

MINUTES OF THE SENATE COMMERCE COMMITTEE.

The meeting was called to order by Chairperson Karin Brownlee at 8:30 a.m. on January 29, 2003 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: April Holman, Legislative Research  
Deb Hollon, Legislative Research  
Mitch Rice, Revisor of Statutes  
Jodie Anspaugh, Secretary

Conferees appearing before the committee: Brad Smoot, Legislative Counsel for The American Insurance Association  
Philip S. Harness, Acting Director of Workers Compensation  
April Holman, Legislative Research

Others attending: See attached list.

Judy Moeller requested that the committee introduce a bill on enhanced 911. This bill would remove the exemption for wireless and charge an additional twenty-five cents for public safety revolving long fund that would be administered by the KCC and would be given to small rural counties to build their infrastructure. Chairperson Brownlee further explained the bill. Sen. Steineger moved to introduce the bill. Sen. Brungardt seconded. The motion carried.

Senator Jordan introduced two bills. The first was in regards to the Joint Committee on Economic Development from the interim, regarding the development of a state OSHA agency. Sen. Jordan moved to introduce the bill. Sen. Emler seconded. The motion carried. Sen. Jordan conceptually introduced a bill regarding agratourism, specifically, liability issues with farmers who would like to get involved with the tourism industry. Sen. Jordan moved to introduce the bill. Sen. Emler seconded. The motion carried.

Chairperson Brownlee welcomed Brad Smoot, Legislative Counsel for The American Insurance Association to testify regarding workers compensation data collection. (Attachment 1) Mr. Smoot reviewed the history of data collection statutes, the cost of data collection, the value of data collection, and reports of injury. He concluded that it is time for lawmakers to review the statutes to determine if the benefits of current data collection requirements outweigh the costs and to further explore whether there are new methods of data gathering that might better serve all concerned.

Chairperson Brownlee welcomed Phil Harness, Acting Director of Workers Compensation, to the committee. (Attachment 2)

- A FROI (first report of injury) is filed if three variables are present: the injury occurs during the course of the employee's employment, the employer or the employee's supervisor has knowledge of the injury, and the injury is sufficient to wholly or partially incapacitate the person injured from labor or service for more than the remainder of the day, shift, or turn upon which such injuries were sustained.
- The 2002 amendments to the Workers Compensation Act included a provision to make voluntary (by the insurance carriers, group pools or self-insured employers) the submission of claim information pursuant to the standards of Electronic Data Interchange (EDI) Release 1, as promulgated by the International Association of Industrial Accident Boards and Commissions (IAIABC).
- The Division has contracted with a vendor to properly map the elements of the FROI into its database to the hand-coding of certain elements of the FROI, which is then keyed into the database, will be automated.

Mr. Harness answered questions about his presentation. He does not recommend any statute changes.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMERCE COMMITTEE at 8:30 a.m. on January 29, 2003 in Room 123-S of the Capitol.

Chairperson Brownlee moved to conceptually introduce a bill to eliminate the open claims information. Sen. Emler seconded. The motion carried.

Chairperson Brownlee welcomed April Holman from Legislative Research to speak about the housing authority. Ms. Holman distributed copies of **HB 2205** from the 2001 Session, its supplemental note, and a chart comparing the state housing agencies and programs of six states. (Attachments 3, 4, and 5) Every state but Kansas has a housing authority. Kansas has much less appropriated for state housing. **HB 2205** ensures that Kansas has appropriate housing all over the state, as businesses continue to expand and locate in Kansas. Ms. Holman answered questions about the housing authority.

Chairperson Brownlee conceptually introduced a bill on a housing authority. Sen. Jordan moved to introduce the bill. Sen. Emler seconded. The motion carried.

Senator Bunten moved that the minutes from the January 21 and January 22 meetings be approved. Senator Emler seconded. The motion carried.

The meeting was adjourned at 9:30 a.m.

The next meeting is scheduled for January 30, 2003 at 8:30 a.m.

**SENATE COMMERCE COMMITTEE  
GUEST LIST  
DATE: Wednesday, Jan. 29, 2003**

NAME	REPRESENTING
Elaine Frisbie	Div. of the Budget
Judy Melu	KCAC
Bennie Koch	Wichita Area Chamber
John C. SOTTEBERG	NCCF
Mike Repon	Sedgwick County
RaeAnne Davis	KDOCH
Norma Phillips	KDOCH
Christine Reimler	KDOCH
Paul Johnson	PACK
Matthew Goddard	Heartland Community Bankers Assoc.
Martha Jean Smith	KS Mfg. Housing Assn.
Jammy Dishman	KDFA
Steve Weatherford	KDFH
John Fredrick	Boeing
Keith Tully	George K. Baum & Co
Brad Snapp	Sedgwick County
Kevin Boone	Hein law firm
Bark Coxart	KTLA

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## Presentation to Senate Commerce Committee Regarding Workers Compensation Data Collection

Brad Smoot, Legislative Counsel for The American Insurance Association

January 29, 2003

### History of Data Collection Statutes

During the 1993 workers compensation reform debate, the legislature identified a need for additional data on the cost drivers in the workers compensation system. The Workers Compensation Director was required by the '93 reforms to compile data on claims characteristics and causes work related disabilities using information from open and closed claims and other information to determine the effectiveness of the work comp system. See K.S.A. 44-557a, as amended. Insurers, self-insureds and group pools were required to submit the data requested by the Division under penalty of civil fine.

In addition, the '93 reforms established a maximum medical fee schedule (see K.S.A. 44-510i, as amended) and required insurers, self insurers and pools to submit medical information to assist the Division in setting and updating the fee schedule. See K.S.A. 44-557a(b).

As indicated by Acting Director Harness last Tuesday, the Division has undertaken a massive data collection effort to accomplish these tasks. In recent years, the legislature has authorized the collection of hospital data (DRG's) as well as medical provider data and has authorized the Division (after January 1, 2004) to accept claims data electronically in a nationally recognized format (known as EDI Release I). The Division has adopted various rules and regulations to implement these obligations; contracted with consultants and vendors and made arrangements with the Department of Health & Environment to assist in collection of the medical data.

### Cost of Data Collection

The exact cost of the Division's data collection effort is not known but the cost includes at least two components: First, the direct cost to the Division to collect and publish the information, which cost is born by employers and carriers through the annual Division assessments. Secondly, insurers, self-insureds and group pools are required to collect, code, forward and update both claims data and medical charge and payment data. Again, these costs are born by insurers and employers who must dedicate staff time, computers and other resources to providing the required information.

