Service Request 274 - Meade County Treasurer Online Property Tax Payments (attached). Motion was made by Bill McBride to accept the KIC financial report for July, approve Service Requests 264-274, and approve the Network Manager report for August.

Dennis Slimmer seconded. Motion carried.

OTHER BUSINESS

Robert Knapp reported the RFP for the motor vehicle tag renewal was closed and Department of Revenue was reviewing the submissions.

Don Heiman reported that he would like to discuss at the next meeting issues of security and viruses.

The meeting adjourned at 3:20 p.m.



Tom Winters, Secretary
Information Network of Kansas



Debby Fitzhugh
Asst. Secretary

**INFORMATION NETWORK OF KANSAS
BOARD OF DIRECTORS MEETING
Minutes of November 15, 2001**

The meeting was called to order at 2 p.m., November 15, 2001 at the Kansas, Inc. Offices, 632 SW Van Buren, Suite 100, Topeka, Kansas.

The following Board members or proxy were present: Marvin Maydew, Dennis Slimmer, Tom Winters, Kathy Sachs, Ron Srajer, and Tim Blevins. Others present were: Debby Fitzhugh of Kansas, Inc.; Ben Nelson of Department of Transportation; Robert Knapp, Lisa Counts, and Winn Mcinnis of Kansas Information Consortium. In the absence of the Chair and Vice-Chair, Marvin Maydew served as acting Chair.

APPROVAL OF MINUTES - SEPTEMBER 25, 2001

Motion was made by Dennis Slimmer to approve the minutes of September 25, 2001. Kathy Sachs seconded. Motion carried.

TREASURER'S REPORT

Marvin Maydew presented the draft budget for FY 2002. Motion was made by Marvin Maydew to approve the FY 2002 budget. Dennis Slimmer seconded. Motion carried.

Marvin Maydew presented the November 2001 expenses:

\$	264.29	- The Wichita Eagle - exec. dir. ad
	129.01	- Capitol City Office Products - misc. office supplies
	547.50	- Goodell, Stratton, Edmonds & Palmer - professional fees
	3.44	- Glenn, Cornish, Hanson & Karns - telephone expense
	5.95	- Hillmer's - planner & notebook
	24.00	- Secretary of State - Kansas Register
	1,675.00	- Berberich, Trahan & Co. - professional fees
	<u>105.20</u>	- Tom Winters - mileage and toll
\$	2,754.39	

Kathy Sachs informed the Board that a pending invoice for approximately \$16,000 is owed to Jim Minihan for the PKI project. Marvin Maydew requested that he would like to review the invoice before he signs the check. Motion was made by Dennis Slimmer to approve the expenditures for November along with the invoice for the PKI project to Jim Minihan and for Marvin Maydew to review the invoice upon receipt. Tom Winters seconded. Kathy Sachs inquired if the Board would like to have a presentation on PKI and/or if additional information would be helpful. Dennis Slimmer

requested that an update be provided by the Secretary of State's office on the time line and how the status of the PKI project. Motion carried.

Marvin Maydew presented the INK financial report for September 2001. Motion was made by Tom Winters to approve the September 2001 financial report for INK. Tim Blevins seconded. Motion carried.

Marvin Maydew discussed the draft KIC compliance audit for 2001 from Berberich Trahan and requested approval in concept from the Board because Robert Knapp has a few concerns with the correct wording of the contracts on page six and the amount owed to INK of \$1,311 on page three on the two percent calculation and would like to investigate these items further. Tim Blevins noted that the contract information on page six should probably be CAMA. Motion was made by Dennis Slimmer to approve the draft KIC compliance audit for 2001 from Berberich Trahan with changes to the wording and for Robert Knapp to review the two percent calculation. Tom Winters seconded. Motion carried.

Marvin Maydew requested that the Board engage in services from Wendling Noe Nelson & Johnson for the FY 2001 audit of INK in the amount of \$2,300. Motion was made by Tom Winters to approve the engagement of services of Wendling Noe Nelson & Johnson for the FY 2001 audit. Kathy Sachs seconded. Motion carried.

Robert Knapp discussed the recent cash flow analysis distributed to the Board via e-mail. Robert informed the Board that the monies received on a daily basis is deposited into the state treasury and KIC/INK was complying with policy and procedures requested by the State (cash flow attachment).

