

CHAPTER 42

Substitute for HOUSE BILL No. 2435

AN ACT concerning the governor's office; renaming the advisory committee on Hispanic affairs as the Hispanic and Latino American affairs commission and placing such commission within the governor's office; providing for the advisory commission on African-American affairs to be within the governor's office; amending K.S.A. 74-6501, 74-6501a, 74-6502, 74-6503, 74-6504, 74-6505, 74-6506, 74-6507, 74-6508, 74-6509, 74-9901, 74-9904 and 74-9906 and repealing the existing sections.

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

Section 1. K.S.A. 74-6501 is hereby amended to read as follows: 74-6501. There is hereby created the ~~advisory committee on~~ Hispanic and Latino American affairs ~~commission~~ hereinafter referred to as the "~~advisory committee~~ *commission*." The ~~advisory committee~~ *commission* shall be advisory to the ~~secretary of human resources~~ *governor* and shall be within the office of the governor and a part thereof.

Sec. 2. K.S.A. 74-6501a is hereby amended to read as follows: 74-6501a. (a) ~~On July 1, 1986,~~ The Kansas advisory committee on ~~Mexican American~~ Hispanic affairs shall be and hereby is officially designated as the ~~Kansas advisory committee on~~ Hispanic and Latino American affairs *commission*.

(b) On and after ~~July 1, 1986~~ *the effective date of this act*, whenever the Kansas advisory committee on ~~Mexican American~~ Hispanic affairs or the executive director of the Kansas advisory committee on ~~Mexican American~~ Hispanic affairs, or words of like effect, is referred to or designated by a statute, contract or other document, such reference or designation shall mean and apply to the ~~Kansas advisory committee on Hispanic affairs~~ *Hispanic and Latino American affairs commission* and to the executive director of the ~~Kansas advisory committee on Hispanic affairs~~ *Hispanic and Latino American affairs commission*.

(c) ~~Nothing in this act shall be construed as abolishing the Kansas advisory committee on Mexican American affairs or the office of the executive director thereof, or as reestablishing the same. The Hispanic and Latino American affairs commission shall be a continuation of the Kansas advisory committee on Hispanic affairs and the office of executive director of the Hispanic and Latino American affairs commission shall be a continuation of the office of executive director of the Kansas advisory committee on Hispanic affairs.~~

Sec. 3. K.S.A. 74-6502 is hereby amended to read as follows: 74-6502. (a) The ~~advisory committee~~ *commission* shall consist of seven members. No more than four members shall be members of the same political party. Subject to the provisions of K.S.A. 75-4315c, and amendments thereto, each congressional district in the state of Kansas shall be represented on the ~~advisory committee~~ *commission* by at least one member who is a resident of the district at the time of appointment and the remainder shall represent the state at large. ~~Advisory committee~~ *Commission* members shall be appointed by the governor. A person appointed to fill a vacancy which occurs prior to the expiration of a term shall be appointed for the unexpired term. Except as provided by subsection (b), each member of the ~~committee~~ *commission* shall be appointed for a three-year term.

(b) ~~The terms of all members of the committee shall expire on June 30, 2001. Of the members appointed to fill vacancies due to expiration of terms on June 30, 2001, two shall be appointed to terms of one year, two shall be appointed for terms of two years and three shall be appointed for terms of three years. Thereafter~~ Members shall be appointed for terms of three years and until successors are appointed and qualified.

(c) Nothing in this subsection shall be construed as prohibiting the reappointment of members of the ~~committee~~ who had been appointed prior to the effective date of this act.

Sec. 4. K.S.A. 74-6503 is hereby amended to read as follows: 74-6503. The ~~advisory committee~~ *commission* shall elect one of its members as ~~chairman~~ *chairperson* and one as secretary to serve a one-year term.

