

MINUTES OF THE HOUSE ECONOMIC DEVELOPMENT COMMITTEE

The meeting was called to order by Chairperson Lana Gordon at 3:30 P.M. on February 14, 2006 in Room 526-S of the Capitol.

All members were present except:
Judy Loganbill- excused

Committee staff present:
Audrey Dunkel, Kansas Legislative Research Department
Renaë Jefferies, Revisor of Statutes
Helen Pedigo, Revisor of Statutes
Carlene Maag, Committee Secretary

Conferees appearing before the committee:
Jim Snyder, Silver Haired Legislature
Bob North - Department of Commerce
Ernie Kutzley - AARP Kansas
Shirley Bramhall, Area Agency on Aging Office, Manhattan

Others attending:
See attached list.

A motion was made by Representative Wolf and seconded by Representative Huntington to approve the minutes from the meetings of January 31 and February 2, 2006. A vote was taken, motion passed.

HB 2194 - State workforce investment program, state and local boards membership, older Kansans designated special target population

Staff gave an overview of **HB 2194** which changes the structure of the state workforce investment board and the local workforce investment board. This bill would add one representative of non profit agencies and organizations and public bodies providing services to person seeking employment through the older Kansas employment program and one representative of area agencies on aging.

There would not be a fiscal effect to the change in the boards.

Jim Snyder, Kansas Silver Haired Legislator, spoke as a proponent for **HB 2194**. He proposed sub paragraphs "b" and "c" be deleted and sub paragraph "d" be renumbered as "b".

The definition of older person as used in section (d) means a resident of the state of Kansas who is 55 years of age or older.

Prior to the Workforce Investment Act (WIA), Kansas had a job training partnership act. (JTPA) Under this program, there was some "set-aside" monies which were used exclusively to help those older Kansans who either wanted to return to the workforce or, who had to return to the workforce. Since the changeover to WIA, there has been nothing "set aside" to work with this group.

The Rules and Regulations from Dept of Labor state the Governor is required to describe in the state plan how the state will serve the employment and training needs of individuals with multiple barrier to employment (including older individuals and individuals with disabilities. (Attachment 1))

Ernest Kutzley, Advocacy Directory, AARP Kansas, presented testimony as a proponent for **HB 2194**. AARP is extremely committed to expanding employment opportunities providing access to jobs through training. 44% of the 35 million AARP members, 50 years of age and older work full or part time.

AARP Kansas supports policy changes that would include older job seekers as a hard-to-serve population under the WIA in order to provide funding to the Older Kansas's Employment Program under the state set-aside reserve funds. (Attachment 2)

CONTINUATION SHEET

MINUTES OF THE House Economic Development Committee at 3:30 P.M. on February 14, 2006 in Room 526-S of the Capitol.

Shirley Bramhall representing the Kansas Area Agencies on Aging Association (K4A) gave testimony as a proponent for **HB 2194**. The North Central-Flint Hills Area Agency on Aging, Inc. serves older Kansans in 18 counties. The federal Workforce Investment Act (WIA) is the major source of federal monies received to serve job-seekers. Under the Job Training Partnership Act (JTPA) there was a specific "set-aside" to serve hard-to-serve job-seekers. WIA eliminated the specific "Set Aside" monies available to serve seekers over 55.

HB 2194, advances fairness for older job-seekers in the workforce system. It will strengthen the state's workforce system and the economy for the silver-hairs future. (Attachment 3) Ms. Bramhall presented the Committee with a copy of, "Keynotes", a publication for older Kansans and their families.

Robert North, Chief Attorney, Kansas Department of Commerce stated Commerce does not have a position pertaining to **HB 2194**, but thought the bill would have a significant effect on the composition of Kansas state and local workforce investment boards as well as the possibility of federal preemption of board composition requirements.

Two of Kansas' five local workforce investment boards are alternative entities. If the membership structure of an alternative entity is significantly changed, new boards would have to be established. **HB 2194** would constitute a significant change in the membership structure of the State and local boards in Kansas. (Attachment 4)

Committee was provided written testimony, (Attachment 5, (Attachment 6) and (Attachment 7).

Discussion followed the presentation.

The meeting was adjourned at 4:50 pm. The next meeting is scheduled for February 16.

HOUSE ECONOMIC DEVELOPMENT COMMITTEE GUEST LIST

DATE: 2-14-04

NAME	REPRESENTING
Paul Snyder	SHL
Herb Mynler	SHL
Dee Dee Cross	OKEP/ACFHAAA
Gertie Williams	OKEP/ACFHAAA
Susan Munnings	OKEP/ACFHAAA
Shirley Bambick	AAA -
Bob North	Dept. of Commerce

**HOUSE BILL 2194
HOUSE ECONOMIC DEVELOPMENT COMMITTEE
FEBRUARY 14, 2006**

Remarks by Jim Snyder, Kansas Silver Haired Legislature.

Madam Chair, members of the Committee. Thank you for the opportunity to speak regarding HB2194. First of all, we propose that subparagraph (b) and (c) be deleted from the bill. This would leave subparagraph (a) which projects Older Kansans as a “special target population for Kansas” in regards to WIA, and subparagraph (d) which defines by Statute that Older Kansans are those citizens of our State who are 55 years of age and older.

This proposed legislation has been quite a learning experience and it was brought to our attention that a formal addition of any types of members to boards would really upset what already is in operation. And, actually, two of the 5 WIA boards already have someone from the AAA (Area Agency on Aging) as members. So to preclude confusion, we recommend the changing of this bill as above.

However, that does not, necessarily, help Kansas Seniors to any great extent. Before 1999, Kansas had in place the Job Training Partnership Act (JTPA) along with the Older Kansans Employment Program (OKEP). In 1999, JTPA transformed into the Workforce Investment Act (WIA) program which changed things radically for Older Kansans.

Under JTPA there were some ‘set-aside’ monies which were used exclusively to help those Older Kansans who either WANTED to return to the workforce, or who HAD to return to the workforce. This program, along with the OKEP program, did a good job of helping this group of Kansans. However, since 1999, with the changeover to WIA, there has been nothing ‘set aside’ to work with this group.

Now, the OKEP program still exists in Kansas but is only funded for a little more than \$230,000 annually by the State. Nevertheless, this program in the past fiscal year of July 1, 2004 to June 30, 2005 placed 1,163 Older Kansans which was 119.65% of the goal set by these 5 locations. Estimated annual wages for these people was more than \$13.4 million. (This is on Exhibit A).

We don't have any records for WIA Accomplishments, but the Secretary of Commerce stated at a recent meeting of the Joint Committee of Economic Development that NOTHING was being done specifically for Older Kansans. And, you can see on Exhibit B that as of July 1, 2004 there were more than 614,000 (or 22.47%) of Kansas' total population who are Older Kansans. I'm sure this number has grown in the past 18 months, but these are the latest figures available. With a budget of more than \$19 million, you would think that something would have been done for a continuation of help to Older Kansans. But, even though it hasn't in the past, this is no reason not to correct this oversight now.

In addition, it was pointed out that the WIA Rules and Regulations provide that Section 112(b)(17) of the Act requires the Governor to describe, in the State Plan, how the State will serve the employment and training needs of "individuals with multiple barrier to employment (including OLDER INDIVIDUALS and individuals with disabilities)." (stress added) This is Exhibit C.

We in the Silver Haired Legislature have no idea what it will take to get the Kansas Executive Branch off dead center when it comes to providing attention to Kansas' Senior Citizens, but feel strongly that this bill might help provide that incentive.

