

Approved: March 18, 1996
date

MINUTES OF THE SENATE COMMITTEE ON COMMERCE.

The meeting was called to order by Chairperson Alicia Salisbury at 8:00 a.m. on March 14, 1996 in Room 123-S of the Capitol.

Members present: Senators Salisbury, Burke, Downey, Feleciano, Gooch, Harris, Jordan, Ranson, Reynolds, Steffes and Vidricksen.

Committee staff present: Lynne Holt, Legislative Research Department
Jerry Donaldson, Legislative Research Department
Bob Nugent, Revisor of Statutes
Betty Bomar, Committee Secretary

Conferees appearing before the committee:
Jennifer Chaulk Wentz, Legal Counsel, Office of the Secretary of State
Representative Barbara Ballard
Representative Cliff Franklin
John Burke, Superintendent of Schools, Neodesha
Scott Lambers, Ottawa

Others attending: See attached list

HB 2745 Establishing a set fine for a corporation to pay for failure to file an annual report on time

Jennifer Chaulk, Wentz, Legal Counsel, Office of the Secretary of State, appeared in support of HB 2745. Ms. Wentz testified HB 2745 changes the manner in which the state collects penalty fees from corporations who have not filed an annual report on time. To reinstate a corporation under current law, a penalty is assessed which is \$100, plus \$5 for each day the initial annual report is past due. A corporation may request a waiver of its penalty by letter and such request is reviewed by the secretary who, in turn, sets the penalty. The average penalty paid during the past five years is \$67. HB 2745 sets a flat penalty of \$75, thereby alleviating the negotiation of the penalty. The bill would save time and would enable the Secretary to more efficiently operate the Corporations section of his office. HB 2745 is expected to be revenue neutral. Attachment 1

Senator Steffes moved, seconded by Senator Downey, that **HB 2745 be amended by inserting SB 641 Agricultural corporations; defining family farm limited liability agricultural company; allowing family farm corporations and family farm limited liability agricultural companies to be part of authorized farm corporations and limited liability agricultural companies, and further on Page 4 of the balloon, subsection (2) by striking the word "agriculture" and inserting the word "agricultural".** The voice vote was in favor of the motion.

Senator Steffes moved, seconded by Senator Downey, that **HB 2745 be recommended favorable for passage as amended.** The recorded vote was in favor of the motion.

HB 2742 Business entity cleanup; expansion of fax filings; addressing shareholders' filing requirements

The Committee discussed HB 2742. Ms. Wentz stated HB 2742 provides that any instrument filed in accordance with the Kansas Uniform Limited Partnership Act may be filed by telefacsimile communications. The facsimile, if accompanied with the appropriate fees and meeting the statutory requirements, shall become effective upon its filing date.

Senator Burke moved, seconded by Senator Harris, that **HB 2742 be amended on Page 6, line 12, by striking the number "6002a" and inserting in lieu, "6003a", and HB 2742 be recommended favorable for passage as amended.** The recorded vote was in favor of the motion.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON COMMERCE, Room 123-S Statehouse, at 8:00 a.m. on March 14, 1996.

HB 2883 Extending neighborhood improvement and youth employment act

Representative Barbara Ballard appeared in support of HB 2883. Rep. Ballard testified HB 2883 reinstates the Neighborhood Improvement and Youth Employment Act and makes it operational from July 1, 1996 through June 30, 1998. The program expired on December 31, 1995. The Secretary of Human Resources was required to provide program grants to eligible local governmental units, nonprofit organizations, Native American Indian tribes, or private businesses. The Department of Human Resources received a total of 11 proposals, five were ineligible or incomplete and disqualified. There were five programs granted funding: Kansas City, Independence, Glasco, Topeka and Neodesha. The program is to encourage secondary school completion, enhance citizenship skills in youth, provide work experience to eligible youth; and repair, renovate and maintain essential community facilities.

Rep. Ballard stated HB 2883 expands the program to assist with community services and working with low-income senior citizens; the grants are to be awarded to ensure at least one grant recipient is located in each congressional district and there is to be a 50% match. Rep. Ballard stated there was a balance of \$33,000 unspent money which has lapsed as a result of the program being sunset December 31, 1995. Rep. Ballard submitted letters from Representative Janice L. Pauls; Representative Jim Garner; Virgiline Green, Executive Director, East Topeka Council on Aging, Inc.; Matt M. Matthews, Mayor, City of Ottawa; Jim Schuessler, Vice President of Operations, Cobalt Boats, Neodesha; Joan Nothern, USD #334 Grant Coordinator, Glasco; and Chris McKenzie, Executive Director, League of Kansas Municipalities. Attachments 2

Representative Cliff Franklin appeared in support of the mentoring component of HB 2883. Rep. Franklin related he had participated in an academic mentoring program for 2 years and found the program to be mutually rewarding. Attachment 3

John K. Burke, Ph.D., Superintendent of Schools, Neodesha, appeared in support of HB 2883. Dr. Burke stated Neodesha School District received a Neighborhood Improvement Youth Employability Act Grant for the 1994-95 year term. The focus of the program was to develop work skills and a work ethic nu youth apprentices working in the school system. The program was such a success that Neodesha has formed a 501(c)(3) non-profit corporation with contributions from businesses to continue the program. The program provides a mutually beneficial way for students to earn as they learn, for employers to receive tax benefits while underwriting the costs of a program, and for the school to utilize the expertise of area business personnel. The businesses receive the opportunity to invest in the community and create a more qualified work force, and the students receive school credit, experience and pay. Attachment 4

Scott Lambers, City of Ottawa, submitted a letter from Gene Ramsey, Mayor pro tem, City of Ottawa. Mr. Lambers stated the City of Ottawa had sponsored a Summer Youth Employment Program for underprivileged teenagers. The youths involved in the program receive valuable work experience in the private, public and quasi-public sectors in a supervised environment. Mr. Lambers stated that should HB 2883 become law, the additional monies would allow the city to expand its program and increase its participation levels. Attachment 5

Representative Doug Mays submitted written testimony in support of HB 2883. Attachment 6

Lynn Holt, Legislative Research Department, briefed the Committee on the provisions of the Neighborhood Improvement and Youth Employment Act.

