

## SENATE BILL No. 507

By Committee on Public Health and Welfare

2-2

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9 AN ACT concerning the blind and visually impaired; establishing the  
10 Kansas commission for the blind and visually impaired.

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

13 Section 1. (a) There is hereby established within the department of  
14 social and rehabilitation services the Kansas commission for the blind and  
15 visually impaired. The commission shall:

16 (1) Advocate with regard to services affecting the blind and visually  
17 impaired in the areas of public services, health care, educational, voca-  
18 tional and employment opportunity;

19 (2) act as a bureau of information for the blind and visually impaired  
20 to state agencies and public institutions providing general health and  
21 mental health care, employment, vocational, and educational services, and  
22 to local agencies and programs;

23 (3) collect facts and statistics and other special studies of conditions  
24 affecting the health and welfare of the blind and visually impaired in this  
25 state;

26 (4) provide for a mutual exchange of ideas and information on the  
27 national, state and local levels;

28 (5) provide public education of prenatal and postnatal warning signs  
29 of conditions which may lead to blindness or visual impairment in the  
30 fetus or newborn child;

31 (6) encourage and assist local governments in the development of  
32 programs for the blind and visually impaired;

33 (7) cooperate with public and private agencies and units of local, state  
34 and federal governments in promoting coordination in programs for the  
35 blind and visually impaired;

36 (8) provide for the social, emotional, educational and vocational  
37 needs of the blind and visually impaired and their families;

38 (9) serve as an advisory board to the governor on the needs of the  
39 blind and visually impaired by preparing an annual report which reviews  
40 the status of all state services to the blind and visually impaired within  
41 Kansas, and to recommend priorities to the governor for the development  
42 and coordination of services to the blind and visually impaired; and

43 (10) make recommendations for needed improvements, and serve

1 as an advisory board in regard to new legislation affecting the blind and  
2 visually impaired.

3 (b) Except as otherwise provided by this act, all budgeting, purchas-  
4 ing and related management functions of the Kansas commission for the  
5 blind and visually impaired shall be administered under the direction and  
6 supervision of the secretary of social and rehabilitation services. Within  
7 the limitations of available appropriations, the secretary of social and re-  
8 habilitation services shall provide additional clerical and other assistance  
9 as may be required for the commission.

10 Sec. 2. (a) The Kansas commission for the blind and visually im-  
11 paired shall consist of 17 members who shall be responsible for the pol-  
12 icies and management of the commission. The membership shall consist  
13 of the following:

14 (1) Five ex officio members, the administrative head or a designee  
15 of: (A) Vocational rehabilitation services; (B) social services; (C) the de-  
16 partment of health and environment; (D) the state board of education;  
17 and (E) the state school for the blind.

18 (2) Twelve members appointed by the governor as follows: Six mem-  
19 bers who are blind or low vision persons, two of whom shall be represen-  
20 tatives of the Kansas association for the blind and visually impaired, and  
21 two of whom shall be representatives of the national federation of the  
22 blind of Kansas; one member who is an expert in the use and teaching of  
23 braille for and to the adult blind; one member who is an optometrist  
24 specializing in the field of low vision; one member who is a representative  
25 of Kansas workers employed under provisions of the federal Javits-Wag-  
26 ner-O'Day act, the Randolph-Sheppard act or K.S.A. 75-3337 et seq., and  
27 amendments thereto; one member who is a representative of envision  
28 rehabilitation; one member who is a specialist in working with geriatric  
29 blind and low vision; and one member who is a teacher of blind and  
30 visually impaired children.

31 (b) Initial appointments made by the governor shall be: Four mem-  
32 bers for a term of one year, four members for a term of two years, and  
33 four members for a term of three years, as designated by the governor.  
34 Thereafter members appointed by the governor shall serve on the com-  
35 mission for terms of three years and until their successors are appointed  
36 and qualified. Members having completed their terms of service may be  
37 reappointed to serve additional terms. In filling vacancies in the mem-  
38 bership of the commission, the governor shall give preference to blind or  
39 visually impaired persons qualified to fill such vacancies. Upon a vacancy  
40 in an appointive position in the membership of the commission, the com-  
41 mission itself, the Kansas association for the blind and visually impaired,  
42 and the national federation of the blind of Kansas may each submit to  
43 the governor a list of blind or visually impaired persons deemed qualified

1 to fill such vacancy, and the governor may fill such vacancy from among  
2 the persons on such lists.

3 (c) Any appointive position in the membership of the commission  
4 which becomes vacant prior to the expiration of a full term shall be filled  
5 only for the period of the unexpired term.

