

ORBITS Budget Narrative

IX. Mandated Payments

The Mandated Payments Program includes the resources necessary to finance all costs associated with the administration of the trial and grand jury systems as governed by chapter 10 of the Oregon Revised Statutes, federally mandated, and other legislatively mandated costs found in ORS chapters 21, 36, and 45. Twenty (20) employee staff positions/20.50 FTE (full-time equivalent) are included in the current service level budget of this program related to provision of interpreter services.

Costs associated with the Mandated Payments Program generally include, but are not limited to, the following:

- Creation of master jury list and other jury lists from source lists;
- Summoning and qualifying jurors;
- Providing jurors' orientation programs and materials;
- Per diem paid to grand and petit jurors at the statutory rate;
- Mileage reimbursed to grand and trial jurors at the statutory rate;
- Payment of jurors' meals, lodging, and commercial transportation at the actual cost;
- Payment of waived fees and costs for arbitrators related to court-annexed mandatory arbitration in civil actions;
- Payment of waived appellate transcript costs for civil proceeding when party is indigent;
- State-paid sign interpreters or real-time reporters for hearing-impaired jurors or other persons participating in court proceedings and department activities or programs as mandated by the Americans with Disabilities Act (ADA);
- Provision of assistive devices and other equipment or supplies required to provide reasonable accommodation to disabled persons as mandated by the ADA; and
- State-paid foreign-language interpreters for court proceedings or department activities where the court or department is required by statute to provide an interpreter to uphold a non-English speaking person's constitutional rights and to provide access to basic court services.

The Mandated Payments Program is an important part of our heritage of government by the people and serves a vital function within the justice system by helping to ensure the continuance of our democratic process through maintenance of the jury system and access to courts by all persons.

Interpreter services in the courts are vital. Non-English speakers cannot be prosecuted for crimes without the use of interpreters. Children cannot be protected without the use of interpreters. Interpreting services are also required to process criminal cases that involve non-English speaking witnesses and to litigate civil actions. As the population of Oregon residents who speak limited or no English continues to rise, the use of interpreting services in the courts has had to increase as well.

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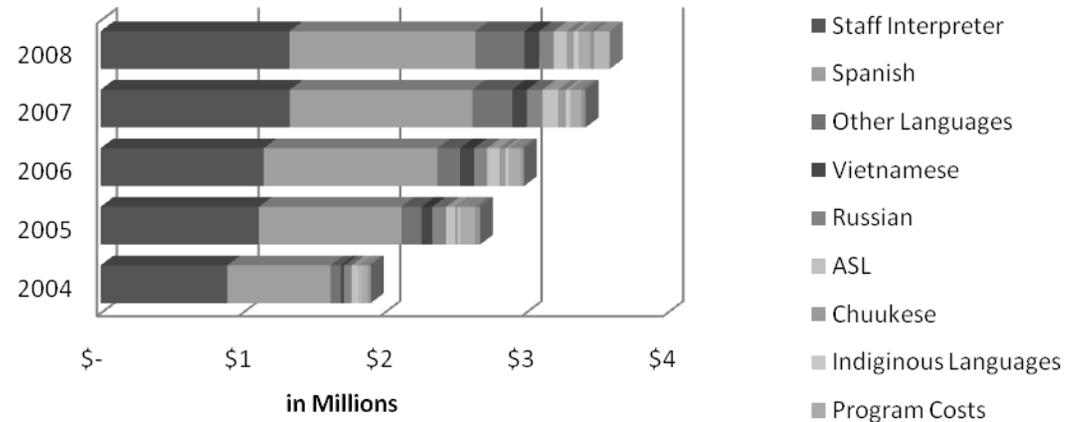
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Spanish speakers comprise the majority of litigants using interpreters in the judicial system in Oregon. According to the 2006 U.S. Census Bureau's American Community Survey, 10.2% of Oregonians are of Hispanic origin.

Nearly 6.6% of Oregon residents speak English less than "very well" and 14.2% of Oregonians speak a language other than English at home. The highest proportion of immigrants and Limited English Proficient (LEP) individuals live in the tri-county metro areas of Multnomah, Washington, and Clackamas Counties. In 2000, 171,500 immigrants lived in the tri-county area. More than half of these immigrants arrived after 1990 and a third arrived since 1995.

Increased need for interpretation exists for American Sign Language, Russian, Vietnamese, Chuukese, and the indigenous languages from Central America and Southern Mexico.