Erin Newport, Program Director, Department of Human Resources, stated the administrative costs were higher due to the start up of the program; however, with the reinstatement of the program, the costs should be lower. Ms. Newport stated the costs were kept at 10% of amounts received from a grant.

Senator Burke moved, seconded by Senator Feleciano, that **HB 2883** be recommended favorable for passage. The recorded vote was in favor of the motion.

Upon Motion of Senator Reynolds, seconded by Senator Feleciano, the Minutes of the March 13, 1996, meeting were adopted as corrected.

The meeting adjourned at 8:50 a.m.

The next meeting is scheduled for March 15, 1996.

Ron Thornburgh
Secretary of State



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STATE OF KANSAS

Senate Commerce Committee

March 14, 1996

Hearing on HB 2745

Senator Salisbury and Members of the Committee:

Thank you for the opportunity to appear before you in support of HB 2745.

This bill was introduced at the request of the Secretary of State. The bill proposes to change the way in which the state collects penalty fees from corporations who are reinstating after forfeiture or expiration of their charters, or from foreign corporations who have been doing business in Kansas, but have not qualified by filing with the secretary of state until after an annual report is past due.

A corporation that is reinstating will routinely obtain from the secretary of state a reinstatement form and a sufficient number of blank annual report forms on which to file its past due annual reports. The corporation will complete these items and return them to the secretary of state for filing, along with a check for the amount of the filing fee for the certificate and the franchise tax due under each annual report.

Upon receipt of these documents, the filing clerk will calculate the amount of the penalty fee to be assessed, which is currently \$100, plus \$5 for each day the initial annual report is past due. Upon notifying the corporation what its penalty fee is, virtually every corporation in this situation will ask if there is any way to waive the penalty. The corporation will then send a letter requesting a waiver of its penalty, which the secretary of state reviews and assesses a penalty. The average penalty assessed by this office during the past five years is \$67 (low: \$59; high: \$84).

The Secretary of State believes that setting a flat penalty fee rate offers distinct advantages over the current structure. A flat fee saves time. The secretary of state can list the penalty fee directly on the reinstatement form, and the corporation will know exactly what it is and can submit it along with the form and annual reports. The corporation will not have to wait on notification of the amount of the penalty and will not have to take time to draft a letter requesting waiver of the penalty. In addition, the secretary of state's filing clerk will be able to process reinstatement certificates more quickly.

Senate Commerce Committee

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Elections (913) 296-4561
Administration (913) 296-0498
FAX (913) 291-3051

March 14, 1996
UCC (913) 296-3650
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Attachment 1 thru 1-2

The monies collected by the secretary of state are paid to the credit of the general fund.
The Secretary of State anticipates no loss to fund revenues from passage of this bill.

This bill was passed by the House of Representatives by a vote of 104-20.

I will address any questions you may have at this time.

Jennifer Chaulk Wentz, Legal Counsel
Deputy Assistant Secretary of State



TOPEKA

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COMMITTEE ASSIGNMENTS

RANKING MINORITY MEMBER

SPECIAL COMMITTEE ON HIGHER EDUCATION

MEMBER: BUSINESS, COMMERCE AND LABOR

EDUCATION

LEGISLATIVE EDUCATIONAL PLANNING

Testimony on House Bill #2883

(Formerly HB 2948)

Before Senate Commerce Committee

March 14, 1996

Thank you, Madame Chair and members of the Committee.

Preparing and renovating public buildings, repairing public housing units, cleaning up parks and playgrounds, weatherizing community facilities, learning basic plumbing, electricity, and other skills...

HB 2883 would provide these kinds of community work opportunities for high school students across the state during the summer months and after school. A mentor will be assigned to each eligible youth employed. Students would receive payments for labor and related costs associated with the repair and renovation of essential and/or historic community facilities, working with low-income senior citizens and assisting with community services. I stress essential because I believe meaningful projects will help to build self-esteem in our young people, and create a sense of community pride. It is important that our youth feel they are a vital part of the community if we want them to have pride and ownership in what happens to the community. It has been reported that crime has decreased overall in the nation, except for juvenile crime. It has increased among teenagers, ages 14-17.

Under HB 2883, a local unit of government, nonprofit organization, Native American Indian tribe, or private business would apply to the Secretary of Human Resources for state grants. Five pilot programs around the state that included rural, urban, and middle size communities received grants. Detail information about the grants is presented in the Report about the Neighborhood Improvement and Youth Employment Act. This report, from the Department of Human Resources, is included as part of my testimony.

*Senate Commerce Committee
March 14, 1996*

Attachment 2 thru 2-20

What is the fiscal note? I am, again, requesting \$100,000 for this statewide program. It was funded at this level in 1994, with a sunset on December 31, 1995.

Partnerships with businesses and organizations are important to the success of this program! HB 2883 would continue to provide a mentor, and employment for low income youths as a pro-active way to fight crime. It would give students the opportunity to earn money, get work experience, work with a mentor, develop skills and get references for future jobs. HB 2883 would be an investment in our future generation.

Thank you for your consideration and I ask you to support HB 2883.

A handwritten signature in cursive script, appearing to read "Barbara".

CHAPTER 264
HOUSE BILL No. 2948 *

AN ACT creating the neighborhood improvement and youth employment act.

[Ch. 265

1994 Session Laws of Kansas

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

Section 1. Sections 1 through 8 shall be known and may be cited as the neighborhood improvement and youth employment act.

Sec. 2. In accordance with appropriation acts, the secretary of human resources shall provide grants to eligible administrative entities, as described in section 3 for the purpose of establishing and carrying out programs that provide employment opportunities during the summer months and after school to individuals through payments for labor and related costs associated with the repair, maintenance and renovation of essential community facilities.

Sec. 3. For purposes of this act, "eligible entity" means:

(a) A unit of local government, a nonprofit private organization, a native American Indian tribe, or private business which agrees to perform the following:

(1) Submit a plan to provide summer and after school employment opportunities for qualified youth;

(2) assign an officer or employee of the entity or a tribal or organization member to serve as a mentor or advisor to each youth employed by the entity pursuant to this act; and

(3) abide by such guidelines as may be required by the secretary.

(b) A private business must further agree to pay at least 50% of the wages and related fringe benefits of the youths it employs pursuant to this act.

