

HOUSE BILL No. 2200

By Committee on General Government Budget

2-1

1 AN ACT concerning the executive branch chief information technology
2 officer; relating to duties; transferring certain powers, duties and
3 functions of the director of information systems and communications,
4 the division of information systems and communications and the
5 secretary of administration to the executive chief information
6 technology officer and the office of information technology services;
7 amending K.S.A. 48-937, 65-6138, 65-6139, 65-6140, 74-9302, 74-
8 9303, 74-9605, 75-37,102, 75-4701, 75-4702, 75-4702c, 75-4704, 75-
9 4704b, 75-4705, 75-4710, 75-4712, 75-4713, 75-4714, 75-4715, 75-
10 4716, 75-6512 and 76-389 and K.S.A. 2012 Supp. 46-1503, 74-9304,
11 74- 9306, 75-3707e, 75-4703, 75-4704a, 75-4709, 75-7202, 75-7204
12 and 75-7205 and repealing the existing sections.

13

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

15 New Section 1. (a) The executive chief information technology
16 officer shall submit to the governor proposed rules and regulations with
17 respect to the manner of performance of any power or duty of the office of
18 information technology services, the execution of any business of such
19 office and its relations to and business with other state agencies, appeals
20 from the final decisions or final actions of the executive chief information
21 technology officer, and such other matters as are provided by law. Before
22 any such proposed rules and regulations are submitted to the governor, the
23 same shall have received the approval required by K.S.A. 77-420, and
24 amendments thereto, the attorney general shall have made the finding
25 required by K.S.A. 77-420, and amendments thereto, and the executive
26 chief information technology officer shall have held the hearing thereon
27 required by K.S.A. 77-421, and amendments thereto. The governor shall
28 either approve, modify and approve or reject any such proposed rules and
29 regulations. The executive chief information technology officer shall adopt
30 such rules and regulations so approved or so modified and approved by the
31 governor.

32 (b) All rules and regulations, orders and directives of the secretary of
33 administration, the department of administration, the director of
34 information systems and communications, or the division of information
35 systems and communications which relate to the powers, duties and
36 functions transferred from the director of information systems and

1 communications and the division of information systems and
2 communications of the department of administration to the executive chief
3 information technology officer and office of information technology
4 services by this act and which are in effect on the effective date of this act
5 shall continue to be effective and shall be deemed to be rules and
6 regulations, orders and directives of the executive chief information
7 technology officer and office of information technology services until
8 revised, amended, revoked or nullified pursuant to law.

9 Sec. 2. K.S.A. 2012 Supp. 46-1503 is hereby amended to read as
10 follows: 46-1503. (a) The revisor of statutes shall contract in the name of
11 the legislative coordinating council, and with approval of such council, for
12 such computer programs and other computer services as cannot be suitably
13 obtained from state agencies, and in like manner, the revisor shall acquire
14 such computer and communications components as may be needed for this
15 system. Purchases and other contracts authorized by the statutes contained
16 in article 15 of chapter 46 of Kansas Statutes Annotated, *and amendments*
17 *thereto*, shall not be subject to K.S.A. 75-3739, and amendments thereto,
18 nor shall the same be subject to approval under any statute other than those
19 contained in article 15 of chapter 46. ~~The director of information systems~~
20 ~~and communications~~ *executive chief information technology officer* and
21 the director of purchases shall render such assistance in implementation of
22 this system as is requested by the legislative coordinating council or the
23 revisor of statutes.

24 (b) When authorized by the legislative coordinating council, the
25 revisor of statutes may provide to or share with any other state agency
26 computer services through the operation of the comprehensive legislative
27 information system. Such services may be provided without charge or,
28 when directed by the council, shall be provided at cost as the same is
29 determined by the council. The furnishing of computer services under this
30 subsection (b) for which a charge is made shall be a transaction to be
31 settled in accordance with the provisions of K.S.A. 75-5516, and
32 amendments thereto. All receipts for charges made under this subsection
33 (b) shall be remitted to the state treasurer in accordance with the
34 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
35 each such remittance, the state treasurer shall deposit the entire amount in
36 the state treasury to the credit of the legislative special revenue fund.

37 (c) When authorized by the legislative coordinating council, the
38 revisor of statutes may provide information regarding legislation to state
39 agencies and to private individuals, companies and organizations through
40 access to the legislative information system. The primary purpose for the
41 legislative information system shall be to provide necessary information
42 and service to the legislature and offices of the legislative branch of
43 government and the revisor of statutes shall impose such conditions and

1 restrictions upon the receipt of information from such system by agencies,
2 persons and organizations not a part of the legislative branch of
3 government as may be necessary to protect such system and services for
4 the purpose for which established. The legislative coordinating council
5 may fix a charge for the receipt of information regarding legislation
6 through access to the legislative information system by state agencies,
7 private individuals, companies and organizations not a part of the
8 legislative branch of government. Such charges shall be collected by the
9 director of legislative administrative services upon certification by the
10 revisor of statutes. All amounts received from charges imposed pursuant to
11 this subsection shall be remitted to the state treasurer in accordance with
12 the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt
13 of each such remittance, the state treasurer shall deposit the entire amount
14 in the state treasury to the credit of the legislative special revenue fund.

15 Sec. 3. K.S.A. 48-937 is hereby amended to read as follows: 48-937.
16 The division of emergency management shall ascertain what means exist
17 for rapid and efficient communications during a disaster. The division of
18 emergency management shall consider the desirability of supplementing
19 these communications resources or of integrating them into a
20 comprehensive state or state and federal telecommunications or other
21 communications system which may be established for purposes of
22 emergency management. In studying the character and feasibility of any
23 such system or its several parts, the division of emergency management
24 shall consult thereon with the secretary of administration *and the executive*
25 *chief information technology officer* and evaluate the possibility of the
26 multi-purpose use of such a system for general state and local government
27 purposes. The division of emergency management shall make
28 recommendations regarding such communications systems to the governor
29 as appropriate.

