

Approved: March 19, 1998
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 18, 1998 in Room 123-S of the Capitol.

Members present: Senators Salisbury, Barone, Brownlee, Donovan, Gooch, Jordan, Ranson, Steffes, Steineger and Umbarger.

Committee staff present: Lynne Holt, Legislative Research Department
Jerry Donaldson, Legislative Research Department
Betty Bomar, Committee Secretary

Conferees appearing before the committee:
John K. Burke, Ph.D., Superintendent of Schools Neodesha USD 461
Representative Barbara W. Ballard
Representative Mary Compton
Laurie Rosenwasser, Executive Director of Harvest America Corporation
Blaine Finch, Mayor pro tem, City of Ottawa
Richard Jackson, Executive Director, ECKAN, Inc.

Others attending: See attached list

HB 2933 - Neighborhood improvement and youth employment act; revisions and repealing sunset

John K. Burke, Ph.D., Superintendent of Schools in Neodesha USD #461, testified in support of **HB 2933**, stating the focus of the Neighborhood Improvement Youth Employment Act is to develop work skills and work ethic in youth apprentices working in the school system. Dr. Burke stated the new program provides students with the opportunity to work at area businesses three hours per day during the school year and eight hours per day during 40 days in the summer. The apprentices are paid at least minimum wage, earn four units of high school elective credits and learn valuable work skills. The businesses work with the Neodesha Education Foundation, a 501(c)(3) organization, which serves as the employer for the students. The business partners pay \$5,531 per apprentice to the Education Foundation. Dr. Burke stated this legislation provides an opportunity for the youth of today and tomorrow to join the work force and leveraging the grants provide for students will pay huge dividends for their future. (Attachment 1)

Representative Barbara W. Ballard, testified in support of **HB 2933** stating the Neighborhood Improvement Youth Employment Act was enacted in 1994 and again in 1996. The Act applies to youths who are of legal age to be employed (14 or older) and are at-risk. **HB 2933** continues the program to provide community work opportunities for high school students across the state during summer months and after school. The statewide program is funded by an appropriation of \$100,000, administered by the Department of Human Resources, who review and make the grants. The Department of Human Resources recommends expanding the definition of eligible participation by including individuals of legal working age attending an elementary school, removing the mandatory Congressional District stipulation and providing more flexibility for private business participation. Representative Ballard requested that the Act not be sunset. (Attachment 2)

Representative Mary Compton, testified in support of **HB 2933**.

Laurie Rosenwasser, Executive Director of Harvest America Corporation, which operates the Neighborhood Improvement Youth Employment (NIYEA) programs in Garden City, Goodland, Kansas City, and Leoti testified in support of **HB 2933** stating the program works for youths, communities and the state. Ms. Rosenwasser stated the program links youths with mentors, builds bridges between youths, parents, schools, communities and the non-profit community service sectors. Ms. Rosenwasser stated local school districts are supportive of the NIYEA program and have asked for additional positions for the coming year. The partnership NIYEA has established with the schools has been positive for the youth involved. Ms. Rosenwasser stated NIYEA is a beneficial program and urged the enactment of **HB 2933**. (Attachment 3)

The written testimony of Blaine Finch, Mayor pro tem, City of Ottawa, supporting **HB 2933** was distributed to members of the Committee. (Attachment 4)

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON COMMERCE, Room 123-S Statehouse, at 8:00 a.m. on March 18, 1998.

The written testimony of Richard Jackson, Executive Director, CCAP, supporting **HB 2933** was distributed to members of the Committee. (Attachment 5)

Senator Gooch moved, seconded by Senator Umbarger, that **HB 2933** be amended on page 1, line 43, by striking the words "an elementary or see" and on Page 2, line 1 by striking "ondary"; and that **HB 2933** be recommended favorable for passage. The recorded vote was Yes 9; No - 1.

HB 2765 - State board of accountancy; continuing education requirements

Susan L. Somers, Executive Director, Board of Accountancy, testified in support of **HB 2765**, stating the bill does not change the 80-hour requirement for continuing education, it deletes the 40 hour per year requirement and allows the Board to set the requirements for obtaining the hours through its rules and regulations. **HB 2765** also grants an exemption from the continuing education reporting requirements to a permit-holding CPA whose principal place of business is in another state; who has met the educational requirements in a state the Board deems to be substantially equivalent in its requirements to those of Kansas and whose state extends the same exemption to Kansas. Ms. Somers stated **HB 2765** also changes the term "quality review" to "peer review" mandated by the American Institute of Certified Accountants. (Attachment 6)

Senator Ranson moved, seconded by Senator Jordan, that **HB 2765** be recommended favorable for passage. The recorded vote was unanimous in favor of the motion.

SB 653 - Liens on real property

Senator Gooch testified in support of **SB 653** stating the bill protects home owners from having a lien upon their property as a result of non-payment to subcontractors. Senator Gooch submitted scenarios wherein a person pays a contractor to perform work and pay for materials, the contractor does not pay for the material, the contractor vanishes and the home owner is faced with a lien on his property or has to pay for the material a second time. Senator Gooch stated **SB 653** protects the owner once the amount contracted to pay for labor, equipment, material or supplies is paid in full.

Art Brown, Mid-America Lumbermens Association testified in opposition to **SB 653** stating there is a remedy in current law. KSA 60-1103 provides that a warning statement be mailed to the owners of property requiring that any person performing labor on your property or furnishing materials for the construction, repair or improvement will be entitled to a lien against the property if he is not paid in full, even though you may have paid the full contract price to the contractor. The warning further advises individuals of the procedure they should take in demanding lien waivers from persons performing labor or furnishing materials, and further have the right to demand from the contractor a complete list of all labors and material suppliers, and determine if labor and materials furnished have been paid. Mr. Brown stated if a person has not received the Waiver Statement, the property owner is protected from lien filings. (Attachment 7)

The meeting was adjourned at 9:00 a.m.

The next meeting is scheduled for March 19, 1998.

TESTIMONY BEFORE THE SENATE COMMERCE COMMITTEE
JOHN K. BURKE, PH.D.
SUPERINTENDENT OF SCHOOLS
NEODESHA U.S.D. 461
MARCH 18, 1998

RE: House Bill 2933
Neighborhood Improvement Youth Employment Act

Chairman Salisbury and Members of the Committee:

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 Neodesha community.

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 graduated 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. Two of the first three apprentices are attending college. The other apprentice is employed and living in Neodesha.

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 40 days in the summer. The apprentices are paid at least minimum wage, earn four units of high school elective credit and learn valuable work skills. The businesses are able to work with the Neodesha Educational Foundation, a 501(c)(3), which serves as the employer for the students. The business partners pay \$5,531 per apprentice to the Neodesha Educational Foundation.

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Attachment #1-1 thru 1-2

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, 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 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.

One of our businesses, Cobalt Boats, currently has three apprentices. One of the apprentices they employed is now a sophomore at Kansas State University studying to be an engineer. Cobalt hired him as an intern last summer. They will continue to offer him internships for every summer until he graduates. Upon graduation they plan to hire him full time. It is extremely difficult to recruit engineers to Southeast Kansas. Cobalt is attempting to grow its own engineer...an engineer who feels comfortable living and working in Neodesha.

As the two year period for this law comes to an end, I strongly urge you to make this act permanent. In an employment era that students view as unfriendly and irrelevant, this legislation provides an opportunity for the youth of today and tomorrow to join the work force. The leverage this bill provides for students will pay huge dividends for their future and the future of Kansas.



TOPEKA

HOUSE OF
REPRESENTATIVES

CAUCUS CHAIR

Senate Commerce Committee
Testimony on House Bill #2933
(Formerly HB 2948 and HB 2883 (HB 3091))
Presented by Representative Barbara W. Ballard
March 18, 1998

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Thank you, Chairperson Salisbury and members of the Committee.

The Neighborhood Improvement and Youth Employment Act (NIYEA) was enacted by the Legislature in 1994 and 1996.

Students have prepared and renovated public buildings, repaired public housing units, cleaned up parks and playgrounds, weatherized community facilities, learned basic plumbing, electricity, and worked with senior citizens. Students have also been employed at the Police Department, hospitals, United Way, libraries, animal shelters, cemeteries, community colleges, high schools and a city zoo.

HB 2933 would continue to provide 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 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.

Under HB 2933, 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. Several pilot programs around the state that included rural, urban, and middle size communities received grants. Detail information about the grants is presented in the Annual Report about the Neighborhood Improvement and Youth Employment Act. The report, from the Department of Human Resources, is attached to my testimony.

Partnerships with businesses have been very successful. I would like to recognize the Neodesha Educational Foundation which serves as the employer for the students. The business partners pay \$5,000 per student apprentice to the Foundation and have invested over \$55,000 in the innovative apprenticeship program. The City of Ottawa continues to employ students in an after school and summer project. The City of Ottawa matched state funding in excess of 100%, providing employment opportunities for twice the number of students participating in NIYEA.