6 (d) The members of the commission shall elect a chairperson an-  
7 nually. The commission shall meet at the call of the chairperson, but no  
8 less than four times a year. The members shall elect other officers as  
9 deemed necessary, set duties of officers, and set procedures for con-  
10 ducting their meetings for the purposes designated in this act. A simple  
11 majority of the membership of the commission shall constitute a quorum.

12 (e) Members of the commission shall receive no compensation for  
13 their services. Ex officio members of the commission shall receive travel  
14 expenses and subsistence expenses or allowances as provided in K.S.A.  
15 75-3212, and amendments thereto, which shall be paid by the respective  
16 departments of such members. Appointed members of the commission  
17 shall receive travel expenses and subsistence expenses or allowances for  
18 attendance at meetings of the commission authorized by the chairperson  
19 or the commission as provided in K.S.A. 75-3212, and amendments  
20 thereto.

21 Sec. 3. (a) The Kansas commission for the blind and visually im-  
22 paired shall employ an executive director and shall fix the duties, respon-  
23 sibilities and qualifications thereof. The executive director shall be a full-  
24 time employee of the commission who shall be in the unclassified service  
25 under the Kansas civil service act and shall receive an annual salary to be  
26 fixed by the commission. The executive director shall receive actual and  
27 necessary expenses incurred while in the discharge of official duties.

28 (b) The executive director, with the advice and consent of the com-  
29 mission shall:

30 (1) Within the limitations of available appropriations, plan and over-  
31 see the establishment of service centers for the blind and visually im-  
32 paired in areas where the commission deems they are needed and in  
33 concurrence with the secretary of social and rehabilitation services and  
34 in consultation with local boards of directors of community service centers  
35 and local groups promoting or providing services to the blind or visually  
36 impaired, or both;

37 (2) promote accessibility of all governmental services to blind and  
38 visually impaired citizens in Kansas including those blind and visually  
39 impaired persons with multiple disabilities;

40 (3) identify agencies, both public and private which provide com-  
41 munity services, evaluate the extent to which they make services available  
42 to blind and visually impaired people and their families, and cooperate  
43 with the agencies in coordinating and extending these services;

- 1 (4) provide for the mutual exchange of ideas and information on serv-  
2 ices for blind and visually impaired people between federal, state and  
3 local governmental agencies and private organizations and individuals;
- 4 (5) survey the needs of the blind and visually impaired population in  
5 Kansas and assist the commission in the preparation of its report to the  
6 governor;
- 7 (6) maintain a listing of persons qualified in transcription and pro-  
8 duction of braille as well as instruction of braille, availability and use of  
9 low vision devices and vision rehabilitation, orientation and mobility, and  
10 specialized assistive technology used by the blind and visually impaired,  
11 and make this information available to local, state, federal and private  
12 organizations and to individuals;
- 13 (7) promote the training of specialists in categorical services for the  
14 blind as are listed in paragraph (6);
- 15 (8) serve as an advocate for the rights of blind and visually impaired  
16 people and perform such other duties as may be required by law; and
- 17 (9) employ such persons as may be needed from time to time, to  
18 carry out the work of the commission as described in these statutes. Such  
19 employees shall be in the unclassified civil service and shall receive an  
20 annual salary to be fixed by the commission.
- 21 (c) In selecting an executive director, the commission shall select an  
22 individual who is qualified in at least two of the following three areas: (1)  
23 An individual who is academically credentialed in a categorical specialty  
24 specific to blindness and visual impairment; (2) an accomplished user of  
25 assistive technology specific to blindness or visual impairment or an expert  
26 in the field of assistive technology used by people who are blind or who  
27 have low vision; and (3) an expert in the reading, writing, instruction and  
28 production of grade II literary braille.
- 29 Sec. 4. (a) The Kansas commission for the blind and visually im-  
30 paired may request and shall receive from any department, division,  
31 board, bureau, commission, agency of the state or of any political subdi-  
32 vision thereof, such data as might be needed to enable it to properly carry  
33 out its activities under this act. Avoidance of unnecessary duplication of  
34 state-delivered services to the blind and visually impaired shall be the  
35 primary objective of such cooperation.
- 36 (b) The commission may make arrangements with other state agen-  
37 cies and may contract with other individuals, organizations, corporations,  
38 associations other legal entities, including private agencies or any depart-  
39 ment or agency of the federal government, state or any political subdi-  
40 vision of the state, to carry out the purposes of the commission.
- 41 (c) The commission is authorized to receive moneys from any source,  
42 including federal funds, gifts, grants and bequests which shall be ex-  
43 pended for the purposes designated in this act.

1     (d) The governor is authorized to designate existing departments of  
2 state government, or divisions thereof, to provide statewide services to  
3 the blind and visually impaired as specified in this act.  
4     Sec. 5. This act shall take effect and be in force from and after its  
5 publication in the statute book.