

Office of Revisor of Statutes

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MEMORANDUM

To: Chairman Masterson and members of the Senate Ways and Means Committee
From: Jill Wolters, First Assistant Revisor of Statutes
Date: March 20, 2013
Subject: HB 2200, as amended by House Committee, executive chief information technology officer within the department of administration

HB 2200 was introduced in response to the Governor's Executive Order 11-46 (see attached) which placed the executive chief information technology officer (ECITO) within the department of administration while having such officer report to the governor. The amendatory sections of the bill replace the terms "secretary of administration" and "director of information systems and communications" with "executive chief information technology officer"; and "division of information services and communications" with "office of information technology services."

Sections with other changes are as follows:

New section 1, allows the ECITO to propose rules and regulations regarding the powers and duties of the office of information technology services, the execution of the business of the office, and appeals of final decisions/action of the ECITO. Such rules and regulations shall first be submitted to the Governor for approval before going through the process regarding rules and regulations pursuant to K.S.A. 77-420 et seq. Current rules/regulations/orders/directives of the secretary/department of administration or director/division of information systems and communications shall be deemed to be the rules/regulations/orders/directives of the ECITO and office of information technology services.

Section 8, page 5, K.S.A. 74-9309, is a technical cleanup amendment regarding Kansas, Inc. which was abolished in 2011. It deletes the president of Kansas, Inc. as a member of the Information Network of Kansas's (INK) governing board in line 32, and reduces the number of members on the board to nine members.

Section 12, page 8, lines 1 through 8, K.S.A. 75-37,102, allows that when there is a procurement negotiation committee which involves information technology or services, the ECITO shall be on the negotiation committee.

Section 13, pages 8 and 9, K.S.A. 75-4701, establishes the office of information technology services, currently the division of information services and communications, with the ECITO as its head.

Section 31, page 18, K.S.A. 2012 Supp. 75-7204, would establish the position of chief information technology architect within the office of information technology services. Under current law, this position is within the department of administration. The chief information technology architect will perform such architect's duties under the supervision of the ECITO.

The House General Government Budget Committee amended the bill to have it take effect on July 1, 2013, not Kansas register, and would allow the ECITO to be a voting member of INK.

The bill if enacted would take effect on July 1, 2013.

Senate Ways and Means Committee

Date: 03-21-2013

Attachment #: 4

EXECUTIVE ORDER 11-46

WHEREAS, there is a need to establish and increase efficiency and uniformity and to achieve cost savings in the use of information technology within the Executive Branch of state government; and

WHEREAS, pursuant to K.S.A. 75-7205, the Executive Chief Information Technology Officer (the "Executive CITO") within the Department of Administration and reporting to the Office of the Governor is best positioned to further these goals; and

WHEREAS, pursuant to K.S.A. 75-7205, the Executive CITO is charged to maintain a presence within and to advise and consult with each Executive Branch agency on all matters relating to information technology;

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby direct and order that all non-Regents Executive Branch agency information technology directors and all staff performing information technology functions in all Executive Branch state agencies, departments, or other entities under my jurisdiction shall report directly to the Executive CITO.

Furthermore, the Executive CITO is directed and charged, in addition to the duties set forth in K.S.A. 75-7205, to manage and order Executive Branch information technology systems in a uniform, efficient, service-oriented, and cost-effective manner. The Executive CITO is directed and charged to deliver information technology services, both within the Executive Branch and to all Kansans who interact with the Executive Branch through information technology systems, in such a way so as to further the priorities of service, effectiveness, prevention of fraud and abuse, and adaptation to developing technologies.

This document shall be filed with the Secretary of State as Executive Order No. 11-46 and shall become effective immediately.