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State Treasurer

(LFB Budget Summary Document: Page 558)

LFB Summary Items for Which Issue Papers Have Been Prepared

| <u>Item #</u> | <u>Title</u> |
|---------------|---|
| 2 | Minor Policy and Technical Changes -- Reimbursement of EdVest GPR Start-up Costs (Paper #890) |
| 3 | Increased Operational Costs Due to Agency Relocation (Paper #891) |
| - | Unclaimed Property Program Printing and Advertising Costs (Paper #892) |

Gov Agency: State Treasurer—Minor Technical and Policy Changes

Recommendations:

Paper No. 890: Approve modification

Comments: The modification makes a technical change to ensure that any GPR expended during the start-up of the EdVest program must be repaid.

Prepared by: Julie



Legislative Fiscal Bureau

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April 22, 1999

Joint Committee on Finance

Paper #890

Minor Policy and Technical Changes -- Reimbursement of EdVest GPR Start-up Costs (State Treasurer)

[LFB 1999-01 Budget Summary: Page 558, #2]

CURRENT LAW

When sufficient investment earnings become available in the EdVest tuition trust fund, the Secretary of DOA is required to transfer from those balances an amount sufficient to repay the general fund for the amount encumbered in a GPR-supported administrative expense start-up appropriation under DOA [s. 20.505(9)(a) of the statutes]. The Secretary is also authorized to make these transfers in installments. To date, a total of \$721,900 GPR has been expended from this appropriation for EdVest start-up costs.

GOVERNOR

Transfer EdVest (the college tuition prepayment program) from DOA to State Treasurer. Retain the current law general fund repayment mechanism but specify that it would apply to the amount encumbered under a new GPR appropriation for ongoing administrative expenses under the State Treasurer [s. 20.585(2)(a) of the statutes]. A total of \$85,000 GPR annually would be newly appropriated under this new appropriation.

MODIFICATION TO BILL

Include statutory language clarifying that when the general fund is ultimately reimbursed from available EdVest trust fund earnings, the Secretary of DOA must ensure that the amounts repaid include all GPR-supported start-up and ongoing administrative expenditures incurred since the inception of the EdVest program (both the \$721,900 GPR expended to date, the \$170,000 GPR proposed for expenditure in 1999-01 and any other future GPR expenditures).

Explanation: The modification would eliminate any potential ambiguity that might arise suggesting that only the GPR amounts newly appropriated under the State Treasurer for the administration of the EdVest program must be reimbursed. Under the modification, the revised language would make it clear that all GPR-funded amounts expended for EdVest start-up and program administration costs must be repaid.

Prepared by: Tony Mason

MO# modification

| | | | |
|-----------|-----|---|---|
| 2 BURKE | (Y) | N | A |
| DECKER | (Y) | N | A |
| JAUCH | (Y) | N | A |
| MOORE | (Y) | N | A |
| SHIBILSKI | (Y) | N | A |
| PLACHE | (Y) | N | A |
| COWLES | (Y) | N | A |
| PANZER | (Y) | N | A |
| 1 GARD | (Y) | N | A |
| PORTER | (Y) | N | A |
| KAUFERT | (Y) | N | A |
| ALBERS | (Y) | N | A |
| DUFF | (Y) | N | A |
| WARD | (Y) | N | A |
| HUBER | (Y) | N | A |
| RILEY | (Y) | N | A |

AYE 16 NO 0 ABS 0

STATE TREASURER

Required Reimbursement of EdVest GPR Start-up Costs
(In Lieu of Paper #890)

Motion:

Move to modify the bill to specify that in the future only those GPR-supported administrative expense start-up costs for the EdVest program that are required under current law to be reimbursed to the general fund would be reimbursed to the general fund. Delete the bill provision which would specify that only the new GPR funds appropriated under the State Treasurer for administrative costs of the program would have to be reimbursed to the general fund.

Note:

Under current law, when sufficient investment earnings become available in the EdVest tuition trust fund, the Secretary of DOA is required to transfer from those balances an amount sufficient to repay the general fund for the EdVest program's initial GPR-funded start-up costs that have been supported under an administrative expenses appropriation for EdVest under DOA. These reimbursement amounts may be made in installments by the Secretary.

Under provisions of 1995 Wisconsin Act 403, a total of \$721,900 GPR was appropriated under DOA to support the program's start-up expenses. These initial GPR funds are now in a continuing appropriation and were fully expended as of October, 1998.