30 Sec. 4. K.S.A. 65-6138 is hereby amended to read as follows: 65-
31 6138. In order to provide adequate emergency medical care for the people
32 of this state, the emergency medical services board is hereby authorized to
33 establish, maintain and operate an emergency medical services
34 communications system, subject to approval by the ~~secretary of~~
35 ~~administration~~ *executive chief information technology officer* under K.S.A.
36 75-4709, and amendments thereto. The emergency medical services board
37 shall establish communication centers, to be known as medical
38 communications centers, in various locations in the state to be determined
39 by the emergency medical services board, for the purposes of receiving
40 requests for emergency medical assistance and for coordinating the
41 activities of ambulances with medical care facilities and other emergency
42 public safety agencies. Subject to approval by the ~~secretary of~~
43 ~~administration~~ *executive chief information technology officer* under K.S.A.

1 75-4709, and amendments thereto, the emergency medical services board
2 may provide mobile radio units to ambulance services, as hereinafter
3 provided, which will provide such ambulance services with direct
4 communication to or from medical communication centers established for
5 such purpose.

6 Sec. 5. K.S.A. 65-6139 is hereby amended to read as follows: 65-
7 6139. For the purpose of establishing, operating and maintaining the
8 emergency medical services communications system, the board may enter
9 into contracts with any state agency, and any such agency is authorized to
10 contract for such purpose with the board. The board also may enter into
11 contracts or other agreements with any city, county, township, fire district
12 or hospital district, or any person, firm or corporation for the establishment
13 of an emergency medical services communications system or the
14 establishment or operation of any part thereof including placement,
15 operation and maintenance of equipment. In accordance with the authority
16 of the ~~secretary of administration~~ *executive chief information technology*
17 *officer* under K.S.A. 75-4709, and amendments thereto, all contracts
18 entered into by the board under this section shall be subject to approval by
19 the ~~secretary of administration~~ *executive chief information technology*
20 *officer*.

21 Any contract or agreement for the placement or operation of equipment
22 with any ambulance service shall provide that the person, firm, corporation
23 or municipality operating such ambulance service shall maintain such
24 equipment in accordance with terms and conditions established by the
25 board. The contracts, agreements or contracts for the placement of
26 equipment in medical communication centers shall provide that such
27 equipment shall only be used for the purpose of operating the emergency
28 medical services communications system and that the board or the board's
29 designated agent may inspect such equipment at any time. Ownership of
30 any such equipment shall remain with the state and any contracts for the
31 placement of such equipment may be withdrawn or canceled at any time,
32 at the option of the board and the ~~secretary of administration~~ *executive*
33 *chief information technology officer* under K.S.A. 75-4709, and
34 amendments thereto.

35 Sec. 6. K.S.A. 65-6140 is hereby amended to read as follows: 65-
36 6140. For the purposes of establishing, operating and maintaining an
37 emergency medical services communications system, the emergency
38 medical services board may accept any grant of money or property,
39 including any federal moneys available therefor. Within the limits of
40 appropriations available therefor and subject to approval by the ~~secretary~~
41 ~~of administration~~ *executive chief information technology officer* under
42 K.S.A. 75-4709, and amendments thereto, the emergency medical services
43 board may acquire, in the name of the state, any equipment necessary for

1 such communications system.

2 Sec. 7. K.S.A. 74-9302 is hereby amended to read as follows: 74-
3 9302. It shall be the purpose of INK to perform the following duties:

4 (a) Provide electronic access for members of the public to public
5 information of agencies via a gateway service;

6 (b) develop a dial-in gateway or electronic network for access to
7 public information;

8 (c) provide appropriate oversight of any network manager;

9 (d) explore ways and means of expanding the amount and kind of
10 public information provided, increasing the utility of the public
11 information provided and the form in which provided, expanding the base
12 of users who access such public information and, where appropriate,
13 implementing such changes;

14 (e) cooperate with the ~~division of information systems and~~
15 ~~communications~~ *office of information technology services* in seeking to
16 achieve the purposes of INK;

17 (f) explore technological ways and means of improving citizen and
18 business access to public information and, where appropriate, implement
19 such technological improvements; and

20 (g) explore options of expanding such network and its services to
21 citizens and businesses by providing add-on services such as access to
22 other for-profit information and databases and by providing electronic mail
23 and calendaring to subscribers.

24 Sec. 8. K.S.A. 74-9303 is hereby amended to read as follows: 74-
25 9303. (a) There is hereby created a body politic and corporate to be known
26 as the information network of Kansas, Inc. INK is hereby constituted as a
27 public instrumentality and the exercise by INK of the authority and powers
28 conferred by this act shall be deemed and held to be the performance of an
29 essential governmental function.

30 (b) INK shall be governed by a board consisting of ~~10~~ *nine* members
31 as follows:

32 (1) ~~The president of Kansas, Inc.;~~

33 (2) the secretary of state;

34 (3) (2) two members who are chief executive officers of agencies of
35 the executive branch, appointed by the governor who shall serve at the
36 pleasure of the governor;

37 (4) (3) one member appointed by the governor from a list of three
38 Kansas bar association members submitted by such association. Such
39 member shall serve a three-year term;

40 (5) (4) three members from other user associations of a statewide
41 character appointed by the governor from a list of not less than nine
42 individuals and their respective user associations compiled ~~initially by the~~
43 ~~president of Kansas, Inc. and thereafter~~ by the board of INK and submitted

1 to the governor. No two members appointed pursuant to this paragraph
2 shall represent the same user association. The terms for such members
3 shall be for a period of three years, except initially, when the terms shall be
4 for one, two and three years, respectively;

5 ~~(6)~~ (5) one member appointed by the governor from a list submitted
6 by the president of the Kansas public libraries association and comprised
7 of three librarians employed by public libraries. Following the initial
8 appointment hereunder, such list shall be comprised of librarians of public
9 libraries which subscribe to INK. Such member shall serve a three-year
10 term; and

11 ~~(7)~~ (6) the ~~director of information systems and communications-~~
12 *executive chief information technology officer* who shall serve as a
13 nonvoting member.

14 (c) The board shall annually elect one member from the board as
15 chairperson of INK, another as vice-chairperson and another as secretary.

16 (d) Five members of the board shall constitute a quorum and the
17 affirmative vote of five members shall be necessary for any action taken
18 by the board. No vacancy in the membership of the board shall impair the
19 right of a quorum to exercise all the rights and perform all the duties of the
20 board.