Robert Knapp reported that a committee consisting of Revenue, Human Resources, Secretary of State's office, and INK had met on the old KBEFS project, now called the Kansas Business Center, and would be addressing the INK Board at the next meeting on design and how the project is proceeding. A tentative date of the Summer of 2002 has been set for the release of the Business Center on the web.

Marvin Maydew reported that the search committee is still moving forward and hoped to have a candidate by December 15.

NETWORK MANAGER REPORT

Robert Knapp discussed the KIC Budget and Financial report for August 2001.

Robert Knapp presented Service Request 275 - Kansas Department of Emergency Management Terrorism Hazard and Vulnerability Analysis (attached). Motion was made by Tom Winters to approve Service Request 275 - Kansas Department of Emergency Management Terrorism Hazard and Vulnerability Analysis and accept the KIC Budget and Financial report for August 2001. Dennis Slimmer seconded. Motion carried.

Robert Knapp discussed the KIC Budget and Financial report for September 2001.

Robert Knapp presented Service Request 276 - Kansas County Treasurers Association and Service Request 277 - Kansas County Commissioners Association (attached). Robert presented the county treasurer's tax payment contracts for Ford, Hodgeman, Osborne, Russell, Finney, and Leavenworth counties that will be on-line next month (attached). Motion was made by Tom Winters to approve Service Requests 276 and 277 and the county treasurer contracts of Ford, Osborne, Russell, Finney, Hodgeman, and Leavenworth counties. Tim Blevins seconded. Motion carried.

Robert Knapp presented the contract addendum for Department of Revenue that was not included in the packets for approval. Motion was made by Tom Winters to approve the contract addendum with Department of Revenue and authorize Leroy Gattin to sign (attached). Kathy Sachs seconded. Motion carried.

Robert Knapp discussed the December 6 e-government day and web expo at the Kansas State Historical Society and that the committee hosting the event was requesting hospitality money. Motion was made by Tim Blevins for the INK Board to provide up to \$500 for the December 6 event, upon invoice, for hospitality costs associated with the December 6 web expo. Tom Winters seconded. Motion carried.

Marvin Maydew inquired on the subscription increase on the KIC financial report. Robert reported that it was due to the revenue from UCC's. Kathy Sachs noted that the UCC electronic filing has been a tremendous success story in the Secretary of State's office which has resulted with being able to reduce staff.

OTHER BUSINESS

Marvin Maydew requested that Robert Knapp discuss the access to the Judicial Center information at the next meeting.

Elections of officers will be held at the next meeting. Marvin Maydew appointed Dennis Slimmer, Ron Srajer, and Kathy Sachs to the nominating committee and report at the next Board meeting.

Debby Fitzhugh reported that an Electronic Government Conference in Las Vegas will be held in December and if any Board member would like information to let her know. Tim Blevins noted that it was a very good conference to attend. Motion was made by Dennis Slimmer that any Board member and/or its proxy that would like to attend the conference provide information to Debby Fitzhugh and for INK to pay expenses. Tom Winters seconded. Motion carried.

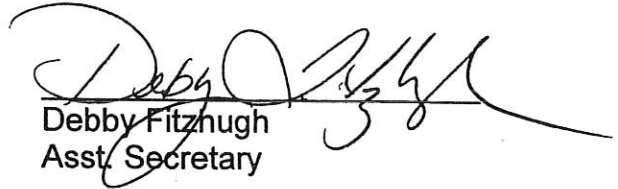
EXECUTIVE SESSION

Motion was made by Kathy Sachs to adjourn to an executive session for not longer than 20 minutes to discuss contract matters. Tim Blevins seconded. Motion carried.

The meeting adjourned at 4:25 p.m.



Tom Winters, Secretary
Information Network of Kansas



Debby Fitzhugh
Asst. Secretary

DRAFT

**DRAFT
INFORMATION NETWORK OF KANSAS
BOARD OF DIRECTORS MEETING
Minutes of December 20, 2001**

The meeting was called to order at 12:45 p.m., December 20, 2001 at the Top of the Tower, Bank America Tower, 534 S. Kansas, Topeka, Kansas.

The following Board members or proxy were present: Leroy Gattin, Marvin Maydew, Charles Ranson, Tom Winters, Don Heiman, Ron Srajer, and Stephen Richards. Others present were: Debby Fitzhugh of Kansas, Inc.; Ben Nelson and Dennis Slimmer of Department of Transportation; Kathy Sachs of Secretary of State's office; Tim Blevins of Kansas Department of Revenue; and Robert Knapp and Lisa Counts of Kansas Information Consortium.