Interpreter Program Expenses



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Current Service Level

The Current Service Level (CSL) includes Emergency Board and legislative actions through April 2010. The CSL totals \$15.1 million (All Funds). This reflects a \$0.8 million (5.3 percent) increase over the 2009-11 Legislatively Approved Budget. This level of funding allows the Oregon Judicial Department (OJD) to provide access to the judicial system for those who come through our doors.

Chief Justice's Recommended Budget

The Chief Justice's Recommended Budget for the 2011-13 biennium totals \$16.4 million (All Funds). This amount includes policy packages totaling \$1.3 million and representing major policy issues as follows:

1. Shift Court Interpreter Services Program from Operations to Mandated Payments: Policy Package 103 (\$0 impact, 0.00 FTE). Currently the four positions within this package are budgeted within the operations appropriation while the remaining 20 positions are budgeted within the mandated payments appropriation. Shifting all positions into the mandated payments appropriation will provide for more efficient and transparent management of the positions and related expenditures for the interpreter program.
2. Interpreters Related to Victim's Rights: Policy Package 107 (\$0.7 million – General Fund, 0.00 FTE). This package provides a placeholder to discuss the provision of interpreters for victims. The constitutional provisions adopted by the voters in May 2008 provide specific rights to victims. Implementing legislation did not address funding for or payment of interpreter costs for the instances where a victim requires that service. The dollar amount of this package provides a conservative estimate for OJD to provide the services based on information we have gathered and extrapolated.

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Mandated Payments Budget Summary

	2007-09 Actual Expenditure	2009-11 Legislatively Approved Budget	2011-13 Current Service Level Budget (CSL)	2011-13 Chief Justice's Recommended*
General Fund	\$14,645,050	\$13,851,930	\$14,639,016	\$15,871,040
Other Funds				
Federal Funds				
Nonlimited (Other)		475,000	486,400	550,247
TOTAL – ALL FUNDS	\$14,645,050	\$14,326,930	\$15,125,416	\$16,421,287
Positions	20	20	20	24
FTE	20.15	20.50	20.50	24.00

* Includes CSL and all policy option packages.

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Essential Packages

Purpose

The essential packages present budget adjustments needed to bring the legislatively approved budget to Current Service Level (CSL), the calculated cost of continuing legislatively approved programs into the 2011-13 biennium.

Staffing Impact

The essential packages have no impact on staffing levels for Mandated Payments.

Revenue Source

The essential packages increase the General Fund appropriation by \$332,915 and increase the Other Funds limited budget by \$11,400.

010 Non-PICS Personal Service Adjustments

The cost of Non-PICS Personal Services increases General Fund totals by \$42,407. These amounts are comprised of costs related to differentials including related OPE (\$33,044) Mass Transit Tax not calculated by PICS (\$293 increase) and Pension Bond Contribution (\$9,070 increase).

021 Phase-In

The Mandated Payments budget has no adjustment for phased-in programs.

022 Phase-Out Program and One-Time Costs

The Mandated Payments budget has no phase-out program and one-time costs.

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031 Inflation and Price List Adjustments

The cost of goods and services increases General Fund totals by \$290,508 and increases the Other Funds limited budget by \$11,400. This reflects the standard inflation rate of 2.4 percent on goods and services.

040 Mandated Caseload

The Mandated Payments budget has no adjustment for mandated caseload. Increased efficiency in managing the use of interpreters has mitigated increased use as the demographics of the state have changed.

050 Fund Shifts

The Mandated Payments budget has no fund shifts within its CSL budget.

060 Technical Adjustments

The Mandated Payments budget has no technical adjustments within its CSL budget.

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Judicial Dept

Cross Reference Name: Mandated Payments

Pkg: 010 - Non-PICS Psnl Svc / Vacancy Factor

Cross Reference Number: 19800-200-00-00-00000

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	42,407	-	-	-	-	-	42,407
Total Revenues	\$42,407	-	-	-	-	-	\$42,407
Personal Services							
All Other Differential	27,072	-	-	-	-	-	27,072
Public Employees' Retire Cont	3,901	-	-	-	-	-	3,901
Pension Bond Contribution	9,070	-	-	-	-	-	9,070
Social Security Taxes	2,071	-	-	-	-	-	2,071
Mass Transit Tax	293	-	-	-	-	-	293
Total Personal Services	\$42,407	-	-	-	-	-	\$42,407
Total Expenditures							
Total Expenditures	42,407	-	-	-	-	-	42,407
Total Expenditures	\$42,407	-	-	-	-	-	\$42,407
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	-	-	-	-	-	-	-