21 Sec. 9. K.S.A. 2012 Supp. 74-9304 is hereby amended to read as
22 follows: 74-9304. (a) In order to achieve its purpose as provided in this
23 act, INK shall:

24 (1) Serve in an advisory capacity to the secretary of administration,
25 ~~division of information services and communications~~ *office of information*
26 *technology services* and other state agencies regarding the provision of
27 state data to the citizens and businesses of Kansas;

28 (2) seek advice from the general public, its subscribers, professional
29 associations, academic groups and institutions and individuals with
30 knowledge of and interest in areas of networking, electronic mail, public
31 information access, gateway services, add-on services and electronic filing
32 of information; and

33 (3) develop charges for the services provided to subscribers, which
34 include the actual costs of providing such services.

35 (b) All state agencies shall cooperate with INK in providing such
36 assistance as may be requested for the achievement of its purpose.
37 Agencies may recover actual costs incurred by providing such assistance.
38 Services and information to be provided by any agency shall be specified
39 pursuant to contract between INK and such agency and shall comply with
40 the provisions of K.S.A. 45-215 et seq. and K.S.A. 2012 Supp. 45-230,
41 and amendments thereto.

42 Sec. 10. K.S.A. 74-9605 is hereby amended to read as follows: 74-
43 9605. (a) The board of directors of the Kansas guardianship program shall

1 employ a person to serve as executive director who shall direct and
2 supervise the general management of the corporation. The executive
3 director shall employ persons needed to perform duties of the Kansas
4 guardianship program as directed by the board of directors.

5 (b) Employees of the Kansas guardianship program shall not be
6 considered to be state employees except that such employees may
7 participate in the Kansas public employees retirement system. Employees
8 of the Kansas guardianship program shall not be considered to be state
9 employees, except for the purposes specified in this subsection (b). The
10 ~~secretary of administration~~ *executive chief information technology officer*
11 shall extend the use of state intercity telecommunications facilities and
12 services under control of the ~~secretary~~ *executive chief information*
13 *technology officer* pursuant to K.S.A. 75-4709, and amendments thereto,
14 to the Kansas guardianship program. The Kansas guardianship program
15 shall be considered to be a state agency only for the purposes specified in
16 this subsection.

17 (c) The provisions of article 32 of chapter 75 of the Kansas Statutes
18 annotated, ~~any acts amendatory thereof or supplemental and amendments~~
19 thereto, and any rules and regulations adopted thereunder, shall not apply
20 to officers or employees of the Kansas guardianship program. Subject to
21 policies established by the Kansas guardianship program, the chairperson
22 of the board of directors or the chairperson's designee shall approve all
23 travel and travel expenses of such officers and employees.

24 Sec. 11. K.S.A. 2012 Supp. 75-3707e is hereby amended to read as
25 follows: 75-3707e. As the infrastructure provider for information
26 technology for the state of Kansas, the ~~department of administration~~ *office*
27 *of information technology services* must insure the highest level of
28 information security and privacy in order to protect law enforcement, state
29 agencies and the citizens of Kansas. Toward this objective, the department
30 of administration *or the office of information technology services* shall
31 require as a condition of employment that individuals who have
32 unescorted physical access to the data center, telecommunications facilities
33 and other security sensitive areas as designated by the secretary of
34 administration *or the executive chief information technology officer* be
35 fingerprinted, and such fingerprints shall be submitted to the Kansas
36 bureau of investigation and to the federal bureau of investigation for the
37 purposes of verifying the identity of such individuals and obtaining
38 records of criminal arrests and convictions.

39 Sec. 12. K.S.A. 75-37,102 is hereby amended to read as follows: 75-
40 37,102. (a) Upon request of the chief administrative officer of a state
41 agency and subject to the approval of the secretary of administration, the
42 director of purchases may convene a procurement negotiating committee
43 to obtain services or technical products for the state agency.

1 (b) Each procurement negotiating committee shall be composed of:
2 (1) The director of purchases, or a person designated by the director; (2)
3 the chief administrative officer of the state agency desiring to make the
4 procurement, or a person designated by the officer; and (3) the secretary of
5 administration, or a person designated by the secretary *or, if a procurement*
6 *involves information technology or services, the executive chief*
7 *information technology officer or a person designated by the executive*
8 *chief information technology officer.*

9 (c) The negotiating committee is authorized to negotiate for the
10 procuring state agency contracts with qualified parties to provide services
11 or technical products needed by the state agency.

12 (d) Prior to negotiating for the procurement, a notice to bidders first
13 shall be published in the Kansas register. Upon receipt of bids or
14 proposals, the committee may negotiate with one or more of the firms
15 submitting bids or proposals and select from among those submitting such
16 bids or proposals the party to contract with to provide the services or
17 technical products.

18 (e) Contracts entered into pursuant to this section shall not be subject
19 to the provisions of K.S.A. 75-3738 through 75-3740a, and amendments
20 thereto. Meetings to conduct negotiations pursuant to this section shall not
21 be subject to the provisions of K.S.A. 75-4317 through 75-4320a, and
22 amendments thereto. The director of purchases shall submit a report at
23 least once in each calendar quarter to the legislative coordinating council
24 and the chairpersons of the senate committee on ways and means and the
25 house of representatives committee on appropriations of all contracts
26 entered into pursuant to this section. In the event that the negotiating
27 committee selects a bid which is not the lowest bid on a given contract, the
28 directors report shall contain a rationale explaining why the lowest bidder
29 was not awarded the contract.

30 (f) Nothing in this section shall be construed as requiring either
31 negotiations pursuant to this section or bids pursuant to K.S.A. 75-3739,
32 and amendments thereto, for the procurement of professional services or
33 services for which, in the judgment of the director of purchases,
34 meaningful specifications cannot be determined.

35 Sec. 13. K.S.A. 75-4701 is hereby amended to read as follows: 75-
36 4701. ~~(a) There is hereby established, within and as a part of the~~
37 ~~department of administration, a division of information systems and~~
38 ~~communications, the head of which shall be the director of information~~
39 ~~systems and communications. Under the supervision of the secretary of~~
40 ~~administration, the director of information systems and communications~~
41 ~~shall administer the division of information systems and communications~~
42 *an office of information technology services, the head of which shall be*
43 *the executive chief information technology officer. The executive chief*

1 *information technology officer shall administer the office of information*
2 *technology services.* The division of information systems and ~~computing~~
3 *communications* and the office of the director of information systems and
4 ~~computing~~ *communications*, created by this section prior to its amendment
5 by this act, are hereby abolished.

6 (b) ~~The director of information systems and communications~~
7 *executive chief information technology officer* shall be in the unclassified
8 service under the Kansas civil service act and shall be appointed by the
9 ~~secretary of administration~~ *governor*.