Senate Commerce Committee  
1-29-03  
Attachment 1

## **Value of Data Collection**

AIA agrees with the Workers Compensation Division that collection and analysis of workers compensation data is valuable to the public and policy makers. Lawmakers should have access to meaningful information so that they may adjust and improve the Kansas workers compensation system.

Our members do express concern that the Kansas data collection requirements are more burdensome than other states and have never been reviewed by lawmakers to compare costs to benefits. Moreover, there has been little consideration given to alternative sources for the collection of Kansas statistical data or to the importance of comparing the Kansas workers compensation experience with that of other states.

## **Reports of Injury**

Kansas requires employers to file a first report of accident with the Division of Workers Compensation within 28 days of learning of the accident. Currently, those reports are filed on paper forms designated by the Division. See K.S.A. 44-557.

Employers and carriers alike could benefit from a reporting system utilizing electronic transmission. A single data entry could create a record for the employer, provide notice to the affected insurance carrier or pool and fulfill the notice requirements of Kansas law. The state of Kansas would also benefit from a reduction in data entry costs and data entry errors. Computer programs are available in the marketplace to enable such electronic data transfers and we believe Kansas should explore the possibility moving to a paperless data submission system for employers, carriers and others.

## **Summary**

We commend the Division of Workers Compensation for its efforts to develop the data base and information required by Kansas law. We believe, however, that it is time for lawmakers to review the statutes to determine if the benefits of current data collection requirements outweigh the costs and to further explore whether there are new methods of data gathering that might better serve all concerned.

**TESTIMONY BEFORE THE SENATE COMMERCE COMMITTEE**  
**By Philip S. Harness, Acting Director of Workers Compensation**  
**January 29, 2003**

K.S.A. 44-557 makes it the duty of every employer to make (or cause to be made) a report to the Division of Workers Compensation (Division) of any accident, or claimed or alleged accident, to any employee that.....

- Occurs in the course of the employee's employment; and
- The employer or the employee's supervisor has knowledge; and
- Is sufficient to wholly or partially incapacitate the person injured from labor or service for more than the remainder of the day, shift, or turn upon which such injuries were sustained,

within 28 days after receipt of such knowledge. The report is to be made "upon a form to be prepared by the director." Currently, the Division recognizes its K-WC 1101-A as the official form. The Division has that form available in paper copy, or can transmit an interactive version in either Excel or Word format. Those with the interactive format may complete the form on the computer; those with paper copies must fill in the lines (preferably by typing) and then the form must be transmitted to the Division. Supplemental reports are required if the employee dies subsequent to the original report. In addition, all self-insured employers, group pools and insurance carriers are required to participate in the open and closed claim study.

The 2002 amendments to the Workers Compensation Act included a provision to make voluntary (by the insurance carriers, group pools or self-insured employers) the submission of claim information pursuant to the standards of Electronic Data Interchange (EDI) Release 1, as promulgated by the International Association of Industrial Accident Boards and Commissions (IAIABC). This would require not only the electronic version of the EDI Release 1 first report of injury (FROI), but also compliance with subsequent reports of injury (SROI's). It was envisioned that if a payor of benefits would comply with the Release 1 reports, then that payor's submitted information would comply with the open and closed claim study performed by the Division annually, without the necessity of completing the division's software package.

After following State's bidding procedures, the Division has contracted with a vendor to properly map the elements of the FROI into its database so that the hand-coding of certain elements of the FROI, which is then keyed into the database, will be automated. Also, that vendor will be responsible for the trading partner agreements to be entered into by the Division and the sender of data, from which will flow acknowledgements of receipt of properly characterized data (or the reverse, i.e. an acknowledgement of a problem with data transmission) will serve as the recipient of data after it has cleared the vendor's edits and is then forwarded to the Division. Usually, the data will be sent by a value-added network (VAN) for those payors who wish to use the EDI standards. However, for those who do not wish to use a VAN or other transmitter of information, the Division will offer a "free web option" where data may be keyed in and transmitted to that same vendor for eventual transmission to the Division.

This was done for modernization purposes and subsequent reporting allows better data analysis, and it would then be possible to make comparisons with other states using the same EDI Release 1 format – all as suggested in a 1999 Legislative Post Audit Report.

3  
4 **HOUSE BILL No. 2205**

5  
6 By Committee on the New Economy

7  
8 1-29

9  
10 AN ACT relating to housing; concerning administration of state housing  
11 program; establishing a state housing corporation; amending K.S.A.  
12 74-5084 and 74-5085 and K.S.A. 2000 Supp. 74-5086a and repealing  
13 the existing sections; also repealing K.S.A. 74-5082 and 74-5083.

14  
15 *Be it enacted by the Legislature of the State of Kansas:*

16 New Section 1. It is hereby declared:

17 (a) That it is imperative that the supply of residential housing for  
18 persons and families displaced by public actions or natural disaster be  
19 increased;

20 (b) that individual communities are often unable to meet local hous-  
21 ing needs;

22 (c) that private enterprise and investment have been unable, without  
23 assistance, to produce the needed new construction or rehabilitation of  
24 accessible and integrated, sanitary, decent and safe residential housing  
25 and to provide sufficient long-term mortgage financing for this purpose  
26 and for the purchase of existing residential housing by persons and fam-  
27 ilies entering the housing market, when it becomes available;

28 (d) that private enterprise and investment be encouraged both to  
29 sponsor land development and build and rehabilitate residential housing  
30 and that private financing be supplemented by financing as provided in  
31 this chapter for the construction, rehabilitation and purchase of such  
32 housing, in order to help prevent the creation and recurrence of slum  
33 conditions and substandard housing and to assist in their permanent elim-  
34 ination throughout Kansas; and

35 (e) that it is to the economic benefit of the state to encourage the  
36 availability of adequate housing for all levels of society.

37 New Sec. 2. (a) The purpose of this act is to ensure that as businesses  
38 locate to Kansas and as existing businesses continue to expand that a  
39 sufficient supply of adequate, safe and sanitary residential housing exists  
40 in all geographic locations within the state and to assist Kansas families  
41 of low, very low and moderate income in obtaining such housing.