The 1999-01 biennial budget bill would transfer the EdVest program to the State Treasurer and would provide an additional \$85,000 GPR annually under a new appropriation in that agency for continuing administrative expenses of the program. Under the bill, only the new GPR appropriation under the State Treasurer would be made subject to the reimbursement requirement.

This motion would specify that only the initial \$721,900 GPR provided to the program under DOA would ultimately have to be reimbursed to the general fund. There would be no reimbursement requirement for the \$85,000 GPR provided in each fiscal year of the 1999-01 fiscal biennium under the State Treasurer.

MO# 575

| | | | |
|-------------|---|---|---|
| BURKE | Y | N | A |
| DECKER | Y | N | A |
| JAUCH | Y | N | A |
| MOORE | Y | N | A |
| 2 SHIBILSKI | Y | N | A |
| PLACHE | Y | N | A |
| COWLES | Y | N | A |
| PANZER | Y | N | A |
| | | | |
| GARD | Y | N | A |
| PORTER | Y | N | A |
| KAUFERT | Y | N | A |
| ALBERS | Y | N | A |
| DUFF | Y | N | A |
| WARD | Y | N | A |
| HUBER | Y | N | A |
| RILEY | Y | N | A |

AYE 4 NO 12 ABS 0

Gov Agency: State Treasurer—Increased Operational Costs Due to Agency Relocation

Recommendations:

Paper No. 891: Alternative 2

Comments: The Treasurer has some leftover money that could cover the costs of their move instead of allocating more PR. LFB suggests that Alt. 2 would be an easier remedy to their unexpected moving costs. Might as well just go with it.

Prepared by: Julie



Legislative Fiscal Bureau

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April 22, 1999

Joint Committee on Finance

Paper #891

Increased Operational Costs Due to Agency Relocation (State Treasurer)

[LFB 1999-01 Budget Summary: Page 559, #3]

CURRENT LAW

The Office of the State Treasurer has base level expenditure authority of \$712,000 PR annually for the agency's supplies and services costs.

GOVERNOR

Provide \$17,700 PR annually for the following operational supplies and services cost increases associated with the relocation of the agency's offices from state-owned space at 101 E. Wilson Street to privately-leased space at 1 S. Pinckney Street: (a) increased basic telephone service charges (\$2,100 PR annually); (b) courier service costs (\$2,400 PR annually); and (c) T-1 data transmission line rental (\$13,200 PR annually).

DISCUSSION POINTS

1. Following the State Treasurer's move into privately leased space on August 1, 1998, the following new costs began to be incurred on an ongoing basis:

- Additional monthly Centrex system charges of \$175 (\$2,100 annually) for the agency's 30 telephone lines installed at its Pinckney Street location. DOA's Bureau of Telecommunications Management currently bills the State Treasurer for these lines at a "new location" rate that is from \$5.50 to \$6 per line higher than the rates previously charged at the agency's former offices.

- Two private courier service runs daily between the State Treasurer's new offices and the State Controller's office in DOA at an increased monthly cost of \$200 (\$2,400 annually). Prior to the move, agency staff carried documents to the State Controller's office, which was located in the same building.

• A new T-1 data transmission line linking the agency's offices with DOA's consolidated data network at a monthly cost of \$1,100 (\$13,200 annually). This data link conforms to DOA's new data line interconnection standards and will be capable of providing the agency with BadgerNet access.

2. The agency has provided information that documents the additional costs included in the budget proposal. However, a question may be raised whether such expenses might be funded from currently budgeted base level resources.

3. Supplies and services expenditures from each of the three appropriation accounts (custody of state funds activities, local government investment pool and unclaimed property program) that fund the general operations of the Office were reviewed. Excess supplies and services expenditure authority was identified in the unclaimed property appropriation and is the subject of a separate budget issue paper.

4. In addition, however, this review identified residual expenditure authority of \$16,500 PR budgeted for permanent property and \$400 PR budgeted to unallotted reserve in these appropriations. The base level amounts for permanent property purchases were originally provided for an IT upgrade project funded in the 1993-95 biennial budget. The amounts in unallotted reserve are not currently budgeted for any purpose.