10 (c) There are hereby established, within the ~~division of information~~
11 ~~systems and communications~~ *office of information technology services*, the
12 offices of the deputy director of information systems and the deputy
13 director of telecommunications who shall be appointed by the ~~director of~~
14 ~~information systems and communications~~, subject to approval by the
15 ~~secretary of administration~~, *executive chief information technology officer*
16 and shall be in the unclassified service under the Kansas civil service act.
17 The deputy director of information systems and the deputy director of
18 telecommunications shall have such powers, duties and functions as are
19 prescribed by the ~~director of information systems and communications~~
20 *executive chief information technology officer*.

21 Sec. 14. K.S.A. 75-4702 is hereby amended to read as follows: 75-
22 4702. (a) All of the powers, duties and functions of the existing director of
23 information systems and ~~computing~~ *communications* and division of
24 information systems and ~~computing~~ *communications* are hereby
25 transferred to and conferred and imposed upon the ~~director of information~~
26 ~~systems and communications~~ *executive chief information technology*
27 *officer*, except as otherwise provided by this act.

28 (b) ~~The director of information systems and communications~~
29 *executive chief information technology officer* shall be the successor in
30 every way to the powers, duties and functions of the director of
31 information systems and ~~computing~~ *communications* and division of
32 information systems and ~~computing~~ *communications* in which the same
33 were vested prior to July 1, 1984, except as otherwise provided by this act
34 *the effective date of this act*. Every act performed in the exercise of such
35 powers, duties and functions by or under the authority of the ~~director of~~
36 ~~information systems and communications~~ *executive chief information*
37 *technology officer* shall be deemed to have the same force and effect as if
38 performed by the director of information systems and ~~computing~~
39 *communications* and division of information systems and ~~computing~~
40 *communications* in which such functions were vested prior to July 1, 1984
41 *the effective date of this act*.

42 (c) Whenever the director of information systems and computing ~~or~~,
43 the division of information systems and computing, *the division of*

1 *information systems and communications, or the director of information*
2 *systems and communications, or words of like effect, is referred to or*
3 *designated by a statute, contract or other document, such reference or*
4 *designation shall be deemed to apply to the ~~director of information~~*
5 *~~systems and communications~~ executive chief information technology*
6 *officer.*

7 Sec. 15. K.S.A. 75-4702c is hereby amended to read as follows: 75-
8 4702c. (a) In all cases under this act where the powers, duties and
9 functions of the division or director of information systems and ~~computing~~
10 *communications* are transferred to and imposed upon the ~~secretary of~~
11 ~~administration or the division or director of information systems and~~
12 ~~communications, the division of information systems and communications~~
13 *office of information technology services, the executive chief information*
14 *technology officer shall succeed to all property and records which were*
15 *used for, or pertain to, the performance of the powers, duties and functions*
16 *so transferred by this act. Any conflict as to the proper disposition of such*
17 *property or records arising under this section and resulting from the*
18 *transfer or abolishment of any existing state agency, or the powers, duties*
19 *and functions thereof, shall be determined by the governor, whose decision*
20 *shall be final.*

21 (b) When any conflict arises as to the disposition of any power,
22 function or duty or the unexpended balance of any appropriation as a result
23 of any abolishment, transfer, attachment or other change made by ~~this act,~~
24 *or under authority of this act, or the act of which this section is*
25 *amendatory*, such conflict shall be resolved by the governor, and the
26 decision of the governor shall be final.

27 (c) No suit, action, or other proceeding, judicial or administrative,
28 lawfully commenced, or which could have been commenced, by or against
29 any existing state agency mentioned in this act, *or the act of which this*
30 *section is amendatory*, or by or against any officer of the state in such
31 officer's official capacity or in relation to the discharge of official duties,
32 shall abate by reason of the taking effect of reorganization under the
33 provisions of this act, *or the act of which this section is amendatory*. The
34 court may allow any such suit, action or other proceeding to be maintained
35 by or against the successor of any such existing state agency, or any officer
36 affected.

37 (d) No criminal action commenced or which could have been
38 commenced by the state shall abate by the taking effect of this act, *or the*
39 *act of which this section is amendatory*.

40 Sec. 16. K.S.A. 2012 Supp. 75-4703 is hereby amended to read as
41 follows: 75-4703. The ~~secretary of administration~~ *executive chief*
42 *information technology officer* may adopt rules and regulations as
43 provided in ~~K.S.A. 75-3706~~ *section 1*, and amendments thereto, relating to

1 the following:

2 (a) Establishment of rates and charges for services performed by the
3 ~~division of information systems and communications~~ *office of information*
4 *technology services* for any other division, department, state agency or
5 governmental unit. Such rates and charges shall be maintained by a cost
6 system in accordance with generally accepted accounting principles. In
7 determining cost rates for billing to agencies or governmental units,
8 overhead expenses shall include but not be limited to light, heat, power,
9 insurance, labor and depreciation. Billings shall include direct and indirect
10 costs and shall be based on the foregoing cost accounting practices.

11 (b) For determination of priorities for services performed by the
12 ~~division of information systems and communications~~ *office of information*
13 *technology services*, including authority to decline new projects under
14 specified conditions.

15 (c) Specification of standards for submission of data to be processed
16 by the ~~division of information systems and communications~~ *office of*
17 *information technology services* and the programs for processing the data,
18 including authority to decline to process computer programs and projects
19 not conforming to published standards. Such standards shall be consistent
20 with the standards and policies adopted by the information technology
21 executive council under K.S.A. 2012 Supp. 75-7203, and amendments
22 thereto.

23 (d) Specification of standards and measures relating to security,
24 confidentiality and availability of data processed by the ~~division of~~
25 ~~information systems and communications~~ *office of information technology*
26 *services*. Such standards and measures shall be consistent with the
27 standards and policies adopted by the information technology executive
28 council under K.S.A. 2012 Supp. 75-7203, and amendments thereto.

29 Sec. 17. K.S.A. 2012 Supp. 74-9306 is hereby amended to read as
30 follows: 74-9306. The ~~division of information services and~~
31 ~~communications~~ *office of information technology services* shall provide to
32 INK such staff and other assistance as may be requested thereby, and the
33 actual costs of such assistance shall be paid for by INK.