Sec. 4. (a) Except as provided in subsection (b), the secretary may not make a grant under section 2 to an eligible entity, other than a private business, unless the entity agrees that such entity will use all amounts received from such grant to establish and carry out a program to provide wages and related employment benefits to eligible individuals described in subsections (a) and (b) of section 6 for the purpose of employing such individuals to repair, maintain or renovate essential community facilities that are located within the eligible jurisdiction that the entity serves.

(b) Not more than 15% of amounts received from a grant under section 2 for any fiscal year may be used for the cost of administration and the acquisition of supplies, tools and other equipment.

Sec. 5. An individual shall be eligible to participate in a program described in subsection (a) of section 4 only if the individual is attending a secondary school and meets the income eligibility guidelines established by the secretary of human resources.

Sec. 6. No individual shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with any program described in subsection (a) of section 5 because of race, color, religion, sex, national origin, age, disability or political affiliation or belief.

Sec. 7. The secretary may not make a grant under section 2 to an eligible entity, except a private business, unless the entity agrees that it will maintain its aggregate expenditures from all other sources for employing individuals to repair, maintain or renovate essential community facilities at or above the average level of such expenditures in the two fiscal years preceding the date on which the entity submits an application under section 4 to the secretary.

Sec. 8. (a) The provisions of this act shall expire December 31, 1995.

(b) The secretary shall submit a report to the 1996 session of the house economic development committee and the senate commerce committee detailing the manner in which funds were spent pursuant to this act. Such report shall include the nature of the work performed by participating youths, the percentage of funds expended

for administrative expenses, findings on the educational, criminal and occupational disposition of participating youths and an evaluation of the program as a whole including a recommendation concerning continuation of the program.

Sec. 9. The secretary of human resources may adopt guidelines to effectuate the purpose of this act, however, such guidelines shall not be considered rules and regulations as defined in K.S.A. 77-415 and amendments thereto.

Sec. 10. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved April 22, 1994.

Published in the Kansas Register April 28, 1994.

INSERT: Section 1. K.S.A. 1995 Supp. 44-1402 is hereby amended as follows:

Statute # 44-1402

Chapter 44.--LABOR AND INDUSTRIES

Article 14.--NEIGHBORHOOD IMPROVEMENT AND YOUTH EMPLOYMENT

Title Grants for employment in repair, maintenance and renovation of community facilities.

In accordance with appropriation acts, the secretary of human resources shall provide grants to eligible administrative entities, as described in K.S.A. 1995 Supp. 44-1403 for the purpose of establishing and carrying out programs that provide employment opportunities during the summer months and after school to individuals through payments for labor and related costs associated with the repair, maintenance and renovation of essential community facilities.

History

History: L. 1994, ch. 264, S. 2; April 28.

; assisting with community services and working with low income senior citizens.

Neighborhood Improvement and Youth Employment Act (NIYEA)

Report to the 1996 Session of the House Economic Development Committee and Senate Commerce Committee

Contact and Phone Number: Linda J. Weaver, (913) 296-2159
Grant Period: September 12, 1994 - October 31, 1995
Date: January 2, 1996

I. Background

A. Legislation

The Neighborhood Improvement and Youth Employment Act (NIYEA) was made possible by the 1994 Kansas Legislature through House Bill 2948, appropriating \$100,000 to encourage secondary school completion; enhance citizenship skills in youth; provide work experience to eligible youth; and repair, renovate and maintain essential community facilities. Funding was available July 1, 1994, to October 31, 1995.

B. Project Administration

Project administration was provided by the Division of Employment and Training, Kansas Department of Human Resources (KDHR). Administrative costs were held at 10% (\$10,000), obedient to Section 4 (b) of the Bill which states:

Not more than 15% of amounts received from a grant under Section 2 for any fiscal year may be used for the cost of administration...

C. Response and Selection

Twenty-seven (27) qualified entities sought a Request for Proposals (RFP) package in response to legal notices published in the Wichita Eagle, Topeka Capital Journal, the Kansas Register, or to RFPs and notices sent to all 46 co-signers of House Bill 2948. Qualified entities were units of local government, non-profit organizations, Native American Indian tribes, or private businesses which agreed to:

1. Submit a plan to provide summer and/or after school employment opportunities to eligible youth;
2. Assign a mentor or advisor to each eligible youth employed by the entity; and
3. Abide by guidelines as may be required by the Secretary of Human Resources.

To be eligible for NIYEA an individual must have been enrolled and attending a secondary school and must have met Income Guidelines (Poverty Guidelines or 70% of the Lower Living Standard Income Level). Work experience was provided by five (5) non-profit entities across the State agreeing to provide valuable work experience and a mentor for each participant.

A total of 11 proposals were submitted. Five (5) proposals were ineligible or incomplete and were disqualified before ranking. The proposal with the lowest score was not selected for funding. The entities selected by the six (6) member Review Committee for funding are as follows:

D. Grant Awards

Associated Youth Services (AYS), Inc., Kansas City \$22,079
Associated Youth Services employed ten (10) secondary school attendants, in maintenance and custodial positions in the Kansas City Argentine district. To compliment work experience, AYS also offered assessment, counseling, child care and education services; including GED preparation for high school dropouts, full day and work study credit classes for students not able to succeed in public school programs.

Independence Tutoring and Counseling Center, Independence \$20,379
Independence Tutoring and Counseling Center employed 22 youth, to repair walls of Clairborne Housing Shelter for foster youth; repair, renovate and maintain Hope House - a transitional home for the homeless; and repair, point up the foundation, paint and tile basement of the Tutoring Center.

Southern Cloud Unified School District #334, Glasco \$17,379
Southern Cloud USD #334 employed 18 youth from the rural towns of Glasco and Miltonvale to repair, renovate and maintain numerous community and school facilities, including the library, amphitheater, and public park.

Topeka Youth Project (TYP), Topeka \$20,379
Topeka Youth Project employed 14 youth during the summer months to paint, landscape, care for floors and perform minor renovation duties in three senior centers in Shawnee county (League of United Latin American Citizens [LULAC] Senior Center, Papan's Landing and East Topeka Senior Center). Youth received \$1,300 for summer work, 1/2 academic credit and senior centers received over 4,250 hours of labor.