Leroy Gattin reported that the INK Search Committee had offered the Executive Director position to one of the candidates and was awaiting his decision.

Charles Ranson reported that in visiting with INK legal counsel recently the issue of Board proxies had surfaced and that because of INK having corporate status, Board members may not be able to designate a proxy. Charles suggested that we have legal counsel investigate this further and that since this issue needs further review designated proxies not vote until the matter is resolved. Motion was made by Charles Ranson to engage legal counsel to research whether it is legal for the INK Board to have designated Board proxies. Stephen Richards seconded. Motion carried.

APPROVAL OF MINUTES - NOVEMBER 15, 2001

Motion was made by Ron Srajer to approve the minutes of November 15, 2001. Stephen Richards seconded. Motion carried.

TREASURER'S REPORT

Marvin Maydew presented the December 2001 expenses:

\$ 1,358.67 - Kansas City Star - exec. dir. ad
411.45 - Kansas Information Consortium - KS web expo hospitality expenses
276.04 - Topeka Capital Journal - exc. dir. ad
2.35 - Glenn, Cornish, Hanson & Karns - telephone expense
8.36 - Fed Ex - package delivery
1.98 - Debby Fitzhugh - copies
30,000.00 - Kansas, Inc. - office services
12.00 - Secretary of State - Kansas Register
476.27 - Tim Blevins - travel expenses to Nat. Electronic conference
105.20 - Tom Winters - mileage and toll
\$ 32,652.32

Motion was made by Marvin Maydew to approve the December 2001 expenditures. Tom Winters seconded. Motion carried.

Marvin Maydew presented the INK financial reports for October and November 2001. Motion was made by Stephen Richards to approve the October and November 2001 financial reports for INK. Ron Srajer seconded. Motion carried.

Leroy Gattin suggested that the Board discuss the Kansas Board of Nursing letter that was distributed in the Board packets requesting \$18,117.30 for a new computer server. Mary Blubaugh, Executive Director from the Board of Nursing was present to answer any questions. Discussion ensued with the Board on addressing these types of requests and different options to handle future requests. Motion was made by Tom Winters to approve the request in the amount of \$18,117.30 for items as designated in the letter (attached) to the Kansas Board of Nursing. Marvin Maydew seconded. Motion carried.

Kathy Sachs deferred the presentation on PKI until the January meeting.

Robert Knapp reported on the Kansas Business Center project and the request for \$94,000. \$50,000 of the proposal would go to the Secretary of State's office for the first phase and \$44,000 to the Network Manager (proposal attached). Discussion ensued with the Board and motion was made by Marvin Maydew to approve the request for one-time costs to the Kansas Information Consortium not to exceed \$44,000 payable by monthly invoice for the Kansas Business Center project and to the Secretary of State's office for Phase I of the Kansas Business Center project not to exceed \$50,000 payable by monthly invoice. Stephen Richards seconded. Motion carried.

Jim Dodd and Harry Herington presented the INK Board with a brief overview on the future and current projects of the National Information Consortium.

Stephen Richards was excused from the meeting.

Don Heiman gave a presentation on issues surrounding computer and network security. Charles Ranson suggested that since this issue should probably be reviewed in further depth that the Board hold a retreat in the future with the new executive director and expand on this issue in detail.

Leroy Gattin requested that the Board defer the election of officers until the issue with proxies has been resolved. Motion was made by Charles Ranson to defer the nomination and election of officers until legal counsel has had time to review the proxy issue. Marvin Maydew seconded. Motion carried.

DRAFT

NETWORK MANAGER REPORT

Robert Knapp discussed the KIC Budget and Financial report for October 2001.

Robert Knapp presented Service Request 278 - Kansas Dental Board Web, Service Request 279 - Kansas Department of Revenue Web Site Redesign, Service Request 280 - Kansas Secretary of State Web Site Redesign (attached). Motion was made by Charles Ranson to approve Service Requests 278-280. Marvin Maydew seconded. Motion carried.

Robert Knapp presented contracts for the following County Treasurer's for online property tax payment applications: Barton, Cowley, Graham, Miami, and Shawnee (attached). Motion was made by Marvin Maydew to approve the County Treasurer contracts for Barton, Cowley, Graham, Miami, and Shawnee. Charles Ranson seconded. Motion carried.