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Judicial Dept
Pkg: 031 - Standard Inflation

Cross Reference Name: Mandated Payments
Cross Reference Number: 19800-200-00-00000

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	290,508	-	-	-	-	-	290,508
Donations	-	-	11,400	-	-	-	11,400
Total Revenues	\$290,508	-	\$11,400	-	-	-	\$301,908
Services & Supplies							
Instate Travel	644	-	-	-	-	-	644
Employee Training	444	-	-	-	-	-	444
Office Expenses	178	-	-	-	-	-	178
Telecommunications	1,599	-	-	-	-	-	1,599
Data Processing	2,777	-	-	-	-	-	2,777
Professional Services	124,465	-	-	-	-	-	124,465
Dues and Subscriptions	400	-	-	-	-	-	400
Agency Program Related S and S	157,380	-	11,400	-	-	-	168,780
Other Services and Supplies	755	-	-	-	-	-	755
Expendable Prop 250 - 5000	933	-	-	-	-	-	933
IT Expendable Property	933	-	-	-	-	-	933
Total Services & Supplies	\$290,508	-	\$11,400	-	-	-	\$301,908
Total Expenditures							
Total Expenditures	290,508	-	11,400	-	-	-	301,908
Total Expenditures	\$290,508	-	\$11,400	-	-	-	\$301,908

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Judicial Dept
Pkg: 031 - Standard Inflation

Cross Reference Name: Mandated Payments
Cross Reference Number: 19800-200-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	-	-	-	-	-	-	-

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Program Option Package: Shift Court Interpreter Services to Mandated Structure, No. 103

Purpose

Shift all CIS General Fund revenue and expenses from the Administration and Central Support to the Mandated Payments organization structure. Value of the shift for staff (four positions, 3.50 FTE) and staff-related services and supplies is \$622,803; overall affect is revenue neutral.

Background

The Mandated Payments program includes the resources necessary to finance all costs associated with the administration of the trial and grand jury systems as governed by Chapter 10 of the Oregon Revised Statutes, federally mandated, and other legislatively mandated costs found in ORS chapters 21, 36, and 45. Cost associated with the Mandated Payments program include, but are not limited to, state-paid sign interpreters or real-time reporters for hearing-impaired jurors or other persons participating in court proceedings and department activities or programs as mandated by the Americans with Disabilities Act (ADA), and state-paid foreign-language interpreters for court proceedings or department activities where the court or department is required by statute to provide an interpreter to uphold a non-English speaking person's constitutional rights and to provide access to court services.

The staff in the Court Interpreter Services detail cross reference is a management assistant, a business operations manager, an interpreter supervisor, and an interpreter certification and training coordinator. These positions, in whole or in part, have in the past been integrated within a larger business program within the Oregon Judicial Department outside of the Mandated Payments program. The majority of front-line staff who provide immediate, direct interpreter-related services to the courts is budgeted within the Mandated Payments organization structure. The number of FTE in the Mandated Payments program associated with court interpreter services is currently 20 positions (20.50 FTE).

This move will provide increased efficiency in managing these resources and administrative flexibility to make sound business decisions related to resources for the interpreter program, including both staff and budget dollars.

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Staffing Impact

None - Transfer of staff between two budget bill line items only.

Revenue Source

General Fund – no impact transfer between two budget bill line items only.

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Judicial Dept

Cross Reference Name: Mandated Payments

Pkg: 103 - Shift CIS Program to Mandated

Cross Reference Number: 19800-200-00-00-00000

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	558,956	-	-	-	-	-	558,956
Charges for Services	-	-	78,658	-	-	-	78,658
Total Revenues	\$558,956	-	\$78,658	-	-	-	\$637,614
Personal Services							
Class/Unclass Sal. and Per Diem	379,944	-	40,176	-	-	-	420,120
Empl. Rel. Bd. Assessments	123	-	20	-	-	-	143
Public Employees' Retire Cont	54,750	-	5,789	-	-	-	60,539
Social Security Taxes	29,066	-	3,073	-	-	-	32,139
Worker's Comp. Assess. (WCD)	177	-	29	-	-	-	206
Flexible Benefits	94,896	-	14,760	-	-	-	109,656
Total Personal Services	\$558,956	-	\$63,847	-	-	-	\$622,803
Total Expenditures							
Total Expenditures	558,956	-	63,847	-	-	-	622,803
Total Expenditures	\$558,956	-	\$63,847	-	-	-	\$622,803
Ending Balance							
Ending Balance	-	-	14,811	-	-	-	14,811
Total Ending Balance	-	-	\$14,811	-	-	-	\$14,811