Therefore, the Silver Haired Legislature respectfully requests that HB 2194 be amended as stated above and recommended favorably for passage. Thank you.

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OKEP Performance Standards

OKEP Placement Performance July 1, 2004 - June 30, 2005

Project	Outcome	Goal	Actual	% of Goal
NC/FH AAA	Total Participants	330	469	142.12%
	Total Placements	260	292	112.31%
SEK AAA	Total Participants	280	313	111.79%
	Total Placements	182	192	105.49%
Senior Services	Total Participants	500	632	126.40%
	Total Placements	350	521	148.86%
Let's Help	Total Participants	150	160	106.67%
	Total Placements	80	72	90.00%
SWK AAA	Total Participants	150	59	39.33%
	Total Placements	100	86	86.00%
Total	Total Participants	1,410	1,633	115.82%
	Total Placements	972	1,163	119.65%

Older Kansans placed in jobs through OKEP continue to make a substantial contribution to the Kansas economy. The estimated economic impact of annual wages paid to individuals placed into part-time or full-time jobs during Program Year 2004 by the Older Kansans Employment Program was \$13,464,376. (The formula used to estimate total annual wages is number of placements 1,163 x average 22 hrs per week x 52 weeks x \$10.12 statewide average wage per hour.)

Table 2: Annual Estimates of the Population by Sex and Age for Kansas: April 1, 2000 to July 1, 2004

Sex and age	Population estimates					April 1, 2000	
	July 1, 2004	July 1, 2003	July 1, 2002	July 1, 2001	July 1, 2000	Estimates base	Census
BOTH SEXES	2,735,502	2,724,786	2,712,896	2,701,233	2,692,651	2,688,824	2,688,418
Under 5 years	188,782	188,807	188,794	187,323	188,421	188,744	188,708
5 to 9 years	182,970	185,297	188,299	190,969	194,755	195,604	195,574
10 to 14 years	192,669	196,935	199,758	200,569	203,542	204,038	204,018
15 to 19 years	203,322	204,652	206,747	208,121	209,939	210,142	210,118
20 to 24 years	215,224	212,795	207,571	201,712	192,697	190,235	190,167
25 to 29 years	184,571	177,341	172,695	170,855	172,702	173,026	172,975
30 to 34 years	173,932	175,802	176,020	176,164	175,890	175,933	175,878
35 to 39 years	177,740	182,843	190,277	198,801	206,268	207,577	207,549
40 to 44 years	209,813	211,514	212,819	214,225	213,216	212,819	212,802
45 to 49 years	208,283	206,697	203,226	198,786	194,099	192,697	192,679
50 to 54 years	183,519	178,181	173,885	172,739	163,589	161,479	161,468
55 to 59 years	148,545	141,650	135,440	125,049	122,317	121,661	121,645
60 to 64 years	111,553	107,808	103,065	100,419	98,943	98,615	98,608
65 to 69 years	88,437	87,725	87,643	88,728	89,699	90,094	90,085
70 to 74 years	81,697	82,761	84,139	85,008	85,723	85,837	85,831
75 to 79 years	72,359	73,476	73,561	73,744	74,955	75,129	75,125
80 to 84 years	57,031	56,165	55,626	54,993	53,757	53,421	53,418
85 years or more	55,055	54,337	53,331	53,028	52,139	51,773	51,770
Under 18 years	683,491	691,636	699,819	702,373	711,324	713,090	712,993
Under 5 years	188,782	188,807	188,794	187,323	188,421	188,744	188,708
5 to 13 years	335,335	342,480	348,390	351,327	357,135	358,243	358,195
14 to 17 years	159,374	160,349	162,635	163,723	165,768	166,103	166,090
18 to 64 years	1,697,432	1,678,686	1,658,777	1,643,359	1,625,054	1,619,480	1,619,196
18 to 24 years	299,476	296,850	291,350	286,321	278,030	275,673	275,592
25 to 44 years	746,056	747,500	751,811	760,045	768,076	769,355	769,204
45 to 64 years	651,900	634,336	615,616	596,993	578,948	574,452	574,400
65 years and over	354,579	354,464	354,300	355,501	356,273	356,254	356,229
16 years and over	2,131,732	2,114,405	2,095,832	2,081,550	2,064,166	2,058,805	2,058,489
18 years and over	2,052,011	2,033,150	2,013,077	1,998,860	1,981,327	1,975,734	1,975,425
15 to 44 years	1,164,602	1,164,947	1,166,129	1,169,878	1,170,712	1,169,732	1,169,489
Median age (years)	35.8	35.6	35.5	35.4	35.2	35.2	35.2
MALE	1,358,381	1,351,397	1,343,810	1,336,823	1,331,022	1,328,675	1,328,474
Under 5 years	98,026	97,887	97,527	96,590	96,855	97,028	97,012
5 to 9 years	93,803	95,073	96,741	97,992	100,017	100,452	100,433
10 to 14 years	98,992	101,060	102,498	103,074	104,716	104,990	104,981
15 to 19 years	104,758	105,230	106,283	107,036	107,978	108,046	108,040

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investment plan, prior to its submission, be provided to representatives of labor organizations and business. WIA section 117(e) also requires the Local Board to provide information to the public on Local Board activity.

We believe that access to and distribution of ITA's is based broadly on the Local Board's policy decision about the amount of funding to be devoted to training services and, more narrowly, on individual participants' need for training and their eligibility for it. We strongly encourage Local Boards to consult with a variety of organizations, including organized labor, when making policy decisions concerning ITA's. No change has been made to the Final Rule.

A commenter recommended that we should include a prohibition on discrimination on the basis of union affiliation in the selection of training programs.

Response: We believe that WIA section 122 and Subpart E of part 663, which provides further direction regarding eligible training providers, establish sufficiently objective procedures to ensure against discrimination in the selection of training offered either by unions or by employer organizations. No change has been made to the Final Rule.

Another commenter requested authority for training providers to reject students with ITA's where they think the student will not succeed in, or benefit by, the program.

Response: There is no requirement that eligible training providers must accept any participant who seeks to enroll under the local workforce investment area's ITA program. Further, we are not limiting an eligible training provider's ability to set entrance criteria or screening tests to determine that the participant is likely to succeed in the particular training curriculum. We believe that the intensive services provided to a participant, especially assessment and career counseling in consultation with the case manager in developing a realistic Individual Employment Plan, combined with customer-oriented information on eligible training providers that reflects the entrance criteria for the desired training curriculum, will be critical to the participant's selection of appropriate training in which they can achieve success and ultimately, job placement. No change has been made to the regulations.

3. *Exceptions to ITA's:* The Act, at § 134(d)(4)(G)(ii), and the regulations at § 663.430, provide that, under certain limited circumstances, contracts for training rather than ITA's may be used. Specifically, on-the-job training

contracts with employers and customized training contracts are authorized. Contracts may also be used when there is an insufficient number of eligible providers in a local area. This exception applies primarily to rural areas. The exceptions to ITA's are to be used infrequently. The Act reforms the local service delivery system by eliminating the current practice of assigning participants to contracted training services and instead establishing a system that maximizes customer choice in the selection of training providers. When the Local Board determines there are an insufficient number of eligible providers in the local area to accomplish the purposes of a system of ITA's, and intends to use contracts for services, there must be at least a 30 day public comment period for interested providers.

Contracts for Special Populations— Section 663.430(b) also authorizes contracts for training when the Local Board determines that there are special populations that face multiple barriers to employment and that there is a training services program of demonstrated effectiveness offered by an eligible provider. Section 663.430(a)(3) explains that an eligible provider in this case is a community based organization (CBO) or other private organization. We have received many suggestions about this exception and the extent to which it may be used.