5. The agency has identified only the following expenditures that will be made from this base level permanent property funding (\$16,500 PR) during the next fiscal biennium: (a) \$5,000 PR in 1999-00 for a new check printer; and (b) \$9,000 PR in 2000-01 for the replacement of three personal computers. Accordingly, the Committee could delete the remaining excess base level permanent property funding of \$11,500 PR in 1999-00 and \$7,500 PR in 2000-01. The Committee could also delete the \$400 PR annually in unallotted reserve since it is not budgeted for any identifiable purpose. These actions would offset the agency's requested move-related cost increases by \$11,900 PR in 1999-00 and \$7,900 PR in 2000-01.

ALTERNATIVES

1. Approve the Governor's recommendation.
2. Modify the Governor's recommendation by: (a) deleting excess base level permanent property funding of \$11,500 PR in 1999-00 and \$7,500 PR in 2000-01; and (b) deleting excess base level funding of \$400 PR annually budgeted in unallotted reserve.

| <u>Alternative 2</u> | <u>PR</u> |
|----------------------------------|------------|
| 1999-01 FUNDING (Change to Bill) | - \$19,800 |

Prepared by: Tony Mason

MO# Alt 2

| | | | | |
|---|-----------|---|---|---|
| 2 | BURKE | Y | N | A |
| | DECKER | Y | N | A |
| | JAUCH | Y | N | A |
| | MOORE | Y | N | A |
| | SHIBILSKI | Y | N | A |
| | PLACHE | Y | N | A |
| | COWLES | Y | N | A |
| | PANZER | Y | N | A |
| 1 | GARD | Y | N | A |
| | PORTER | Y | N | A |
| | KAUFERT | Y | N | A |
| | ALBERS | Y | N | A |
| | DUFF | Y | N | A |
| | WARD | Y | N | A |
| | HUBER | Y | N | A |
| | RILEY | Y | N | A |

AYE 16 NO 0 ABS 0

Gov Agency: State Treasurer—Unclaimed Property Program Printing and Advertising Costs

Recommendations:

Paper No. 892: Alternative 1

Comments: The Treasurer has a pretty big budget (\$200,000 PR) for the costs associated with advertising etc., for the unclaimed property program. The money won't be needed again until September 2000, so there is no need to allocated the funds for the first half of the biennium. Furthermore, they don't usually use the whole amount. LFB suggests cutting the amount down by \$42,800 PR in year two of the biennium. The reduced level should give them enough to run the program effectively.

Prepared by: Julie



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April 22, 1999

Joint Committee on Finance

Paper #892

Unclaimed Property Program Printing and Advertising Costs (State Treasurer)

CURRENT LAW

No later than September 20 of each even-numbered year, the Office of the State Treasurer is required to compile a listing of unclaimed property assets reported to it and publish the last-known address of each asset owner in a general circulation newspaper in each county. Base level supplies and services funding of \$531,900 PR annually is budgeted for the unclaimed property program. Of these amounts, \$331,900 PR annually is budgeted for the routine administrative costs of the program and \$200,000 PR annually is budgeted specifically for the advertising, printing and distribution costs of the biennial unclaimed property legal notices.

GOVERNOR

No provision.

DISCUSSION POINTS

1. The costs associated with advertising, publishing and distributing unclaimed property legal notices are incurred only once every two years. These expenditures always occur during the second fiscal year of each biennium. Consequently, the annual budget authority needed for the unclaimed property function's supplies and services costs consists of one or both of the following elements: (a) the amounts necessary for the preparation and distribution of unclaimed property legal notices [needed only in the second fiscal year of the biennium]; and (b) the amounts necessary for the routine administration of the program [needed in both fiscal years of the biennium].

2. Under current procedures, the Office publishes the required biennial unclaimed property legal notices in a general circulation newspaper in each of the 68 counties outside the Milwaukee metropolitan area. These notices list the names of the residents of the county appearing to have unclaimed property assets. For Milwaukee County and the three adjacent counties of the metropolitan area (Ozaukee, Washington and Waukesha), a supplement is inserted in the

Milwaukee Journal Sentinel containing a comprehensive listing of the unclaimed property assets in all four counties. Radio advertising spots have also been developed to publicize the abandoned property listings.