Robert Knapp reported that he is working with the Judicial personnel as previously requested by Marvin Maydew. Robert discussed the Network Downtime report.

Motion was made by Charles Ranson to accept the KIC financial report for October 2001 and the Network Manager report. Ron Srajer seconded. Motion carried.

OTHER BUSINESS

Don Heiman announced that he would be retiring from DISC February 4.

The meeting adjourned at 3:40 p.m.

Tom Winters, Secretary
Information Network of Kansas

Debby Fitzhugh
Asst. Secretary

DRAFT

74-9301

Chapter 74.--STATE BOARDS, COMMISSIONS AND AUTHORITIES
Article 93.--INFORMATION NETWORK OF KANSAS

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

Chapter 74.--STATE BOARDS, COMMISSIONS AND AUTHORITIES
Article 93.--INFORMATION NETWORK OF KANSAS

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

Attachment 6
e-Gov 2-5-02

- (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

Chapter 74.--STATE BOARDS, COMMISSIONS AND AUTHORITIES
Article 93.--INFORMATION NETWORK OF KANSAS

- 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 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

Chapter 74.--STATE BOARDS, COMMISSIONS AND AUTHORITIES
Article 93.--INFORMATION NETWORK OF KANSAS

- 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

Chapter 74.--STATE BOARDS, COMMISSIONS AND AUTHORITIES
Article 93.--INFORMATION NETWORK OF KANSAS

- 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

Chapter 74.--STATE BOARDS, COMMISSIONS AND AUTHORITIES
Article 93.--INFORMATION NETWORK OF KANSAS

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 communications 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

Chapter 74.--STATE BOARDS, COMMISSIONS AND AUTHORITIES
Article 93.--INFORMATION NETWORK OF KANSAS

74-9307. INK; financing of operations; employees. (a) 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.

(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; L. 1995, ch. 255, § 11; Dec. 17.

74-9308

Chapter 74.--STATE BOARDS, COMMISSIONS AND AUTHORITIES

Article 93.--INFORMATION NETWORK OF KANSAS

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

Chapter 74.--STATE BOARDS, COMMISSIONS AND AUTHORITIES
Article 93.--INFORMATION NETWORK OF KANSAS

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

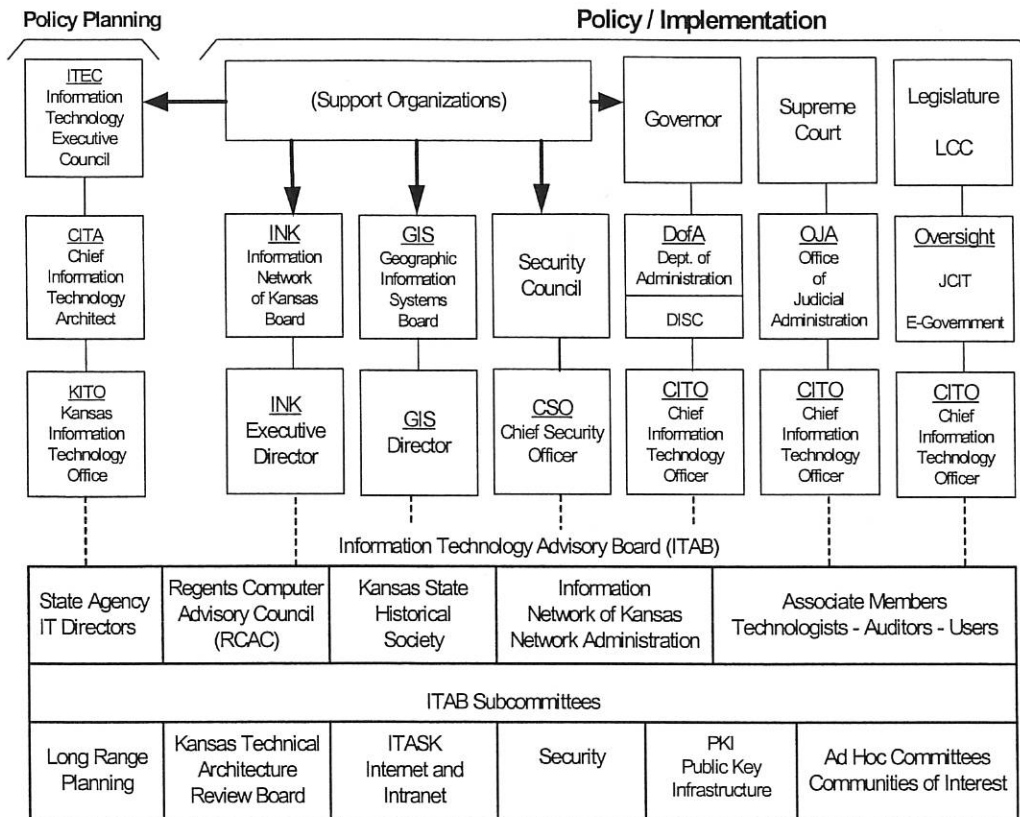
History: L. 1990, ch. 266, § 9; April 12.