42 (b) As used in this act, unless the context clearly requires otherwise:

43 (1) "Commitment in principle", a commitment made prior to sub-

1 mission of a final application. Such type of commitment shall not have a  
2 priority position over other commitments;

3 (2) "corporation" means the Kansas housing development  
4 corporation;

5 (3) "distressed community" means:

6 (A) A municipality within a metropolitan statistical area which has a  
7 median household income of under 80% of the median household income  
8 for the metropolitan statistical area, according to the latest decennial cen-  
9 sus or a United States census block group or contiguous group of block  
10 groups within a metropolitan statistical area which has a population of at  
11 least 2,500, and each block group having a median household income of  
12 under 80% of the median household income for the metropolitan area in  
13 Kansas, according to the latest decennial census; or

14 (B) regarding municipalities not in a metropolitan statistical area, dis-  
15 tressed community means a municipality with a median household in-  
16 come of under 80% of the median household income for the nonmetro-  
17 politan counties of Kansas according to the last decennial census or a  
18 census block group or contiguous group of block groups which has a  
19 population of at least 2,500 each block group having a median household  
20 income of under 80% of the median household income for the nonme-  
21 tropolitan counties of Kansas, according to the latest decennial census;

22 (4) "land development" means the process of acquiring land for res-  
23 idential housing construction, and of making, installing or constructing  
24 nonresidential housing improvements, including waterlines and water  
25 supply installations, sewer lines and sewage disposal installations, steam,  
26 gas and electric lines and installations, telephone and other communica-  
27 tions lines and installations, roads, streets, curbs, gutters, sidewalks,  
28 whether on or off the site, which the corporation deems necessary or  
29 desirable to prepare such land for residential housing construction within  
30 this state;

31 (5) "low income, very low income and moderate income persons and  
32 families" have the meanings ascribed to them by rules and regulations of  
33 the federal department of housing and urban development and as  
34 adopted by the corporation;

35 (6) "residential housing" or "development" means a specific facility,  
36 work or improvement within this state, undertaken primarily to provide  
37 dwelling accommodations for persons and families, including the acqui-  
38 sition, construction or rehabilitation of land, buildings and improvements  
39 thereto;

40 (7) "weatherization" means the retrofitting which is identified by an  
41 energy audit and meets standards as established by the corporation for  
42 single or multifamily dwelling and includes one or more of the following:

43 (A) Insulation of walls, ceiling, floors, pipes or water heaters;



- 1 (B) storm or insulated doors and windows;  
2 (C) caulking and weatherstripping;  
3 (D) higher efficiency replacement space heating, water heating, air  
4 conditioning and ventilation systems;  
5 (E) installation of solar collectors for heating, cooling and hot water,  
6 including associated piping, ductwork, pumps and on-site preparation  
7 costs; and  
8 (F) any other conservation measure or renewable resource system  
9 which the corporation determines to be eligible as long as such measures  
10 or systems are in strict conformance with the purposes of this section.
- 11 (8) "accessible and integrated" means that dwellings shall be de-  
12 signed, constructed or rehabilitated in such a way which allows for all  
13 residents to get into and use the dwelling, integrated in various locations  
14 throughout a proposed project, which is not for the exclusive occupancy  
15 of specific groups or categories of individuals.
- 16 New Sec. 3. (a) There is hereby created a body politic and corpo-  
17 rate to be known as the Kansas housing development corporation. The  
18 corporation is hereby constituted as a public instrumentality and the ex-  
19 ercise of the authority and powers conferred by this act shall be deemed  
20 and held to be the performance of an essential governmental function.
- 21 (b) The powers of the corporation shall be vested in seven member  
22 board of directors, who shall be residents of the state, to be appointed by  
23 the governor, with the advice and consent of the senate. Not more than  
24 four of the directors shall be of the same political party. The directors  
25 shall serve four-year terms, with no more than two directors appointed  
26 to any one term, with each term beginning July first and ending on June  
27 thirtieth. Each director shall be appointed for a term ending five years  
28 from the date of expiration of the term for which the director's prede-  
29 cessor was appointed, except that a person appointed to fill a vacancy  
30 prior to the expiration of such a term shall be appointed for the remainder  
31 of the term. No director appointed pursuant to this chapter by the gov-  
32 ernor shall serve more than two consecutive full terms. Each director  
33 shall hold office for the term of his appointment and until his successor  
34 shall have been appointed and qualified.
- 35 (c) Before entering into his duties, each director of the corporation  
36 shall execute a surety bond in the penal sum of \$50,000 and the executive  
37 director shall execute a surety bond in the penal sum of \$100,000 or, in  
38 lieu thereof, the chairman of the corporation shall execute a blanket bond  
39 covering each member, the executive director and the employees or other  
40 officers of the corporation, each surety bond to be conditioned upon the  
41 faithful performance of the duties of the office or offices covered, to be  
42 executed by a surety company authorized to transact business in this state  
43 as surety and to be approved by the attorney general and filed in the

1 office of the secretary of state. The cost of each such bond shall be paid  
2 by the corporation.

3 (d) Notwithstanding any other law to the contrary it shall not be or  
4 constitute a conflict of interest for a director, officer or employee of any  
5 financial institution, investment banking firm, brokerage firm, commer-  
6 cial bank or trust company, architecture firm, insurance company or any  
7 other firm, person or corporation to serve as a member of the corporation,  
8 provided such trustee, director, officer or employee shall abstain from  
9 deliberation, action and vote by the corporation in each instance where  
10 the business affiliation of any such trustee, director, officer or employee  
11 is involved.

12 (e) The board of directors shall conduct a national search and select  
13 a corporate president who meets a national standard of experience, ability  
14 and initiative for similar positions. The corporate president shall not be  
15 a member of the board.

16 (f) The board of directors shall hold all board meetings within the  
17 state of Kansas.

18 (g) Members of the board of directors are entitled to compensation  
19 and expenses as provided in K.S.A. 75-3223, and amendments thereto.

20 (h) The board shall annually elect from the membership one member  
21 as chairperson and one member as vice-chairperson.

22 (i) The board of directors shall meet at least once during each cal-  
23 endar quarter, and at such other times as may be provided in the rules  
24 of the corporation, upon call by the president, the chairperson or upon  
25 written request of a majority of the directors.

26 (j) A majority of the board of directors shall be necessary to transact  
27 corporation business, and all actions of the directors shall be by a majority  
28 vote of the full number of corporate directors.

29 (k) A member appointed to the board of directors by the governor  
30 may be removed by the governor for cause, stated in writing, after a  
31 hearing thereon.