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Attachment # 2-1 thru 2-28

Ballard Testimony for HB 2933
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In reviewing the Annual Report and the recommendations, HB 2933 expands the definition of eligible participation, removes the mandatory Congressional District stipulation, and provides more flexibility for private business participation.

What is the fiscal note? Again, I am requesting \$100,000 for this statewide program.

This bill would continue to provide jobs for low income youths as a pro-active way to fight crime and to keep them in school. 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 2933 would continue to be an investment in our future generation.

Thank you very much for your consideration and I ask you to support HB 2933.

**NEIGHBORHOOD IMPROVEMENT
AND
YOUTH EMPLOYMENT ACT
(NIYEA)**

**Department of Human Resources
Report to the 1998 Session of the House Economic
Development Committee and Senate Commerce Committee**

**Presented January 22, 1998
by Jill M. Crumpacker**

NEIGHBORHOOD IMPROVEMENT AND YOUTH EMPLOYMENT ACT (NIYEA)

**REPORT TO THE 1998 SESSION OF THE
HOUSE ECONOMIC DEVELOPMENT COMMITTEE AND
SENATE COMMERCE COMMITTEE**

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**INCOME GUIDELINES
CHARACTERISTIC DATA**

Neighborhood Improvement and Youth Employment Act (NIYEA)

Report to the 1998 Session of the House Economic Development Committee and Senate Commerce Committee

Contact and Phone Number: Jill M. Crumpacker
Director, Division of Employment and Training
785/296-7874

Grant Period: July 1, 1996 - June 30, 1998

Date: January 22, 1998

I. BACKGROUND

A. Legislation

The Neighborhood Improvement and Youth Employment Act (NIYEA) was made possible by the 1996 Kansas Legislature through House Bill 3091, codified at K.S.A. 44-1401 et. seq. Legislation mandates the following requirements:

1. Work projects must provide employment opportunities to eligible individuals through payments for labor and related costs associated with the repair, maintenance and renovation of essential community facilities; community services; and/or work with low-income senior citizens.
2. Entities qualified to apply for NIYEA awards are units of local government, non-profit organizations, Native American Indian tribes, or private businesses¹ which agree to:
 - a. Submit a plan to provide summer and/or after school employment opportunities to eligible individuals;
 - b. Assign a mentor or advisor to each eligible individual employed by the entity; and
 - c. Abide by guidelines as may be required by the Secretary of Human Resources.
3. At least one grant recipient must be located in each congressional district of the State.

¹ Private business must pay at least 50% of the wages and fringe benefits for individuals it employs pursuant to this act.

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4. Eligible individuals must be enrolled in and attending a secondary school and must meet Income Guidelines.²

B. Funding

Funding became available July 1, 1996. Funding was divided between the Program Years of the Act's duration, resulting in two rounds of proposal competition. The first round funded projects operating during the period of July 1, 1996, to June 30, 1997. The second round of funded projects operating during the period of July 1, 1997, to June 30, 1998. Funding used in Program Years 1996 and 1997 is as follows:

Funding Period	Grantee Awards	Administrative Funding	Total Funding
July 1, 1995 - June 30, 1996 (Encumbered funds)	\$35,399.16	\$ 0	\$35,399.16
July 1, 1996 - June 30, 1997	\$64,134.00	\$ 6,164.42	\$70,298.42
July 1, 1997 - June 30, 1998	\$63,000.00	\$ 7,000.00	\$70,000.00
	\$162,533.16	\$13,164.42	\$175,697.58

C. Project Administration

Project administration is provided by the Division of Employment and Training, Kansas Department of Human Resources (KDHR). Administrative costs are held at 10%, obedient to Section 1404 of the Act which states:

"Not more than 10% of amounts received from a grant received under K.S.A. 1996 Supp. 44-1402 and amendments thereto for any fiscal year may be used for the cost of administration..."

Administrative costs include items such as development of the Request for Proposals (RFP); printing of the RFP; publication announcement in Kansas newspapers and the Kansas Register; postage; fiscal management; project orientation, contract negotiation; on-going technical assistance; travel to and from sites to perform oversight; oversight; and reporting.

II. NIYEA PROJECT INFORMATION

A. Program Year 1996 Response and Selection

Eligible entities were notified of Program Year 1996 funding, through legal notices published in the Hays Daily News, Kansas City Star, Pittsburg Morning Sun, Salina Journal, Topeka Capital Journal, Wichita Eagle, and the Kansas Register. In addition, RFP packages were submitted to all Kansas legislators.

² Income Guidelines attached.

A total of nine (9) proposals were received. The proposals were ranked by a six (6) member Review Committee. One (1) proposal was ineligible and was disqualified before ranking. No eligible proposal was received from Congressional District IV resulting in the decision to fund the next highest scoring proposal. Awarded Program Year 1996 funds are:

B. Program Year 1996 Grant Awards

Interfaith Housing Services, Hutchinson \$24,988.00
 Congressional District I 1920 points

Interfaith Housing Services employed four (4) individuals in an after school and summer project. The project rehabilitated non-occupied houses to provide permanent, affordable housing for low-income or homeless individuals. Interfaith Housing Services provided twelve months of building skills training to individuals who had dropped out of high school. To participate in this project, individuals were required to return to classroom instruction to master the skills necessary to complete requirements for their general equivalency diplomas. Participation was structured to include three (3) hours of daily GED training, and three (3) hours of daily building skills training. Participants were required to keep daily journals and received one (1) hour of Leadership Development and Life Skills instruction. During this hour students learned a variety of skills, such as remedial car maintenance, nutrition, leadership training, health care, and how to balance check books.

City of Junction City, Junction City \$24,989.44
 Congressional District II 1665 points

The City of Junction City partnered with the high school to identify and employ eight (8) individuals in an after school and summer project. Individuals were placed in work activities with the Police Department, United Way, City Clerk, Water Department, and Highland Park Cemetery.

Harvest America, Kansas City \$24,989.44
 Congressional District III 1728 points

Harvest America employed seven (7) youth in a summer project. Individuals were placed in work activities at St. Catherine Hospital, Garden City Community College, Garden City Zoo, Garden City Library, League of United Latin American Citizens (LULAC), and other various not-for-profit agencies. Though the project was administered in Kansas City, participating individuals were located in Kansas City, Leoti, Garden City, and Goodland.

City of Ottawa, Ottawa \$23,740.56
 Congressional District II 1627 points

The City of Ottawa employed twelve (12) individuals in an after school and summer project. Individuals were placed in work activities at Ottawa University, Ransom Memorial Hospital, B. Peck Animal Shelter, East Central Kansas Economic Employment Corporation (ECKAN), and the Ottawa High School. The City of Ottawa matched State funding in excess of 100%, providing similar employment opportunities resulting in twice the number of individuals participating in NIYEA.

C. Program Year 1997 Response and Selection

Eligible entities were notified of Program Year 1997 funding through legal notices published in the Coffeyville Journal, Dodge City Daily Globe, Goodland Daily News,

Hays Daily News, Hiawatha Daily World, Hutchinson News, Kansas City Star, McPherson Sentinel, Olathe Daily News, Ottawa Herald, Parsons Sun, Salina Journal, Topeka Capital Journal, Wellington Daily News, Wichita Eagle, and the Kansas Register. In addition, RFPs were submitted to all Kansas legislators.

For this funding period, a total of seven (7) proposals were originally submitted. The entities selected were ranked by a six (6) member Review Committee. No eligible proposal was received from Congressional District IV, resulting in the re-issuance of the RFP throughout the Congressional District. The second notification resulted in one (1) proposal received from Congressional District IV. The proposal was funded. One (1) of the original seven (7) proposals was ineligible and was disqualified before ranking. Awarded Program Year 1996 funds are:

D. Program Year 1997 Grant Awards

Kansas Wesleyan University DBA Retired and Senior Volunteer Program, Salina
Congressional District I \$17,500.00
1325 points

The Retired and Senior Volunteer Program will employ approximately twenty-two (22) individuals in NIYEA eligible work activities, providing: programs stressing the benefits of a secondary education; training with area business and industry personnel to learn what employers expect; the option of participation in organized sports/recreational team activities; and leadership training. Primarily low-income individuals in State custody who are identified as "at-risk" will be served. The project begin mid-January 1998, and ends June 30, 1997.

City of Ottawa, Ottawa \$17,500.00
Congressional District II 1256 points

The City of Ottawa continues to employ approximately ten (10) individuals in after school and summer employment. Existing partnerships with NIYEA worksites in the community will be utilized and new partnerships forged. The project began July 1, 1997, and ends June 30, 1998.