Response: Generally, it is our position that this exception is intended to meet special needs and should be used infrequently. Those training providers operating under the ITA exceptions still must qualify as eligible providers, as required at § 663.505. We believe that effective eligible training providers, including CBO's and other training providers, can and will compete for individual training accounts and that providers should view the use of ITA's as an opportunity to expand their customer base.

Numerous comments recommended that the list of special participant populations be expanded to include individuals with disabilities who require multiple services over extended periods of time. Other commenters recommended that the list also be expanded to include older individuals or low income older individuals. Two commenters disagreed, in part, with the recommendation that individuals with disabilities be included as a special participant populations. They made the point that such individuals should not be automatically perceived as a special participant population and excluded from benefitting from ITA's.

Response: The Act does not specifically list any of these populations in section 134(d)(4)(F)(iv). The Act and § 663.430(b) do, however, list as one of the four special participant populations defined in the Act "Other hard-to-serve populations as defined by the Governor involved." As a result, Governors have the authority to add additional groups, such as individuals with disabilities, to the list contained in the statute. Other provisions that assure that persons with disabilities will have full and fair access to WIA services. For example, section 188(a)(2) provides that no individual shall be excluded from or denied benefits under any WIA title I program or activity on the basis of disability. Regulations implementing this provision are found at 29 CFR part 37. In addition, section 112(b)(17) of the Act requires the Governor to describe, in the State Plan, how the State will serve the employment and training needs of "individuals with multiple barrier to employment (including older individuals and individuals with disabilities)." We believe that this direction, which is included in the WIA State Planning Guidance, provides sufficient direction for consideration of these and other population groups not specifically mentioned in section 134(d)(4)(F)(iv) of WIA. The requirement for public comment on the plan in § 661.220 of the regulations allows interested parties the opportunity to promote the interests of those two groups.

In addition, we would like to clarify that within the special participant populations that are listed in the Act and that are identified by the Governor, there will be individuals for whom an ITA is the most appropriate avenue to employment. We encourage One-Stop operators and intensive service providers to consider all training options when working with special participant populations. It is important that consumer reports reflect adequate information to determine the appropriateness of training provided by an eligible training provider with regard to accessibility, auxiliary aids and services, etc., to enable customers with special needs to make an informed choice.

One commenter recommended that the Governor be required to solicit comments from key stakeholders, including business, organized labor, and CBO's, when identifying additional populations.

Response: Section 112(b)(17)(A)(iv) of the Act requires the Governor to have this information in the State plan, which is, of course, subject to comment.



February 14, 2006

Representative Gordon, Chair
House Economic Development Committee
HB 2194

Good afternoon Madame Chair and members of the Economic Development Committee. My name is Ernest Kutzley and I am the Advocacy Director for AARP Kansas. AARP Kansas represents the views of our more than 350,000 members in the state of Kansas. Thank you for this opportunity to express our support and comments on HB 2194 which would prescribe membership on the state and local workforce investment boards and would designate older Kansans as a special target population for Kansas under the federal Workforce Investment Act.

As the U.S. and Kansas labor force ages, older workers are finding themselves at a disadvantage when seeking a promotion, maintaining their jobs, looking for work or participating in training programs. Speaking personally three of my close friends, all well educated and qualified, all in late 50 and early 60's have been searching for up to two years for employment. This now strikes closer to home; my wife finds the same difficulty in her job searches since her position was eliminated due to program closings.

Of the 35 million AARP members, 50 years of age and older, 44 percent work full or part time. Therefore, AARP is extremely committed to expanding employment opportunities, providing access to jobs through training, employer partnerships such as Home Depot, retraining and other programs designed both to encourage older workers to remain in the labor force and to improve the job security of all working.

AARP believes:

- Expanded support of older workers programs to ensure that work training programs are adequately designed and funded to meet the needs of current and future elderly Kansans who choose or must work.
- Providing and expanding employment opportunities for all who are willing and able to work, minimizing underemployment, and promoting job security should be vital components of public policy.
- Expanded support of older workers programs, such as the Older Workers Employment Program which benefits not only older workers but also Kansas Employers. An increase of employment opportunities to older Kansans, will create an increase of income to the Kansas economy and decrease of state assistance to unemployed workers and their families.

Therefore AARP Kansas supports:

House Economic Development
Attachment 2

- Policy changes that would include older job seekers as a hard-to-serve population under the WIA in order to provide funding to the Older Kansan's Employment Program under the state set-aside reserve funds.
- Continued and increased state funding for successful and proven programs such as the Older Workers Employment Program which benefits not only older workers but also Kansas Employers.

We respectfully request your support of HB 2194. Thank you for your consideration in this matter.

Testimony to the House Economic Development Committee
of the
2006 Kansas Legislature

February 14, 2006

Julie Govert Walter
Executive Director
North Central-Flint Hills
Area Agency on Aging, Inc.

E-mail: juliegw@ncfhaaa.com
Phone: 785-776-9294

February 14, 2006

Representative Gordon and distinguished members of the Committee, I appreciate the opportunity to speak with you this afternoon to urge you to pass House Bill 2194. This bill would help jobseekers age 55 and over in our state get more of what they need from the Workforce Investment Act.

My name is Shirley Bramhall and I am giving testimony today on behalf of Julie Govert Walter who is ill today. Julie is Executive Director of the North Central-Flint Hills Area Agency on Aging and provides this testimony on behalf of the Kansas Area Agencies on Aging Association (K4A). K4A is comprised of eleven area agencies on aging in the state. These agencies are charged, under the federal Older Americans Act, to advocate for public policies that meet the needs of older Kansans.

The North Central-Flint Hills Area Agency on Aging, Inc. based in Manhattan, is a private, not-for-profit organization which serves older Kansans in 18 counties. In addition to our advocacy responsibilities, our Agency's services include a successful state-funded program that links older Kansans over 55, regardless of income, with employment in the private sector. This program has helped Kansans in our region since 1982. It's called the Older Kansans Employment Program (OKEP).

The NC-FH Area Agency's program is currently one of four Older Kansans Employment Programs in Kansas extending help to any job-seeker 55 and older. In 2004, the programs helped 1,633 individuals find 1,163 unsubsidized part-time and full-time jobs in the private sector. About forty counties are served under this program. The major trade areas served include: Wichita, Chanute, Topeka, Manhattan, Junction City, Emporia, Salina --and until last October, Dodge City. Certainly, these statistics show those with the Older Kansans Employment Programs in our state know first-hand about how to successfully link older job-seekers to employers

Right now a total of only \$239,000 in state funds to help job-seekers over 55. These essential state funds for OKEP help older job-seekers – regardless of income – recognize the skills they have to offer. Our experienced staff—like those in other OKEP offices--gives these Kansans self-confidence and practical skills and tools they need to sell their skills in the marketplace. Staff also provide job-seekers who come to us with important information on other matters that many older Kansans need whether they are seeking employment or not – such as information about Medicare, free or low-cost prescription drugs and other helpful benefits.

The North Central-Flint Hills Area Agency on Aging has a long history of coordination with those programs that provide help to the most destitute of older job seekers. We have an established working arrangement with SER, (until recently known as "Green Thumb") the federally-funded program that provides minimum wage subsidized jobs at non-profit groups for older job-seekers whose annual individual income is below \$12,250. These funds, like the Workforce Investment Act (WIA) funds have very restrictive eligibility guidelines.

