

Approved March 24, 1986
Date

MINUTES OF THE SENATE COMMITTEE ON LABOR, INDUSTRY AND SMALL BUSINESS

The meeting was called to order by Vice-Chairman David Kerr at
Chairperson

1:30 ~~x.x.x~~/p.m. on Monday, March 17, 1986 in room 527S of the Capitol.

All members were present except:

Senator Thiessen (excused)

Committee staff present:

Jerry Ann Donaldson, Research Department
Gordon Self, Revisor
Ruth Kennedy, Substitute Secretary

Conferees appearing before the committee:

Representative Elizabeth Baker
Robert Bradford, Executive Director, Wichita Engineering Association

The vice-chairman, Senator David Kerr, stated the committee would hold a hearing on HB 2693.

He called on Representative Baker, a sponsor of HB 2693, for an explanation of the bill. She explained that the bill provides that any invention produced by an employee on his/her own time belongs to that employee. (See Attachment #1) She noted that this bill was requested by the engineers with the aircraft oriented companies of Boeing and Cessna and the Wichita Engineering Association. Representative Baker deferred to Robert Bradford, WEA, representing Boeing Engineers.

Mr. Bradford said 1800 engineers who work at Boeing believe this bill has a good public policy stated in it and that inventions created on your own time should remain intact as yours. He said the bill applies not only to engineers but to all industrial inventors. He stated the bill sets policy that ideas are not necessarily the property of employers if it is not related to the business of the employer.

The vice-chairman called on Gordon Self, Revisor's Office, to clarify the bill. He stated that if there is an agreement between the employer and the employee, that controls in lieu of common law. The agreement between employer and employee would still control except if it conflicted with the provisions of HB 2693 should that be enacted into law. In addition, he said three other states, Minnesota, Washington, and California had laws similar to this proposed legislation.

Some concern was expressed about the time frame in the bill.

There were no opponents to HB 2693.

The vice-chairman adjourned the meeting at 2:00 p.m.

The next meeting of the committee will be at 1:30 p.m., Tuesday, March 18, 1986.

LABOR AND INDUSTRY

Date	Name (Please print)	City	Organization
3/17	Rob Hodges M. Hawver	Topeka	KCCI Cap-Journal
3/17	Robert W Bradford	Wichita	WEA (Wichita Engineering Assoc)

STATE OF KANSAS

ELIZABETH BAKER
REPRESENTATIVE, EIGHTY-SECOND DISTRICT
SEDGWICK COUNTY
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HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER: EDUCATION
WAYS AND MEANS COMMITTEE
INTERNSHIP
LOCAL GOVERNMENT
ELECTIONS

TO: Senate Labor, Industry and Small Business Committee
FROM: Representative Elizabeth Baker
DATE: March 17, 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 development 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 employer 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.

EB/bs

Senate Labor, Industry and Small
Business Attachment A 3-17-86