Harvest America, Kansas City \$17,500.00
Congressional District III 1886 points

Harvest America continues to employ approximately seven (7) individuals in an after school and summer employment project. Existing partnerships with NIYEA worksites in Kansas City, Leoti, Garden City, and Goodland will be utilized and new partnerships forged. The project began July 1, 1997, and ends June 30, 1998.

Wichita Indochinese Center \$17,500.00
Congressional District IV 462 points

Wichita Indochinese Center will employ approximately ten (10) individuals in NIYEA eligible work activities while providing life and employability skills training and community service work with senior citizens. The project began in November 1997 and will end June 30, 1998.

III. CHARACTERISTIC INFORMATION

Program Year 1996 Characteristics attached.

IV. PROGRAM YEAR 1996 PROJECT EVALUATION

Interfaith Housing Services, Hutchinson

Interfaith Housing Services (IHS) successfully completed their project in summer 1997. The four (4) participants aided by the IHS grant expanded their skills and all were employed. Participants were hired: by IHS to lead volunteer groups in the development of housing for special needs populations; to work construction part time while attending classes at Hutchinson Community College; to work in retail, his primary field of interest, as he continued work to achieve his GED (three of the five tests successfully completed); to work on a ranch in New Mexico.

The Director of IHS wrote: *"While this is a brief summary ... it represents monumental achievements by each student. Some of the students came into the program on probation, others were homeless, all had very low self esteem and not one had any idea as to what they wanted to do with their lives...We are proud of each one and excited about their futures."*

City of Junction City, Junction City

The City of Junction City successfully completed their project on June 30, 1997. In May 1997, the Mayor of Junction City recognized NIYEA participants for their achievements. Each participant received a certificate of appreciation. During two performance evaluations all participants were rated outstanding to excellent.

The Director of the Junction City project wrote: *"Everyone was overwhelmingly pleased with the program and students' performance. It was determined the City should reapply for continued funding and should continue to seek other sources of possible funds to continue the program."*

Harvest America, Kansas City

Harvest America successfully bid for a second year of funding and continues to provide employment opportunities and mentors for individuals in four (4) locations across the state. In addition to their employment, participants received life skills training in credit management, substance abuse prevention, first aid techniques, and internet access.

Each of the locations has been very pleased to have participated in the NIYEA experience especially the Garden City project. The Director of the Harvest America project writes: *"The Garden City school district has been very supportive of this program and has asked about the possibility of having additional slots for next year. After learning of the positive effect NIYEA has had in Garden City, the Liberal High School has expressed interest in the program and inquired about the possible expansion of the program to Seward County."*

City of Ottawa, Ottawa

The City of Ottawa successfully bid for a second year of funding and continues to provide employment opportunities and mentors for individuals in Ottawa. The City of Ottawa has again budgeted a large match (\$22,621.38) to allow employment opportunities for individuals in the private sector which are not funded by NIYEA.

The Director of the City of Ottawa writes: *"NIYEA funding has provided the City of Ottawa a unique opportunity to provide life skills to underprivileged youth while serving the community and area employers. This program has been so successful in Ottawa that we have more employers and qualified youth than funding available to serve them. Not only do we feel that the NIYEA funds have made an impact on the underprivileged youth of Ottawa, we feel that*

continued and increased funding is vital to the success of our program and the future of area youth."

V. SIGNIFICANT ACCOMPLISHMENTS

- Of the 31 total NIYEA participants, four (4) returned to school to participate in NIYEA.
- All 31 remained in school during participation in NIYEA projects.
- Each individual was provided a mentor to guide and teach them through their employment experience.
- Of the three (3) offenders hired to participate, none re-offended.

VI. RECOMMENDATIONS

The following recommendations are offered for consideration. They illustrate areas of concern regarding project activities and eligibility while proposing solutions staff believe will benefit and strengthen the project if reauthorized to continue.

A. Type of Work

Section 44-1402 states:

"...the Secretary of Human Resources shall provide grants...that provide employment opportunities...associated with the repair, maintenance and renovation of essential community facilities and for labor and related costs associated with assisting with community services and working with low-income senior citizens."

These work activities are mandated to all eligible entities awarded NIYEA grant funds, including private businesses. Private businesses are rarely involved in paying individuals to perform community service or working with low-income senior citizens. Private businesses is involved in work associated with the repair, maintenance and renovation of essential community facilities; however, this is a small percentage of employment opportunities available to individuals.

Recommendation:

Option 1: The KDHR recommends that all reference to "private businesses" be removed from the act as they are virtually eliminated from participation in the NIYEA program because of mandated work requirements.

Option 2: The KDHR recognizes that meaningful and worthwhile work experiences and mentors may be found in private businesses; therefore, the KDHR recommends waiving the mandated work activity requirements for private employers who agree to:

"...pay at least 50% of the wages and related fringe benefits of the youths it employees pursuant to this act. (K.S.A. 44-1403)"

This recommendation would allow local communities to develop projects to best serve individuals and communities while accessing local resources and services assisting individuals.

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B. Eligible Youth

Section 44-1405 states:

"An individual shall be eligible to participate in a program...only if the individual is attending a secondary school..."

In the past three years of NIYEA projects, at least three (3) individuals of eligible working age were denied participation in NIYEA because they were held back to repeat a grade level and not in secondary school. In each case, the individual was considered "at-risk" and in desperate need of a structured program or service. It is offered for consideration that individuals who are struggling in school and have been retained from advancing one or more grade levels are some of the most in need of mentoring and guidance service. Because of child labor restrictions, employers prefer working with older individuals (ages 16 and 17), virtually eliminating the youngest of working individuals (ages 14 and 15) who cannot find other employment.

Recommendation:

The KDHR recommends the legislature strike "secondary" from this section.

C. Mandating a Project in Each Congressional District

Section 44-1402 states:

"The Secretary shall ensure that at least one grant recipient is located in each congressional district in the state."

After distribution of the Program Year 1996 NIYEA RFP, no eligible proposal was received from Congressional District IV. After consideration of the time and resources expended publishing and distributing the NIYEA RFP, it was decided to fund the next highest scoring proposal.

After distribution of the Program Year 1997 NIYEA RFP, again no eligible proposal was received from Congressional District IV. After two years of no satisfactory response from eligible entities in Congressional District IV, legal counsel advised staff they could not fund the next highest scoring proposal, as the act made no provision allowing KDHR to award funds if no suitable grantee was found in any given congressional district. Though legal ads, publication, and mailing the RFPs were costly, staff responsible for NIYEA re-issued the RFP in a second attempt to award funds to this Congressional District, as mandated by K.S.A. 44-1401 et seq. In response to the second distribution of the NIYEA RFP in Congressional District IV, KDHR received one proposal which minimally met NIYEA's purpose and goals and resulted in the proposal receiving a very low rating. Legal counsel determined the law must be adhered to, resulting in the funding of a project which did not rank comparatively to other funded proposals.

Based on Legal's advice, KDHR worked from August to November 1997, assisting the sole applicant in revising the proposal until it reflected NIYEA's direction, goals, and objectives. The grantee began their project in late November 1997.

The difficulty in finding a suitable project in Congressional District IV, and the task of building it into a suitable proposal, caused significant delays caused the grantee to

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recently begin to expend funds available through the grant award. To deny a promising proposal based solely upon another award in the same Congressional District, while funding a project which receives an unfair amount of support and guidance to arrive at a suitable vision and goal, is inefficient and unfair.

Recommendation:

The KDHR recommends this requirement be removed from the NIYEA Act. This requirement was not contained in the original NIYEA act.

VII. CONTINUANCE OF THE PROGRAM

In K.S.A. 1401, Section 1408, the Kansas legislature requested a recommendation for, or against, continuance of the program. This overview will endeavor to present information concerning NIYEA's continuation.

For the past decade, the Federal Government has funded the Summer Youth Employment and Training Program (SYETP) for low-income individuals under the Job Training Partnership Act (JTPA). A comparison to the SYETP is made as it is the most similar youth employment project and the continuance or discontinuance of NIYEA will affect options given to communities wishing to serve individuals through employment based strategies. Because the SYETP is a source of helpful and essential information regarding employment programs, NIYEA was modeled from this federal program for administrative purposes. Income guidelines were used and reports similar to those for SYETP were developed.

NIYEA provides several advantages over the SYETP by allowing individuals to participate in year round work experience. Year-round work experience reinforces positive work habits by offering a 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 and provide guidance.

An advantage for NIYEA administrators is the elimination of much of the paperwork and federal regulation. In addition, NIYEA's income eligibility guidelines allow greater discretion on the part of the grantee. If a grantee cannot locate individuals who are eligible under the most unfortunate income guidelines, it may move to the next category of need by providing documentation of why it was critical the individual be served. SYETP allows the grantee no discretion regarding income. This has allowed NIYEA to serve the higher income end of low-income individuals.