Unified School District #461, Neodesha \$9,784
Unified School District #461 employed three (3) high school students to assist at area elementary and high schools while learning basic skills such as plumbing and electricity in their maintenance and custodial duties.

II. Characteristic Information

Characteristics attached.

III. Project Evaluation

Legislature appropriated \$15,000 for the administrative costs of this project. The KDHR held costs at \$10,000, most of which was consumed by one grantee needing extensive technical support and guidance. Project results were mixed, as was expected with a first year project.

Topeka Youth Project (TYP) was the single grantee who expended all funding and met all goals and objectives. In addition to the original three Topeka senior service projects, TYP developed three additional work projects when it became clear senior service projects would not last the entire summer. Projects added included painting cabins and developing trails at YWCA's Camp Hammond; landscaping USD 501's elementary schools; and cleaning and maintaining the facility and grounds of City of Topeka's Hillcrest Community Center .

USD 461, Neodesha met or exceeded all goals and objectives, expended all but \$1,470.43 of their funding, and were the only grantee to provide each participant with a different mentor. Students were given considerable support from faculty and staff, and two of the three participants remained honor students while participants of the project. Administrators used the NIYEA project as an example of an apprenticeship program to gain support for an ongoing apprenticeship program offered to junior and senior secondary school students beginning the 95-96 schoolyear.

Southern Cloud USD 334 expended \$8,224.41 (47%) of their funds and turned back \$9,154.59 (53%). This grantee identified an underexpenditure within the first month of the program and turned back \$3,000 which is not included in the above figures. This money was divided and distributed between two other grantees. The original proposal identified 18 participants for after school and summer employment, but hired 17. Unexpended monies are considerable because the original proposal planned for year round students to work 10 hours a week and summer students to work 22 hours per week. Grantee then offered flexibility of how many hours were worked per week according to what each student was capable of doing with school work and family responsibilities. In addition, four participants were offered unsubsidized employment during project participation, which reduced the number of active participants.

Associated Youth Services (AYS) expended \$8,449.14 (35%), turned back \$13,629.86 (65%) of their funds, and fell short on goals and objectives. Of the 25 students originally planned to participate, ten were hired. AYS claimed they could find only a limited number of work projects repairing, renovating and maintaining essential community facilities. This entity lost their lead NIYEA staff mid-project. They also are on their third fiscal officer to work with NIYEA reports and funding.

Independence Tutoring and Counseling Center required extensive technical assistance and support. This project did not meet goals and objectives and violated many requirements mandated by the legislature and KDHR. After considerable counseling and numerous appeals to their Board of Directors, this project was terminated three months early. An audit of the project was ordered and completed. No major findings were reported.

IV. Significant Accomplishments

Of the 67 NIYEA participants, all 67 remained in-school during participation in NIYEA projects. Each youth was provided with a mentor. Of the 6 youth offenders hired to participate, only one

re-offended. Six (6) youth were hired into unsubsidized employment during, or upon completion of, the NIYEA project.

In addition to the above accomplishments, USD 461, Neodesha used NIYEA funds to gain community support for an apprenticeship program by employing community youth. Neodesha has gone on to place students for paid apprenticeship experience. The students are paired with a mentors from the city and work three hours per day during the school year and eight hours per day for fifty days during the summer, a total of 934 hours. The City of Neodesha pays a \$5,000 fee to the Neodesha Educational Foundation, a non-profit organization established by the school district. The Neodesha Educational Foundation pays the student an hourly wage and all relevant Workmans' Compensation and liability insurance fees. Students are paid at least minimum wage and earn elective credit towards high school graduation. In addition, students may prove their value as apprentices and be employed full time after graduation. The City of Neodesha receives a more qualified work force and a corporate income tax deduction for the charitable contribution made to the Neodesha Educational Foundation.

V. Project Recommendations

A. Income Guidelines

Section 9 of HB 2948 states: *"The Secretary of Human Resources may adopt guidelines to effectuate the purpose of this act..."*

This section provided the facility for the KDHR to set guidelines defining the populations or individuals served. The KDHR chose to impose income guidelines used by the Job Training Partnership Act (JTPA) for their Title IIB Summer Programs. These guidelines are as follows:

Poverty Guidelines Effective February 10, 1994		
Family Size	Income	For family units with more than eight (8) members, add: \$2,480 per each additional member.
1	\$7,360	
2	\$9,840	
3	\$12,320	
4	\$14,800	
5	\$17,280	
6	\$19,760	
7	\$22,240	
8	\$24,720	

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70% of the Lower Living Standard Income Level Effective April 22, 1994			
Family Size	Metro	Non-Metro	For family units with more than six (6) members add: Metro: \$3,290 Non-Metro \$3,110
1	\$5,920	\$5,600	
2	\$9,700	\$9,170	
3	\$13,320	\$12,290	
4	\$16,440	\$15,540	
5	\$19,400	\$18,340	
6	\$22,690	\$21,450	

Recommendation:

All grantees recommended raising, or eliminating, income guidelines. Several youth were identified at-risk but exceeded income guidelines by minimal amounts. The KDHR considered raising the income guidelines mid-project, but felt this action may have been unfair to others originally vying for grant monies or to those service providers who may have considered income guidelines too low and rejected applying for the monies. If the project was funded for another year, the KDHR would recommend raising income guidelines.

B. Type of Work

Section 2 states:

...the Secretary of Human Resources shall provide grants...that provide employment opportunities...associated with the repair, maintenance and renovation of essential community facilities.

Youth generally lack prior work experience, and child labor laws restrict much of the work youth are allowed to perform regarding repair, maintenance and renovation. This mandate was understood by some grantees to limit participants to mainly janitorial/custodial duties because youth generally lack the skills, age and experience to lawfully do more.

Associated Youth Services (AYS) expended 35% of their grant award and attributed the underexpenditure to the inability to find work projects that fit the guidelines of *repair, maintenance and renovation of essential community facilities*. When this grantee identified underexpenditure in project funds because of the lack of eligible worksites, they proposed other activities accessing their on-site child care facility and not-for-profit landscaping business/greenhouse. AYS proposed NIYEA participants could assist in the care for children whose parents were attending AYS sponsored GED preparation; or work in their not-for-profit landscaping business where students are encouraged to learn the trade and are then hired by area landscapers. These projects, recommended for consideration, were denied as they were not considered to fit the above criteria and were not identified in the original proposal.