34 Sec. 18. K.S.A. 75-4704 is hereby amended to read as follows: 75-
35 4704. Under the supervision of the ~~secretary of administration, the division~~
36 ~~of information systems and communications~~ shall provide data processing
37 *executive chief information technology officer, the office of information*
38 *technology services shall provide data processing and application hosting*
39 services for other divisions, departments and agencies of the state, and
40 shall make charges for such services in accordance with the cost system
41 established under K.S.A. 75-4703 and amendments thereto. The furnishing
42 of data processing services ~~by the division of information systems and~~
43 ~~communications and application hosting by the office of information~~

1 *technology services* shall be a transaction to be settled in accordance with
2 the provisions of K.S.A. 75-5516, and amendments thereto. All receipts for
3 sales of services shall be deposited in the information technology fund
4 created under K.S.A. 75-4715, and amendments thereto. The provisions of
5 K.S.A. 75-4215, and amendments thereto, shall apply to the information
6 technology fund to the extent not in conflict with this act.

7 Sec. 19. K.S.A. 2012 Supp. 75-4704a is hereby amended to read as
8 follows: 75-4704a. (a) Transfers to the information technology reserve
9 fund shall be made from the information technology fund on a monthly
10 basis and the amounts thereof shall be determined by the ~~director of~~
11 ~~information systems and communications~~, subject to approval by the
12 ~~secretary of administration~~, as charges for depreciation and obsolescence
13 ~~of the division of information systems and communications~~ *executive chief*
14 *information technology officer as charges for depreciation and*
15 *obsolescence of the office of information technology services* equipment
16 and programs according to generally accepted accounting principles
17 prescribed by the director of accounts and reports. All recoveries from the
18 sale of surplus, obsolete or unused equipment or of other expenditures
19 from the information technology fund shall be remitted to the state
20 treasurer in accordance with the provisions of K.S.A. 75-4215, and
21 amendments thereto. Upon receipt of each such remittance, the state
22 treasurer shall deposit the entire amount in the state treasury to the credit
23 of the information technology reserve fund. The director of accounts and
24 reports shall transfer each month the amount so determined. No such
25 transfer shall constitute a charge against or decrease in any expenditure
26 limitation then in effect on the information technology fund under any
27 appropriations act of the legislature.

28 (b) Expenditures from the information technology reserve fund may
29 be made for equipment and programs needed for the operation of the
30 ~~division of information systems and communications~~ *office of information*
31 *technology services*.

32 Sec. 20. K.S.A. 75-4704b is hereby amended to read as follows: 75-
33 4704b. Appropriations may be made for capital outlay and other expenses
34 to carry out the purpose of the ~~division of information systems and~~
35 ~~communications~~ *office of information technology services* for the same
36 period as is authorized by K.S.A. 46-155, and amendments thereto, for
37 capital improvements. The ~~director of information systems and~~
38 ~~communications~~, with the approval of the ~~secretary of administration~~,
39 *executive chief information technology officer* may enter into multiple year
40 lease or acquisition contracts, subject to state purchasing laws not in
41 conflict with the foregoing authorization and so long as such contracts do
42 not extend beyond the appropriation periods, limitations and restrictions
43 therefor.

1 Sec. 21. K.S.A. 75-4705 is hereby amended to read as follows: 75-
2 4705. (a) Central processing of data by computer, for all divisions,
3 departments and agencies of the state shall be performed by the ~~division of~~
4 ~~information systems and communications, under the supervision of the~~
5 ~~secretary of administration~~ *office of information technology services under*
6 *the supervision of the executive chief information technology officer.* No
7 other division, department or agency of the state shall perform central
8 processing computer functions or control or possess any central processing
9 unit of a computer, except as otherwise provided in this section.

10 (b) With the approval of the ~~secretary of administration~~ *executive*
11 *chief information technology officer,* any division, department or agency of
12 the state may possess and operate central processing units of a computer if
13 the same are adjunct to the central processing computer unit or units of the
14 ~~division of information systems and communications~~ *office of information*
15 *technology services.*

16 (c) Data to be centrally processed by the ~~division of information~~
17 ~~systems and communications~~ *office of information technology services*
18 shall be prepared for such processing by the division, department or
19 agency of the state requesting the same to be processed in accordance with
20 rules and regulations adopted by the ~~secretary of administration~~ *executive*
21 *chief information technology officer* as provided in K.S.A. 75-4703, and
22 amendments thereto. Programs for processing the data of any division,
23 department or agency of the state shall be prepared by such division,
24 department or agency of the state in accordance with standards prescribed
25 by rules and regulations adopted by the ~~secretary of administration~~
26 *executive chief information technology officer* as provided in K.S.A. 75-
27 4703, and amendments thereto. Notwithstanding the other provisions of
28 this subsection, the ~~division of information systems and communications~~
29 *office of information technology services* shall prepare data or programs, or
30 provide technical consultation, when a division, department or agency of
31 the state requests such service of the ~~division of information systems and~~
32 ~~communications~~ *and the director of information systems and*
33 *communications,* subject to the approval of the ~~secretary of administration~~
34 ~~agrees thereto~~ *office of information technology services and the executive*
35 *chief information technology officer.*

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

38 Sec. 22. K.S.A. 2012 Supp. 75-4709 is hereby amended to read as
39 follows: 75-4709. (a) The ~~secretary of administration~~ *executive chief*
40 *information technology officer* shall provide for and coordinate all
41 telecommunications services for all divisions, departments and agencies of
42 the state pursuant to policies established by the information technology
43 executive council. The ~~secretary of administration~~ *executive chief*

1 *information technology officer* shall have the authority to control the
2 acquisition, retention and use of all telecommunications services for all
3 divisions, departments and agencies of the state, and to develop and review
4 plans and specifications for telecommunications services throughout the
5 state.

6 (b) ~~The secretary of administration~~ *executive chief information*
7 *technology officer*, when feasible, may enter into agreements with any
8 entity defined in this subsection extending to such entity the use of state
9 intercity telecommunications facilities and services under the control of
10 ~~the secretary~~ *executive chief information technology officer*.

11 As used in this subsection, an "entity" means:

12 (1) Any governmental unit, including any state agency, taxing
13 subdivision of the state or municipality; or

14 (2) any hospital or nonprofit corporation which ~~the secretary~~
15 *executive chief information technology officer* determines to be performing
16 any state function on an ongoing basis through agreement or otherwise, or
17 any function which will assist a governmental unit in attaining an objective
18 or goal, bearing a valid relationship to powers and functions of such unit.