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Judicial Dept
 Pkg: 103 - Shift CIS Program to Mandated

Cross Reference Name: Mandated Payments
 Cross Reference Number: 19800-200-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Total Positions							
Total Positions							4
Total Positions	-	-	-	-	-	-	4
Total FTE							
Total FTE							3.50
Total FTE	-	-	-	-	-	-	3.50

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Program Option Package: Interpreters Related to Victims Rights, No. 107

Purpose

This package provides a placeholder to discuss the provision of interpreters for victims. The dollar amount of this package provides a conservative estimate for OJD to provide the services based on information we have gathered and extrapolated.

Background

The constitutional provisions adopted by the voters in May 2008 provide specific rights to victims. Implementing legislation did not address funding for or payment of interpreter costs for the instances where a victim requires that service.

Staffing Impact

None

Revenue Source

General Fund – Placeholder amount \$673,068

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Judicial Dept
 Pkg: 107 - Interpreters Related to Victim's Rights Prov

Cross Reference Name: Mandated Payments
 Cross Reference Number: 19800-200-00-00000

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	673,068	-	-	-	-	-	673,068
Total Revenues	\$673,068	-	-	-	-	-	\$673,068
Services & Supplies							
Professional Services	628,068	-	-	-	-	-	628,068
Total Services & Supplies	\$628,068	-	-	-	-	-	\$628,068
Capital Outlay							
Data Processing Software	45,000	-	-	-	-	-	45,000
Total Capital Outlay	\$45,000	-	-	-	-	-	\$45,000
Total Expenditures							
Total Expenditures	673,068	-	-	-	-	-	673,068
Total Expenditures	\$673,068	-	-	-	-	-	\$673,068
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	-	-	-	-	-	-	-

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Mandated Payments Summary Report

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DETAIL OF LOTTERY FUNDS, OTHER FUNDS, AND FEDERAL FUNDS REVENUE

Judicial Dept Agency Number: 19800
 2011-13 Biennium Cross Reference Number: 19800-200-00-00-00000

Source	2007-09 Actuals	2009-11 Leg Adopted Budget	2009-11 Leg Approved Budget	2011-13 Agency Request Budget	2011-13 Governor's Rec. Budget	2011-13 Leg Adopted Budget
Other Funds						
Charges for Services	-	-	-	78,658	-	-
Donations	-	475,000	475,000	486,400	-	-
Total Other Funds	-	\$475,000	\$475,000	\$565,058	-	-

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 Detail of LF, OF, and FF Revenues - BPR012