Topeka Youth Project (TYP) finished work on Topeka senior centers ahead of schedule. In the spirit of their proposal, fostering good will and improving the relationships

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between the young and elderly in Topeka, TYP proposed to paint the homes of elderly individuals in the community. This request was denied, as private residence are not considered essential community facilities.

Recommendation:

All grantees requested more leeway with project eligibility. The KDHR would recommend that local communities be allowed to develop projects to best serve their youth and communities while best accessing local resources and services assisting at-risk youth.

C. Unstable Grantee

Of the five grantees awarded funding, four maintained cooperative relationships between the project administrator and KDHR staff. The exception was one project administrator who became increasingly difficult to contact and manage. Due to personal concerns on the part of this project administrator, several aspects of the project were compromised.

The grantee was located in the southeast corner of the state and it was not feasible to make weekly trips. Numerous contacts were made by phone. When it became apparent the grantee needed extensive technical support, the KDHR contacted local staff to provide on-site technical advice and support. State and local staff were willing, but hesitant, and communicated their own past difficulties operating projects/programs with this grantee. The KDHR made several on-site visits but were unable to communicate the importance of accurate records and documentation. In a final attempt, the KDHR appealed to the Board of Directors and asked the Chair to assume responsibility for the project. The Chair was not able or willing to take responsibility for the fulfillment of contract obligations and our repeated requests were unanswered. Due to numerous difficulties, the grantee's project was terminated three months early.

Though the KDHR requested service providers submit letters of support with their proposals, there were no specifications regarding from whom the letters should be submitted. Therefore, service providers selected the individuals and entities writing their recommendations. In hindsight we believe we could have chosen grantees more wisely if, in addition to letters of recommendations sent at the discretion of the service provider, we had mandated references from our own local staff. Currently, there is no system or file in place to record grantees awarded monies; and ability or inability to fulfil contractual obligations, goals and objectives.

RECOMMENDATION:

The KDHR would mandate objective recommendations from our own local office staff. If a grantee's contact is terminated because of failure to perform, this grantee shall not be considered for grant awards for a specified period of time.

VI. **Overview**

After NIYEA's completion, the Kansas legislature requested a recommendation for, or against, continuance of the program. This overview will endeavor to present unbiased facts concerning NIYEA's continuation.

For the past decade, the federal government has funded a summer employment program for low-income youth under the Job Training Partnership Act. Because it was a source of helpful and essential information regarding youth employment programs NIYEA was modeled from the

federal program for administrative purposes. JTPA income guidelines were used and similar reports were developed, but the KDHR eliminated much of the paperwork and federal regulation from NIYEA procedures. Because of the similarities, and the differences, local service providers seeking grants applied for NIYEA funds instead of, or in addition to, JTPA funds.

We are aware of communities where NIYEA funds supplanted federal JTPA IIB Summer Youth funds supporting local youth employment programs. For example, a NIYEA grantee placed JTPA eligible youth on NIYEA worksites in the communities of Coffeyville and Independence. The youth chose to participate in NIYEA because JTPA Summer Youth included a mandatory academic enrichment component of approximately ten (10) classroom hours per week. NIYEA has no such requirement. Operators of JTPA Summer Youth in this area found it difficult to locate eligible participants to fill their allowed slots. This also occurred in Miltonvale and Glasco, where slots for youth participants were transferred to other communities to be filled. In this case more youth were served as two funding sources could be used.

However, the \$5,038,795 statewide allocation for JTPA Summer Youth programs has been cut from next year's budget. If the Kansas legislature opted to obligate \$100,000 for NIYEA's continuation, the State would receive approximately 1/50 of their previous funding for such programs. It is unlikely federal funding for JTPA Summer Youth will be restored and secured. Without NIYEA's continuance, similar services may be unavailable to youth.

NIYEA does provide an advantage over JTPA Summer Youth programs by allowing youth to participate in year round work experience. Year round work experience reinforces positive work habits via longer time to practice work habits; offers low income families a more stable and constant means of income; and allows more time with mentors to learn skills. However, because NIYEA is year round, it carries year round administrative costs. \$15,000 was allocated for such costs, to be used by monitoring and oversight, program coordination, fiscal support, postage and administrative support over the thirteen month period. Past experience illustrates how these monies may not be sufficient if one or more grantee requires a substantial or excessive amount of direction and assistance. The KDHR used \$10,000 for administrative costs, which was consumed mainly by one project.

The KDHR presents the above information to the 1996 session of the House Economic Development Committee, the Senate Commerce Committee and to legislators key to NIYEA's passage and authorship.

Attachments: Characteristic Data

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TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
RANKING MINORITY MEMBER:
BUSINESS, COMMERCE AND LABOR
JOINT SENATE & HOUSE COMMITTEE
ON ADMINISTRATIVE RULES AND
REGULATIONS
MEMBER:
JUDICIARY
TRANSPORTATION
WORKERS COMPENSATION FUND
OVERSIGHT COMMITTEE

Testimony before the
Senate Commerce Committee
Regarding

House Bill 2883

by

Representative Janice L. Pauls

District 102

March 14, 1996

Madam Chairman and members of the committee, thank you for the opportunity to present testimony on this bill to your committee. Two years ago in 1994 the legislature passed HB 2948, the Neighborhood Improvement and Youth Employment Act.

NIYEA was funded in the amount of \$100,000 for the period of July 1, 1994 to October 31, 1995.

NIYEA was set up with five programs. While one program was not as successful as the rest, the remaining projects did provide jobs and skill training for at least 57 high school students.

The programs involved youth working in programs to repair community facilities, senior centers and schools. The youths learned basic skills and more importantly valuable work experience and disciplines.

I would strongly urge your continued support for this worthwhile program.