Sec. 5. K.S.A. 74-6504 is hereby amended to read as follows: 74-6504. The ~~advisory committee~~ *commission* shall have the following functions, powers and duties:

(a) Gather and disseminate information and conduct hearings, con-

ferences and special studies on problems and programs concerning Hispanics;

(b) coordinate, assist and cooperate with the efforts of state departments and agencies to serve the needs of Hispanics especially in the area of culture, education, employment, health, housing, welfare and recreation;

(c) develop, coordinate and assist other public and private organizations with understanding the problems of Hispanics;

(d) develop, coordinate and assist other public and private organizations to provide services to Hispanics;

(e) propose new programs concerning Hispanics;

(f) evaluate existing programs and proposed legislation concerning Hispanics;

(g) stimulate public awareness of the problems of Hispanics by conducting a program of public education;

(h) conduct training programs for community leadership and service project staff;

(i) accept contributions from any person to assist in the effectuation of this section and to seek and enlist the cooperation of private, charitable, religious, labor, civic and benevolent organizations for the purposes of this section;

(j) solicit, receive and expend federal funds to effectuate the purposes of this act and enter into contracts and agreements with any federal agency for such purposes;

(k) establish advisory committees on special subjects; and

(l) cooperate with the state board of education in advising and assisting school districts, upon request, in conducting in-service training programs for bilingual education personnel.

Sec. 6. K.S.A. 74-6505 is hereby amended to read as follows: 74-6505. The ~~advisory committee~~ *commission* shall meet at least four times a year. The ~~chairman~~ *chairperson* may call additional meetings. A majority of members shall constitute a quorum.

Sec. 7. K.S.A. 74-6506 is hereby amended to read as follows: 74-6506. Members of the ~~advisory committee~~ *commission* attending meetings of such ~~committee~~ *commission* shall be paid amounts provided in subsection (e) of K.S.A. 75-3223 and amendments thereto.

Sec. 8. K.S.A. 74-6507 is hereby amended to read as follows: 74-6507. The executive director of the ~~advisory committee~~ *commission* shall be qualified by education and experience to assume the responsibilities of such office and be able to converse and write fluently in both the English and Spanish languages.

Sec. 9. K.S.A. 74-6508 is hereby amended to read as follows: 74-6508. The executive director shall be the administrative officer of the ~~advisory committee~~ *commission* and shall serve the ~~advisory committee~~ *commission* by gathering information, disseminating findings of fact and other information, forwarding proposals and evaluations to ~~the secretary of human resources~~, the governor, the legislature and various state agencies, carrying out public education programs, conducting hearings and conferences and performing other duties necessary for the proper operation of the ~~advisory committee~~ *commission*.

Sec. 10. K.S.A. 74-6509 is hereby amended to read as follows: 74-6509. The executive director of the ~~advisory committee~~ *commission* may appoint, subject to the approval of the ~~advisory committee~~ *commission* and the ~~secretary of human resources~~ *governor*, technical advisors and assistants to develop, assist and cooperate with local commissions on Hispanics.

Sec. 11. K.S.A. 74-9901 is hereby amended to read as follows: 74-9901. There is hereby established the advisory commission on African-American affairs hereinafter referred to as the advisory commission. The advisory commission shall be advisory to the ~~secretary of human resources~~ *governor and shall be within the office of the governor and a part thereof*.

Sec. 12. K.S.A. 74-9904 is hereby amended to read as follows: 74-9904. (a) The advisory commission may appoint, subject to the approval of the ~~secretary of human resources~~ *governor*, an executive director who shall be qualified by education and experience to assume the responsibilities of such office.

(b) The executive director shall be the administrative officer of the advisory commission and shall serve the advisory commission by gathering

information, disseminating findings of fact and other information, forwarding proposals and evaluations to ~~the secretary of human resources,~~ the governor, the legislature and various state agencies, carrying out public education programs, conducting hearings and conferences and performing other duties necessary for the proper operation of the advisory commission.

Sec. 13. K.S.A. 74-9906 is hereby amended to read as follows: 74-9906. The executive director of the advisory commission may appoint, subject to the approval of the advisory commission and the ~~secretary of human resources~~ *governor*, technical advisors and assistants to develop, assist and cooperate with local organizations and associations on African-American concerns.

Sec. 14. K.S.A. 74-6501, 74-6501a, 74-6502, 74-6503, 74-6504, 74-6505, 74-6506, 74-6507, 74-6508, 74-6509, 74-9901, 74-9904 and 74-9906 are hereby repealed.

Sec. 15. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 8, 2004.