History: L. 1991, ch. 254, § 8; May 30.

IT GOVERNANCE

Beginning in 1996, the Kansas Legislature began a study of the IT governance/management structure within Kansas government. In 1998, the Legislature passed, and the Administration signed, Kansas Senate Bill #5, now Kansas Statutes Annotated (KSA) 75 7201-7212 et seq. These laws altered the face of IT governance in the State. The new structure produced a roles-based consolidated model as illustrated below.

Kansas IT Governance Model



The consolidated model has increased IT efficiencies, streamlined reporting processes, and dramatically increased communications between and among the various components. Planning functions such as the Strategic Information Management (SIM) Plan and the Kansas Statewide Technical Architecture (KSTA) have positively impacted IT services in State government since the consolidation model was implemented. The model coordinates a \$207 million IT base budget and \$113 million in ongoing new IT system builds to include supporting infrastructure. Kansas has a \$9 billion State budget and 35,000 State employees with 1700 IT personnel across all State agencies. The model coordinates the IT activities of 83 agencies.

The Kansas consolidated model features the Information Technology Advisory Board (ITAB) as the foundation. The operational philosophy is both bottom-up and top-down with communication among the participants both vertically and horizontally. The ITAB and its sub-committees form the nucleus where many IT initiatives and projects are identified. The development of IT policies has genesis in the ITAB as well. The new Kansas IT governance structure, by design, allows for much discourse and a consolidated operational structure.

THE KANSAS CONSOLIDATED IT GOVERNANCE MODEL COMPONENTS

Information Technology Executive Council (ITEC)

As set forth in Kansas statute, KSA 75 7201-7212 et seq., the Information Technology Executive Council (ITEC) is comprised of seventeen members. The membership includes Cabinet Secretaries and Senior Executives of various State government entities, senior leaders from local units of government and the private sector, and the Chief Information Technology Officers (CITOs) from each branch of government. The Secretary of Administration, Executive Branch, chairs the ITEC. The ITEC meets quarterly and is charged with the adoption of:

- IT Policies, Procedures, Standards, and Guidelines
- The long-range enterprise Strategic Information Management Plan
- The Kansas Statewide Technology Architecture
- Project Management Methodologies, Training and Certification

Chief Information Technology Architect (CITA)

The Chief Information Technology Architect (CITA) reports to the Chair of the ITEC and serves as its Secretary. The CITA is responsible for the development and maintenance of the Strategic Information Management Plan, the Kansas Statewide Technical Architecture, Project Management Standards, and IT Policies proposed to ITEC for adoption. The CITA works closely with the Chief Information Technology Officers (CITOs) from the three branches of government to coordinate these strategic activities.

Kansas Information Technology Office (KITO)

The Kansas Information Technology Office (KITO) is the enterprise management and coordination arm of the IT Governance Model and provides staff support for the ITEC, the CITA, and the three Branch Chief Information Technology Officers (CITOs). The staff coordinates the preparation of plans, policies, reports, and other IT related documents and carries out tasks necessary to conduct ITEC business. The Information Technology Advisory Board (ITAB), its Sub-Committees, and the GIS Policy Board also receive staff support from the KITO.

Joint Legislative Committee on Information Technology (JCIT)

The Joint Committee on Information Technology (JCIT) is a standing committee of the Kansas Legislature. Committee membership comes from both the House and the Senate. JCIT serves as an oversight committee on IT issues for State government.