Disadvantages for NIYEA include its year-round need for administrative costs. The KDHR uses the entire 10% administrative allocation for costs such as development of the Request for Proposals (RFP); printing of the RFP; announcement of fund availability in Kansas newspapers and the Kansas Register; postage; fiscal management; project orientation, contract negotiation; on-going technical assistance; travel to and from sites to perform oversight; oversight; and reporting. Past experience shows these monies may not be sufficient if one or more grantees require a substantial or excessive amount of direction and assistance. Past experience also shows that many not-for-profit services providers will not apply because they cannot afford to operate the project with no administrative funds available to support their costs. This results in a small number of applicants, though applicants who are willing to accept an award with no administrative funding are generally quite committed.

After reviewing the information contained in this report, the KDHR requests serious consideration be given to the recommendations stated in the previous section when deciding NIYEA's future. These issues are critical to NIYEA's success. The KDHR firmly believes NIYEA

is a worthwhile project providing valuable and commendable experiences to benefitted individuals. We believe it serves as a testament to our State and its commitment to its people in need. We believe it calls neighborhoods to action through creative and compassionate involvement and ownership in our communities and their development.

The KDHR presents the above information to the 1998 session of the House Economic Development Committee, the Senate Commerce Committee and to legislators key to NIYEA's passage and authorship.

Attachments: Income Guidelines
Characteristic Data

**INCOME GUIDELINES
PROGRAM YEAR 1996**

Neighborhood Improvement and Youth Employment Act
Kansas Department of Human Resources

Individuals appointed under NIYEA must meet the financial needs criteria in Category I, II, III, IV, or V. Persons with mental retardation, a physical disability or documented learning disability are excluded from this requirement. Appointments should be made in order of priority listed below. (Category I students are to be appointed before Category II, etc.)

INCOME GUIDELINES				
Family Size	Category I Income	Category II Income	Category III Income	Category IV Income
1	7,890	10,890	13,890	16,890
2	10,610	13,610	16,610	19,610
3	13,330	16,330	19,330	22,330
4	16,050	19,050	22,050	25,050
5	18,770	21,770	24,770	27,770
6	21,490	24,490	27,490	30,490
7	24,210	27,210	30,210	33,210
8	26,930	29,930	32,930	35,930
See Note	2,720*	2,720*	2,720*	2,720*

* For each additional family member, add \$2,720.

Category V

Individuals in this category may be considered only after qualified candidates in Categories I-IV have been given bona fide consideration. Grantees may make appointments in this category provided they ensure individuals appointed are economically disadvantaged. This category enables grantees to consider students based on other factors such as geographic cost-of-living, unique personal circumstances, and area recruitment difficulties. It is important to document the basis for determining need under this category.

The following examples of criteria can be applied in making such determinations: individual or their family qualify for Federal, State, or local public assistance projects such as housing assistance, Medicare/Medicaid, food stamps, etc...; Based on economic conditions in the local geographic area, an individual is economically disadvantaged and needs the income to continue his/her education; family income level is below the annual median household income in the local geographic area.

**CHARACTERISTIC DATA
PROGRAM YEAR 1996**

Total number of NIYEA participants	31
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Gender	Male:	17
	Female:	14

Age	14 years:	4
	15 years:	10
	16 years:	10
	17 years:	3
	18+ years:	4

Ethnic Category^a	White:	23
	Black:	3
	Hispanic:	4
	American Indian or Alaskan Native:	1

Highest Grade Completed	8th grade:	11
	9th grade:	6
	10th grade:	12
	11th grade:	2

Disabled	Yes, disability substantial barrier to employment:	0
	Yes, disability not a barrier to employment:	4
	No:	27

Offender	Yes, excluding misdemeanors:	1
	Yes, only misdemeanors:	2
	No:	28

^a Basic racial and ethnic categories are defined by the Office of Management and Budget (OMB).

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**Neighborhood Improvement and Youth Employment Act (NIYEA)
Testimony to the House Economic Development Committee
January 27, 1998**

Representative Mason, members of the House Economic Development Committee, thank you for the opportunity to present this Program Years 1996 and 1997 report of the Neighborhood Improvement and Youth Employment Act, or NIYEA. My name is Erin Newport. I am with the Division of Employment and Training within the Department of Human Resources.

To begin, I would like to provide you with a little history of the NIYEA project. NIYEA is relatively new, somewhat of a "baby" in project or program lifecycles. It was introduced in 1994, by Representative Barbara W. Ballard as a youth anti-crime bill providing mentors and work experience. The bill changed slightly as it made its way through the Senate. The anti-crime wording was dropped, but the strong role for mentors and meaningful work remained and is still characteristic to the law. The bill was passed by the 1994 Kansas Legislature as House Bill 2948, appropriating \$100,000 for the project. After two years the bill was sunset, at which time it was re-introduced by Representative Ballard and passed by the 1996 Kansas Legislature as House Bill 3091.

At least two things make this project excitingly unique. The first is that each NIYEA grantee has received no funding for administration of their project. All costs related to mailings, staff salaries, supplies, etc... are incurred by the NIYEA grantee.

The second is that this project is State funded. As we see the trend move towards a more active role for local providers, we see fewer mandates and more creative solutions. So we can say this was the case with NIYEA four years ago. The Legislature essentially gave only four mandates for the projects. These are:

- First... youth must be enrolled in and attending secondary school to participate;
- Second... projects must provide work experience to eligible individuals through the repair, renovation and maintenance of essential community facilities; community service; and/or work with low income senior citizens;
- Third... each youth must be provided a mentor; and
- Fourth... one grantee must be located in each congressional district.

Project administration is provided by the Kansas Department of Human Resources. Administrative costs are held at 10%, obedient to Section 1404 of the Act which states:

"Not more than 10% of amounts received for any fiscal year...may be used for the cost of administration..."

Funding became available July 1, 1996 and was divided between the Program Years of the Act's duration, resulting in two rounds of proposal competition. The first round funded projects operated from July 1, 1996, to June 30, 1997. The second round of funded projects operate from July 1, 1997, to June 30, 1998.

Now, let me tell you a little about the projects themselves, how they were chosen and what they accomplished.

Notifications of Program Year 1996 funding were published in six Kansas newspapers. In addition, a legal notice was published in the Kansas Register and copies of the Request for Proposals (RFP) package was sent to every Kansas legislator.

A total of nine proposals were submitted. One proposal was determined ineligible and was disqualified before ranking.

Interfaith Housing Services in Hutchinson was selected from Congressional District I. Interfaith Housing Services employed four individuals in an after-school and summer project to rehabilitate non-occupied houses for low-income or homeless individuals. Participants were high school dropouts who were required to return to classroom instruction towards their GED to participate in NIYEA. Participation was structured to include three hours of daily GED training, and three hours of daily building skills training. Participants were also required to keep daily journals and received one hour of Leadership Development and Life Skills instruction. During this hour students learned a variety of skills, such as remedial car maintenance, nutrition, leadership training, health care, and how to balance checkbooks. Interfaith Housing Services completed their project in summer 1997.

The City of Junction City was awarded funds in Congressional District II. The City partnered with the high school to identify and employ eight individuals in an after-school and summer project. Individuals were placed in work activities with the Police Department, United Way, City Clerk, Water Department, and Highland Park Cemetery.

In May 1997, the Mayor of Junction City recognized NIYEA participants for their achievements. Each participant received a certificate of appreciation. During two performance evaluations all participants were rated outstanding to excellent. The City of Junction City completed their project on June 30, 1997.

The City of Ottawa was awarded funds in Congressional District II. The City employed twelve individuals in an after-school and summer project. Individuals were placed in work activities at Ottawa University, Ransom Memorial Hospital, B. Peck Animal Shelter, East Central Kansas Economic Employment Corporation (ECKAN), and the Ottawa High School. The City of Ottawa matched State funding in excess of 100%, substantially increasing the number of individuals served.

The City of Ottawa successfully bid for a second year of funding and continues to provide employment opportunities and mentors. The City of Ottawa has again budgeted a large match in excess of \$22,500 allowing employment opportunities for individuals in private sector work activities which are not within the scope of work activities funded by NIYEA.

The Director of the City of Ottawa had this to say about NIYEA: *"NIYEA funding has provided the City of Ottawa a unique opportunity to provide life skills to underprivileged youth while serving the community and area employers. This program has been so successful in Ottawa that we have more employers and qualified youth than funding available to serve them. Not only do we feel that the NIYEA funds have made an impact on the underprivileged youth of Ottawa, we feel that continued and increased funding is vital to the success of our program and the future of area youth."*

And finally, Harvest America, in Kansas City was awarded funds in Congressional District III. Harvest America employed seven youth in a summer project. Individuals were placed in work activities at St. Catherine Hospital, Garden City Community College, Garden City Zoo, Garden City Library, League of United Latin American Citizens (LULAC), and other various not-for-profit

agencies. This project is unique in the fact that though the project was administered in Kansas City, projects were located in Kansas City, Leoti, Garden City, and Goodland.