32 New Sec. 4. (a) The corporation shall have all the powers necessary  
33 to achieve the purposes, specified in section 1, and amendments thereto,  
34 including the power to:

35 (1) Make, amend and repeal bylaws, rules and regulations for the  
36 management of its affairs;

37 (2) sue and be sued;

38 (3) make contracts and execute all instruments necessary or conven-  
39 ient for carrying out its business;

40 (4) acquire, own, hold, dispose of and encumber real or personal  
41 property of any nature, both tangible and intangible, or any interest  
42 therein;

43 (5) enter into agreements or other transactions with any federal, state,

- 1 county or municipal agency and with any individual, corporation, enter-  
2 prise, association or any other entity involving housing development;
- 3 (6) acquire real property or an interest therein, by purchase or fore-  
4 closure, where such acquisition is necessary or appropriate to protect or  
5 secure any investment or loan in which the corporation has an interest;
- 6 (7) sell, transfer and convey any such property to a buyer, and in the  
7 event such sale, transfer or conveyance cannot be effected with reason-  
8 able promptness or at a reasonable price, to lease such property to a  
9 tenant;
- 10 (8) invest any funds appropriated by the state and held in reserve in  
11 funds not required for immediate disbursement, in such investments that  
12 may be lawful for fiduciaries in this state, and invest funds received from  
13 gifts, grants, donations and other operations of the corporation in such  
14 investments as would be lawful for a private corporation having purposes  
15 similar to the corporation;
- 16 (9) borrow money and give guaranties to carry out and effectuate its  
17 purpose and to issue its negotiable bonds or notes as evidence of any such  
18 borrowing in such principal amounts and upon such terms as shall be  
19 necessary to provide sufficient funds for achieving its purpose, and to  
20 secure such bonds or notes by the pledge of revenues, mortgages or notes  
21 of others, but shall not constitute a pledge of the full faith and credit of  
22 the state or any of its revenues;
- 23 (10) appoint officers, consultants, agents and advisors, and prescribe  
24 their duties and compensation;
- 25 (11) appear in its own behalf before boards, commissions, depart-  
26 ments or other agencies of municipal, county, state or federal  
27 government;
- 28 (12) procure insurance as may be necessary to protect it against loss  
29 or liability;
- 30 (13) accept any and all donations, grants, bequests and devises, con-  
31 ditional and otherwise, of money, property, services or other things of  
32 value which may be received from the United States or any agency  
33 thereof, any governmental agency, or any institution, person, firm or cor-  
34 poration, public or private, to be held, used or applied for any or all of  
35 the purposes specified in this act, in accordance with the terms and con-  
36 ditions of any such grant;
- 37 (14) accept such moneys as may be appropriated from time to time  
38 by the legislature for effectuating its corporate purposes including, with-  
39 out limitation, the payment of any initial expenses of administration and  
40 operation and the establishment of reserves or contingency funds to be  
41 available for the payment of the principal of and the interest on any bonds,  
42 notes or other obligations of the authority;
- 43 (15) trade, buy or sell qualified securities, including without limita-

1 tion, the powers to guarantee, purchase, take, receive, subscribe for or  
2 otherwise acquire, to own, hold, use or otherwise employ; to sell, lease,  
3 exchange, transfer or otherwise dispose of; to mortgage, lend, pledge or  
4 otherwise deal in and with, qualified securities issued by any other do-  
5 mestic or foreign corporation, partnership, association, limited liability  
6 company, or business trust, whether or not such issuer was organized or  
7 caused to be organized by the corporation. The corporation, while owner  
8 of any such qualified securities, may exercise all of the rights, powers and  
9 privileges of ownership, including without limitation the right to vote;

10 (16) make or participate in the making of uninsured, other than first  
11 priority mortgages for single-family dwellings, or federally insured con-  
12 struction loans to approved mortgagors of residential housing for occu-  
13 pancy by persons and families of low, very low or moderate income or  
14 occupancy by persons and families of any income level in distressed com-  
15 munities as defined in section 2 and amendments thereto. Such loans  
16 shall be made only upon determination by the corporation that construc-  
17 tion loans are not otherwise available, wholly or in part, from private  
18 lenders upon reasonably equivalent terms and conditions. No commit-  
19 ment for a loan, except a commitment in principle shall be made unless  
20 all plans for development have been completed and submitted to the  
21 corporation;

22 (17) purchase or participate in the purchase of uninsured other than  
23 first priority mortgages for single-family dwellings, partially insured or  
24 fully insured loans, including mortgages insured or otherwise guaranteed  
25 by the federal government, or mortgages insured or otherwise guaranteed  
26 by other insurers of mortgages to approved mortgagors to finance the  
27 building, rehabilitation or purchase of residential housing designed and  
28 planned to be available for rental or sale to low-income, very low-income  
29 or moderate-income persons or families, as well as to finance the building,  
30 rehabilitation or purchase of residential housing, planned to be available  
31 for rental or sale to persons or families of any income level, or which will  
32 be occupied and owned by low-income, very low-income or moderate-  
33 income persons or to purchase or participate in the purchase of any other  
34 securities which are secured, directly or indirectly, by any such loan;

35 (18) adopt bylaws for the regulation of its affairs and the conduct of  
36 its business and define, from time to time, the terms "low-income", "very  
37 low-income" and "moderate-income" to conform with federal guidelines.  
38 Such bylaws may vary from one part of the state to another depending  
39 on economic factors in each part;

40 (19) make and execute contracts, releases, compromises, and other  
41 instruments necessary or convenient for the exercise of its powers, or to  
42 carry out its purposes;

43 (20) collect reasonable fees and charges in connection with servicing

1 its loans, notes, bonds, obligations, commitments, and other evidences of  
2 indebtedness, and in connection with providing technical, consultative  
3 and project assistant services. Such fees and charges shall be limited to  
4 the amounts required to pay the costs of the corporation;

5 (21) consent, whenever it deems it necessary or desirable in the ful-  
6 fillment of its purpose, to the modification of the rate of interest, time of  
7 payment or any installment of principal or interest, or any other terms,  
8 of any mortgage loan, mortgage loan commitment, construction loan,  
9 temporary loan, contract or agreement of any kind to which the corpo-  
10 ration is a party;

11 (22) issue renewal notes, to issue bonds to pay notes, and whenever  
12 it deems refunding expedient, to refund any bonds by the issuance of new  
13 bonds, whether the bonds to be refunded have or have not matured;

14 (23) apply the proceeds from the sale of renewal notes or refunding  
15 bonds to the purchase, redemption or payment of the notes or bonds to  
16 be refunded;