Chief Information Technology Officers (CITOs)

The IT Governance structure provides for a Chief Information Technology Officer (CITO) for each of the three branches of Kansas government. The Executive Branch CITO, by law, has cabinet presence and is appointed by the Governor. The Judicial Branch CITO reports to the Office of Judicial Administration and then the Supreme Court. The Legislative CITO reports to the Joint Legislative Committee on Information Technology (JCIT) and then to the Legislative Coordinating Council (LCC), both comprised of members of the House and Senate. By law, the CITOs for each branch of government are members of ITEC.

Each CITO fills the implementation role in the model within their respective branch and has significant input in policy direction. The Executive Branch CITO prepares the Three Year Agency IT Management and Budget Report that summarizes IT activities, assets, and plans for all 83 planning agencies. Within the governance organization, IT projects and bid specifications with budgets of \$250,000 or more must first be approved by the appropriate branch CITO, then reviewed by the three CITOs sitting as a team. A positive feature of the consolidated governance model is the encouragement of input on projects such as an ITEC review.

Geographic Information Systems Policy Board

The Kansas Geographic Information Systems (GIS) Initiative and Policy Board were established in 1989. Since then, the initiative has grown into a coordinated model that provides shared geospatial data, standards, and partnerships with state, federal, and local units of government entities. The Board is chaired by the Director of the Kansas Water Office and the vice-chair is the Executive Branch CITO. The Board's Data Access and Support Center (DASC), a National Spatial Data Infrastructure Clearinghouse site, provides geospatial data distribution, archival, and support services for the GIS user community. The Board and its sponsored activities have become an integral part of the Kansas IT Governance Model.

Information Network of Kansas (INK)

The consolidated governance structure includes primarily State agencies, but it also includes a public/private entity that has successfully expanded the scope of services offered to the citizens of Kansas. In April 1990, the Governor of Kansas signed into law KSA 74-9301, creating the Information Network of Kansas (INK). This network, which had been the dream of a group of individuals from both the public and private sector, would provide efficient and economical access to public information via the Internet. In January 1992, the Board of Directors for INK awarded a contract to the Kansas Information Consortium to manage the network.

The birthplace of "e-government" was in the heartland of Kansas, with implementation of network based applications dating back to 1991. This partnership has become a model for the management and dissemination of government information across the country.

This self-funded model is simple: the network administrator builds service applications and web sites for State agencies and associations at no cost to the agencies. The State portal encompasses all State agencies, Regents' universities and many professional association web sites and services, of which more than 250 are free to users.

The remainder of the portal includes service applications that collect small transaction fees, which are reinvested into the network to ensure leading-edge technology, maximum security and availability to the citizens of Kansas. When designing a State web site or web-based application there is but *one* goal, which is two-fold: 1) to build an efficient electronic government service for citizens, businesses and government, and 2) to streamline internal government operations/services.

Security Council

The Information Technology Executive Council (ITEC) has established a number of security policies to safeguard State IT assets. These policies include an agency model security guideline. Agencies use these guidelines to structure their specific security practices and procedures. The Kansas Information Technology Office (KITO) has a staff position, the Chief Security Officer, who is responsible for coordinating the IT security initiatives of the Security Council. This officer works with security officers and IT directors in the State agencies to coordinate statewide responses to cyber-attacks, security penetrations, and outside agents that threaten applications and the IT infrastructure. The officer also works closely with security policy executives in all 50 states, the Federal government, and private sector organizations.

Information Technology Advisory Board (ITAB)

The Information Technology Advisory Board (ITAB) forms the foundation of the Kansas IT Governance Model. Its membership comes from State agency IT Directors, Regents' Universities IT Directors (Regents Computer Advisory Council-RCAC), the leadership of INK, the State Historical Society and associate members, including technologists, functional users, subject matter experts and auditors. This wide array of individuals then populate the ITAB Sub-Committees that provide planning functions that move, vertically and horizontally, through the consolidated structure. The SIM Plan, for example, impacts State agencies and, in part, drives the agency budget process. The Kansas Statewide Technical Architecture (KSTA) provides direction on technology products and their deployment. The consolidation of individuals from the diverse areas of State government come together with an air of cooperation through this model to propose plans and policies that the ITEC and the JCIT will review and then potentially make into law or policy.