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<i>Judicial Dept</i>				<i>Agency Number: 19800</i>		
Program Unit Appropriated Fund Group and Category Summary 2011-13 Biennium Mandated Payments				Version: V - 01 - Agency Request Budget Cross Reference Number: 19800-200-00-00-00000		
Description	2007-09 Actuals	2009-11 Leg Adopted Budget	2009-11 Leg Approved Budget	2011-13 Agency Request Budget	2011-13 Governor's Rec. Budget	2011-13 Leg Adopted Budget
LIMITED BUDGET (Excluding Packages)						
PERSONAL SERVICES						
General Fund	2,606,794	2,918,453	2,918,453	3,372,624	-	-
SERVICES & SUPPLIES						
General Fund	12,038,256	10,933,477	10,933,477	10,933,477	-	-
Other Funds	-	475,000	475,000	475,000	-	-
All Funds	12,038,256	11,408,477	11,408,477	11,408,477	-	-
TOTAL LIMITED BUDGET (Excluding Packages)						
General Fund	14,645,050	13,851,930	13,851,930	14,306,101	-	-
Other Funds	-	475,000	475,000	475,000	-	-
All Funds	14,645,050	14,326,930	14,326,930	14,781,101	-	-
AUTHORIZED POSITIONS	20	20	20	20	-	-
AUTHORIZED FTE	20.15	19.65	19.65	20.50	-	-
LIMITED BUDGET (Essential Packages)						
010 NON-PICS PSNL SVC / VACANCY FACTOR						
PERSONAL SERVICES						
General Fund	-	-	-	42,407	-	-
031 STANDARD INFLATION						
SERVICES & SUPPLIES						
General Fund	-	-	-	290,508	-	-
Other Funds	-	-	-	11,400	-	-
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Judicial Dept				Agency Number: 19800		
Program Unit Appropriated Fund Group and Category Summary				Version: V - 01 - Agency Request Budget		
2011-13 Biennium				Cross Reference Number: 19800-200-00-00-00000		
Mandated Payments						
Description	2007-09 Actuals	2009-11 Leg Adopted Budget	2009-11 Leg Approved Budget	2011-13 Agency Request Budget	2011-13 Governor's Rec. Budget	2011-13 Leg Adopted Budget
All Funds	-	-	-	301,908	-	-
TOTAL LIMITED BUDGET (Essential Packages)						
General Fund	-	-	-	332,915	-	-
Other Funds	-	-	-	11,400	-	-
All Funds	-	-	-	344,315	-	-
LIMITED BUDGET (Current Service Level)						
General Fund	14,645,050	13,851,930	13,851,930	14,639,016	-	-
Other Funds	-	475,000	475,000	486,400	-	-
All Funds	14,645,050	14,326,930	14,326,930	15,125,416	-	-
AUTHORIZED POSITIONS	20	20	20	20	-	-
AUTHORIZED FTE	20.15	19.65	19.65	20.50	-	-
LIMITED BUDGET (Policy Packages)						
PRIORITY 0						
103 SHIFT CIS PROGRAM TO MANDATED						
PERSONAL SERVICES						
General Fund	-	-	-	558,956	-	-
Other Funds	-	-	-	63,847	-	-
All Funds	-	-	-	622,803	-	-
AUTHORIZED POSITIONS	-	-	-	4	-	-
AUTHORIZED FTE	-	-	-	3.50	-	-
107 INTERPRETERS RELATED TO VICTIM'S RIGHTS						
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Program Unit Appropriated Fund Group and Category Summary				Version: V - 01 - Agency Request Budget		
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Mandated Payments						
Description	2007-09 Actuals	2009-11 Leg Adopted Budget	2009-11 Leg Approved Budget	2011-13 Agency Request Budget	2011-13 Governor's Rec. Budget	2011-13 Leg Adopted Budget
SERVICES & SUPPLIES						
General Fund	-	-	-	628,068	-	-
CAPITAL OUTLAY						
General Fund	-	-	-	45,000	-	-
TOTAL LIMITED BUDGET (Policy Packages)						
General Fund	-	-	-	1,232,024	-	-
Other Funds	-	-	-	63,847	-	-
All Funds	-	-	-	1,295,871	-	-
AUTHORIZED POSITIONS	-	-	-	4	-	-
AUTHORIZED FTE	-	-	-	3.50	-	-
TOTAL LIMITED BUDGET (Including Packages)						
General Fund	14,645,050	13,851,930	13,851,930	15,871,040	-	-
Other Funds	-	475,000	475,000	550,247	-	-
All Funds	14,645,050	14,326,930	14,326,930	16,421,287	-	-
AUTHORIZED POSITIONS	20	20	20	24	-	-
AUTHORIZED FTE	20.15	19.65	19.65	24.00	-	-
OPERATING BUDGET						
General Fund	14,645,050	13,851,930	13,851,930	15,871,040	-	-
Other Funds	-	475,000	475,000	550,247	-	-
All Funds	14,645,050	14,326,930	14,326,930	16,421,287	-	-
AUTHORIZED POSITIONS	20	20	20	24	-	-
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<i>Judicial Dept</i>		<i>Agency Number: 19800</i>				
Program Unit Appropriated Fund Group and Category Summary 2011-13 Biennium Mandated Payments				Version: V - 01 - Agency Request Budget Cross Reference Number: 19800-200-00-00-00000		
Description	2007-09 Actuals	2009-11 Leg Adopted Budget	2009-11 Leg Approved Budget	2011-13 Agency Request Budget	2011-13 Governor's Rec. Budget	2011-13 Leg Adopted Budget
AUTHORIZED FTE	20.15	19.65	19.65	24.00	-	-
TOTAL BUDGET						
General Fund	14,645,050	13,851,930	13,851,930	15,871,040	-	-
Other Funds	-	475,000	475,000	550,247	-	-
All Funds	14,645,050	14,326,930	14,326,930	16,421,287	-	-
AUTHORIZED POSITIONS	20	20	20	24	-	-
AUTHORIZED FTE	20.15	19.65	19.65	24.00	-	-

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