3. The following costs were actually incurred by the Office for the publication and distribution of unclaimed property legal notices in September, 1998:

**Total Unclaimed Property Printing and Advertising Costs in 1998-99
(PR Funds)**

| <u>Type of Expense</u> | <u>Cost</u> |
|---|------------------|
| Printing of the Milwaukee Area Supplement | \$54,900 |
| Distribution of the Supplement | 24,000 |
| Other Classified Advertising (remainder of state) | 25,500 |
| Copy Preparation Expenses | 13,600 |
| Radio Advertisements | <u>11,900</u> |
| Total | \$129,900 |

4. Since expenditures for this purpose will not be incurred again until September, 2000, the Committee could delete the \$200,000 PR of base level expenditure authority that is currently provided for such costs in the Office's 1999-00 base budget.

5. In addition, in light of the \$129,900 PR of expenditures actually incurred by the Office in 1998-99 for the publication and distribution of the unclaimed property legal notices, a reduced level of base level funding for these activities in 2000-01 would also appear warranted.

6. The Committee could consider reducing base level funding from the current \$200,000 PR to \$157,200 PR in 2000-01 for the next publication of unclaimed property notices in September, 2000. This lower level of funding is based on the Office's 1998-99 actual expenditures, increased by 10% annually to accommodate any intervening inflationary adjustments and other unforeseen contingencies.

7. Since the unclaimed property program is funded under a PR continuing appropriation, in the event that actual additional supplies and services costs exceeded the alternative base funding levels, the agency would not be required to obtain separate legislative approval to make such expenditures.

ALTERNATIVES

1. Delete base level funding of \$200,000 PR in 1999-00 and \$42,800 PR in 2000-01 from the Office's unclaimed property program administrative appropriation to reflect providing revised base level funding for the biennial publication and distribution of unclaimed property legal notices of \$157,200 PR in 2000-01 only.

Alternative 1

PR

1999-01 FUNDING (Change to Bill)

- \$242,800

2. Maintain current law.

Prepared by: Tony Mason

MO# Alt. 1

| | | | | |
|---|-----------|---|---|---|
| 2 | BURKE | Y | N | A |
| | DECKER | Y | N | A |
| | JAUCH | Y | N | A |
| | MOORE | Y | N | A |
| | SHIBILSKI | Y | N | A |
| | PLACHE | Y | N | A |
| | COWLES | Y | N | A |
| | PANZER | Y | N | A |
| | GARD | Y | N | A |
| 1 | PORTER | Y | N | A |
| | KAUFERT | Y | N | A |
| | ALBERS | Y | N | A |
| | DUFF | Y | N | A |
| | WARD | Y | N | A |
| | HUBER | Y | N | A |
| | RILEY | Y | N | A |

AYE 16 NO 0 ABS 0

Gov Agency: State Treasurer

Recommendations:

Paper No. LFB Summary Item for Which No Issue Paper Has Been Prepared

Comments: Since Treasurer is a bill agency, you don't need to act on this one to include it.

Prepared by: Julie

STATE TREASURER

LFB Summary Item for Which No Issue Paper Has Been Prepared

| <u>Item #</u> | <u>Title</u> |
|---------------|-----------------------------|
| 1 | Standard Budget Adjustments |

LFB Summary Item for Introduction as Separate Legislation

| <u>Item #</u> | <u>Title</u> |
|---------------|--------------------------------|
| 4 | Unclaimed Property Act Changes |

Supreme Court

(LFB Budget Summary Document: Page 561)

LFB Summary Items for Which Issue Papers Have Been Prepared

| <u>Item #</u> | <u>Title</u> |
|----------------|---|
| 2, 3 & 4 10 | Circuit Court Automation Program (CCAP) Funding Increases (Paper #895) Repeal of Appropriations (Paper #896) |

Gov Agency: Supreme Court - Circuit Court Automation Program (CCAP)
Funding Increases

Recommendations:

Paper No. 895 Alternative 5

Comments:

This alternative would fund CCAP by creating a GPR appropriation for CCAP and providing \$2 million in GPR annually, which represents excess revenue generated from the court support services fee (a \$30 to \$100 fee on all forfeiture judgments and most civil court filings) that is deposited in the general fund. The Director of State Courts office argues that this revenue was intended for court programs such as CCAP.

Under this alternative, the justice information fee would remain at \$7. This would provide funding for 6.0 GPR positions in 1999-00 and 10.0 GPR positions in 2000-01, and the majority of CCAP's other requests.