Harvest America successfully bid for a second year of funding and continues to provide employment opportunities and mentors for participants, in addition to life skills training in subjects such as credit management, substance abuse prevention, first aid techniques, and internet access.

SIGNIFICANT ACCOMPLISHMENTS by these grantees include:

- Of the 31 total NIYEA participants, four returned to school to participate in NIYEA.
- All 31 remained in school during participation in NIYEA projects.
- Each individual was provided a mentor to guide and teach them through their employment experience.
- Of the three offenders hired to participate, none re-offended.

We are quite proud of the efforts and accomplishments of the Program Year 1996 grantees and are confidently hopeful the Program Year 1997 grantees will do as well.

Program Year 1997 funding was published in fifteen Kansas newspapers. Funding was also published in the Kansas Register and copies of the RFP were sent to all Kansas legislators. A total of seven proposals were originally submitted. Interestingly, for the second year, no eligible proposal was received from Congressional District IV, resulting in the re-issuance of the RFP throughout the Congressional District. The second notification resulted in one proposal received from Congressional District IV. The proposal was funded.

Awarded Program Year 1997 funds are:

Kansas Wesleyan University DBA Retired and Senior Volunteer Program in Salina from Congressional District I. They will employ approximately twenty-two individuals in NIYEA eligible work activities while providing: programs stressing the benefits of a secondary education; training with area business and industry personnel to learn what employers expect; the option of participation in organized sports/recreational team activities; and leadership training. Primarily low-income individuals in State custody who are identified as "at-risk" will be served. The project began in mid-January 1998, and ends June 30, 1997.

The City of Ottawa is the Program Year 1997 grantee from Congressional District II. It received a second award and will continue to employ approximately ten individuals in after-school and summer employment. The project began July 1, 1997, and ends June 30, 1998.

Harvest America is the Program Year 1997 grantee from Congressional District III. It also received a second award and will continue to employ approximately seven individuals in an after-school and summer employment project.

Wichita Indochinese Center was awarded NIYEA funds in Congressional District IV. It will employ approximately ten individuals in NIYEA eligible work activities while providing life and employability skills training and community service work with senior citizens. The project began in November 1997 and will end June 30, 1998.

The report contains more detailed information regarding the NIYEA projects and related issues. It also endeavors to present recommendations which we feel are critical to NIYEA's success. When reviewing the report, please give serious consideration to the recommendations stated on pages 6, 7, and 8 when deciding NIYEA's future.

I thank you for the opportunity to present this report to you and for your time and attention. Before I answer any questions you might have, I would like to summarize by saying that I firmly believe NIYEA is a worthwhile project providing valuable and commendable experience to its participants. I believe it serves as a testament to our State and its commitment to its people in need, especially our young people and their education. And I believe it calls neighborhoods to action through creative and compassionate involvement and ownership in our communities and their development.

Thank you.

Report to 1997 Session

Good morning. My name is Erin Newport. I am employed with the Kansas Department of Human Resources with the Division of Employment and Training. Secretary Franklin has afforded me the opportunity to visit with you this morning regarding the Neighborhood Improvement and Youth Employment Act; otherwise known as NIYEA.

I see according to the agenda I have 20 minutes to tell you all about this project. I am not sure if I'll need the full 20 minutes. NIYEA is a relatively new project, somewhat of a baby in project or program lifecycles. And speaking of baby, I'm a little concerned that if I stand up here for too long pacing and talking, this front row is going to get a little uncomfortable that I might get something started.

To begin, I'd like to provide you with a little history of the NIYEA project. NIYEA was introduced in 1994, by Representative Barbara W. Ballard as a youth anti-crime bill providing mentors and work experience for youth. The bill changed slightly as it made its way through the Senate, the anti-crime wording was dropped, but the strong role for mentors and meaningful work remained and still gives this characteristic to the law. The bill was passed by the 1994 Kansas Legislature as House Bill 2948, appropriating \$100,000 for the project. After two years the bill was sunset, at which time it was re-introduced by Ballard and passed by the 1996 Kansas Legislature as House Bill 3091. Funding of \$70,000 was received for 1996; and \$70,000 has been requested for 1997.

Two things make this project unusual and exciting. The first is that each NIYEA grantee has received no funding for administration of the project. All costs relating to mailings, staff salaries, paperwork, etc... are incurred by the NIYEA grantee.

The second is that this project is State funded. As we see the trend moves towards less guidelines allowing for more creative solutions, so we can say this was the case with NIYEA three years ago. The Legislature mandated that KDHR:

1. require youth be enrolled in and attending secondary school to participate;
2. select projects that will provide work experience to eligible youth through: the repair, renovation and maintenance of essential community facilities; community service; and/or work

- with low income senior citizens;
3. assure each youth be provided with a mentor; and
 4. will fund one grantee would be located in each Congressional district.

This informational sheet provides a brief overview of the project, much of which I'm addressing now.

For the 1996 funding, notifications of funding availability were published in six (6) Kansas newspapers covering the state: The Wichita Eagle, The Topeka Capital-Journal, The Kansas City Star, The Pittsburg Morning Sun, The Salina Journal, and the Hays Daily News. In addition, a legal notice was published in the Kansas Register and copies of the Request for Proposals (RFP) package were sent to every Kansas legislator.

If you are interested in receiving an RFP for 1997 funding, I am sending around a sign-up sheet. Please write your mailing address or attach a card and you will be sent an RFP in early May of this year. June 13, 1997, is the deadline for submitting an RFP for 1997 funding.

A total of nine (9) proposals were submitted. One (1) proposal was determined ineligible and disqualified before ranking. The following 1996 recommendation for funding was based on the collective scores of a four (4) member Review Committee. Funded for 1996 are:

Interfaith Housing, Hutchinson
City of Junction City, Junction City
Harvest America, Kansas City
City of Ottawa, Ottawa

I'd like to overview the projects funded for 1996. They are:

Interfaith Housing, Inc. September 9, 1996, to August 29, 1997
Hutchinson
Project Objective:

Employed 4 students into a full 12 month program where they receive sessions of adult basic education, life skills and building trades. Adult basic education component includes 3 hours daily at the Adult Basic Education Center. Building self esteem and leadership skills includes 1 hour daily to teach students how to parent, cook, maintain a care, use the library, paying bills and preparing taxes are just a few. The building trades unit includes local trade unions volunteering to work alongside students demonstrating their professions, teaching students through work on homes for the homeless and low income. In addition to these sessions, students are also required to join a civic organization.

City of Junction City August 20, 1996, to August 18, 1997
Junction City
Project Objective:

Employs 5 youth in skilled trades in Junction City. Currently, students are employed in positions in the City's' water department, print shop, police department, United Way Office. A position will also be added to work as a youth activity coordinator for Public and low income housing in Junction City.

City of Ottawa July 5, 1996, to June 30, 1997
Ottawa
Project Objective:

Employs 6 qualified disadvantaged youth in positions with Ottawa University, Ottawa Headstart, Animal Shelter, Ottawa Municipal Auditorium, and others. Ottawa has a unique commitment to youth and stress the benefit of a nurturing environment offering youth to performing meaningful work with encouragement from both a work site mentor as well as a program supervisor. The importance of completing secondary education is repeated often throughout the length of the program. In addition, we will expand the spirit of cooperation between local government and private sector, where possible. Ottawa was the most successful of the NIYEA grantees in finding private sector employment for youth.

City makes a substantial contribution finding youth summer employment. The youth are held to the same standards though some of them are required to meet income guidelines and some are not. Two pots - one group of youth.

Harvest America May 1, 1997 to April 30, 1998
Kansas City, Ks 66103
Project Objective:

Took one year to plan and will operate program for one year. Harvest America will employ approximately 7 youth who will decrease their school absenteeism and tardiness, increase their sense of community responsibility by making a commitment to volunteer activity; to improve their employability skills; to show improvement in their school performance; and to involve parents in attending at least one parent teacher conference.

As stated, this was a brief overview of this project's history and this year's grantees. If you have any questions, I would be pleased to address them.

MEMORANDUM

TO: [REDACTED]
FROM: [REDACTED]
DATE: [REDACTED]
SUBJECT: NIYEA Funding

Representative Ballard requested the following information regarding NIYEA funding.

State Fiscal Year 1996 funding was allocated at \$90,000 by the Budget Division. In response to Governor Graves' request for a 1.5 reduction in state general revenue funds, KDHR's share was pulled from NIYEA in the amount of \$18,741. (This information may be referenced in House Bill substitute for Senate Bill #757, Section 48, from the 96 Session of the Kansas Legislature.) This resulted in \$71,259 for NIYEA in state fiscal year 1996.

State Fiscal Year 1997 funding was rounded off from the year previous and \$70,000 was budgeted for the NIYEA program.

