

HOUSE BILL No. 2336

By Committee on Federal and State Affairs

2-14

1 AN ACT establishing the Kansas employment first initiative act ~~and creating the~~
2 ~~Kansas employment first oversight commission and creating the Kansas~~
3 ~~employment first oversight commission.~~
4

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

6 Section 1. (a) This act shall be known as and cited as the Kansas
7 employment first initiative act. *As used in this act:*

8 (1) *"Competitive employment" means work in the competitive labor*
9 *market that is performed on a full-time or part-time basis in an*
10 *integrated setting; and for which an individual is compensated at or*
11 *above the minimum wage, but not less than the customary wage and*
12 *level of benefits paid by the employer for the same or similar work*
13 *performed by individuals who are not disabled.*

14 (2) *"Integrated setting" means with respect to an employment*
15 *outcome, a setting typically found in the community in which applicants*
16 *or eligible individuals interact with non-disabled individuals, other than*
17 *non-disabled individuals who are providing services to those applicants*
18 *or eligible individuals, to the same extent that non-disabled individuals n*
19 *comparable positions interact with other persons.*

20 (b) It is hereby declared to be the policy of the state of Kansas that
21 competitive and integrated employment shall be considered its first option
22 when serving persons with disabilities who are of working age to obtain
23 employment ~~for state employment and for those entities that contract with~~
24 ~~state agencies to provide employment for persons with a disability.~~ This
25 policy applies to programs and services that ~~support the employment of~~
26 **provide services and support to help obtain employment for** persons
27 with disabilities. All state agencies shall follow this policy and ensure that
28 it is effectively implemented in their programs and services. **Nothing in**
29 **this section shall be construed to require any employer to give**
30 **preference to hiring people with a disability.**

31 Sec. 2. (a) All state agencies shall coordinate efforts and shall
32 collaborate within and among such agencies to ensure that state programs,

1 policies, procedures and funding support competitive and integrated
2 employment of individuals with disabilities. All state agencies shall,
3 whenever feasible, share data and information across systems in order to
4 track progress toward full implementation of the act.

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

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

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

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

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

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

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

19 (2) ~~one member who is experienced with employment service~~
20 ~~programs and who is not a state employee shall be appointed by the~~
21 ~~governor.~~

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

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

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

37 (e) ~~The commission shall issue an annual report on or before January~~
38 ~~1 each year which shall be presented to the governor and members of the~~
39 ~~state legislature. The report shall detail progress toward the goals and~~
40 ~~objectives and full implementation of this act. All state agencies shall~~
41 ~~cooperate with the commission on the creation and dissemination of the~~
42 ~~annual report. The report also shall identify barriers to achieving the~~
43 ~~outcomes along with the effective strategies and policies that can help~~

1 realize the employment first initiative.

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

5 ~~**The governor shall designate one cabinet agency as the lead agency**~~
6 ~~**member to establish measurable goals and objectives for the state of**~~
7 ~~**Kansas to ensure implementation of this act. Such lead agency shall**~~
8 ~~**track the measurable progress of public agencies in implementing this**~~
9 ~~**act. All state agencies shall fully cooperate with and provide data and**~~
10 ~~**information necessary to assist the lead agency in carrying out its**~~
11 ~~**duties.**~~

12 ~~(b) The lead agency designated by the governor shall issue an~~
13 ~~annual report on or before January 30 each year which shall be~~
14 ~~presented to the governor and to the chairperson of each of the senate~~
15 ~~committee on ways and means and the house committee on~~
16 ~~appropriations. The report shall detail progress toward the goals and~~
17 ~~objectives and full implementation of this act. The report also shall~~
18 ~~identify barriers to achieving the outcomes along with the effective~~
19 ~~strategies and policies that can help realize the employment first~~
20 ~~initiative. The lead agency shall be responsible for compiling data and~~
21 ~~coordinating the preparation of the annual report. All state agencies~~
22 ~~shall cooperate with the lead agency on the creation and dissemination~~
23 ~~of the annual report. (a) There is hereby established a Kansas~~
24 ~~employment first oversight commission consisting of five members. The~~
25 ~~commission shall consist of the following members who shall serve for a~~
26 ~~three-year term:~~

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

30 (A) *One shall be appointed by the speaker of the house of*
31 *representatives;*

32 (B) *one shall be appointed by the minority leader of the house of*
33 *representatives;*

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

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

36 (2) *one member who is experienced with employment service*
37 *programs and who is not a state employee shall be appointed by the*
38 *governor.*

39 (b) *The governor shall designate one member to convene and*
40 *organize the first meeting of the commission at which the commission*
41 *shall elect a chairperson and a vice-person from among its members.*
42 *The commission shall meet at least four times a year and, additionally,*
43 *whenever called by the chairperson. A quorum shall consist of three*

1 *members. All actions of the commission shall be taken by a majority of*
2 *the members of the commission.*

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

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

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

19 *(f) The governor shall select from the cabinet agencies the lead*
20 *agency responsible for compiling data and coordinating the preparation*
21 *of the annual report at the direction of the commission. The activities of*
22 *the commission and lead agency pursuant to this section shall be done*
23 *within existing grants and resources.*

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