19 (c) Every record made, maintained or kept by the secretary of
20 administration or the division of information systems and
21 communications, *prior to the effective date of this act, shall be maintained*
22 *or kept by the executive chief information technology officer or the office*
23 *of information technology services*, or any agency or instrumentality
24 thereof, which relates to the acquisition, retention or use of
25 telecommunications services provided to any division, department or
26 agency of the state, state officer or governmental unit and which pertains
27 to individually identifiable individuals using such telecommunication
28 services shall constitute for purposes of the open records act a record of
29 the division, department or agency of the state, state officer or
30 governmental unit to which such records relate. The official custodian of
31 such records for the purposes of the open records act shall be the official
32 custodian of the records of such division, department or agency of the
33 state, state officer or governmental unit.

34 Sec. 23. K.S.A. 75-4710 is hereby amended to read as follows: 75-
35 4710. As used in K.S.A. 75-4709, 75-4712, 75-4713 and 75-4714, and
36 ~~amendments to those sections thereto~~, telecommunications services
37 include, but shall not be limited to, any transmission, emission or reception
38 of signals of any kind containing communications of any nature, by wire,
39 radio, optical or other electromagnetic means, and includes all facilities,
40 equipment, supplies and services for such transmission, emission or
41 reception. Telecommunications services shall include data transmission
42 services and equipment but shall not include data processing services
43 provided or authorized by ~~the division of information systems and~~

1 ~~communications office of information technology services, or the~~
2 acquisition, retention or use of any data processing equipment authorized
3 by the ~~division of information systems and communications office of~~
4 ~~information technology services.~~

5 Sec. 24. K.S.A. 75-4712 is hereby amended to read as follows: 75-
6 4712. The ~~secretary of administration executive chief information~~
7 ~~technology officer~~ shall adopt rules and regulations as provided in ~~K.S.A.~~
8 ~~75-3706 section 1~~, and amendments thereto, for the acquisition, retention
9 and use of telecommunications services by all divisions, departments and
10 agencies of the state and by private, nonprofit corporations and
11 governmental units which have entered into agreements with the ~~secretary~~
12 ~~of administration executive chief information technology officer~~ under
13 K.S.A. 75-4709, and amendments thereto, and for the purposes of
14 administering and enforcing the provisions of this act.

15 Sec. 25. K.S.A. 75-4713 is hereby amended to read as follows: 75-
16 4713. (a) The telecommunications negotiating committee is a three-person
17 committee composed of (1) the ~~secretary of administration governor~~, or a
18 person designated by the ~~secretary of administration governor~~, (2) the
19 director of purchases, or a person designated by the director of purchases,
20 and (3) the ~~director of the division of information systems and~~
21 ~~communications executive chief information technology officer~~, or a person
22 appointed by the ~~director of information systems and communications~~
23 ~~executive chief information technology officer~~. The telecommunications
24 negotiating committee may negotiate contracts for telecommunications
25 services to be entered into by the ~~secretary of administration executive~~
26 ~~chief information technology officer~~ for state agencies and other entities as
27 provided in K.S.A. 75-4709, and amendments thereto.

28 (b) Prior to negotiating for telecommunications services, the
29 committee shall advertise for sealed proposals. The committee then may
30 negotiate with one or more firms submitting proposals and select from
31 among those submitting such proposals the party to contract with for the
32 purpose of providing telecommunications services.

33 (c) Contracts entered into pursuant to this section for
34 telecommunications services shall not be subject to the provisions of
35 K.S.A. 75-3738 to 75-3740a, inclusive, and amendments thereto.

36 Sec. 26. K.S.A. 75-4714 is hereby amended to read as follows: 75-
37 4714. Except as otherwise provided by law and subject to the provisions of
38 appropriations acts relating thereto, all fees and charges imposed by the
39 ~~secretary of administration executive chief information technology officer~~
40 for telecommunications services provided or contracted for by the
41 ~~secretary executive chief information technology officer~~ shall be deposited
42 in the state treasury and credited to the information technology fund.

43 Sec. 27. K.S.A. 75-4715 is hereby amended to read as follows: 75-

1 4715. (a) There is hereby created in the state treasury the information
2 technology fund. All expenditures from such fund shall be made in
3 accordance with appropriation acts upon warrants of the director of
4 accounts and reports issued pursuant to vouchers approved by the
5 ~~secretary of administration~~ *executive chief information technology officer*
6 or by a person designated by the ~~secretary~~ *executive chief information*
7 *technology officer*.

8 (b) On the effective date of this act, the director of accounts and
9 reports shall transfer all moneys in the computer services fund, created
10 under K.S.A. 75-4704, *and amendments thereto*, and the state
11 communications services fund, created under K.S.A. 75-4714, *and*
12 *amendments thereto*, to the information technology fund.

13 (c) On the effective date of this act, all liabilities of the computer
14 services fund and the state communications services fund are hereby
15 imposed on the information technology fund, and the computer services
16 fund and the state communications services fund are hereby abolished.
17 Any reference to such funds abolished by this section in any statute,
18 contract or other document shall be deemed to refer to the information
19 technology fund.

20 Sec. 28. K.S.A. 75-4716 is hereby amended to read as follows: 75-
21 4716. (a) There is hereby created in the state treasury the information
22 technology reserve fund. All expenditures from such fund shall be made in
23 accordance with appropriation acts upon warrants of the director of
24 accounts and reports issued pursuant to vouchers approved by the
25 ~~secretary of administration~~ *executive chief information technology officer*
26 or by a person designated by the ~~secretary~~ *executive chief information*
27 *technology officer*.

28 (b) On the effective date of this act, the director of accounts and
29 reports shall transfer all moneys in the computer services depreciation
30 reserve fund, created under K.S.A. 75-4704a, *and amendments thereto*, to
31 the information technology reserve fund. On the effective date of this act,
32 all liabilities of the computer services depreciation reserve fund are hereby
33 imposed on the information technology reserve fund, and the computer
34 services depreciation reserve fund is hereby abolished. Any reference to
35 such fund abolished by this section in any statute, contract or other
36 document shall be deemed to refer to the information technology reserve
37 fund.