17 (24) provide technical services to assist in the planning, processing or  
18 rehabilitation of residential housing for occupancy by persons and families  
19 of low, very low and moderate income, persons and families in distressed  
20 communities of any income level or land development for residential  
21 housing for occupancy by persons and families of low, very low and mod-  
22 erate income or persons and families in distressed communities of any  
23 income level;

24 (25) to provide consultative project assistance services for residential  
25 housing for occupancy by persons and families of low, very low and mod-  
26 erate income or persons and families of any income level in distressed  
27 communities and for land development for residential housing for occu-  
28 pancy by persons and families of low, very low and moderate income or  
29 for persons and families of any income level in distressed communities  
30 and for the residents thereof with respect to management, training and  
31 social services;

32 (26) to promote research and development in scientific methods of  
33 constructing low cost residential housing of high durability;

34 (27) to make, purchase or participate in the purchase of uninsured,  
35 partially insured or fully insured loans and home improvement loans to  
36 finance the weatherization of single and multifamily dwellings, and shall  
37 issue its negotiable bonds or notes for such purpose;

38 (28) create a housing equity fund for the purpose of purchasing low-  
39 income housing tax credits; and

40 (29) exercise any other powers necessary for the operation and func-  
41 tioning of the corporation within the purposes authorized in this act.

42 (b) The corporation, to the greatest extent possible, shall hire and  
43 utilize private businesses in the performance of its powers and duties as

1 prescribed by this act.

2 (c) In addition to the corporate powers described in subsection (a),  
3 subject to and in accordance with appropriations acts, the corporation is  
4 hereby authorized to perform the functions formerly directed by the of-  
5 fice of housing within the department of commerce and housing as  
6 follows:

7 (1) Prepare, from time to time amend, and administer the state hous-  
8 ing plan in accordance with criteria of the federal department of housing  
9 and urban development;

10 (2) serve as a clearinghouse and single point of contact for the state  
11 regarding information, programs, and resources related to affordable and  
12 accessible housing;

13 (3) provide access and management of federal housing programs for  
14 delivery to the citizens and businesses of Kansas;

15 (4) work with existing agencies, organizations, and social programs to  
16 assist in the development of affordable and accessible housing; and

17 (5) within 90 days of the close of its fiscal year, the corporation shall  
18 submit to the secretary of commerce and housing, for inclusion in the  
19 secretary's annual report to the legislature, a complete and detailed report  
20 setting forth:

21 (A) Its operations and accomplishments;

22 (B) its receipts and expenditures during such fiscal year in accordance  
23 with the categories or classifications established by the authority for its  
24 operating and capital outlay purposes;

25 (C) its assets and liabilities at the end of its fiscal year, including a  
26 schedule of its mortgage loans and commitments and the status of reserve,  
27 special or other funds; and

28 (D) a schedule of its notes and bonds outstanding at the end of its  
29 fiscal year, together with a statement of the amounts redeemed and in-  
30 curred during such fiscal year.

31 (d) In the performance of its duties and functions pursuant to this  
32 act, the corporation shall not:

33 (1) Originate single family home loans, except as specifically provided  
34 in this act;

35 (2) purchase or participate in the purchase of single-family home  
36 loans or make, purchase or participate in the purchase of home-improve-  
37 ment loans when the mortgagor or borrower does not meet the definitions  
38 of low-income, very-low income or moderate income as defined in this  
39 act;

40 (3) originate multifamily first mortgages, except when no other lender  
41 will provide financing as documented to the corporation by the presen-  
42 tation of written denials of applications for such mortgages from two  
43 financial institutions. The corporation shall encourage the restructuring

1 of the debt for such developments for the betterment of the residents  
2 and the community in which it is located;

3 (4) participate in lending activities for nonresidential purposes.

4 (5) own real property for long periods of time. Such property that  
5 has been acquired for the purpose of debt restructuring or otherwise  
6 providing financial stability should be returned to private ownership  
7 within 18 months or as quickly thereafter as possible;

8 (6) participate in any housing related function in a community which  
9 has not conducted a housing needs study;

10 (7) participate in housing construction as a general contractor or sub-  
11 contractor; and

12 (8) participate in any housing function which can be handled eco-  
13 nomically or efficiently by private industry.

14 (e) The corporation shall be exempt from all franchise, corporate  
15 business and income taxes levied by the state.

16 (f) The corporation shall not be subject to state purchasing laws.

17 (g) The corporation is an agency of the state to the extent that it's an  
18 issuing authority within the meaning of § 146 of the internal revenue  
19 code of 1986 and the state housing credit agency within the meaning of  
20 § 42(h)(7)(A) of the internal revenue code of 1986. The corporation is  
21 authorized to administer the provisions of § 42 of the internal revenue  
22 code of 1986, and may issue qualified private activity bonds to carry out  
23 the provisions of this chapter, to the extent the corporation is allocated a  
24 portion of the state ceiling of qualified private activity bonds applicable  
25 to the state. Any such allocation shall not affect the powers relating to the  
26 issuance of bonds or notes in by the corporation as provided in paragraph  
27 (9). No provision of this section affects the validity of bonds or notes  
28 issued as provided in this act, regardless of whether the obligations are  
29 issued in the manner required by federal law for the exemption of the  
30 interest thereon from federal income taxation. The corporation may enter  
31 into all agreements and take any actions necessary to comply with all  
32 conditions set forth in section 103A of the internal revenue code of 1954,  
33 as amended, and section 143 of the internal revenue code of 1986, as  
34 appropriate, for the issuance of qualified mortgage bonds as therein  
35 defined.

36 New Sec. 5. (a) The governor's commission on housing shall have  
37 and perform the following functions:

38 (1) Assist the corporation in the continued development of the state  
39 housing plan;

40 (2) address the special populations in need of housing availability and  
41 affordability;

42 (3) provide advice and counsel to the corporation concerning Kansas  
43 community housing needs to facilitate economic development; and

1 (4) work with existing agencies, organizations and social programs to  
2 development affordable, safe, sanitary and accessible housing.

3 Sec. 6. K.S.A. 74-5084 is hereby amended to read as follows: 74-  
4 5084. Whenever the designation of a state agency is required by any  
5 federal act or program under which federal financial assistance is made  
6 available for housing or housing related purposes, the ~~department of com-~~  
7 ~~merce~~ *the Kansas housing development corporation* shall serve as the  
8 officially designated state agency of Kansas and ~~such department~~ *the cor-*  
9 *poration* shall be responsible for exercising the powers and performing  
10 the functions and duties required of state agencies under such federal  
11 acts and programs.