Background: The federal Workforce Investment Act is the major source of federal monies that our state receives to serve job-seekers. This program is relatively new—before 2000 workforce monies came to our state from the Job Training Partnership Act. Under the Job Training Partnership Act, there was a specific "set-aside" of five percent to

serve hard-to-serve job-seekers in our state. Until program year 2000, older Kansans were designated a special population and federal funds were awarded to serve older Kansans who met the restrictive federal requirements. Beginning in the late 1980s, an average of about \$168,000 in JTPA monies was available, statewide, to serve the most hard-to-serve older job-seekers and provide these folks with training. This is a relatively small amount of money, yet at the time Kansas Department of Human Resources worked with the OKEP providers in the state to maximize these funds to serve older job seekers. Kansas was known nationally—and won several national awards—for its performance in serving older job-seekers.

Although the Workforce Investment Act eliminated the specific “Set Aside” monies available to serve seekers over 55, the fact remains that many Kansans over age 55 need to work and face special challenges in their job searches. While the 55-plus population is the fastest growing group in our state, statistics show that it is the people in this group who are severely underserved throughout our state. We observe that those WIA regions that show the best service delivery under the Workforce Investment Act to this population group in our state are those that have agreements with OKEP service providers.

The Workforce Investment Act in Section 663.430(b) allows governors the authority to designate special population groups. Designating job-seekers 55 and over as a special population group under WIA would mean that the special and particular needs of older Kansans would get consideration by groups that have the power to allocate monies for workforce system development and enhancements in our state. This is not only good public policy benefiting older job-seekers in our state, but is critical if Kansas is to move “ahead of the demographic curve to address future workforce issues. The reality is that Kansas workforce needs older workers now and will most certainly need them in the future. By 2014 all labor markets and professions will experience decreases in the workforce because of the retirement of workers

The implementation of the WIA in 2000 also changed the funding flow of federal monies, significantly reduced oversight and the involvement of state leaders in the workforce system. The new law places lots of power in the hands of local workforce boards—there are five of these in the state. I am happy to say that two of these boards already have representation from either a local Area Agency on Aging or an OKEP provider. The K4A supports representation of Area Agencies on Aging/OKEP providers on all five local WIA boards and seeks a representative on the state workforce investment board.

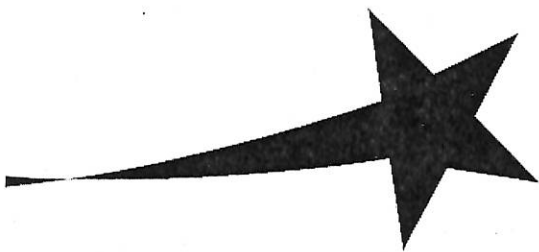
I urge you to pass House Bill 2194. It is one of the best things you can do to advance fairness for older job-seekers in our state’s workforce system—and it will strengthen our state’s workforce system and our economy for our silver-lined future.

Thank you.



KANSAS
DEPARTMENT OF COMMERCE

Howard R. Fricke, Secretary



HB 2194

Testimony Presented by Robert North, Chief Attorney

House Committee on Economic Development

February 14, 2006

For more information on this topic contact:

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House Economic Development
Attachment 4
2-14-06

Robert E. North
Kansas Department of Commerce
Testimony to
House Economic Development Committee

Madam Chair and members of the committee, thank you for the opportunity to testify on House Bill No. 2194. The Department of Commerce does not have a position on this bill, but wishes to testify on the significant effect the bill would have on the composition of Kansas state and local workforce investment boards as well as the possibility of federal preemption of board composition requirements.

The federal Workforce Investment Act of 1998 ("the Act") requires the Governor of each State to establish a State workforce investment board which meets certain composition requirements to assist in the development of a State plan and carry out other prescribed functions. The Act also allows for states to use an "alternative entity" to serve as the State workforce investment board so long as certain requirements are met. The state board, Workforce Network of Kansas is such an alternative entity.

The Act also requires the establishment of local workforce investment boards to set policy within each local area. Like the State board, membership composition for local boards is set by the Act and also allows for alternative entities to be utilized. Kansas has five local workforce investment areas. Two of Kansas' five local workforce investment boards are alternative entities. They are the boards in Local Area II and V.

By federal regulation, if the membership structure of an alternative entity is "significantly changed" after December 31, 1997, new boards would have to be established. A "significant change" in the membership structure is considered to have occurred when members are added to represent groups not previously represented on the entity. HB 2194 would constitute a significant change in the membership structure of the State and local boards in Kansas. Due to existing composition requirements for State and local boards, and because a majority of the members of such boards are required to be representatives of business, the bill would require the appointment of nine new representatives of various programs and 10 new representatives of business to the State board resulting in a 52 member board. The Workforce Network of Kansas currently is a 33 member board.

The bill would similarly impact local board composition. The Local Area II board currently has 22 members. HB 2194 would require 8 additional program representatives and 9 business representatives

increasing total board membership to 39, almost effectively doubling current membership. The Local Area V board currently has 25 members and would also need to add 17 members, increasing its total membership to 42. Some local areas currently have difficulty filling board positions which problem could be executed by adding so many additional positions.

Another concern involves federal preemption of this issue. Since board composition is established by federal law, the doctrine of preemption may prohibit the State from modifying the federal requirements. Field preemption exists where the scheme of federal regulation leaves no room for supplementary state regulation. It may be asserted the federal legislation in this area is comprehensive and allows no modification.

Thank you for the opportunity to discuss the potential effects of HB 2194. I would be happy to address any related questions.

dependency, and enhance the productivity and competitiveness of the Nation.

CHAPTER 1--STATE PROVISIONS

SEC. 111. STATE WORKFORCE INVESTMENT BOARDS.

(a) In General.--The Governor of a State shall establish a State workforce investment board to assist in the development of the State plan described in section 112 and to carry out the other functions described in subsection (d).

(b) Membership.--

(1) In general.--The State Board shall include--

(A) the Governor;

(B) 2 members of each chamber of the State legislature, appointed by the appropriate presiding officers of each such chamber; and

(C) representatives appointed by the Governor, who are--

(i) representatives of business in the State, who--

(I) are owners of businesses, chief executives or operating officers of businesses, and other business executives or employers with optimum policymaking or hiring authority, including members of local boards described in section 117(b)(2)(A)(i);

(II) represent businesses with employment opportunities that reflect the employment opportunities of the State; and

(III) are appointed from among individuals nominated by State business organizations and business trade associations;

(ii) chief elected officials (representing both cities and counties, where appropriate);

(iii) representatives of labor organizations, who have been nominated by State labor federations;

(iv) representatives of individuals and organizations that have experience with respect to youth activities;

(v) representatives of individuals and organizations that have experience and expertise in the delivery of workforce investment activities, including chief executive officers of community colleges and community-based organizations within the State;

(vi)(I) the lead State agency officials with responsibility for the programs and activities that are described in section 121(b) and carried out by one-stop partners; and

(II) in any case in which no lead State agency official has responsibility for such a program, service, or activity, a representative in the State with expertise relating to such program, service, or activity; and

(vii) such other representatives and State agency officials as the Governor may designate, such as the State agency officials responsible for economic development and juvenile justice programs in the State.

(2) Authority and regional representation of board members.--Members of the board that represent organizations, agencies, or other entities shall be individuals with optimum policymaking authority within the organizations, agencies, or entities. The members of the board shall represent diverse regions of the State, including urban, rural, and suburban areas.

(3) Majority.--A majority of the members of the State Board shall be representatives described in paragraph (1)(C)(i).

(c) Chairman.--The Governor shall select a chairperson for the State Board from among the representatives described in subsection (b)(1)(C)(i).

