

Approved: 2/06/12
Date

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Steven R. Brunk at 1:30 p.m. on January 23, 2012, in Room 346-S of the Capitol.

All members were present except:

Representative Richard Carlson-Excused
Representative Mitch Holmes-Excused
Representative Steve Huebert-Excused
Representative Mike Peterson-Excused

Committee staff present:

Mike Heim, Office of the Revisor of Statutes
Julian Efird, Kansas Legislative Research Department
Dennis Hodgins, Kansas Legislative Research Department
Stephen Bainum, Committee Assistant

Conferees appearing before the Committee:

Representative David Crum
Anthony A. Fadale, Coordinator, Kansas Department of Social and Rehabilitation Services

Others attending:

Others attending: See attached

Representative David Crum gave a briefing on **HB 2442–Relating to employment of disabled individuals and competitive bids for state contracts** ([Attachment 1](#)).

Representative Brunk asked if he could describe in general the Use Law. Representative Crum said that there were about 10 Use Law vendors in Kansas. The Use Law requires certain agencies and school districts to purchase products from Use Law vendors when those products meet their requirement.

Representative Wolfe-Moore asked if there were any penalties for employers who did not maintain the number of disabled employees. Representative Crum was not aware of any.

Representative O’Hara commented that the real answer to this problem is to bring manufacturing back to Kansas.

Representative Grosserode asked where the 20% requirement came from. Is 20% of the population disabled? The number seems high. Representative Crum said that they had been concerned about the percentage listed on the bill. Actually just a little less than 20% of our population are disabled. Of the 20% what percentage are work force capable? Representative Crum indicated that it would be less than 50% of those disabled.

Chairman Brunk opened the hearing on **SB 223–Public facilities accessibility standards, disabled**

CONTINUATION SHEET

The minutes of the House Federal and State Affairs Committee at 1:30 p.m. on January 23, 2012, in Room 346-S of the Capitol.

persons.

Mike Heim explained the changes that **SB 223** would effect. The main thing it does is bring the definitions up to date with the American Disability Act.

Anthony Fadale presented testimony as a proponent of **SB 223** (Attachment 2).

Representative Rubin said that the bill was to update compliance with the ADA requirements of 2008. Is there anything in here that would require remodeling or reconstructing existing buildings? Anthony said no, and if you have complied with the 1991 requirements you don't have to comply with the 2010 requirements unless you are reconstructing the area. You have a safe harbor that says you don't have to do the 2010 requirements.

Representative O'Hara said that it was difficult for small businesses to comply with all these requirements. Anthony said that if small businesses had complied with the Federal standard of 1991 they would have a safe harbor and would not have to do any more unless they were modifying their building.

Representative Seiwert what some of the major changes might be for a business in the bill. Anthony said there were rules for swimming pools and recreational areas that the 1991 standard did not address.

Chairman Brunk closed the hearing on **SB 223**.

Chairman Brunk called for bill introductions.

Representative Rubin introduced a bill that would repeal the provision prohibiting a drinking establishment from offering drinks at a reduced price during certain times of the day.

Representative Brunk introduced a bill for health care facilities to have a Conscious Protection Act.

The meeting was adjourned at 2:15 p.m.

The next scheduled meeting is January 24, 2012.

