

MINUTES OF THE House COMMITTEE ON Labor and Industry

The meeting was called to order by Representative Arthur Douville at
Chairperson

9:00 a.m./~~p.m.~~ on January 23, 1986 in room 526-S of the Capitol.

All members were present except:
Representatives O'Neal and Patrick

Committee staff present:
All present

Conferees appearing before the committee:
Representative Elizabeth Baker
Mr. Robert Bradford, Exec. Dir., Wichita Engineers Assoc.
Mr. Ron Gaches, Boeing Military Aircraft Company
Mr. Wayne Maichel, AFL-CIO

The committee again took up H.B. 2693: An act concerning employment; relating to employer and employee rights to certain inventions.

Representative Baker outlined the bill to the committee. (See attachment #1.) Bob Bradford then spoke as a proponent of the bill. Mr. Bradford said that this bill gives some protection to the employer and the employee. A question and answer period followed.

The next speaker was Ron Gaches he said he neither supports nor opposes this legislation. He stated that his company already has a preemployment invention agreement that complies with the standards established in this bill. His company feels that the agreement strikes a good balance between employee and employer rights, and that there may be some advantage to having a state public policy set forth in the statutes in that regard. Mr. Gaches stated that as the bill is currently written it would only apply to employment agreements entered into after July 1, 1986. The intention of the proponents was that the bill apply to agreements currently in existence as well. So an amendment will be forthcoming. Questions by committee members followed.

Wayne Maichel said that he too was neutral regarding this bill, but, had alot of questions about the bill.

The chairman said that he would like to hold H.B. 2693 in abeyance without taking any vote on it for approximately 10 days so that additional information or comments can be presented to the committee.

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

HOUSE COMMITTEE ON
LABOR AND INDUSTRY

Guest List

Date 1-23-86

Name	City	Representing
Rob Hodgen	Topeka	KCCI
Ed Schaub	Topeka	SWBT
Wayne Maichel	Lup	DEL-CIO
Bob Bradford	Wichita	Wichita Eng. Assoc.
Bill Kaufman	Topeka	Pl of Regats
Don Caches	TOPEKA	EMAC
PAT SCHAFFER	TOPEKA	DIVISION OF BUDGET

ELIZABETH BAKER
REPRESENTATIVE, EIGHTY-SECOND DISTRICT
SEDGWICK COUNTY
1025 REDWOOD RD.
DERBY, KANSAS 67037



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER: ELECTIONS
EDUCATION
LOCAL GOVERNMENT

Att. #1

TO: House Labor and Industry Committee
FROM: Representative Elizabeth Baker
DATE: January 23, 1986
RE: House Bill 2693

House Bill 2693 provides that anything invented by an employee on his/her own time belongs to that employee. The invention must not be related directly to the business, research, or developments of the employer. The invention must not result from any on the job work performed by the employee. It is clarified that if an employer were to require an agreement where an employee assigned his rights in the manner previously described, it would clearly be against the public policy of our state and would be void and unenforceable.

Moreover, if the employer requires the employee to assign any invention rights, the employee must provide written notification to the employee as to his rights and restrictions. In addition, the employee must disclose all inventions being developed at the time of his employment or thereafter.

The so called "peanut" of this bill is that it provides a less restrictive environment to employees. It allows freedom of expression, greater creativity and stronger incentives for the expansion of thoughts and ideas that generate the development of new inventions. Kansas is at an economic crossroad. This bill, if enacted, will be one small step towards encouraging economic development and growth from within our state.

Thank you.

EB/bs

*Attch. 1
H. L+I
1/23/86*