12 Sec. 7. K.S.A. 74-5085 is hereby amended to read as follows: 74-  
13 5085. (a) (1) All of the powers, duties and functions of the secretary of  
14 social and rehabilitation services and the department of social and reha-  
15 bilitation services which relate to housing and housing assistance and  
16 which were exercised pursuant to contracts and agreements with the fed-  
17 eral department of housing and urban development immediately prior to  
18 the effective date of this act are hereby transferred to and conferred upon  
19 the secretary of commerce and the department of commerce.

20 (2) All of the powers, duties and functions of the secretary of social  
21 and rehabilitation services and the department of social and rehabilitation  
22 services which relate to the application, receipt, administration, and util-  
23 ization of grants, vouchers and other financial assistance that the federal  
24 department of housing and urban development makes available under  
25 federal housing programs, and that other public or private entities make  
26 available for housing and housing related purposes, are hereby transferred  
27 to and conferred upon the secretary of commerce and the department of  
28 commerce.

29 (3) *On and after July 1, 2001*, all powers, functions, duties and  
30 contractual relationships described in paragraphs (1) and (2) of this sub-  
31 section shall be transferred to the Kansas housing development  
32 corporation.

33 (b) ~~The secretary of commerce and the department of commerce~~  
34 *Kansas housing development corporation* shall be the successors in every  
35 way to the powers, duties and functions which are specified in this section  
36 and which were vested in the secretary of social and rehabilitation services  
37 and the department of social and rehabilitation services *and subsequently*  
38 *to the secretary of commerce and housing and the department of com-*  
39 *merce and housing prior to the effective date of this act July 1, 2000.*

40 (c) Whenever the secretary of social and rehabilitation services or the  
41 department of social and rehabilitation services *or the secretary of com-*  
42 *merce and housing or the department of commerce and housing*, or words  
43 of like effect, is referred to or designated by statute, contract or other



1 document with regard to the powers, duties and functions which are spec-  
2 ified in this section, such reference or designation shall be deemed to  
3 apply to the ~~secretary of commerce and the department of commerce~~  
4 *Kansas housing development corporation*.

5 (d) Officers and employees who immediately prior to the effective  
6 date of this act were engaged in the exercise and performance of the  
7 powers, duties and functions specified in this section and who, in the  
8 opinion of the ~~secretary of commerce~~ *the president of the Kansas housing*  
9 *development corporation*, are necessary to perform the powers, duties  
10 and functions transferred under this section shall become officers and  
11 employees of the ~~department of commerce~~ *corporation*. Any such officer  
12 or employee shall retain all retirement benefits, *leave rights* and all *other*  
13 *rights* of civil service which had accrued to or vested in such officer or  
14 employee prior to the effective date of this act. The service of each such  
15 officer and employee so transferred shall be deemed to have been con-  
16 tinuous. All transfers and any abolition of personnel positions in the clas-  
17 sified service under the Kansas civil service act shall be in accordance  
18 with civil service laws and any rules and regulations adopted thereunder.  
19 *Nothing in this section shall affect the classified status of any transferred*  
20 *person employed by the department of commerce and housing prior to*  
21 *the date of transfer. Any employees hired after July 1, 2000 2001,* shall  
22 serve at the pleasure of the president of the Kansas housing development  
23 corporation.

24 (e) If the secretary of commerce and housing and the president of  
25 the Kansas housing development corporation cannot agree as to how the  
26 transfer of personnel between the two agencies is to be achieved, the  
27 president of the corporation shall be responsible for administering any  
28 layoff which is a part of the transfer.

29 (f) Notwithstanding the effective date of this act authorizing the  
30 transfer of personnel pursuant to this section, the date of transfer of  
31 personnel shall commence at the start of a payroll period.

32 Sec. 8. K.S.A. 2000 Supp. 74-5086a is hereby amended to read as  
33 follows: 74-5086a. (a) There is hereby established in the state treasury  
34 the state housing trust fund. All moneys credited to the state housing  
35 trust fund shall be used for the purposes of housing programs and services  
36 including, but not limited to, the provision of financial programs for the  
37 repair, rehabilitation and improvement of existing residential housing,  
38 accessibility modifications, rental subsidies and the provision of housing  
39 services and assistance to persons having low, *very low* or moderate in-  
40 come and disabled persons.

41 (b) The state housing trust fund shall be administered by the ~~office~~  
42 ~~of housing of the department of commerce and housing~~ *Kansas housing*  
43 *development corporation*. All expenditures from the state housing trust

1 fund shall be in accordance with appropriations acts upon warrants of the  
2 director of accounts and reports issued pursuant to vouchers approved  
3 by the ~~secretary of commerce and housing or the secretary's president of~~  
4 ~~the corporation or the president's designee.~~

5 (c) ~~The office of housing and the department of commerce and hous-~~  
6 ~~ing are corporation is~~ hereby authorized to apply for and receive available  
7 public or private grants, gifts and donations for the purposes of housing  
8 programs and services. All such grants, gifts and donations, which are not  
9 required to be deposited in a separate special revenue fund, shall be  
10 deposited in the state treasury to the credit of the state housing trust  
11 fund. All moneys received by the ~~department of commerce and housing~~  
12 ~~for corporation from~~ fees related to housing, which are not required to  
13 be deposited in a separate special revenue fund, shall be deposited in the  
14 state treasury to the credit of the state housing trust fund.

15 (d) On or before the 10th of each month, the director of accounts  
16 and reports shall transfer from the state general fund to the state housing  
17 trust fund interest earnings based on:

18 (1) The average daily balance of moneys in the state housing trust  
19 fund for the preceding month; and

20 (2) the net earnings rate for the pooled money investment portfolio  
21 for the preceding month.

22 New Sec. 9. No director, employee or officer of the corporation shall  
23 be liable personally for any reason arising from the service of such person  
24 as a director, employee or officer of the corporation or any subsidiary  
25 corporations created pursuant to this act unless such person acted with  
26 willful, wanton or fraudulent misconduct or intentionally tortuous con-  
27 duct. The authority and any subsidiary corporation created pursuant to  
28 this act shall be considered a governmental entity for purposes of the  
29 Kansas tort claims act, K.S.A. 75-6102, and amendments thereto.