38 Sec. 29. K.S.A. 75-6512 is hereby amended to read as follows: 75-
39 6512. (a) Subject to the provisions of appropriations acts, the secretary of
40 administration is hereby authorized to establish and administer a cafeteria
41 plan pursuant to the provisions of section 125 of the federal internal
42 revenue code of 1986 which shall be available to persons who are officers
43 or employees of the state and who are qualified to participate in the state

1 health care benefits program and which shall include, but not be limited to,
2 provisions under which such officers and employees may agree to receive
3 reduced compensation and: (1) Have the state's contribution under K.S.A.
4 75-6508, and amendments thereto, cover costs of dependent benefit
5 coverage or other benefits under the state health care benefits program
6 which would otherwise be payable by such officers and employees; and
7 (2) receive benefits under the state employee dependent care assistance
8 program under K.S.A. 75-6520, *and amendments thereto*.

9 (b) Any reduction in compensation for any person pursuant to any
10 such cafeteria plan shall not reduce the compensation of such person for
11 purposes of the employment security law, workers compensation act or the
12 purposes of determining contributions and benefits under the Kansas
13 public employees retirement system or any retirement system administered
14 by the board of trustees of the Kansas public employees retirement system.

15 (c) Implementation of any such cafeteria plan and any additions or
16 deletions thereto shall be subject to approval of the secretary of
17 administration *and the office of information technology services* to assure
18 adequate data processing resources therefor within the ~~division of~~
19 ~~information systems and communications of the department of~~
20 ~~administration~~ *office of information technology services*.

21 Sec. 30. K.S.A. 2012 Supp. 75-7202 is hereby amended to read as
22 follows: 75-7202. (a) There is hereby established the information
23 technology executive council which shall be attached to the ~~department of~~
24 ~~administration~~ *office of information technology services* for purposes of
25 administrative functions.

26 (b) The council shall be composed of 17 voting members as follows:
27 The secretary of administration; two cabinet agency heads; one noncabinet
28 agency head; the director of the budget; the executive chief information
29 technology officer; the legislative chief information technology officer; the
30 judicial chief information technology officer and the judicial administrator
31 of the Kansas supreme court; the executive director of the Kansas board of
32 regents; the commissioner of education; ~~one representative~~ *two*
33 *representatives* of cities; ~~one representative~~ *two* *representatives* of
34 counties; the network manager of the information network of Kansas
35 (INK); and ~~three representatives~~ *one representative* from the private sector
36 who ~~are~~ *is a* chief executive ~~officers~~ *officer* or chief information
37 technology ~~officers~~ *officer*. The chief information technology architect
38 shall be a nonvoting member of the council. The two cabinet agency
39 heads, the noncabinet agency head, the ~~representative~~ *representatives* of
40 cities, the ~~representative~~ *representatives* of counties and the ~~representatives~~
41 *representative* from the private sector shall be appointed by the governor
42 for a term not to exceed 18 months. Upon expiration of an appointed
43 member's term, the member shall continue to hold office until the

1 appointment of a successor. Nonappointed members shall serve ex officio.

2 (c) ~~The secretary of administration shall serve as the chairperson of~~
3 ~~the council.~~ *The chairperson of the council shall be drawn from the chief*
4 *information technology officers, with each chief information technology*
5 *officer serving a one-year term. The term of chairperson shall rotate*
6 *among the chief information technology officers on an annual basis.*

7 (d) The council shall hold meetings and hearings in the city of Topeka
8 or at such other places as the council designates, on call of the chairperson
9 or on request of four or more members.

10 (e) Members of the council may not appoint an individual to
11 represent them on the council and only members of the council may vote.

12 (f) Members of the council shall receive mileage, tolls and parking as
13 provided in K.S.A. 75-3223, and amendments thereto, for attendance at
14 any meeting of the council or any subcommittee meeting authorized by the
15 council.

16 Sec. 31. K.S.A. 2012 Supp. 75-7204 is hereby amended to read as
17 follows: 75-7204. (a) There is hereby established, within and as a part of
18 ~~the department of administration, the office of chief information~~
19 ~~technology architect, the head of which shall be the chief information~~
20 ~~technology architect. Under the supervision of the secretary of~~
21 ~~administration, the chief information technology architect shall administer~~
22 ~~the office of the chief information technology architect~~ *office of*
23 *information technology services, the position of chief information*
24 *technology architect whose duties shall be performed under the*
25 *supervision of the executive chief information technology officer.* The chief
26 information technology architect shall be in the unclassified service under
27 the Kansas civil service act, shall be appointed by ~~the secretary of~~
28 ~~administration~~ *executive chief information technology officer*, subject to
29 approval of the governor and shall receive compensation in an amount
30 fixed by ~~the secretary of administration~~ *executive chief information*
31 *technology officer*, subject to approval of the governor.

32 (b) The chief information technology architect shall:

33 (1) Propose to the information technology executive council: (A)
34 Information technology resource policies and procedures and project
35 management methodologies for all state agencies; (B) an information
36 technology architecture, including telecommunications systems, networks
37 and equipment, that covers all state agencies; (C) standards for data
38 management for all state agencies; and (D) a strategic information
39 technology management plan for the state;

40 (2) serve as secretary to the information technology executive
41 council; and

42 (3) perform such other functions and duties as provided by law or as
43 directed by ~~the secretary of administration~~ *executive chief information*

1 *technology officer.*

2 Sec. 32. K.S.A. 2012 Supp. 75-7205 is hereby amended to read as
3 follows: 75-7205. (a) There is hereby established within and as a part of
4 ~~the department of administration~~ *office of information technology services*
5 the position of executive chief information technology officer. The
6 executive chief information technology officer shall be in the unclassified
7 service under the Kansas civil service act, shall be appointed by the
8 ~~secretary of administration, subject to approval of the governor,~~ and shall
9 receive compensation in an amount fixed by the ~~secretary of~~
10 ~~administration, subject to approval of the governor.~~ The executive chief
11 information technology officer shall maintain a presence in any cabinet
12 established by the governor and shall report to ~~both the governor and the~~
13 ~~secretary of administration.~~

14 (b) The executive chief information technology officer shall:

15 (1) Review and consult with each executive agency regarding
16 information technology plans, deviations from the state information
17 technology architecture, information technology project estimates and
18 information technology project changes and overruns submitted by such
19 agency pursuant to K.S.A. 2012 Supp. 75-7209, and amendments thereto,
20 to determine whether the agency has complied with: (A) The information
21 technology resource policies and procedures and project management
22 methodologies adopted by the information technology executive council;
23 (B) the information technology architecture adopted by the information
24 technology executive council; (C) the standards for data management
25 adopted by the information technology executive council; and (D) the
26 strategic information technology management plan adopted by the
27 information technology executive council;