(d) Functions.--The State Board shall assist the Governor in--

(1) development of the State plan;

(2) development and continuous improvement of a statewide

system of activities that are funded under this subtitle or carried out through a one-stop delivery system described in section 134(c) that receives funds under this subtitle (referred to in this title as a ``statewide workforce investment system''), including--

(A) development of linkages in order to assure coordination and nonduplication among the programs and activities described in section 121(b); and

(B) review of local plans;

(3) commenting at least once annually on the measures taken pursuant to section 113(b)(14) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C 2323(b)(14));

(4) designation of local areas as required in section 116;

(5) development of allocation formulas for the distribution of funds for adult employment and training activities and youth activities to local areas as permitted under sections 128(b)(3)(B) and 133(b)(3)(B);

(6) development and continuous improvement of comprehensive State performance measures, including State adjusted levels of performance, to assess the effectiveness of the workforce investment activities in the State as required under section 136(b);

(7) preparation of the annual report to the Secretary described in section 136(d);

(8) development of the statewide employment statistics system described in section 15(e) of the Wagner-Peyser Act; and

(9) development of an application for an incentive grant under section 503.

(e) Alternative Entity.--

(1) In general.--For purposes of complying with subsections (a), (b), and (c), a State may use any State entity (including a State council, State workforce development board, combination of regional workforce development boards, or similar entity) that--

(A) was in existence on December 31, 1997;

(B)(i) was established pursuant to section 122 or title VII of the Job Training Partnership Act, as in effect on December 31, 1997; or

(ii) is substantially similar to the State board described in subsections (a), (b), and (c); and

(C) includes representatives of business in the State and representatives of labor organizations in the State.

(2) References.--References in this Act to a State board shall be considered to include such an entity.

(f) Conflict of Interest.--A member of a State board may not--

(1) vote on a matter under consideration by the State board--

(A) regarding the provision of services by such member (or by an entity that such member represents); or

(B) that would provide direct financial benefit to such member or the immediate family of such member; or

(2) engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the State plan.

(g) Sunshine Provision.--The State board shall make available to the public, on a regular basis through open meetings, information regarding the activities of the State board, including information regarding the State plan prior to submission of the plan, information regarding membership, and, on request, minutes of formal meetings of the State board.

SEC. 112. STATE PLAN:

(a) In General.--For a State to be eligible to receive an allotment under section 127 or 132, or to receive financial assistance under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), the Governor of the State shall submit to the Secretary for consideration by the Secretary, a single State plan (referred to in this title as the ``State plan'') that outlines a 5-year strategy for the statewide workforce investment system of the State and that meets the requirements of section 111 and this section.

completely in a single labor market area, economic development region, or other appropriate contiguous subarea of a State, that is designated by the State, except as provided in paragraph (4).

(B) Local board for a designated region.--The term ``local board for a designated region'' means a local board for a local area in a designated region.

SEC. 117. LOCAL WORKFORCE INVESTMENT BOARDS.

(a) Establishment.--There shall be established in each local area of a State, and certified by the Governor of the State, a local workforce investment board, to set policy for the portion of the statewide workforce investment system within the local area (referred to in this title as a ``local workforce investment system'').

(b) Membership.--

(1) State criteria.--The Governor of the State, in partnership with the State board, shall establish criteria for use by chief elected officials in the local areas for appointment of members of the local boards in such local areas in accordance with the requirements of paragraph (2).

(2) Composition.--Such criteria shall require, at a minimum, that the membership of each local board--

(A) shall include--

(i) representatives of business in the local area, who--

(I) are owners of businesses, chief executives or operating officers of businesses, and other business executives or employers with optimum policymaking or hiring authority;

(II) represent businesses with employment opportunities that reflect the employment opportunities of the local area; and

(III) are appointed from among individuals nominated by local business organizations and business trade associations;

(ii) representatives of local educational entities, including representatives of local educational agencies, local school boards, entities providing adult education and literacy activities, and postsecondary educational institutions (including representatives of community colleges, where such entities exist), selected from among individuals nominated by regional or local educational agencies, institutions, or organizations representing such local educational entities;

(iii) representatives of labor organizations (for a local area in which employees are represented by labor organizations), nominated by local labor federations, or (for a local area in which no employees are represented by such organizations), other representatives of employees;

(iv) representatives of community-based organizations (including organizations representing individuals with disabilities and veterans, for a local area in which such organizations are present);

(v) representatives of economic development agencies, including private sector economic development entities; and

(vi) representatives of each of the one-stop partners; and

(B) may include such other individuals or representatives of entities as the chief elected official in the local area may determine to be appropriate.

(3) Authority of board members.--Members of the board that represent organizations, agencies, or other entities shall be individuals with optimum policymaking authority within the organizations, agencies, or entities.

(4) Majority.--A majority of the members of the local board shall be representatives described in paragraph (2)(A)(i).

(5) Chairperson.--The local board shall elect a chairperson for

the local board from among the representatives described in paragraph (2)(A)(i).

(c) Appointment and Certification of Board.--

(1) Appointment of board members and assignment of responsibilities.--

(A) In general.--The chief elected official in a local area is authorized to appoint the members of the local board for such area, in accordance with the State criteria established under subsection (b).

(B) Multiple units of local government in area.--

(i) In general.--In a case in which a local area includes more than 1 unit of general local government, the chief elected officials of such units may execute an agreement that specifies the respective roles of the individual chief elected officials--

(I) in the appointment of the members of the local board from the individuals nominated or recommended to be such members in accordance with the criteria established under subsection (b); and

(II) in carrying out any other responsibilities assigned to such officials under this subtitle.

(ii) Lack of agreement.--If, after a reasonable effort, the chief elected officials are unable to reach agreement as provided under clause (i), the Governor may appoint the members of the local board from individuals so nominated or recommended.

(C) Concentrated employment programs.--In the case of a local area designated in accordance with section 116(a)(2)(B), the governing body of the concentrated employment program involved shall act in consultation with the chief elected official in the local area to appoint members of the local board, in accordance with the State criteria established under subsection (b), and to carry out any other responsibility relating to workforce investment activities assigned to such official under this Act.

(2) Certification.--

(A) In general.--The Governor shall, once every 2 years, certify 1 local board for each local area in the State.

(B) Criteria.--Such certification shall be based on criteria established under subsection (b) and, for a second or subsequent certification, the extent to which the local board has ensured that workforce investment activities carried out in the local area have enabled the local area to meet the local performance measures.

(C) Failure to achieve certification.--Failure of a local board to achieve certification shall result in reappointment and certification of another local board for the local area pursuant to the process described in paragraph (1) and this paragraph.

(3) Decertification.--

(A) Fraud, abuse, failure to carry out functions.--Notwithstanding paragraph (2), the Governor may decertify a local board, at any time after providing notice and an opportunity for comment, for--

(i) fraud or abuse; or

(ii) failure to carry out the functions specified for the local board in any of paragraphs (1) through (7) of subsection (d).

(B) Nonperformance.--Notwithstanding paragraph (2), the Governor may decertify a local board if a local area fails to meet the local performance measures for such local area for 2 consecutive program years (in accordance with section 136(h)).

(C) Plan.--If the Governor decertifies a local board for a local area under subparagraph (A) or (B), the Governor may require that a new local board be appointed and certified for the local area pursuant to a reorganization plan developed by the Governor, in consultation with the chief elected official

in the local area, and in accordance with the criteria established under subsection (b).

(4) Single state area.--Notwithstanding subsection (b) and paragraphs (1) and (2), if a State described in section 116(b) indicates in the State plan that the State will be treated as a local area for purposes of the application of this title, the Governor may designate the State board to carry out any of the functions described in subsection (d).