*** This was the amount requested by Chief Justice Abrahamson during her testimony before JFC.

*** The Wisconsin Counties Association opposes using revenues generated from the court fee that was increased in the past to compensate counties for court costs through the circuit court support grant program. The Association believe that the \$3.2 million of "excess revenues" returned to the state should be distributed to counties under the circuit court support grant.

The second best alternative is alternative 3, but this raises the justice information fee from \$9 to \$11 which court officials have argued reduces the public's access to the court system.

If the Governor's recommendation is adopted:

1. Waukesha County and Milwaukee County juvenile court may face additional implementation delays and may have to return to paper because those systems are not Year 2000 compliant.
2. CCAP's level of service will deteriorate
3. Replacement of equipment that is currently replace on an unacceptable six-year cycle, rather than the standard four-year cycle, will be delayed further.
4. Counties will be required to use hardware that does not have sufficient capacity to run current software.

Prepared by: Deb

Cond motion - takes money from BJS to fund CCAP



Legislative Fiscal Bureau

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May 5, 1999

Joint Committee on Finance

Paper #895

Circuit Court Automation Program (CCAP) Funding Increases (Supreme Court)

[LFB 1999-01 Budget Summary: Pages 561-62, #2, 3 & 4]

CURRENT LAW

The Circuit Court Automation Program (CCAP) receives revenues from a \$5 to \$15 filing fee on most civil actions, which are deposited into a sum certain, annual appropriation. In addition, a \$7 justice information fee is collected from: (a) persons filing a civil action, including garnishment, small claims, wage earner actions, third-party complaints and appeals from a municipal court; and (b) persons paying a fee in a forfeiture action. Currently, four-sevenths of the justice information fee revenue is deposited to the Department of Administration's Bureau of Justice Information Systems (BJIS) appropriation, two-sevenths is deposited to the CCAP appropriation and one-seventh is deposited to the general fund. The adjusted base for CCAP is \$6,224,200 PR and 39.0 PR positions.

GOVERNOR

Provide \$1,000,000 PR annually to CCAP and change CCAP's appropriation from annual to continuing. In addition, increase the justice information fee by \$2, from \$7 to \$9, and deposit the revenue from the \$2 increase to the CCAP appropriation. The fee increase would take effect on the effective date of the bill. The Governor estimates that the increased fee would generate \$1,200,000 in program revenue annually.

DISCUSSION POINTS

1. The Circuit Court Automation Program (CCAP) was created under 1987 Act 27 to provide networked personal computers and uniform software programs to circuit courts for case management functions. CCAP has expanded to include financial management, court calendaring

and jury management functions. To date, CCAP has fully or partially implemented the case management function in 70 counties, the financial management function in 63 counties, and the jury management function in 64 counties. (Two counties, Outagamie and Walworth, have received reimbursement for their own operating systems instead of joining the CCAP network). In total, CCAP currently has more than 2,600 users in 73 locations across the state.

2. The Governor's recommendation would provide the following funds for the new judgeships created in 1997 Act 203, effective August 1, 1999: (a) \$205,800 in one-time funds in 1999-00 for computer workstations, accompanying software licenses, printers, cables and other peripherals, at a cost of \$34,300 per judgeship; and (b) \$21,000 annually for ongoing computer support and maintenance, at a cost of \$3,500 per judgeship. The bill would also provide \$753,200 in 1999-00 and \$979,000 in 2000-01 annually without specifying the use of the funds. The Executive Budget book indicates that the increased funds could be used to upgrade telecommunications and software needs, and continue implementation of the automation program. In addition, the Governor's recommendation would change CCAP's appropriation from annual to continuing. Under a continuing appropriation, appropriated amounts are considered estimates and agencies are allowed to expend all accumulated revenue in the appropriation without further legislative approval. The bill does not provide increased position authority. To fund appropriation increases, the Governor would increase the justice information fee from \$7 to \$9, increasing CCAP's portion of the fee from \$2 to \$4.

3. In her testimony to the Joint Committee on Finance on March 25, 1999, Chief Justice Shirley Abrahamson stated that the Supreme Court's top priority for this biennial budget is acquiring adequate funding for CCAP. Her testimony indicated that trial courts are totally dependent on CCAP to perform their functions and underfunding "threatens to bring down the system." According to the Chief Justice, the Governor's recommendation fails to meet the circuit court system's minimum needs in two respects: (a) most of its requests, which are necessary to meet current operational standards, were denied; and (b) projected revenues will not meet the expenditure authority proposed by the Governor.