30 New Sec. 10. The Kansas development finance authority shall enter  
31 into an agreement with the corporation through which all control, powers,  
32 duties and functions of the authority concerning its subsidiary corporation  
33 the Kansas equity fund, inc. are transferred to the corporation.

34 Sec. 11. K.S.A. 74-5082, 74-5083, 74-5084 and 74-5085 and K.S.A.  
35 2000 Supp. 74-5086a are hereby repealed.

36 Sec. 12. This act shall take effect and be in force from and after its  
37 publication in the statute book.

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## Corporate Powers

The corporation's responsibilities would include administering the state housing program in accordance with the federal Department of Housing and Urban Development (HUD) and assisting in the development of affordable and accessible housing in Kansas.

The bill sets out a variety of powers and responsibilities to be conferred on KHDC relating to the administration of the corporation and the corporation's housing finance functions. Included in these enumerated powers are the powers currently given to KDOCH relative to that agency's housing functions as well as the power to:

- Make, amend, and repeal bylaws, rules and regulations for the management of its affairs.
  
- Sue and be sued.
  
- Make contracts and execute all instruments necessary or convenient for carrying out its business.
  
- Acquire, own, hold, dispose of, and encumber real or personal property of any nature, both tangible and intangible.
  
- Enter into agreements or other transactions with any federal, state, county, or municipal agency and with any individual, corporation, enterprise, association, or any other entity involving housing development.
  
- Acquire real property or an interest in real property, by purchase or foreclosure, where such acquisition is necessary or appropriate to protect or secure any investment or loan in which the corporation has an interest.
  
- Sell, transfer, and convey real property or an interest in real property to a buyer, or to lease the property to a tenant in the event that sale, transfer, or conveyance cannot be done with reasonable promptness or at a reasonable price.
  
- Invest certain funds appropriated by the state in investments that are lawful for fiduciaries in this state, and invest funds received from gifts, grants, donations, and other operations of the corporation in investments which would be lawful for a private corporation having purposes similar to the corporation.

- Borrow money to issue negotiable bonds or notes as evidence of any such borrowing and to secure such bonds or notes by the pledge of revenues, mortgages, or notes of others.
  
- Appoint officers, consultants, agents, and advisors, and prescribe their duties and compensation.
  
- Appear in its own behalf before boards, commissions, departments or other agencies of municipal, county, state, or federal government.
  
- Procure insurance as may be necessary to protect it against loss or liability.
  
- Accept any and all donations, grants, bequests, and devises; accept moneys which are appropriated by the Legislature for effectuating its corporate purposes.
  
- Trade, buy, or sell qualified securities.
  
- Make or participate in the making of uninsured or federally insured construction loans to approved mortgagors of residential housing for occupancy by persons and families of low, very low, or moderate income or occupancy by persons and families of any income level in distressed communities as defined by the act; however, first priority mortgages for single-family dwellings would not be permitted.
  
- Purchase or participate in the purchase of uninsured, partially insured, or fully insured loans; however, first priority mortgages for single-family dwellings would not be permitted.
  
- Adopt bylaws for the regulation of its affairs and the conduct of its business and define the terms "low income," "very low income," and "moderate income" to conform to federal guidelines.
  
- Make and execute contracts, releases, compromises, and other instruments necessary or convenient for the exercise of its powers, or to carry out its purposes.
  
- Collect reasonable fees and charges in connection with servicing its loans, notes, bonds, obligations, commitments, and other evidences of indebtedness, and in connection with providing technical, consultative and project assistant services. These fees and charges would be limited to the amounts required to pay the costs of the corporation, including operating and administrative expenses, and reasonable allowances for losses which may be incurred.
  
- Consent, when considered necessary or desirable to the modification of financial terms governing loans or contracts to which the corporation is a party.

- Issue renewal notes, to issue bonds to pay notes, and whenever it deems refunding expedient, to refund any bonds by the issuance of new bonds, whether the bonds to be refunded have or have not matured.
- Apply the proceeds from the sale of renewal notes or refunding bonds to the purchase, redemption, or payment of the notes or bonds to be refunded.
- Provide technical services to assist in the planning, processing, or rehabilitation of residential housing for occupancy by qualified persons and families.
- Provide consultative project assistance services for residential housing and land development for such housing to be occupied by persons and families of low and moderate income or persons and families of any income level in distressed communities. This assistance would include management, training, and social services.
- Promote research and development in scientific methods of constructing low cost residential housing of high durability.
- Make, purchase, or participate in the purchase of uninsured, partially insured, or fully insured loans and home improvement loans to finance the weatherization of single and multifamily dwellings, and issue its negotiable bonds or notes for such purpose.
- Create a housing equity fund for the purpose of purchasing low-income housing tax credits.
- Exercise any other powers necessary for the operation and functioning of the corporation within the purposes authorized in this act.

#### **Private Activity Bond Allocation Authority**

The corporation would be authorized to issue qualified private activity bonds to the extent authorized in other sections of the bill and to the extent that the corporation is allocated a portion of the state ceiling (\$225.5 million beginning in calendar year 2002) to that end.

#### **Corporate Prohibitions**

4-4

The bill also sets out a variety of activities in which the corporation would be prohibited from engaging. The corporation would not be authorized to:

- Originate single family home loans, except as specifically provided in this act.
- Purchase or participate in the purchase of single-family home loans or make, purchase, or participate in the purchase of home-improvement loans when the mortgagor or borrower does not meet the definition of low-income, very-low income, or moderate income.
- Originate multifamily first mortgages, except when no other lender will provide financing as evidenced by the submission of letters of denial by two financial institutions.
- Participate in lending activities for nonresidential purposes.
- Own real property for long periods of time; such property that has been acquired for the purpose of debt restructuring or otherwise providing financial stability should be returned to private ownership within 18 months or as quickly thereafter as possible.
- Participate in any housing related function in a community which has not conducted a housing need study.
- Participate in housing construction as a general contractor or subcontractor.
- Participate in any housing function which can be handled economically or efficiently by private industry.

#### **Corporate Exemptions**

Under the bill, the corporation would be exempt from all franchise, corporate business, and income taxes levied by the state. The corporation would also be exempt from purchasing laws governing state agencies.

#### **Background**

The House Committee held a hearing on HB 2205, at which time a number of conferees offered testimony regarding the bill. The House Committee amended the bill to update implementation dates contained in the bill as recommended by the Revisor of Statutes.