28 (2) report to the chief information technology architect all deviations
29 from the state information architecture that are reported to the executive
30 information technology officer by executive agencies;

31 (3) submit recommendations to the division of the budget as to the
32 technical and management merit of information technology project
33 estimates and information technology project changes and overruns
34 submitted by executive agencies pursuant to K.S.A. 2012 Supp. 75-7209,
35 and amendments thereto, based on the determinations made pursuant to
36 subsection (b)(1);

37 (4) monitor executive agencies' compliance with: (A) The
38 information technology resource policies and procedures and project
39 management methodologies adopted by the information technology
40 executive council; (B) the information technology architecture adopted by
41 the information technology executive council; (C) the standards for data
42 management adopted by the information technology executive council;
43 and (D) the strategic information technology management plan adopted by

1 the information technology executive council;

2 (5) coordinate implementation of new information technology among
3 executive agencies and with the judicial and legislative chief information
4 technology officers;

5 (6) designate the ownership of information resource processes and the
6 lead agency for implementation of new technologies and networks shared
7 by multiple agencies within the executive branch of state government; and

8 (7) perform such other functions and duties as provided by law or as
9 directed by the ~~secretary of administration~~ *governor*.

10 Sec. 33. K.S.A. 76-389 is hereby amended to read as follows: 76-389.

11 (a) Within the limits of appropriations therefor, the university of Kansas
12 medical center is hereby authorized to establish, maintain and operate a
13 telemedicine communications system, subject to the approval by the
14 ~~secretary of administration~~ *executive chief information technology officer*
15 under K.S.A. 75-4709, and amendments thereto. The telemedicine
16 communications system shall apply telecommunications technology to the
17 practice of medicine through compressed, full-motion, high-resolution,
18 two-way interactive video communication and information transfer over
19 long distances within a medical setting.

20 (b) For the purpose of establishing, operating and maintaining the
21 telemedicine communications system, the university of Kansas medical
22 center may enter into contracts with any state agency, and any such agency
23 is authorized to contract for such purpose with the university of Kansas
24 medical center. The university of Kansas medical center in addition may
25 enter into contracts or other agreements with any municipality as defined
26 under K.S.A. 75-1117, and amendments thereto, medical facility as
27 defined under K.S.A. 65-411, and amendments thereto, individual, firm,
28 partnership, corporation or other business entity for the establishment of
29 the telemedicine communications system or the establishment or operation
30 of any part thereof including placement, operation and maintenance of
31 equipment. In accordance with the authority of the ~~secretary of~~
32 ~~administration~~ *executive chief information technology officer* under K.S.A.
33 75-4709, and amendments thereto, all contracts entered into by the
34 university of Kansas school of medicine under this section shall be subject
35 to approval by the ~~secretary of administration~~ *executive chief information*
36 *technology officer*. Standards and qualifications for utilization of the
37 telemedicine communications system shall be established by the
38 telemedicine advisory committee.

39 (c) For the purpose of establishing, operating and maintaining the
40 telemedicine communications system, the university of Kansas medical
41 center may accept any grant of money or property, including any federal
42 moneys available therefor. Within the limits of appropriations therefor and
43 subject to approval by the ~~secretary of administration~~ *executive chief*

1 *information technology officer* under K.S.A. 75-4709, and amendments
2 thereto, the university of Kansas medical center may acquire, in the name
3 of the state, any equipment necessary for the telemedicine communications
4 system.

5 (d) As part of the telemedicine communications system under this
6 section and within the limits of appropriations therefor, the university of
7 Kansas medical center may provide and may fix, charge and collect fees,
8 which shall be deposited in the state treasury to the credit of one or more
9 special revenue funds as specified by the vice-chancellor, for the following
10 services:

- 11 (1) Clinical and educational telemedicine services;
- 12 (2) consulting services pertaining to the technology, system
13 capability, clinical services supported and basic telemedicine information;
- 14 (3) system design information;
- 15 (4) advice and assistance on equipment and acquisition installation;
- 16 (5) coordination with serving telephone companies and attachment to
17 telecommunications networks;
- 18 (6) system training;
- 19 (7) coordination of system upgrades;
- 20 (8) clearing house for telemedicine information; and
- 21 (9) such other services as may be necessary in establishing, operating
22 and maintaining the telemedicine communications system.

23 (e) There is hereby established the telemedicine advisory committee
24 to consist of five members. The members of the telemedicine advisory
25 committee shall be appointed by the chancellor of the university of
26 Kansas. Of the members of the telemedicine advisory committee, one
27 member shall be a representative of the Kansas medical society and one
28 member shall be a representative of the Kansas hospital association. The
29 chancellor shall designate the member who is chairperson of the
30 telemedicine advisory committee. Vacancies on the telemedicine advisory
31 committee shall be filled in like manner as original appointments. The
32 telemedicine advisory committee shall meet periodically upon the call of
33 the chairperson of the telemedicine advisory committee. Members of the
34 telemedicine advisory committee attending meetings of the committee, or
35 attending a subcommittee meeting thereof authorized by the committee,
36 shall be paid amounts provided in subsection (e) of K.S.A. 75-3223, and
37 amendments thereto. The telemedicine advisory committee shall make
38 recommendations to the university of Kansas medical center in regard to
39 the administration of the provisions of this section, shall establish
40 standards and qualifications for utilization of the telemedicine
41 communications system in accordance with subsection (b) and shall
42 perform such other duties as may be required by law.

43 Sec. 34. K.S.A. 48-937, 65-6138, 65-6139, 65-6140, 74-9302, 74-

1 9303, 74-9605, 75-37,102, 75-4701, 75-4702, 75-4702c, 75-4704, 75-
2 4704b, 75-4705, 75-4710, 75-4712, 75-4713, 75-4714, 75-4715, 75-4716,
3 75-6512 and 76-389 and K.S.A. 2012 Supp. 46-1503, 74-9304, 74-9306,
4 75-3707e, 75-4703, 75-4704a, 75-4709, 75-7202, 75-7204 and 75-7205
5 are hereby repealed.

6 Sec. 35. This act shall take effect and be in force from and after its
7 publication in the Kansas register.