JIM D. GARNER
REPRESENTATIVE, 11TH DISTRICT
601 EAST 12TH, P.O. BOX 538
(316) 251-1884 (H), (316) 251-5950 (O)
COFFEYVILLE, KS 67337
STATE CAPITOL, RM 284-W
TOPEKA, KS 66612-1504
(913) 296-7875
1-800-432-3924 (DURING SESSION)



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
RANKING DEMOCRAT: JUDICIARY
MEMBER: SELECT COMMITTEE ON JUVENILE
CRIME
SELECT COMMITTEE ON HIGHER
EDUCATION
RULES AND JOURNAL
KANSAS JUDICIAL COUNCIL
CRIMINAL LAW ADVISORY COMMITTEE
NCSL ASSEMBLY ON FEDERAL ISSUES—LAW
AND JUSTICE COMMITTEE

March 14, 1996

TESTIMONY IN SUPPORT OF HOUSE BILL 2883

Chairperson Salisbury and Members of the Committee:

Thank you for this opportunity to testify in support of HB 2883. HB 2883 simply repeals the sunset provision of the Neighborhood Improvement and Youth Employment Act (NIYEA) which was enacted in 1994. KSA 44-1408 states that the act would expire on December 31, 1995. HB 2883 would re-authorize and continue operation of this program.

To have a meaningful response to crime we must offer a comprehensive approach--an approach that is tough on those who commit crimes and is also smart on preventing crime in the first place. NIYEA provides a vital part in crime prevention.

By making a small investment in youth programs, we provide real alternatives to crime and gang activities. Crime must be combated at the local community level. This bill allows local communities to develop after school and job programs that address the problems facing the youth in their community.

Giving young people alternatives to criminal activity can multiply the effectiveness of the existing law enforcement system. For every kid not committing crimes, police can concentrate more resources on hard-core criminals. Moreover, much success in crime prevention is shown by exposing kids to new environments and activities. The December 13, 1993 issue of Business Week included a very informative article entitled "The Economics of Crime." That article mentioned studies of the federal job corps programs, a similar residential jobs for youth program. The article

stated that the studies "show a big drop in arrests for program participants." (pg. 79)

Let's continue the experiment started in 1994. After one year of operation the program shows much promise. It has been a direct benefit to at least 67 kids. This is the very type of local community programs we should be encouraging.

Again, thank you for allowing me this opportunity to express my support for HB 2883. I urge the committee to take favorable action on this bill.



EAST TOPEKA COUNCIL ON AGING, INC.

1114 10TH STREET
TOPEKA, KS 66607
(913) 232-7765

Topeka, Kansas

February 15, 1996

Barbara P. Allen
Chairperson of Housing
Economic Development
State Capital Building
Room 175 West
Topeka, Ks 66612

To: Chairperson Allen:

I would like to submit this testimony in behalf of the service that the East Topeka Senior Center received from the Topeka Youth Project.

The job was well done by the Youth and also they were very nice Youth to work with. The few problems that we had as soon as I reported it to their supervisor the matter was taken care of. I would like to see this continue again this year if at all possible.

Here at the East Topeka Senior Center we had a pizza party for them they enjoyed being with Seniors here and the Seniors enjoyed them.

Yours Truly

Virgiline Green, Executive Director

2-15

CITY OF



KANSAS

February 26, 1996

Representative Barbara W. Ballard
Room 272-W
State Capitol
Topeka, Kansas 66612

Dear Representative Ballard:

I am writing to you on behalf of the City Commission of the City of Ottawa to express our strong support for HB 2883, the Neighborhood Improvement and Youth Employment Act.

In 1993, the City of Ottawa initiated a City-sponsored Summer Youth Employment Program for unprivileged teenagers ages 14 - 17. Over sixty youths participated in the program in 1993 and 1994 and approximately thirty youths participated last year. The program provides the youths an opportunity to have valuable work experience in the private, public, and quasi-public sectors in a closely supervised environment that provides more of a mentoring relationship between the employer and the youth.

This program is extremely successful and regardless of the passage of HB 2883, the City intends to fund this program with its own monies for 1996 and these resources will allow for approximately thirty participants. For the past two years, the City has had to turn qualified youths away because of competing financial constraints. However, should HB 2883 become law, the additional monies provided by the State through this program would allow the City to expand its program and increase its participation levels.

Again, I urge your strong support for this most worthwhile program.

Sincerely Yours,

Matt M. Matthews *ms*

Matt M. Matthews
Mayor
City of Ottawa, Kansas

Copy to: Representative Ralph Tanner
Senator Doug Walker
City Commissioners



COBALT BOATS

February 15, 1996

The Honorable Members of the
House Economic Development Committee
Topeka, KS 66612

Cobalt Boats of Neodesha, Kansas is proud to participate in the USD 461 apprenticeship program for the 1995 - 1996 school year. We have utilized an apprenticeship student since August of 1995. We are pleased with the performance and feel the program is very successful.

From a business standpoint, this program is very sensible as we get quality part-time employees at an incomparable wage while giving the student on-the-job experience. Calculations show that we pay approximately \$3.25 per hour for three to four hours of good part-time help each day, while temporary job placement agencies charge approximately \$10.00 per hour for similar employees.

We receive 934 hours of work for a total cost of \$5,000.00. This amount is reported as a charitable donation on our tax return while reducing our gross income and allowing us a 40 percent reduction of the wage paid. By participating in this program, we pay no insurance, worker's compensation or unemployment taxes and the labor is unburdened.

Another major benefit to the apprenticeship program, though less tangible than the others, is the fact that we are participating in a positive way while supporting our school system and the community as a whole. Like most companies, we are often asked to contribute to the school and/or community. We certainly enjoy doing so, but I personally find it a plus when we are able to see something in return as we have with this program.

In summary, the apprenticeship program has the full recommendation and endorsement of Cobalt Boats. It is our intent to continue to participate and we would be happy to answer any questions that interested parties might have concerning the program.

Sincerely,

Jim Schuessler
Vice President of Operations

Testimony before the House Economic Development Committee
Trent Wetmore
Apprentice
Neodesha USD 461
February 15, 1996

The Neodesha apprenticeship program has been extremely beneficial in many different ways to me. The first benefit was the money. I thought it would be incredible to earn some extra income while I was still getting high school credits. The extra money has allowed me to be able to save for college or whatever else I may be needing. The next benefit was the excellent hands-on experience I have received so far. I know that I would not have been able to land a job of that caliber without the help of the coordinator. Therefore I would not have been able to obtain all that I have learned. This job experience will put me ahead of the other applicants when I am applying for a job as soon as I Graduate from College. This program also allows the students to be able to tell whether he or she does or doesn't wish to major in that particular college field. This way they will have more of an idea of what to do before starting their college career. After talking with the personnel director at Cobalt Boats, the company for which I work, he also told me that good job experience is something he usually first looks for when hiring someone. The last, but not least, benefit was learning how a successful company works. When I first started at cobalt boats, I didn't go straight into the engineering department. I started by working split shifts between the accounting department and the purchasing department. This was where I learned what kind of cooperation it takes to make a good company work. This I know will help me in the future because someday I would like to manage a company.