(d) Functions of Local Board.--The functions of the local board shall include the following:

(1) Local plan.--Consistent with section 118, each local board, in partnership with the chief elected official for the local area involved, shall develop and submit a local plan to the Governor.

(2) Selection of operators and providers.--

(A) Selection of one-stop operators.--Consistent with section 121(d), the local board, with the agreement of the chief elected official--

(i) shall designate or certify one-stop operators as described in section 121(d)(2)(A); and

(ii) may terminate for cause the eligibility of such operators.

(B) Selection of youth providers.--Consistent with section 123, the local board shall identify eligible providers of youth activities in the local area by awarding grants or contracts on a competitive basis, based on the recommendations of the youth council.

(C) Identification of eligible providers of training services.--Consistent with section 122, the local board shall identify eligible providers of training services described in section 134(d)(4) in the local area.

(D) Identification of eligible providers of intensive services.--If the one-stop operator does not provide intensive services in a local area, the local board shall identify eligible providers of intensive services described in section 134(d)(3) in the local area by awarding contracts.

(3) Budget and administration.--

(A) Budget.--The local board shall develop a budget for the purpose of carrying out the duties of the local board under this section, subject to the approval of the chief elected official.

(B) Administration.--

(i) Grant recipient.--

(I) In general.--The chief elected official in a local area shall serve as the local grant recipient for, and shall be liable for any misuse of, the grant funds allocated to the local area under sections 128 and 133, unless the chief elected official reaches an agreement with the Governor for the Governor to act as the local grant recipient and bear such liability.

(II) Designation.--In order to assist in the administration of the grant funds, the chief elected official or the Governor, where the Governor serves as the local grant recipient for a local area, may designate an entity to serve as a local grant subrecipient for such funds or as a local fiscal agent. Such designation shall not relieve the chief elected official or the Governor of the liability for any misuse of grant funds as described in subclause (I).

(III) Disbursal.--The local grant recipient or an entity designated under subclause (II) shall disburse such funds for workforce investment activities at the direction of the local board, pursuant to the requirements of this title, if the direction does not violate a provision of this Act. The local grant recipient or entity designated under subclause (II) shall disburse the funds immediately on receiving such direction from the local board.

(ii) Staff.--The local board may employ staff.

(iii) Grants and donations.--The local board may solicit and accept grants and donations from sources other than Federal funds made available under this Act.

(4) Program oversight.--The local board, in partnership with the chief elected official, shall conduct oversight with respect to local programs of youth activities authorized under section 129, local employment and training activities authorized under section 134, and the one-stop delivery system in the local area.

(5) Negotiation of local performance measures.--The local board, the chief elected official, and the Governor shall negotiate and reach agreement on local performance measures as described in section 136(c).

(6) Employment statistics system.--The local board shall assist the Governor in developing the statewide employment statistics system described in section 15(e) of the Wagner-Peyser Act.

(7) Employer linkages.--The local board shall coordinate the workforce investment activities authorized under this subtitle and carried out in the local area with economic development strategies and develop other employer linkages with such activities.

(8) Connecting, brokering, and coaching.--The local board shall promote the participation of private sector employers in the statewide workforce investment system and ensure the effective provision, through the system, of connecting, brokering, and coaching activities, through intermediaries such as the one-stop operator in the local area or through other organizations, to assist such employers in meeting hiring needs.

(e) Sunshine Provision.--The local board shall make available to the public, on a regular basis through open meetings, information regarding the activities of the local board, including information regarding the local plan prior to submission of the plan, and regarding membership, the designation and certification of one-stop operators, and the award of grants or contracts to eligible providers of youth activities, and on request, minutes of formal meetings of the local board.

(f) Limitations.--

(1) Training services.--

(A) In general.--Except as provided in subparagraph (B), no local board may provide training services described in section 134(d)(4).

(B) Waivers of training prohibition.--The Governor of the State in which a local board is located may, pursuant to a request from the local board, grant a written waiver of the prohibition set forth in subparagraph (A) (relating to the provision of training services) for a program of training services, if the local board--

(i) submits to the Governor a proposed request for the waiver that includes--

(I) satisfactory evidence that there is an insufficient number of eligible providers of such a program of training services to meet local demand in the local area;

(II) information demonstrating that the board meets the requirements for an eligible provider of training services under section 122; and

(III) information demonstrating that the program of training services prepares participants for an occupation that is in demand in the local area;

(ii) makes the proposed request available to eligible providers of training services and other interested members of the public for a public comment period of not less than 30 days; and

(iii) includes, in the final request for the waiver, the evidence and information described in clause (i) and the comments received pursuant to clause (ii).

(C) Duration.--A waiver granted to a local board under subparagraph (B) shall apply for a period of not to exceed 1

year. The waiver may be renewed for additional periods of not to exceed 1 year, pursuant to requests from the local board, if the board meets the requirements of subparagraph (B) in making the requests.

(D) Revocation.--The Governor may revoke a waiver granted under this paragraph during the appropriate period described in subparagraph (C) if the State determines that the local board involved has engaged in a pattern of inappropriate referrals to training services operated by the local board.

(2) Core services; intensive services; designation or certification as one-stop operators.--A local board may provide core services described in section 134(d)(2) or intensive services described in section 134(d)(3) through a one-stop delivery system described in section 134(c) or be designated or certified as a one-stop operator only with the agreement of the chief elected official and the Governor.

(3) Limitation on authority.--Nothing in this Act shall be construed to provide a local board with the authority to mandate curricula for schools.

(g) Conflict of Interest.--A member of a local board may not--

(1) vote on a matter under consideration by the local board--

(A) regarding the provision of services by such member (or by an entity that such member represents); or

(B) that would provide direct financial benefit to such member or the immediate family of such member; or

(2) engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the State plan.

(h) Youth Council.--

(1) Establishment.--There shall be established, as a subgroup within each local board, a youth council appointed by the local board, in cooperation with the chief elected official for the local area.

(2) Membership.--The membership of each youth council--

(A) shall include--

(i) members of the local board described in subparagraph (A) or (B) of subsection (b)(2) with special interest or expertise in youth policy;

(ii) representatives of youth service agencies, including juvenile justice and local law enforcement agencies;

(iii) representatives of local public housing authorities;

(iv) parents of eligible youth seeking assistance under this subtitle;

(v) individuals, including former participants, and representatives of organizations, that have experience relating to youth activities; and

(vi) representatives of the Job Corps, as appropriate;

and

(B) may include such other individuals as the chairperson of the local board, in cooperation with the chief elected official, determines to be appropriate.

(3) Relationship to local board.--Members of the youth council who are not members of the local board described in subparagraphs (A) and (B) of subsection (b)(2) shall be voting members of the youth council and nonvoting members of the board.

(4) Duties.--The duties of the youth council include--

(A) developing the portions of the local plan relating to eligible youth, as determined by the chairperson of the local board;

(B) subject to the approval of the local board and consistent with section 123--

(i) recommending eligible providers of youth activities, to be awarded grants or contracts on a competitive basis by the local board to carry out the youth activities; and

(ii) conducting oversight with respect to the eligible

- providers of youth activities, in the local area;
- (C) coordinating youth activities authorized under section 129 in the local area; and
- (D) other duties determined to be appropriate by the chairperson of the local board.