Information Technology Executive Council (ITEC)

ITEC is responsible for approval of information technology policies, project management procedures, the statewide technical architecture, and the strategic information management plan. It is comprised of 17 voting members. It provides direction and coordination for the application of the State's information technology resources, designates the ownership of information resource processes, and is the lead agency for implementation of new technologies and networks shared by multiple agencies in different branches of State government.

ITEC Members

Chairperson: Joyce Glasscock, Acting Secretary, Department of Administration

Mr. Donald C. Heiman, Executive Branch CITO

Ms. Amy Waddle, Judicial Branch CITO

Mr. Richard Hays, Legislative Branch CITO

Mr. Richard Beyer, Secretary, Department of Human Resources

Dr. Robert Cox, Hays Medical Center

Mr. J.D. Cox, Mayor, City of Neodesha

Mr. Duane Goossen, Director, Division of the Budget
Ms. Jo Hunt, Vice President, Information Technology, Western Resources
Mr. Robert Knapp, General Manager, Information Network of Kansas
Mr. Ronald McCreight
Ms. Pamela Madl, Director, Administrative Services, Douglas County
Mr. Steve Richards, Secretary, Department of Revenue
Mr. Howard Schwartz, Judicial Administrator, Kansas Judicial Center
Dr. Andy Tompkins, Commissioner, Department of Education
Dr. Kim Wilcox, Executive Director, Kansas Board of Regents
Mr. John Wine, Chairman, Kansas Corporation Commission

Joint Committee on Information Technology (JCIT)

JCIT is directed to study, review and report its findings on computers, telecommunications and information technologies that are proposed or in use by State agencies. The JCIT is authorized to make annual reports to the Legislative Coordinating Council (LCC) and other special reports to committees of the House and Senate as deemed necessary by the Committee. Specific direction is given to the JCIT to review proposed new data processing and telecommunication acquisitions, the budgets for implementing those projects, and to make recommendations to the appropriate House and Senate committees considering appropriations for the agencies making acquisition requests.

The committee is composed of five members of the Senate and five members of the House of Representatives. Two Senate members shall be appointed by the President of the Senate, two shall be appointed by the Minority Leader of the Senate, and one shall be appointed by the chairperson of the Committee on Ways and Means of the Senate. Two Representatives shall be appointed by the Speaker of the House of Representatives, two shall be appointed by the Minority Leader of the House of Representatives, and one shall be appointed by the chairperson of the Committee on Appropriations of the House of Representatives.

The JCIT is authorized to meet at any time and any place within the State on call of the chairperson. The Chair and Vice-Chair are elected by the members for one year, with the positions alternating annually between members of the House (odd years) and Senate (even years). The JCIT may introduce legislation it deems necessary and may request the LCC to provide for professional services to assist with JCIT studies.

JCIT Members

Senate Members

Sen. Tim Huelskamp, Vice Chair
Sen. Chris Steineger
Sen. Jay Scott Emler
Sen. Paul Feleciano, Jr.
Sen. Larry Salmans

House Members

Rep. Jim Morrison - Chair
Rep. Tom Burroughs
Rep. Doug Gatewood
Rep. John Faber
Rep. Carl Krehbiel

Staff

Richard Hays - Legislative Branch CITO
Julian Efird - Kansas Legislative Research Department
Audrey Nogle - Kansas Legislative Research Department
Gary Deeter - Committee Secretary
Mary Ann Torrence - Revisor of Statutes

Information Technology Advisory Board (ITAB)

ITAB was established to function as a technical resource to the Chief Information Technology Officers for the Executive, Legislative and Judicial branches of government and the Information Technology Executive Council (ITEC). The Board's membership includes senior managers of State information technology organizations along with representatives of private industry and local units of government.

ITAB meets on the third Tuesday of each month and typically draws additional attendance from technical specialists, business unit managers, and legislative liaison staff interested in the discussions of technology issues or special issue-oriented presentations. Its agendas span the range of information technology topics such as: Internet Utilization, State Contract Development, Information Technology presentations, and Statewide Technical Architecture.