As you can see the apprenticeship program has helped me out tremendously. It has also helped many of my friends that are cooperating in the program. Some may not have the same college goals as I, but they believe that this job experience will help them land a job either at the company they are currently employed or at another company soon after high school graduation.

SOUTHERN CLOUD UNIFIED SCHOOL DISTRICT No. 334

GLASCO ATTENDANCE CENTER
Box 158
Glasco, Kansas 67445

Jim Davenport, Secondary Principal
Tom Lynch, Elementary Principal
913-568-2291

DISTRICT OFFICE
Box 427
Glasco, Kansas 67445

Jim Davenport, Superintendent
Dorothy Martin, Clerk of Board
913-568-2247
FAX No. 913-568-2298

MILTONVALE ATTENDANCE CENTER
Box 394
Miltonvale, Kansas 67466

Ken Amhold, Elementary Principal
913-427-3365
Ken Amhold, Secondary Principal
913-427-3250
FAX No. 913-427-3181

February 2, 1996

Senator Alicia Salisbury
Senate Commerce Committee Chairperson
Kansas State Senate
Topeka, Kansas

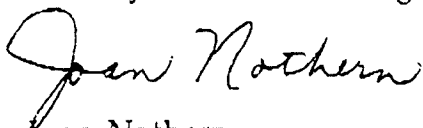
As project coordinator of the NIYEA implementation in Glasco and Miltonvale I am able to share a very positive response to the program in these two rural communities in Cloud County. I encourage you to consider making this program available again. Its benefits exceed the cost.

Our low-income, high-risk students were able to complete several highly visible projects in both communities. By nature of the students eligible for the program, the individual attention needed for each student was the most valuable part of the program. Most students were from single parent families which did not provide models for consistent work patterns or close, caring supervision. They reacted to the attention, direction, and concrete projects in a dramatic way. They have shown improvement in their school work and definitely have an enhanced chance to graduate.

The community supervision demonstrated concern for the students that surpassed expectations. This was a unique opportunity to bring community and educational resources together to work for student development. The united interest, lacking in the students' personal lives, may well have promoted a positive transition in their lives.

As small communities, our students' needs are highly visible, but community resources to address them are nonexistent. NIYEA provided a most unusual and sound means of spanning this gap.

Thank you for considering the benefits of NIYEA.



Joan Nothern
USD #334 Grant Coordinator



**League
of Kansas
Municipalities**

PUBLISHERS OF KANSAS GOVERNMENT JOURNAL 300 S.W. 8TH TOPEKA, KS 66603-3896 (913) 354-9565 FAX (913) 354-4186

TO: Senate Commerce Committee

FROM: Chris McKenzie, Executive Director *W*

DATE: March 14, 1996

SUBJECT: Support for HB 2883

I apologize for not being able to attend today's hearing of the Committee on HB 2883. The League appeared in support of this measure in 1994, and we again wish to express our support for the proposal. Each adult who has had meaningful employment opportunities as a teenager knows the true value of those experiences in shaping our attitudes toward work and in making career choices. Programs such as the Neighborhood Improvement and Youth Employment Act can make a difference in the lives of such young adults, and the state of Kansas can look with pride to such programs.

The cities of Kansas urge your support for the renewal of this program. Even if no city is selected as a grant recipient in the future, the program can help make a difference in the lives of youth who need preparation for entering the work force of the future.

cc. Representative Barbara Ballard

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CLIFF FRANKLIN
 REPRESENTATIVE, TWENTY-THIRD DISTRICT
 JOHNSON COUNTY
 HOME ADDRESS: 10215 W. 51ST STREET
 MERRIAM, KANSAS 66203
 (913) 677-6672
 OFFICE: ROOM 426-S STATEHOUSE
 TOPEKA, KANSAS 66612-1504
 (913) 296-7639



TOPEKA

HOUSE OF
 REPRESENTATIVES

Senate Commerce Committee
HB 2883
Youth Employment Act

Representative Cliff Franklin
March 14, 1996

Madam Chairman and members of the Commerce Committee. I am hear to speak favorably of the mentoring component of HB 2883. I have participated in an academic mentoring program through my employer for 2 years. My company allowed me to mentor a youngster at Martin Luther King Junior High in Kansas City Missouri. ~~Please find attached description of the program.~~

While participating in this program, I found out that children need support of an immediate family structure to increase their chances of academic success. However, many other people can help the family build a positive work ethic and self esteem for a child. In the Kansas City Mentoring program, at-risk children improved their test scores significantly over those children who had no mentors. Likewise, no children with mentors got involved with street gangs or violence.

The relationships between the children and their mentors is a 2 year process in which mentors tutor their children on academic subjects once a week. Roller skating parties and other functions also helped as a means of developing friendships and planning their future from both an academic and values perspective.

In summary, my experience as a mentor was very rewarding for the child and for me. I have a new friend that will succeed despite the tough neighborhood he has grown up in. Likewise, HB 2883 develops relationships between business people and our youth. Self esteem of the child and mentor can be enhanced through community pride, entrepreneur involvement, and developing long term friendships. Thank you for allowing me the time to speak to all of you on mentoring of our at-risk youth.

Senate Commerce Committee
March 14, 1996

Attachment 3

TESTIMONY BEFORE THE SENATE COMMERCE COMMITTEE
JOHN K. BURKE, PH.D.
SUPERINTENDENT OF SCHOOLS
NEODESHA U.S.D. 461
MARCH 14, 1996

Neodesha U.S.D. 461 received a Neighborhood Improvement Youth Employability Act Grant for the 1994-95 year term. The grant actually ran from September 1994 through October 1995. The focus of the program was to develop work skills and work ethic in youth apprentices working in our school system. The program was a complete success and led to the establishment of an innovative apprenticeship program in the city of Neodesha.