(i) Alternative Entity.--

(1) In general.--For purposes of complying with subsections (a), (b), and (c), and paragraphs (1) and (2) of subsection (h), a State may use any local entity (including a local council, regional workforce development board, or similar entity) that--

- (A) is established to serve the local area (or the service delivery area that most closely corresponds to the local area);
- (B) is in existence on December 31, 1997;
- (C) (i) is established pursuant to section 102 of the Job Training Partnership Act, as in effect on December 31, 1997; or (ii) is substantially similar to the local board described in subsections (a), (b), and (c), and paragraphs (1) and (2) of subsection (h); and
- (D) includes--
 - (i) representatives of business in the local area; and
 - (ii) (I) representatives of labor organizations (for a local area in which employees are represented by labor organizations), nominated by local labor federations; or (II) (for a local area in which no employees are represented by such organizations), other representatives of employees in the local area.

(2) References.--References in this Act to a local board or a youth council shall be considered to include such an entity or a subgroup of such an entity, respectively.

SEC. 118. LOCAL PLAN.

(a) In General.--Each local board shall develop and submit to the Governor a comprehensive 5-year local plan (referred to in this title as the "local plan"), in partnership with the appropriate chief elected official. The plan shall be consistent with the State plan.

(b) Contents.--The local plan shall include--

- (1) an identification of--
 - (A) the workforce investment needs of businesses, jobseekers, and workers in the local area;
 - (B) the current and projected employment opportunities in the local area; and
 - (C) the job skills necessary to obtain such employment opportunities;
- (2) a description of the one-stop delivery system to be established or designated in the local area, including--
 - (A) a description of how the local board will ensure the continuous improvement of eligible providers of services through the system and ensure that such providers meet the employment needs of local employers and participants; and
 - (B) a copy of each memorandum of understanding described in section 121(c) (between the local board and each of the one-stop partners) concerning the operation of the one-stop delivery system in the local area;
- (3) a description of the local levels of performance negotiated with the Governor and chief elected official pursuant to section 136(c), to be used to measure the performance of the local area and to be used by the local board for measuring the performance of the local fiscal agent (where appropriate), eligible providers, and the one-stop delivery system, in the local area;
- (4) a description and assessment of the type and availability of adult and dislocated worker employment and training activities in the local area;
- (5) a description of how the local board will coordinate workforce investment activities carried out in the local area with statewide rapid response activities, as appropriate;
- (6) a description and assessment of the type and availability

State Employment and Training Funding

by Agency

Program Name

FY 2005 Actual Expenditures

Italics indicate programs designated as required partners by the Workforce Investment Act (WIA)

Program Name	FY 2005 Actual Expenditures				TOTAL	
	SGF	Other State Funds	Local Funds	Federal Funds		Gifts, Grants, and Donations
Department of Commerce						
Foreign Labor Certification	\$0	\$0	\$0	\$156,666	\$0	\$156,666
Apprenticeship Program (funding included in WIA total)	0	0	0	0	0	0
<i>Local Veterans Employment</i>	0	0	0	662,894	0	662,894
<i>Disabled Veterans Outreach</i>	0	0	0	891,096	0	891,096
Neighbor, Improve, and Youth Employ (funding included in WIA total)	0	0	0	0	0	0
Job Service (Wagner Peyser)	0	0	0	7,089,065	0	7,089,065
Job Training Partnership Act (evolved into WIA)	0	0	0	0	0	0
Workforce Investment Act	0	0	0	19,276,439	0	19,276,439
NAFTA Transitional Adjustment (merged into TAA program)	0	0	0	0	0	0
Older Kansas Employment Program	0	239,430	0	0	0	239,430
<i>Senior Community Services Employment</i>	4,444	0	0	876,475	0	880,919
<i>Trade Adjustment Assistance</i>	0	0	0	1,704,057	0	1,704,057
<i>Migrant & Seasonal Farm worker Programs (funding included in Wagner Peyser total)</i>	0	0	0	0	0	0
Wheat Harvest Program	0	0	0	25,156	0	25,156
Work ' Opportunity Tax Credit	0	0	0	193,633	0	193,633
<i>Welfare to Work (closed)</i>	0	0	0	0	0	0
IMPACT	0	14,103,027	0	0	0	14,103,027
Kansas Industrial Training (FY 05 Award Amounts)	0	1,636,392	0	0	0	1,636,392
Kansas Industrial Retraining (FY05 Award Amounts)	0	870,549	435,275	0	0	1,305,824
Training Equipment Grants - closed	0	0	0	0	0	0
<i>Community Service Block Grant --transferred with Housing Division</i>	0	0	0	0	0	0
Kansas Economic Opportunity Initiatives Fund (KEOIF):	0	9,760,996	0	0	0	9,760,996
Kansas Existing Industry Expansion Program (KEIEP):	0	866,875	0	0	0	866,875
Re-Employment Services	0	0	0	470,576	0	470,576
Commerce Total	\$4,444	\$27,477,269	\$435,275	\$31,346,057	\$0	\$59,263,045
Department of Corrections						
Offender Programs (Excludes expenditures for 4th time DUI offenders and other "non-program" expenditures included in offender programs budget. (1))	\$4,407,635	\$1,264,666	\$0	\$894,322	\$0	\$6,566,623
Corrections Total	\$4,407,635	\$1,264,666	\$0	\$894,322	\$0	\$6,566,623
Department of Social and Rehabilitation Services (SRS)						
TAF Employment	\$0	\$0	\$0	\$10,585,534	\$0	\$10,585,534
<i>Vocational Rehabilitation (Basic Support Grant & Supported Employment Grant)</i>	5,659,094	135,577	0	27,522,208	0	33,316,879
Food Stamps Employment & Training	17,838	0	0	17,837	0	35,675
SRS Total	\$5,676,932	\$135,577	\$0	\$38,125,579	\$0	\$43,938,088
Department of Education						
Kansas Transition Systems Change Project - Project has ended	\$0	\$0	\$0	\$0	\$0	\$0
Learn & Serve and Americorps	0	0	1,759,989	1,849,251	0	3,609,240

State Employment and Training Funding

by Agency

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Program Name	FY 2005 Actual Expenditures					TOTAL
	SGF	Other State Funds	Local Funds	Federal Funds	Gifts, Grants, and Donations	
<i>Italics indicate programs designated as required partners by the Workforce Investment Act (WIA)</i>						
<i>Carl Perkins Leadership Funds (2)</i>	202,196	0	0	460,953	0	663,149
<i>Secondary Vocational Education</i>	29,159,514	18,328	35,434,242	5,364,285	0	69,976,369
Education Total	\$29,361,710	\$18,328	\$37,194,231	\$7,674,489	\$0	\$74,248,758
Kansas Board of Regents						
<i>Adult Education and Family Literacy Act</i>	\$1,048,985	\$0	\$1,393,995	\$3,738,003	\$0	\$6,180,983
Regents Total	\$1,048,985	\$0	\$1,393,995	\$3,738,003	\$0	\$6,180,983
Emporia State University (ESU)						
Accounting	\$427,093	\$182,959	\$0	\$2,369 (3)	\$0	\$612,418
Business Management & Marketing	1,115,946	514,950	0	5,839 (3)	0	1,636,732
Instructional Design & Technology	375,898	280,786	0	3,372 (3)	0	660,053
Teacher Education	2,163,831	1,084,835	0	8,472 (3)	0	3,257,135
Biosciences	1,896,187	938,941	0	19,710 (3)	0	2,854,835
Nursing/Allied Health	0	180,219	552,485	0 (3)	0	732,701
ESU Total	\$5,978,955	\$3,182,690	\$552,485	\$39,762 (3)	\$0	\$9,753,889
Fort Hays State University (FHSU)						
Bachelor of Science in Nursing (RN-BSN)	1,167,642	275,737	\$0		\$0	\$1,443,378
Master of Science in Nursing (MSN)	457,145	68,934	0		0	\$526,079
Graphic Design	705,863	63,878	0		0	\$769,741
Kansas Cisco Networking Academy System	315,992	5,598	0	11,743	0	\$333,332
Medical Diagnostic Imaging	635,492	86,960	0		0	\$722,452
Teacher Education	1,176,344	211,570	0	107,078	0	\$1,494,992
Technology Leadership	398,795	22,596	0		0	\$421,391
Accountant / CPA	1,056,422	14,564	0		0	\$1,070,986
Management / Marketing	933,011	20,428	0		0	\$953,439
FHSU Total	\$6,846,705	\$770,266	\$0	\$118,820	\$0	\$7,735,791
Kansas State University (KSU)						
Accounting	\$229,045	\$1,412,593	\$0	\$0	\$0	\$1,641,638 (4)
Management	251,612	2,455,175	0	63,170	0	\$2,769,957 (4)
Marketing	214,674	1,045,498	0	7,099	0	\$1,267,271 (4)
Engineering	3,516,966	11,133,360	0	216,802	0	\$14,867,128 (4)
Teacher Education	1,796,378	7,925,684	0	4,702,657	0	\$14,424,719 (4)
Aviation	1,077,591	4,043,520	0	5,225	0	\$5,126,336 (4)
Agriculture	6,545,114	1,334,107	0	219,094	0	\$8,098,315 (4)
Veterinary Medicine	7,376,283	12,868,525	0	10,788	0	\$20,255,596 (4)
KSU Total	\$21,007,663	\$42,218,462	\$0	\$5,224,835	\$0	\$68,450,960 (4)

