

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Acting Chairperson Vratil at 10:12 a.m. on February 9, 2000 in Room 123-S of the Capitol.

All members were present.

Committee staff present:

Gordon Self, Revisor
Mike Heim, Research
Jerry Donaldson, Research
Mary Blair, Secretary

Conferees appearing before the committee:

John McCabe, Uniform Law Commission
Patricia Michaelis, State Archivist, Kansas State Historical Society

Others attending: see attached list

The minutes of the February 8th regular meeting were approved on a motion by Senator Bond, seconded by Senator Donovan. Carried.

SB 559–Uniform Electronic Transfer Act

Conferee McCabe testified in support of **SB 559**, a bill designed “to establish the legal equivalence of electronic records and signatures with paper writings and manually-signed signatures, removing barriers to electronic commerce.” He presented an overview of the Uniform Electronic Transactions Act (UETA), a non-mandatory procedural statute which he stated sets a solid legal foundation for the use of electronic communications in transactions and stated it’s goal is to “facilitate and support the development of the information economy, and in particular its place in commercial transactions, throughout the States.” He discussed the scope and provisions of the UETA covering the following issues: security procedures; electronic agents; automated transactions; time and place of sending and receipt; transferable records; and government records. (attachment 1) Lengthy discussion regarding consumer concerns followed.

Conferee Michaelis presented informational testimony on **SB 559** discussing Section 17 and 18 of the bill which speaks about creation and retention of records and delineates new responsibilities for the Secretary of Administration. She reviewed existing legislation that governs the retention, management and preservation of records, including electronic records and she expressed a desire that the definition of records in the current statutes be a part of **SB 559**. (attachment 2)

Written testimony opposing **SB 559** was submitted by State Treasurer, Tim Shallenburger. (attachment 3)

Senator Emert stated he would Chair a subcommittee to hear further testimony on **SB 559**.

The meeting adjourned at 11:02 a.m. The next scheduled meeting is February 10.