Initially, two apprentices were employed who met the financial criteria as set by the act. The two students were assigned to work after school with a custodian who would serve as the student's mentor. As apprentices, the students would learn valuable work skills by observing and working along side the mentor. The mentors also modeled a positive work ethic for the apprentices. As the year progressed, the contact at K.D.H.R. indicated that additional funds would be available and we could expand the program for one more apprentice. Another apprentice was found and he was able to work with one of the custodians before school started in the morning.

The mentors were extremely pleased with the work of the apprentices. They reported that the apprentices learned new work skills and demonstrated a positive work ethic. Two of the apprentices were male and the other was female. Both male apprentices graduated with the class of 1995. The female apprentice will graduate with the class of 1996 and she was able to continue her apprenticeship through the summer and into the fall. In addition, the female apprentice is also an apprentice in the new apprenticeship program.

The N.I.Y.E.A. grant enabled us to begin a state funded apprenticeship program for more than a year for students working before and after school with our custodians. Our new apprenticeship program which grew out of this experience, provides students with the opportunity to work at area businesses for three hours during the school year and eight hours per day during 50 days in the summer. The apprentices are paid \$4.25 per hour,

*Senate Commerce Committee
March 14, 1996
Attachment 4 edw 4-5*

earn three hours of high school elective credit and learn valuable work skills. The businesses are able to work with the Neodesha Educational Foundation which serves as the employer for the students. The business partners pay \$5,000 per apprentice to the Neodesha Educational Foundation. For this, the business partner receives credit for a tax deductible contribution, the services of an eager apprentice, a better prepared work force, and an opportunity to reinvest in the community. The foundation pays the cost of the workers' compensation for the apprentices, liability insurance for the members of the board of directors, and the salary of an apprenticeship coordinator. The apprentices are required to keep a journal of their apprenticeship experiences must participate in Socratic seminars with the superintendent, the high school principal, and the apprenticeship coordinator.

This program provides a mutually beneficial way for students to earn as they learn, employers to receive tax benefits while underwriting the costs of a program, and for the school to utilize the expertise of area business personnel. The Neighborhood Improvement Youth Employability Act was a significant catalyst in the formation of our current program. The benefits of this program are quite wonderful. The businesses receive the opportunity to invest in the community and create a more qualified work force. The schools don't have to purchase expensive, one of a kind equipment. The students receive credit, experience, and pay. In short, everyone wins.



COBALT BOATS

February 15, 1996

The Honorable Members of the
House Economic Development Committee
Topeka, KS 66612

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In summary, the apprenticeship program has the full recommendation and endorsement of Cobalt Boats. It is our intent to continue to participate and we would be happy to answer any questions that interested parties might have concerning the program.

Sincerely,

Jim Schuessler
Vice President of Operations

Testimony before the House Economic Development Committee
Trent Wetmore
Apprentice
Neodesha USD 461
February 15, 1996

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44

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March 13, 1996

Senator Alicia Salisbury
Chair, Senate Commerce Committee
Room 120-S
State Capitol
Topeka, Kansas 66612

Dear Chairwoman Salisbury and Members of the Committee:

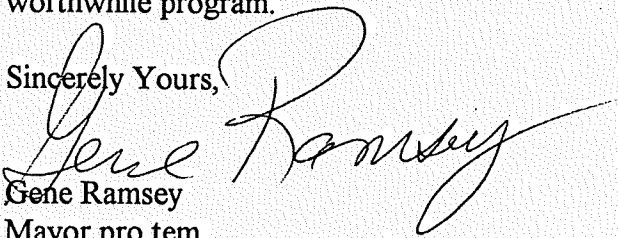
I am writing to you on behalf of the City Commission of the City of Ottawa to express our strong support for HB 2883, the Neighborhood Improvement and Youth Employment Act.

In 1993, the City of Ottawa initiated a City-sponsored Summer Youth Employment Program for unprivileged teenagers ages 14 - 17. Over sixty youths participated in the program in 1993 and 1994 and approximately thirty youths participated last year. The program provides the youths an opportunity to have valuable work experience in the private, public, and quasi-public sectors in a closely supervised environment that provides more of a mentoring relationship between the employer and the youth.

This program is extremely successful and regardless of the passage of HB 2883, the City intends to fund this program with its own monies for 1996 and these resources will allow for approximately thirty participants. For the past two years, the City has had to turn qualified youths away because of competing financial constraints. However, should HB 2883 become law, the additional monies provided by the State through this program would allow the City to expand its program and increase its participation levels.

Again, I urge your favorable consideration of HB 2883 and your strong support for this most worthwhile program.

Sincerely Yours,



Gene Ramsey
Mayor pro tem
City of Ottawa, Kansas

Copy to: Representative Ralph Tanner
Senator Doug Walker

*Senate Commerce Committee
March 14, 1996*

DOUG MAYS
REPRESENTATIVE, FIFTY-FOURTH DISTRICT
SHAWNEE COUNTY
1920 SW DAMON CT
TOPEKA, KANSAS 66611-1926
(913) 266-4885
STATE CAPITOL—ROOM 182-W
TOPEKA, KS 66612-1504
(913) 296-7668



TOPEKA

HOUSE OF
REPRESENTATIVES

House Bill 2883

COMMITTEE ASSIGNMENTS
CHAIRMAN — RULES AND JOURNAL
VICE CHAIRMAN — LOCAL GOVERNMENT
MEMBER — TAXATION
JUDICIARY
CHAIRMAN — SHAWNEE COUNTY DELEGATION

Testimony of Representative Doug Mays

I appear today in favor of House Bill 2883, the Neighborhood Improvement and Youth Employment Act. This is a great program. With so many problems with juvenile crime today, it is refreshing to see the kind of positive activity that this act has stimulated in just its first year.

I am personally aquatinted with two of the grantees, USD 461 in Neodesha, and the Topeka Youth Project. Both have provided young Kansans guidance, training, and opportunities to contribute to their communities at an early age, experiences sure to carry over to adult life.

I urge your support of this bill and the continuation of one of this state's most successful youth programs. The investment we make today will pay dividends tomorrow in terms of trained, productive, tax-paying (not tax-absorbing), citizens.

*Senate Commerce Committee
March 14, 1996
Attachment 6*