MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Jay Emler at 9:00 a.m. on March 24, 2009, in Room 545-N of the Capitol.

All members were present.

Committee staff present:
>   Michael Steiner, Kansas Legislative Research Department
>   Estelle Montgomery, Kansas Legislative Research Department
>   Reagan Cussimanio, Kansas Legislative Research Department
>   Cody Gorges, Kansas Legislative Research Department
>   Jonathan Tang, Kansas Legislative Research Department
>   Jill Wolters, Office of the Revisor of Statutes
>   Daniel Yoza, Office of the Revisor of Statutes
>   Melinda Gaul, Chief of Staff
>   Shirley Jepson, Committee Assistant

Conferees appearing before the Committee:
>   Pat Michaelis, State Historical Society
>   Matt Veatch, State Historical Society
>   Dorothy Halley, Victims Service Director, Attorney General's Office

Others attending:
>   See attached list.

Approval of Minutes

Senator Schmidt moved to approve the minutes of March 16, March 17 and March 18 as written. The motion was seconded by Senator Umbarger. Motion carried on a voice vote.

Hearing on HB 2195 - Public records; certification of electronic records by the state archivist.

Daniel Yoza, Revisor, explained that **HB 2195** concerns the electronic preservation of state records (Attachment 1). The bill directs the state archivist to present recommendations to the state records board regarding the preservation process for maintaining the authenticity of electronic government records. When certified by the electronic signature of the state archivist, the electronic records shall have the same legal effect as the original record. The bill allows for reasonable fees to be charged for the preparation and certification of electronic copies.

Patricia Michaelis, Director, State Archives and Library Division, Kansas State Historical Society, presented testimony in support of **HB 2195** (Attachment 2). Ms. Michaelis stated that accountability and transparency are essential foundations of government, noting that the transformation into digital technology, necessitates a need to address the highly complex issue of preserving and providing access to authentic electronic government records.

Matt Veatch, State Archivist, Kansas State Historical Society, presented testimony in support of **HB 2195** (Attachment 2). Mr. Veatch stated that the Historical Society is currently engaged in a collaborative project to create a trusted digital repository for authentic Kansas government records. A pilot project initiated in 2004, called KSPACe is continuing to operate and provide digital publications. Mr. Veatch noted that Kansas Enterprise Electronic Preservation (KEEP) is partnering with the Legislature, Secretary of State and others to design, develop and implement the required software and hardware infrastructure to support the long-term preservation of state electronic records. The legislation would authorize the state records board to establish standards for preserving and maintaining the authenticity of digital records.

Responding to a question from the Committee, Mr. Veatch stated that digital records would be stamped with a digital fingerprint to provide authenticity. If any information is changed or dropped from the record, the digital fingerprint would change. Mr. Veatch indicated that there should be no cost involved with **HB 2195**. Funding for the KEEP project includes $150,000, as an enhancement to the Kansas Historical Society budget in FY 2009, and a $175,000 grant from the Information Network of Kansas. Currently, they are pursuing

Minutes of the Senate Ways and Means Committee at 9:00 a.m. on March 24, 2009, in Room 545-N of the Capitol.

grants from the federal government.

There were no other conferees to come before the Committee.

The hearing on **HB 2195** was closed.

Senator Kelly moved to amend **HB 2195** by adding language to allow for updating current statutes in which the word "facsimile" appears by adding "or electronic copy" or a similar phrasing (Attachment 3). The motion was seconded by Senator Wysong. Motion carried on a voice vote.

Senator Teichman moved to recommend **HB 2195** as amended favorable for passage. The motion was seconded by Senator Wysong. Motion carried on a voice vote.

Hearing on SB 326 - Increasing allowed transfer from crime victims compensation fund to crime victims assistance fund; from $100,000 to $300,000.

Reagan Cussimanio, Kansas Legislative Research Department, explained that **SB 326** would allow the Office of the Attorney General to transfer additional funds from the crime victim's compensation fund to the crime victim's assistance fund, not to exceed $300,000.

Dorothy Halley, Victim's Services Director, Office of the Attorney General, presented testimony in support of **SB 326** (Attachment 4). Ms. Halley noted that the passage of **SB 326** would allow the Attorney General's office to have the flexibility to continue balancing the needs of those victims needing compensation and those needing other services. Due to the economy crisis, it is anticipated that there will be less federal funding available.

There were no other conferees to come before the Committee.

The hearing on **SB 326** was closed.

Senator Lee moved to recommend **SB 326** favorable for passage. The motion was seconded by Senator Wysong. Motion carried on a voice vote.

Discussion and Action on SB 308 - State agencies; relating to the 20% administrative fee charged to agencies; cap increased from $200,000 to $350,000.

The Committee noted that an amendment added to the budget bill, **S Sub for HB 2354**, would reduce fee-funded agencies budgets by 10.0 percent, if **SB 308** does not become law.

Senator Masterson moved to recommend **SB 308** favorable for passage. The motion was seconded by Senator Lee. Motion carried on a vote of 7-4. Senator McGinn and Senator Umbarger requested to be recorded as voting "no".

Adjournment

The meeting was adjourned at 9:55 a.m.

The next meeting is "on call of the chair".

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

Page 2