

SESSION OF 2013

**SUPPLEMENTAL NOTE ON SENATE SUBSTITUTE FOR
HOUSE BILL NO. 2150**

As Recommended by Senate Committee on
Commerce

Brief*

Senate Sub. for HB 2150 would revise the size and responsibilities for the Kansas Employment First Oversight Commission. The Commission would increase from five members to seven members. The Governor would appoint the two additional members, with one having disability employment experience and the other having business employment experience. The bill would repeal the requirement that the one member currently appointed by the Governor not be a state employee.

The bill would repeal the responsibilities of the Commission to establish measurable goals and objectives for the State of Kansas and track the progress of state agencies implementing the Employment First Initiative. The Commission would be required to work with state agencies and nongovernmental organizations to assist individuals with disabilities to obtain employment. The Commission also would be permitted to educate state agencies and stakeholders about the Initiative.

The Commission would be permitted to make annual recommendations to the Governor, Legislature, and state agencies on strategies to increase the rate of competitive integrated employment for Kansans with disabilities.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

The Kansas Employment First Initiative and the Commission were created in 2011. The Initiative requires state programs and services that support employment of persons with disabilities to consider, as the first option, competitive and integrated employment. The Initiative does not require an employer to give preference to hiring persons with disabilities. State law requires the Governor to designate a cabinet agency to assist the Commission in administering the Initiative.

The bill, as introduced, originating from the Governor's Office of the Repealer, would have repealed obsolete statutes pertaining to the Workforce Development Loan Program. There was no testimony on the original contents of the bill.

The subject of the Senate substitute bill is based upon SB 195. Proponents for that bill included Senator Kerschen and representatives of the Department for Children and Families (DCF) and the Kansas Elks Training Center for the Handicapped (KETCH). Senator Kerschen proposed a substitute bill to increase the size and revise the responsibilities of the Oversight Commission.

Opponents of SB 195 included representatives of the Disability Rights Center, the Kansas Association of Centers for Independent Living, the Kansas Chapter of the National Alliance on Mental Illness (NAMI), the Kansas Council on Developmental Disabilities, the Kansas Mental Health Coalition, and the Self Advocate Coalition. Opponents expressed concern the Oversight Commission remain independent and retain accountability functions. Most opponents expressed support for the proposed substitute for HB 2150.

Representatives of the Cerebral Palsy Research Foundation, the Kansas Department of Health and Environment (KDHE), and Kansas Department for Aging and

Disability Services (KDADS) provided neutral testimony on SB 195, explaining the services provided to individuals with disabilities by each entity.

The Senate Committee on Commerce deleted the bill's original language and recommended a substitute bill.

The Division of the Budget fiscal note on the original bill indicated there would be no fiscal effect on the state. The fiscal note on SB 195, as introduced, also states there would be no fiscal effect. A revised fiscal note on the substitute bill was not immediately available.