General revenue budgets for State Fiscal Year 1998 contain an allocation for \$70,000 for NIYEA.

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MEMORANDUM

TO: [REDACTED]

FROM: [REDACTED]

DATE: [REDACTED]

SUBJECT: Request for information regarding surplus of NIYEA funds

Per your request for information regarding the projected surplus of Neighborhood Improvement and Youth Employment Act (NIYEA) funds, please note the following information.

After original publication of the NIYEA Request for Publication (RFP), no eligible proposal was received from Congressional District #4. After seeking legal counsel, it was decided to re-issue the RFP in a second attempt to distribute funds to this Congressional District, per K.S.A. 44-1401 et seq. which states: "*The Secretary (of Human Resources) shall ensure that at least one grant recipient is located in each congressional district in the state.*" In response to the second distribution of the NIYEA RFP in Congressional District #4, KDHR received one proposal which minimally met NIYEA's purpose and goals. This proposal, received from Wichita Indochinese Center (WIC), was rated very low. Legal was again consulted regarding the question of whether or not KDHR was required to fund a proposal which, when scored, did not rank comparatively to other proposals funded. It seemed unwise to deny a promising proposal based solely upon the Congressional District it was located within. Legal Services informed us that we must adhere to the law and could not fund the next highest scoring proposal, KDHR must fund a project in Congressional District #4.

Based on Legal's advice, I worked from August 1997, to November 1997, with Mr. Mohan Kambampati of the WIC assisting him by reviewing and commenting on his proposal until it was one which reflected the direction, goals and objectives of NIYEA. WIC began their project in early December. An expenditure report has not been filed for their first month's expenditures. As of December 31, 1997, WIC identified six

youth to begin work under NIYEA. Because of the delays in finding a suitable project in Congressional District #4, and the task of making their proposal suitable, WIC is just beginning to expend funds available through their grant award.

Salina Area Planning Council for Children and Families also delayed their project begin date after meeting KDHR staff for contract negotiation and project orientation. During this meeting, which was partly dedicated to reviewing and discussing contract requirements, Salina project coordinators informed the KDHR that they would need to re-calculate the begin date. Salina immediately began work with KDHR staff to assure all contract requirements could be met before a contract was entered into. Final revised proposal pages were received from Salina on December 31, 1997. These pages will receive final review and be forwarded to Legal Services if they appear to meet all NIYEA and KDHR requirements. The Salina Area Planning Council for Children and Families is projected to begin their project this month and it is anticipated they will begin filing expenditures during the month of February.

In essence, only two of the four NIYEA grantees are up and operating. The delays of finding a suitable project in Congressional District #4, and choosing a project which is to begin operation in January, caused the appearance of a surplus in NIYEA funding because it is calculated by prorating funds at a monthly expenditure level. However, it should be noted that both the WIC and the Salina Area Planning Council for Children and Families intend to spend their full grant awards by employing a larger number of participants for a shorter time period. Each grantee continues to receive information and direction addressing the issue of underexpenditure.

I hope this answers any questions you may have. If you require any further information, please contact me at 296-3796.

[REDACTED]

[REDACTED]

CHAPTER 264
HOUSE BILL No. 2948 *

AN ACT creating the neighborhood improvement and youth employment act.

[Ch. 265

1994 Session Laws of Kansas

1149

Be 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.



CORPORATION ... an equal opportunity employer serving the heart of America

Reverend Donald G. Martin, Chairperson
Laurie A. Rosenwasser, Executive Director

My name is Laurie Rosenwasser. I am the Executive Director of Harvest America Corporation. We presently operate a NIYEA program in Garden City, Goodland, Kansas City, and Leoti. Our experience is that NIYEA works. NIYEA works for youth, it works for communities, and it works for Kansas.

Harvest America works closely with the schools in the four target communities to recruit appropriate at-risk youth, who would benefit from the work, education, and mentoring components of the program, for NIYEA. All the NIYEA youth come from economically disadvantaged families. In many cases their parents have very limited formal education. NIYEA offers these youth exposure to environments and ideas they might never otherwise experience. NIYEA provides these youth the opportunity to awaken their interest in educational activities and careers, which they would otherwise not even know about.

Harvest America staff enrolls youth and links them with a mentor. NIYEA builds bridges between the youth, their parents, the schools, other adults in the community, and the non-profit community service sector. Harvest America's NIYEA program has youth placed at hospitals, community colleges, zoos, libraries, and nonprofit organizations. During the summer, youth perform community service 32 hours each week and participate in education 8 hours a week. During the school year, they work 8 hours and participate in education for 2 hours each week.

In the life skills education component of NIYEA, Harvest America has provided training in anger control, how to apply for a scholarship, first aid/CPR, nutrition and exercise, internet use, HIV prevention, credit management, pregnancy prevention, substance use prevention, and citizenship. Local organizations and individuals have provided this training to the NIYEA youth as an in-kind contribution to the program.

The local school districts have been very supportive of our NIYEA program, and they have already

Headquarters:

14th and Metropolitan, Kansas City, Kansas 66103-1084 Phone (913) 342-2121 Fax (913) 342-2861

Area Offices:

118½ Grant Avenue
Garden City, KS 67846-5411
Phone (316) 275-1619
Fax (316) 275-1762

P.O. Box 752
Goodland, KS 67735-0752
Phone (913) 899-3878
Fax (913) 899-6651

14th and Metr
Kansas City, K
Phone (913) 21
Fax (913) 3

Senate Commerce Committee

Date 3-18-98

Attachment # 3-1 thru 3-7

asked about the possibility of having additional slots for next year. In addition, the high school in Liberal in Seward County has expressed interest in the program and has asked about the possibility of expanding the program to that community. The partnership between Harvest America and the schools in the implementation of NIYEA has been very positive for the youth involved.

To date, the youth enrolled in Harvest America's NIYEA program have remained in school and out of legal trouble. Some of the best spokespersons for the importance of NIYEA are the youth themselves. These young people are excited about the skills they have learned. I have attached five evaluations of the 1997 NIYEA summer program completed by youth in Harvest America's program for your information.

Harvest America Corporation
Neighborhood Improvement and Youth Employment Act (NIYEA)
Summer Program Evaluation

Date 9-11-97

In your own words please describe the purpose of this program.

To get a on the job work experience

Describe the activities you were involved in at your job site

emergency assistance help load + unload truck, stock shelves with food. also fill food orders.

Describe your experience with your site supervisor? He taught me how to deal with the homeless and low income clients

What new skills have you learned through this program? learned to use the switch board

What skills that you already had were improved this summer? how to manage time wisely + be responsible

What skills would you like to learn? more office skills

Did you feel you were busy most of the time? yes

What did you like most about this program? working with the less fortunate

What would you change about the program? not any thing.

Harvest America Corporation
Neighborhood Improvement and Youth Employment Act (NIYEA)
Summer Program Evaluation

Date 8/28/97

In your own words please describe the purpose of this program.

The purpose of the program is to help out students who are in risk of dropping out, and they enjoy work, and learn new things while making money.

Describe the activities you were involved in at your job site?

I mostly worked in the resource center with the computers, adding new books, checking in, and out books, organize the library, making copies, phone calls about the daycare, helping Dela with what ever was necessary.

Describe your experience with your site supervisor?

I really enjoyed working with Dela, she's very nice and I got along with her very well.

What new skills have you learned through this program?

How to access into the computer.

What skills that you already had were improved this summer?

computer and receptionists skills.

What skills would you like to learn?

I would really like to learn more about computers, new people, and new things that are going on.

Did you feel you were busy most of the time?

yes

What did you like most about this program?

got to meet new people, new things, I really liked my co-workers, and really liked to be by the kids,

What would you change about the program?

I would like to work more hours during the school year, and with the kids, in the migrant program.

Harvest America Corporation
Neighborhood Improvement and Youth Employment Act (NIYEA)
Summer Program Evaluation

Date _____

In your own words please describe the purpose of this program.

To help students in their grades and teach them responsibility

Describe the activities you were involved in at your job site

Taking patients to their rooms, answering phones, doing reminders, diagnosis, and sometimes translating.

Describe your experience with your site supervisor?

What new skills have you learned through this program?

I learned the windows 95 program and how to E-mail

What skills that you already had were improved this summer?

My typing skills were improved, talking skills

What skills would you like to learn?

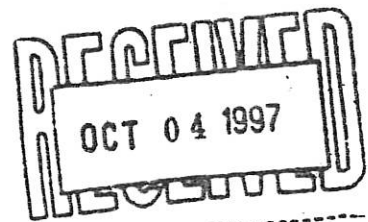
Did you feel you were busy most of the time? *yes*

What did you like most about this program?

Going out and working

What would you change about the program?

nothing



Harvest America Corporation
Neighborhood Improvement and Youth Employment Act (NIYEA)
Summer Program Evaluation

Date 8-2 -97

In your own words please describe the purpose of this program.

