

MINUTES OF THE HOUSE COMMERCE & ECONOMIC DEVELOPMENT COMMITTEE

The meeting was called to order by Chairperson Anthony R. Brown, at 3:40 p.m., March 17, 2011, outside of House chambers.

All members were present except:

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|-------------------------|---------|
| Representative Bruchman | Excused |
| Representative Garber | Excused |
| Representative Kerschen | Excused |
| Representative Kleeb | Excused |
| Representative Mesa | Excused |
| Representative Peck | Excused |
| Representative Schwab | Excused |
| Representative Tietze | Excused |

Committee staff present:

Reed Holwegner, Kansas Legislative Research Department
Joyce Bishop, Committee Assistant

Conferees appearing before the Committee:
None

Others attending:
None

Representative Slattery moved, seconded by Representative Finney, to accept the amendment (Attachment 1) regarding **HB 2336-Kansas employment first initiative act; persons with disabilities**. The motion passed on a voice vote.

Representative Osterman moved, seconded by Representative Ruiz, to pass HB 2336 favorably from committee. The motion passed on a voice vote.

The meeting adjourned at 3:45 p.m.

HOUSE BILL No. 2336

By Committee on Federal and State Affairs

2-14

Prepared by Ken Wilke 3-15-11
For House Committee on Commerce and
Economic Development

AN ACT establishing the Kansas employment first initiative act and creating the Kansas employment first oversight commission.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) This act shall be known as and cited as the Kansas employment first initiative act.

(b) It is hereby declared to be the policy of the state of Kansas that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment ~~for state employment and for those entities that contract with state agencies to provide employment for persons with a disability.~~ This policy applies to programs and services that ~~support the employment of persons with disabilities.~~ All state agencies shall follow this policy and ensure that it is effectively implemented in their programs and services.

provide services and support to help obtain employment for

Sec. 2. (a) All state agencies shall coordinate efforts and shall collaborate within and among such agencies to ensure that state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities. All state agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of the act.

(b) State agencies are authorized to adopt rules and regulations to implement this act.

Sec. 3. ~~(a) There is hereby established a Kansas employment first oversight commission consisting of five members. The commission shall consist of the following members who shall serve for a two-year term:~~

~~(1) Four members who are persons with a disability or who are knowledgeable of disability issues and who are not state employees, of whom:~~

~~(A) One shall be appointed by the speaker of the house of representatives;~~

~~(B) one shall be appointed by the minority leader of the house of representatives;~~

~~(C) one shall be appointed by the president of the senate; and~~

~~(D) one shall be appointed by the minority leader of the senate;~~

~~(2) one member who is experienced with employment service.~~

Nothing in this section shall be construed to require any employer to give preference to hiring people with a disability.

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~~programs and who is not a state employee shall be appointed by the governor.~~

~~(b) The governor shall designate one member to convene and organize the first meeting of the commission at which the commission shall elect a chairperson and a vice-chairperson from among its members. The commission shall meet at least four times a year and, additionally, whenever called by the chairperson. A quorum shall consist of three members. All actions of the commission shall be taken by a majority of the members of the commission.~~

~~(c) Each member of the commission shall be paid mileage and other expenses as provided by K.S.A. 75-3212, and amendments thereto.~~

~~(d) The commission shall establish measurable goals and objectives for the state of Kansas to ensure implementation of this act. The commission shall track the measurable progress of public agencies in implementing this act. All state agencies shall fully cooperate with and provide data and information to assist the commission in carrying out its duties.~~

~~(e) The commission shall issue an annual report on or before January 1 each year which shall be presented to the governor and members of the state legislature. The report shall detail progress toward the goals and objectives and full implementation of this act. All state agencies shall cooperate with the commission on the creation and dissemination of the annual report. The report also shall identify barriers to achieving the outcomes along with the effective strategies and policies that can help realize the employment first initiative.~~

~~(f) The department of social and rehabilitation services shall be the lead agency responsible for compiling data and coordinating the preparation of the annual report at the direction of the commission.~~

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

(a) The governor shall designate one cabinet agency as the lead agency member to establish measurable goals and objectives for the state of Kansas to ensure implementation of this act. Such lead agency shall track the measurable progress of public agencies in implementing this act. All state agencies shall fully cooperate with and provide data and information necessary to assist the lead agency in carrying out its duties.

(b) The lead agency designated by the governor shall issue an annual report on or before January 30 each year which shall be presented to the governor and to the chairperson of each of the senate committee on ways and means and the house committee on appropriations. The report shall detail progress toward the goals and objectives and full implementation of this act. The report also shall identify barriers to achieving the outcomes along with the effective strategies and policies that can help realize the employment first initiative. The lead agency shall be responsible for compiling data and coordinating the preparation of the annual report. All state agencies shall cooperate with the lead agency on the creation and dissemination of the annual report.