ITAB Members

Don Heiman, Executive Branch CITO
Amy Waddle, Judicial Branch CITO
Richard Hays, Legislative Branch CITO

Gary Adkins, KDHR (ATWS)	Denise Moore, Insurance
Jeanette Anderson, GMIS (Small Counties)	Ben Nelson, KDOT
Steve Armstrong, Adjutant General	Jerry Niebaum, Regents
Bill Aron, KHP	John Oliver, KPERS
Jim Bingham, KUMC	Steve Patterson, SRS
Tim Blevins, KDOR	Peggy Pistora, Southwestern Bell
Bud Champney, Revisor of Statutes	Janee Roche, JJA
Jeff Conrad, Commerce & Housing	Ron Rohrer, KBI
Allan Foster, Legislative Post Audit	Jim Rousseau, KDHE
Debbie Garman, SOS	William Sanders, KDHR
Marilu Goodyear, KU	David Schmidt, FHSU
Steve Johnson, Aging	Hank Sipple, Agriculture
Robert Knapp, INK	John Spurgeon, KDWP
Dave Larson, Legislature	Sal Tayani, DOE
Dave Mackey, Lottery	Wayne Thomas, KDHR
Jon McKenzie, KCC	Carlos Usera, DOC
Pat Michaelis, KSHS	Richard Vogt, GMIS (Large Counties)
Rick Miller, GIS Policy Board	(Cities)

Geographic Information Systems Policy Board (GIS PB)

The Kansas GIS Policy Board, founded in 1989, is responsible for the development of geospatial data, data standards, partnership agreements, and policies to enhance the value of geospatial technologies. These activities emphasize cooperation and coordination to ensure interoperability and data sharing among agencies, organizations, and government to maximize the use and cost effectiveness of GIS.

The Kansas GIS Policy Board began funding geospatial data development in 1991 and currently invests in multiple data development projects on an annual basis. Early on, the Policy Board recognized the need to provide for a central quality assurance, data distribution and maintenance facility to house the geospatial data assets being acquired. Thus, in 1991, the Policy Board established the Kansas Data Access and Support Center (DASC, <http://ksgis.kgs.ukans.edu>) in an innovative collaboration between State agencies and the Kansas Geological Survey at the University of Kansas. The DASC is a nationally recognized clearinghouse site for the National Spatial Data Infrastructure (NSDI) and provides interactive (Internet) mapping services for the accessKansas portal. The Policy Board meets bi-monthly to address issues such as data standards, architecture, community collaboration efforts, strategic planning and integration within the information technology community.

In the mid-90s, the Policy Board sponsored and endorsed the Kansas Geospatial Compatibility Guidelines and data standards for the following foundational data themes: Content Standard for Geospatial Metadata, Cadastral/Property Ownership, Digital Orthoimagery, Elevation, Geodetic Control, Governmental Units, Hydrography, Transportation, Addressing, Utilities and Spatial Data Transfer Standards. This five year effort was predicated on the collaboration of 20 different stakeholder groups, including: federal, state, county, and municipal governments, the private sector, higher education, utilities, and the engineering and professional surveyors communities. These standards, upon endorsement by the Policy Board, were incorporated into the Kansas Statewide Technology Architecture, which provides guidance for enterprise-wide information technology development, deployment and maintenance.

The Policy Board consists of 27 members appointed by the Governor: the Chief Information Technology Officers from all three branches of government; four State Regents institutions; leaders from nine State government agencies; two federal agencies; four private sector companies; and five local county/municipal governments.

GIS PB Members

Chairman: Al LeDoux, Kansas Water Office
Vice Chairman: Don Heiman, Executive Branch CITO
Facilitator: Rick Miller, KITO Director

Lee Allison, Kansas Geological Survey
Joseph Arri, Southwestern Bell
Walt Aucott, US Geological Survey
Tim Blevins, Kansas Department of Revenue
Linda Buttron, Jefferson County Clerk
Michael Dealy, Manager GMD 2
Tomas Dominguez, Dept of Agriculture NRCS
Ron Hammerschmidt, Health & Environment
Richard Hays, Legislative CITO
Marion Johnson, Douglas County Appraiser
Alan Kruse, VP Central Bank & Trust
Brian Logan, Dept of Transportation

Dr. Edward Martinko, KS Biological Survey
Gregg Noland, Western Resources
Steve Patterson, SRS
David Pope, Dept of Agriculture DWR
Dr. Tom Schafer, Fort Hays State Univ.
Keith Sexson, Dept of Wildlife & Parks
Kathleen Sexton, Sedgwick County IS
Dr. HL Seyler, Kansas State University
Tracy Streeter, State Conservation Comm
Amy Waddle, Judicial Branch CITO
John Wine, Kansas Corporation Comm
Bettejane Wooding, Barton County