The purpose of this program is to help at risk students get and maintain a job while learning valuable work skills and earning extra money.

Describe the activities you were involved in at your job site?

I did various things at work such as filing, receptionary work, and helped with the daycare. I worked where ever they needed help.

Describe your experience with your site supervisor?

I really enjoy working with Lorena because she is very nice, friendly and fun to work with. I couldn't have a better boss!!

What new skills have you learned through this program?

I've learned how to be a good receptionist

What skills that you already had were improved this summer?

~~I learned how to be a better receptionist.~~

I improved my people & communication skills.

What skills would you like to learn? I would like to learn more about computer skills and programs.

Did you feel you were busy most of the time? Yes. Most of the time they had plenty of work for me to do and kept me pretty busy.

What did you like most about this program?

I really liked my co-workers because they really made me feel welcome and comfortable at work. I also enjoyed working with the children from daycare.

What would you change about the program?

I would really like to work more hours during the school year. I feel we don't get much time to work during the school year.

Harvest America Corporation
Neighborhood Improvement and Youth Employment Act (NIYEA)
Summer Program Evaluation

Date 4-8-97

In your own words please describe the purpose of this program.

It is helping kids to keep them out of trouble and at the same time earning some money.

Describe the activities you were involved in at your job site

Photo copying the booklets, helping building maintenance, ~~fixing~~ Making labels

Describe your experience with your site supervisor?

Working on computers and making lots of other stuff.

What new skills have you learned through this program?

working on computers (faxing) and other stuff.

What skills that you already had were improved this summer?

working on the computers.

What skills would you like to learn?

More computers skills.

Did you feel you were busy most of the time?

Yes.

What did you like most about this program?

That it show me how to do stuff I needed experience.

What would you change about the program?

Nothing because it is very good the way it is.



March 18, 1998

Dear Chairperson Salisbury and Members of the Committee:

I am here today on behalf of the City Commission of the City of Ottawa to express our strong support for HB 2933, which would provide for the Neighborhood Improvement and Youth Employment Act to continue in existence in the future.

Since 1993, the Ottawa Summer Youth Employment Program has helped meet the needs of the youth in our community. Citizens and community leaders were concerned with lack of constructive opportunities for the teen population in Ottawa. This program was created to provide an opportunity for youth to receive valuable job experience. To qualify for participation in the program youth must be between 14 and 17 years old and meet JTPA income guidelines. The essence of the program is that the City pays for half of the salary and all benefits for youth working in local organizations and businesses. The employer picks up the other half of the salary and provides a mentoring employment experience.

Over sixty youth participated in the program in 1993 and 1994. In 1995, thirty-five youth worked in the program over the summer. In 1996, the program was only able to employ twenty-eight youth, due to lack of available funding.

This shortage of resources led the city to apply for the Neighborhood Improvement and Youth Employment Act. In 1997, the first funding year, Ottawa received \$23,740 and was able to employ forty-four youth in the summer, fourteen of whom were eventually employed during the course of the entire year.

The City of Ottawa Youth Employment Program was expanded in the fall of 1996 from being a summer program to a year round program. This was possible because the City received NIYEA funding. During 1997, the first full year of grant funding, fourteen youth were employed at community based work sites for the entire year.

During 1998, it is anticipated that thirty youth will participate in the summer portion of the program. The number of youth employed in 1998 will drop because of the increased minimum wage requirements and \$8000 less grant funds available to the grantees. This year grant funding will allow ten youth to continue employment year round.

The program provides the youth an opportunity to have valuable work experience in private, public, or non-profit organizations. The closely-supervised environment that is provided leads to a mentoring relationship between the employer and the youth. The NIYEA grant funding has been able to match targeted youth with community based organizations that truly needed assistance and that could not afford program participants in the past.

The impact of this program is evident in the youth of Ottawa. This program has taught youth the importance of education, given them a mentoring relationship with a local business person, and a jump start with their job experience. We have seen youth in the program graduate from high school and become productive members of the community. In some cases these youth are the only members of their families that are employed. This fact alone demonstrates the importance of the work experience provided by this program.

The City of Ottawa has been fortunate to receive NIYEA funding for the last two years. This program has been a success for the youth Ottawa and the entire community. We support this program so targeted youth in our community and other communities will be given the opportunities this program provides.

Attached to my testimony is a letter from Chris Green, a 20-yr-old graduate of the program. Chris participated in the program for two summers. He is currently employed full time at Wal-Mart Distribution Center.

Again, I urge your favorable consideration of HB 2933 and your strong support for this most worthwhile program. Thank you for your time and the opportunity to speak before you today. I am available for questions.

Attached:
Letter to Chairperson Salisbury
City of Ottawa Youth Employment Program - Program Summary
Letter from Chris Green



March 18, 1998

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

Dear Chairperson 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 2933, which would provide for the Neighborhood Improvement and Youth Employment Act to continue in existence in the future.

In 1993, the City of Ottawa initiated a City-sponsored Summer Youth Employment Program for under privileged youth ages 14 - 17. Over sixty youth participated in the program in 1993 and 1994. In 1995, thirty-five youth worked in the program over the summer. In 1996, the program was only able to employ twenty-eight youth, due to lack of available funding.

This shortage of resources led the city to apply for the Neighborhood Improvement and Youth Employment Act. In 1997, the first funding year, Ottawa received \$23,740 and was able to employ forty-four youth in the summer, fourteen of whom were eventually employed during the course of the entire year.

The program provides the youth an opportunity to have valuable work experience in private, public, or non-profit organizations. The closely supervised environment that is provided leads to a mentoring relationship between the employer and the youth. The NIYEA grant funding has been able to match targeted youth with community based organizations that truly needed assistance and that could not afford program participants in the past.

The City of Ottawa has been fortunate to receive NIYEA funding for the last two years. This program has been a success for the youth Ottawa and the entire community. We support this program so targeted youth in our community and other communities will be given the opportunities this program provides.

Again, I urge your favorable consideration of HB 2933 and your strong support for this most worthwhile program.

Sincerely Yours,

Blaine Finch
Blaine Finch, Mayor pro tem
City of Ottawa, Kansas

Copy to: Representative Ralph Tanner
Senator Robert Tyson
City Commissioners

City of Ottawa, Kansas Youth Employment Program Project Summary

Since 1993 the Ottawa Summer Youth Employment Program has helped meet the needs of the youth in the community. Citizens and community leaders were concerned with lack of constructive opportunities for the teen population in Ottawa. This program was created to provide an opportunity for youth to receive valuable job experience. To qualify for participation in the program youth must be between 14 and 17 years old and meet JTPA income guidelines. The essence of the program is that the City pays for half of the salary and all benefits for youth working in local organizations and businesses. The employer picks up the other half of the salary and provides a mentoring employment experience.

During the Summer of 1996, the City of Ottawa employed thirty-five youth. Grant funds paid for the salaries of six of those thirty-five youth. In 1997, the summer employment program grew to forty-four youth. Of those forty-four, fourteen youth were supported by NIYEA grant funds.

The City of Ottawa Youth Employment Program was expanded in the fall of 1996 from being a summer program to a year round program. This was possible because the City received NIYEA funding. During 1997, the first full year of grant funding, fourteen youth were employed at community based work sites for the entire year.

During 1998, it is anticipated that thirty youth will participate in the summer portion of the program. The number of youth employed in 1998 will drop because of the increased minimum wage requirements and \$8000 less grant funds available to the grantees. This year grant funding will allow ten youth to continue employment year round.

The impact of this program is evident in the youth of Ottawa. This program has taught youth the importance of education, given them a mentoring relationship with a local business person, and jump started their job experience. We have seen youth in the program graduate from high school and become productive members of the community. In some cases these youth are the only members of their families that are employed. This fact alone demonstrates the importance of the work experience provided by this program.

Attached is a letter from Chris Green, a 20-yr-old graduate of the program. Chris participated in the program for two summers. He is currently employed full time at Wal-Mart Distribution.

To whom it may concern,

Hello. My name is Chris Green and I am writing this letter on behalf of the City of Ottawa Summer Youth Program.

As a member of this program for two years, I can say that it has helped me a lot. Not only did I earn money to buy the things I wanted, but I also gained a sense of responsibility and promptness that I would need for use in other jobs and in school. This program also helped me to put my foot in the door to gain the job that I now have with the City. If possible, I would strongly encourage all support and help that may be furnished for this program so that other teenagers can have the opportunity that I have had to work in the Summer Youth Program. This is a great program and I would invite everyone to help out with it and keep it a success.

I thank you for your time and patronage.

Sincerely,
Chris Green



ECKAN, Inc.