The topic of housing as it relates to economic development was studied by the Joint Committee on Economic Development during the 1999 Interim. HB 2971 of 2000 was patterned after one of the recommendations in the Governor's Commission on Housing report from December, 1999. HB 2205 is identical to Substitute for HB 2971, as amended by the House Committee of the Whole, with the exception of the updated implementation dates. Substitute for HB 2971 died in the Senate Commerce Committee at the end of the 2000 Session.

The Budget Division reports that HB 2205 would result in no fiscal impact to the state because KDOCH's budget would be reduced by the same amount that would be budgeted for the new corporation.

1.

\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.ink.org/public/legislative/fulltext.cgi>



SELECTED STATE HOUSING AGENCIES AND PROGRAMS

	KANSAS	MISSOURI	NEBRASKA	COLORADO	OKLAHOMA	NEW MEXICO
<b>STRUCTURE</b>						
Organizational Structure	Housing Agency	Housing Finance Agency	State Agency/Housing Finance Agency	State Agency/Housing Finance Agency	Housing Finance Agency	Housing Finance Agency
<b>FUNDING</b>						
1997 Operating Budget	\$ 1,230,400	\$5,660,000	\$2,376,000	\$12,989,000	\$5,042,000	\$3,500,000
Housing Agency FTEs	22.0	98.0	16.0	126.0	85.0	42.0
State Housing Appropriation	\$1,037,102	\$3,600,000	\$3,100,000	\$600,000	\$500,000	\$610,000
Administers a Housing Trust Fund	Yes	Yes	Yes	No	Yes	Yes
Private Activity Bonds (PABs)						
State Authority	\$150,000,000	\$267,950,000	\$150,000,000	\$191,133,800	\$165,100,000	\$150,000,000
State Usage	123,200,000	222,185,760	277,599,201	191,133,800	175,714,863 *	150,886,250 *
<b>PROGRAMS</b>						

Senate Commerce  
1-29-03  
# 5

<p>Programs</p>	<ol style="list-style-type: none"> <li>1. State Housing Trust Fund</li> <li>2. First Time Homebuyers</li> <li>3. Kansas Housing Cost Analysis</li> <li>4. Homeowner Rehabilitation</li> <li>5. Homeowner Emergency Rehabilitation Opportunities</li> <li>6. Housing Tax Credits</li> <li>7. Private Activity Bonds</li> <li>8. Interim Development Loans</li> <li>9. Community Housing Development Organizations</li> <li>10. Tenant Based Rental Assistance</li> <li>11. Emergency Shelter Grants</li> <li>12. Permanent Housing for Handicapped Homeless</li> </ol>	<ol style="list-style-type: none"> <li>1. MHDC Rental Housing Production</li> <li>2. HOME Rental Housing Production</li> <li>3. Low Income Housing Tax Credit</li> <li>4. First Time Homebuyer Loans</li> <li>5. Downpayment Assistance</li> <li>6. Rural Growth Home Loans</li> <li>7. Opportunities for Missouri Lenders</li> <li>8. Affordable Housing Assistance Tax Credit</li> <li>9. Multifamily Tax-Exempt &amp; Taxable bonds</li> <li>10. Mortgage Credit Certificate</li> <li>11. Missouri Housing Partners</li> <li>12. Affordable Housing Rental Assistance Programs</li> </ol>	<ol style="list-style-type: none"> <li>1. Housing Rehabilitation/Homebuyer Assistance Programs</li> <li>2. Housing Development (through Technical Assistance Review Process - TARP)</li> <li>3. HOME CHDO</li> <li>4. Single Family Home Ownership Program</li> <li>5. Low Income Tax Credit</li> <li>6. Tax Exempt Bond Financing for Housing</li> <li>7. Housing Trust Fund</li> <li>8. Downpayment Assistance</li> <li>9. Supertarget Assistance for Rural New Construction</li> </ol>	<ol style="list-style-type: none"> <li>1. Emergency Shelter Grants</li> <li>2. Home Ownership Loan Program</li> <li>3. Rural Housing Preservation Grants</li> <li>4. Rural Housing Site Loans</li> <li>5. Rural Rental and Cooperative Housing Loans</li> <li>6. Rural Rental Assistance Payment Program</li> <li>7. Self-Help Technical Assistance Grants</li> <li>8. Very Low Income Housing Repair Loans and Grants</li> <li>9. Farm Labor Housing Loans &amp; Grants</li> <li>10. HOME Investment Partnership Program</li> <li>11. CDBG (Block Grant)</li> <li>12. Dept. of Energy Weatherization Program</li> <li>13. Section 8 Certificates</li> <li>14. Low Income Housing Tax Credits</li> <li>15. Taxable Loan Programs</li> <li>16. Colorado Div. Of Housing Grant Program</li> <li>17. MRBs</li> <li>18. Mortgage Credit Certificate Program</li> <li>19. Downpayment Assistance program</li> <li>20. Housing Fund</li> <li>21. Housing Opportunity Fund</li> </ol>	<ol style="list-style-type: none"> <li>1. Direct Loans</li> <li>2. Grants</li> <li>3. Interest Rate Subsidies</li> <li>4. Loan Guarantees and Mortgage Insurance</li> <li>5. Maturity Linked Funding</li> <li>6. Rental Assistance</li> <li>7. Secondary Mortgage Markets</li> <li>8. Subordinated Mortgage</li> <li>9. Tax Abatements</li> <li>10. Tax Credits</li> <li>11. Technical Assistance</li> </ol>	<ol style="list-style-type: none"> <li>1. CDBG (Block Grant)</li> <li>2. HOME Investment Partnership Act</li> <li>3. Home Program Income</li> <li>4. MRBs</li> <li>5. Housing Counseling</li> <li>6. Weatherization Assistance Program</li> <li>7. Low Income Home Energy Assistance Program</li> <li>8. Low Income Housing Tax Credits</li> <li>9. Risk Sharing</li> <li>10. Emergency Shelter Grants Program</li> <li>11. Housing Opportunities for People with AIDS</li> <li>12. Supportive Housing Program</li> <li>13. Mortgage Saver</li> <li>14. Rural Choice</li> <li>15. HELP</li> <li>16. Primero Investment Fund</li> <li>17. Partners Program</li> <li>18. Build It Loan Guarantee Program</li> <li>19. Statewide Homeownership Counseling and Outreach Program</li> <li>20. Multifamily Financing Program</li> <li>21. State Homeless Assistance Program</li> </ol>
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\* Includes carryforward amounts from previous years.

\*\* Total 1997 Issuance (Includes new moneys and refundings)