State Employment and Training Funding

by Agency

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Program Name

FY 2005 Actual Expenditures

Italics indicate programs designated as required partners by the Workforce Investment Act (WIA)

Program Name	SGF	Other State Funds	FY 2005 Actual Expenditures		Gifts, Grants, and Donations	TOTAL
			Local Funds	Federal Funds		
University of Kansas (KU)						
KU Continuing Education	\$1,982,818	\$5,164,923 (5)	\$0	\$51,485	\$0	\$7,199,221
Kansas Law Enforcement Training Center (KLETC)	0	3,320,826 (5)	0	11,769	0	\$3,332,590
Kansas Fire and Rescue Training Institute	326,937	747,210 (5)	0	270,062	0	\$1,344,204
KU Public Management Center	268,368	282,853 (5)	0	0	0	\$551,216
KU Total	\$2,578,123	\$9,515,812 (5)	\$0	\$333,316	\$0	\$12,427,246
University of Kansas Medical Center (KUMC)						
School of Medicine (Includes KC and Wichita)						
Undergraduate	\$27,333,383	\$11,606,099	\$48,209,325	\$27,602,333	\$0	\$114,751,140 (6)
Graduate	\$35,071,600	\$14,891,845	\$61,857,626	\$35,416,692	0	147,237,763 (6)
School of Nursing						
Undergraduate	4,723,054	68,495	288,384	1,948,146	0	7,028,079 (6)
Graduate	2,656,718	38,529	162,216	1,095,832	0	3,953,295 (6)
School of Allied Health						
Undergraduate						
Clinical Laboratory Sciences	571,820	109,173	22,557	0	0	703,550 (6)
Cytotechnology	43,033	1,637	1,698	0	0	46,368 (6)
Health Information Management	403,948	61,965	116,325	0	0	582,238 (6)
Respiratory Care	384,834	68,546	18,478	0	0	471,858 (6)
Occupational Therapy	1,403,635	241,321	159,058	0	0	1,804,014 (6)
Graduate						
Dietetics and Nutrition	565,580	65,795	98,489	695,621	0	1,425,485 (6)
Hearing and Speech	964,859	225,361	264,743	331,348	0	1,786,311 (6)
Nurse Anesthesia	821,263	523,053	177,965	7,919	0	1,530,200 (6)
Occupational Therapy	1,070,401	130,146	99,318	550,753	0	1,850,618 (6)
Physical Therapy & Rehabilitation Sciences	1,192,352	145,913	149,201	640,156	0	2,127,622 (6)
Biometry	362,335	70,382	0	0	0	432,717 (6)
Continuing Education	928,042	870,415	383,839	913,499	0	3,095,795 (6)
KUMC Total	\$78,496,857	\$29,118,675	\$112,009,222	\$69,202,299	\$0	\$288,827,053
Pittsburg State University (PSU)						
Nursing	\$787,780	\$400,735	\$54,019	\$34,620	\$0	\$1,277,154

State Employment and Training Funding

by Agency

Program Name	FY 2005 Actual Expenditures					TOTAL
	SGF	Other State Funds	Local Funds	Federal Funds	Gifts, Grants, and Donations	
<i>Italics indicate programs designated as required partners by the Workforce Investment Act (WIA)</i>						
Accounting	676,407	289,797	76,311	0	0	1,042,515
Management & Marketing	1,032,208	499,835	8,860	83,052	0	1,623,955
Teacher Education	896,189	372,617	13,795	241,886	0	1,524,487
Construction Management & Engineering	191,059	99,510	94,813	0	0	385,382
PSU Total	\$3,583,643	\$1,662,494	\$247,798	\$359,558	\$0	\$5,853,493
Wichita State University (WSU)						
Nursing-Undergraduate	\$1,365,725	\$857,938	\$0	\$0	\$82,813	\$2,306,476 (7)
Physician Assistant	436,390	264,276	0	623,652	91,585	1,415,903
Dental Hygiene	265,120	153,710	0	2,000	262,000	682,830
Cooperative Education	327,893	174,186	0	80,000	0	582,080 (8)
Accounting-Bachelors/Master	820,177	537,336	0	0	54,015	1,411,529
Entrepreneurship	470,823	315,647	0	0	81,834	868,304
Center for Entrepreneurship	74,880	55,941	0	0	347,148	477,968
Cisco	0	0	0	0	1,205,000	1,205,000
Electrical and Computer Engineering	979,698	579,528	0	342,843	105,655	2,007,724 (9)
NIAR/CAD/CAM	743,928	4,232,799	0	15,647,204	4,241,560	24,865,491
Transition to Teaching	64,350	0	0	0	20,000	84,350
WSU Total	\$5,548,984	\$7,171,363	\$0	\$16,695,699	\$6,491,610	\$35,907,656
STATEWIDE TOTAL	\$160,133,001	\$121,270,935	\$151,833,006	\$172,858,418	\$6,491,610	\$612,586,962

- (1) Excludes expenditures for 4th time DUI offenders and other "non-program" expenditures included in offender programs budget.
- (2) only about 6-7% of total is for employment and training
- (3) Represents federal work/study funds
- (4) Reflects instructional costs only and excludes all indirect costs such as research, public service, academic support, administrative support, student services, auxiliary services, physical plant and scholarships and fellowships. Also excluded are costs of instruction provided by other academic units such as Arts and Sciences.
- (5) Includes revenues collected from fees for training, tuition fees collected for independent study, docket fees collected for KLETC, and insurance fees collected for Fire and Rescue Training.
- (6) Total funding includes direct costs only. Funding does not include allocated costs from the EVC Administration, all support services and utilities. Funding does include all research and clinical costs.
- (7) SGF and Other State Funds include the total expenditures for the Department of Nursing. Local Funds and Federal Funds are only for the undergraduate program.
- (8) Federal Funds refers to the America Reads Program which pays college students who assist children with reading in Title I schools.
- (9) SGF and Other State Funds are for the entire department of Marketing and Entrepreneurship.