East Central Kansas Economic Opportunity Corporation
602 Maple • PO Box 100 • Ottawa, Kansas 66067

(785) 242-7450

FAX (785) 242-0305

February 20, 1998

Senator Alicia Salisbury, Chairperson
Senate Committee on Commerce
State Capitol, Room 120-S
Topeka, KS 66612

Dear Senator Salisbury:

As a former city commissioner and mayor of the city of Ottawa, I fully support HB2933. The Neighborhood Improvement and Youth Employment Program has had a positive impact on the youth of our city.

This program has allowed our youth to earn money for some of their basic needs, such as, clothing for school, etc. and some cases, helping their families as much as they can. This program has given the youth something concrete to do with their time, and exposes them to the world of work, where they can learn the importance of being on time, showing up everyday, and taking pride in the work that they do. These skills will benefit them later in life.

As a result of this program, our youth have become better students and good role models for their peers. They have developed self-confidence and self-esteem. The greatest investment we can make in the future of our state is in our youth.

Sincerely,

Richard Jackson
Executive Director, CCAP
RJ/ss

senate Commerce Committee

Date 3-18-98

Helping Families to Help Themselves in
Anderson, Coffey, Douglas, Franklin, Lyon, Miami, and Attachment # 5

An Equal Opportunity Program

STATE OF KANSAS
BOARD OF ACCOUNTANCY

SUSAN L. SOMERS
EXECUTIVE DIRECTOR
TELEPHONE (785) 296-2162
FAX (785) 291-3501



LANDON STATE OFFICE BUILDING
900 S.W. JACKSON STREET, STE. 556
TOPEKA, KS 66612-1239

TESTIMONY ON HOUSE BILL 2765
SENATE COMMERCE COMMITTEE
BOARD OF ACCOUNTANCY
MARCH 18, 1998

The Board of Accountancy requires permit-holding CPAs to obtain 80 hours of continuing education in the biennial renewal period, with a mandatory 40 hours in each year. While House Bill 2765 does not change the 80-hour requirement, it deletes the 40 hour per year requirement and allows the Board to set the requirements for obtaining the 80 hours in its Rules and Regulations.

In addition, language has been added granting an exemption from the continuing education reporting requirements to a permit-holding CPA whose principal place of business is in another state; who has met the education requirements in a state the Board has deemed to be substantially equivalent in its requirements to the requirements in Kansas; and whose state has extended the same exemption to Kansas. Other states have adopted this provision in order to ease the reporting requirements for those who hold reciprocal licenses.

In addition, because of a change in terminology by the American Institute of Certified Public Accountants in its Peer Review Program, adopted and mandated by the Board of Accountancy, the term "quality review" has been changed to "peer review".

The Board of Accountancy requests favorable passage of House Bill 2765.

* * * *

Senate Commerce Committee

Date 3-18-98

Attachment # 6



MID-AMERICA LUMBERMENS ASSOCIATION

TESTIMONY FOR THE SENATE COMMERCE COMMITTEE

SENATE BILL NO. 653

March 18, 1998

Madame Chair, and members of the Senate Commerce Committee. My name is Art Brown. I appear before you today representing the retail lumber and building material dealers as an opponent to Senate Bill 653.

The issue at hand, liens and their application in the market place is a sticky wicket. It has always been a sticky wicket, and will continue to be a sticky wicket. None the less, it is our opinion that the current lien law serves all parties well, and when utilized as intended, provides protection to the consumer as well as suppliers and sub-contractors.

I have visited with the author of the bill, and in our discussion he indicated to me that the intent of the bill is to hold the property owner harmless from any future payments to materialmen or any one who can attach a lien under K.S.A. 60-1103. This is provided said property owner has already paid the so named principles, but they in turn have not satisfied their financial obligations to the suppliers of material for the project in question, or the sub-contractors who also were responsible for work done. While this may sound like a good idea, I would ask the committee's indulgence to point out a major concern that we have with this bill:

Senate Commerce Committee

Date 3-18-98

Attachment # 7-1 thru 7-5

THE REMEDY IS ALREADY IN CURRENT LAW:

Under K.S.A. 60-1103a (2) (b), the statute reads: A lien for the furnishing of labor, equipment, materials or supplies for the improvement of residential property may be claimed pursuant to K.S.A. 60-1103 and amendments thereto only if the claimant has:

(1) Mailed to any of the owners of the property a warning statement conforming with this section or

(2) In the claimant's possession a copy of a statement signed and dated by any one owner of the property stating that the general contractor or the claimant had given the warning statement conforming with this section to one such owner of the property.

Attached to my testimony is such a warning statement we make available to our membership. The language is very similar to the suggested statutory language of section (2) (c) of K.S.A. 60-1103. It should be noted that a warning statement is not required if the claim is under \$250.00

So what does this tell us? If the owner never received a warning statement, then in effect, the materialman and/or sub-contractor has voided their lien rights. In effect, they eat the loss. **EXAMPLE:** If we were to file a lien on a property owner for \$500.00 worth of material that was paid to a contractor, but not to us, we would not have any leverage to collect this money if we did not have a signed copy of a warning statement from that owner before the work on the project was completed. We would be out the \$500.00 because in effect, we have not notified that property owner of their lien rights.

For those who were not around in 1986, which does include myself, an extensive study was done on the current lien law. Great care was taken to protect all impacted parties by provisions of this law. In 1996 a task force reviewed the quality of housing construction, particularly in Johnson County, by holding a series of hearings and a summer study. Although most of the emphasis was on the construction side of the issue, the current lien law was reviewed by the task force and no changes in the lien law were passed by the Legislature.

Also, last summer(1997), the Special Judiciary Committee held hearings on SB 384, which was a statutory lien bill suggested by the Judiciary Council. We testified against the section of that bill dealing with changes in construction liens. We asked that that section of the bill be stricken. The Chairman of the committee, Senate Judiciary Chairman Tim Emert, agreed with us, and the provisions relating to such liens were struck from the bill. What we are saying is that this bill has had quite a bit of review over the past few years. We don't feel it needs anymore. Overall, the process of providing product and labor, and payments for both, works and works quite well. Every year, we hear of isolated occurrences where the system does not work as it should. We would ask this committee to be extremely careful in letting a small number of concerns outweigh a system that on a day in and day out basis protects all of the parties it is intended to protect and does so in an overall efficient manner.

I have been testifying on lien bills for nine years now. I have seen a variety of Judiciary Committee chairmen, where a great number of lien bills such as this one are heard, both in the House and the Senate, look at the big picture and realize

that the current law, while not perfect, is working the way it was intended to work. As a Legislature, I don't think you can ask for much more than that. In summary, the remedy for the problem the bill addresses is found in current law. The overall picture of the lien law, over years of cussing and discussing, is that it does protect all impacted parties the way it was intended to do, even though at times there are some unintended consequences. Therefore, we would ask that this committee not pass out SB 653 and keep the current lien law intact. I would stand for any questions or comments and thank you for the time you gave me to present our views to you today.

NOTICE TO OWNER

YOU ARE HEREBY NOTIFIED THAT ANY PERSON PERFORMING LABOR ON YOUR PROPERTY OR FURNISHING MATERIALS FOR THE CONSTRUCTION, REPAIR OR IMPROVEMENT OF YOUR PROPERTY WILL BE ENTITLED TO A LIEN AGAINST YOUR PROPERTY IF HE IS NOT PAID IN FULL, EVEN THOUGH YOU MAY HAVE PAID THE FULL CONTRACT PRICE TO YOUR CONTRACTOR. THIS COULD RESULT IN YOUR PAYING FOR LABOR AND MATERIALS TWICE. THIS LIEN CAN BE ENFORCED BY THE SALE OF YOUR PROPERTY.

TO AVOID THIS RESULT, YOU MAY DEMAND FROM YOUR CONTRACTOR LIEN WAIVERS FROM ALL PERSONS PERFORMING LABOR OR FURNISHING MATERIALS FOR THE WORK ON YOUR PROPERTY. YOU MAY WITHHOLD PAYMENT TO THE CONTRACTOR IN THE AMOUNT OF ANY UNPAID CLAIMS FOR LABOR OR MATERIALS.

YOU ALSO HAVE THE RIGHT TO DEMAND FROM YOUR CONTRACTOR A COMPLETE LIST OF ALL LABORERS AND MATERIAL SUPPLIERS UNDER YOUR CONTRACT, AND THE RIGHT TO DETERMINE FROM THEM IF THEY HAVE BEEN PAID FOR LABOR PERFORMED AND MATERIALS FURNISHED.

I, the undersigned owner, hereby acknowledge receipt of this notice and, having read it, am advised of its contents.

Signed _____

Date _____

Address _____

I hereby certify that the signature above is that of an owner of the property at the indicated address.

I further certify that I am the (check one) Original Contractor
 a Subcontractor Laborer Materialman on this particular job.

And, I further certify that no materials were furnished nor labor performed by the undersigned prior to the furnishing of this notice to the owner named above.

Signed _____

Company _____

Date _____

Address _____