4. In its 1999-01 budget request for CCAP, the Director of State Courts Office requested the following:

a. Telecommunications Costs. CCAP requested \$336,400 in 1999-00 and \$308,000 in 2000-01 (now re-estimated to \$656,400 in 1999-00 and \$554,400 in 2000-01) to fund increased telecommunication costs. CCAP officials indicate that funding the telecommunications costs is non-discretionary. Currently, CCAP pays no fees for the use of a router network that was set up for KIDS (a router helps remote networks communicate with one another); instead, CCAP provides KIDS with technical assistance. This agreement is ending in 1999 as all KIDS staff functions move off of CCAP local area networks and into county child support offices. Therefore, CCAP must pay for the use of a router network. CCAP intends to share some costs with the Department of Administration (DOA) and Department of Justice (DOJ), where possible.

b. Staffing Increase. CCAP requested \$226,500 and 6.0 positions in 1999-00 and

\$409,900 and 10.0 positions in 2000-01 to add 4.0 technical support positions, 4.0 computer support analysts, and 2.0 programmers to CCAP's current 39.0 staff. (CCAP also contracts for 6.5 programmers.) The 4.0 technical support positions would be responsible for supporting and maintaining CCAP networks statewide, responding to technical questions, and installing and maintaining software products and communication systems. The 4.0 computer support analysts would provide telephone support, assist with county implementations, customer training services and new software release testing. The CCAP support line currently receives over 2,000 calls per month. The 2.0 programmers would develop computer software and change software as the need arises. For example, whenever laws change that affect circuit courts (such as truth in sentencing), CCAP programmers must change the software programs to reflect the new laws.

CCAP has not received any staff increases since 1993-94 (during the 1997-99 biennial budget, 23 project positions were made permanent). From 1993 to 1999, CCAP's user base has doubled, from 1300 to 2600. Consequently, CCAP officials indicate that current staff cannot respond adequately to user needs. As a result, in March, 1998, the CCAP steering committee instituted a moratorium that prohibited all new implementations, which delayed CCAP implementations in ten counties (Marinette, Winnebago, Marquette, Wood, Ozaukee, Rock, Milwaukee juvenile court, Waukesha, Columbia, and Menominee). The CCAP steering committee lifted the moratorium on March 1, 1999 and CCAP hopes to have all counties implemented by April 1, 2000.

Of its 39.0 staff, 25.3 positions provide direct support to CCAP users (the remaining 13.7 positions perform supervisory functions or other indirect support). CCAP has 2,600 users (and is projected to have 2,800 users once all implementations are complete). CCAP's information technology (IT) support staff to user ratio currently is 1:103 and, under the Governor's recommendation, would be 1:111, or double the DOA standard of 1:55.

c. Equipment Replacements. CCAP requested \$1,000,000 in 1999-00 to replace aging IT equipment to allow most of its equipment to be on a four-year replacement cycle, the DOA standard. Currently, CCAP's IT equipment is on a six-year replacement cycle. As of July 1, 1998, 44% of CCAP's workstations were at least five years old, as were 57% of its servers, 38% of the monitors and 63% of its printers. As a result, CCAP receives over 400 calls per month to its support line related to hardware problems. According to CCAP officials, replacing old equipment would: (a) replace equipment no longer supported by vendors; (b) reduce the number of calls to the CCAP support line to allow staff to focus on needed improvements to the CCAP system; and (c) allow users to have access to applications offered by CCAP that need newer equipment. CCAP's request of \$1,000,000, plus its base funding for equipment replacement (approximately \$2,010,000), would be sufficient to upgrade all of its servers, all of its PCs that need replacement, and half of its laser printers requiring replacement. CCAP would also use some of the funds for required maintenance and software upgrades.

d. Network Management Tools. CCAP requested \$132,000 in 1999-00 for a set of software applications to enable CCAP to monitor and modify software from Madison. Currently, CCAP staff are unable to update software or solve network performance problems without traveling

to the counties, which further strains staff resources. CCAP's request for a network management software package would reduce staff time and travel in maintaining the CCAP network system, allow CCAP staff to perform timely software updates and monitor the network system, and increase hardware and software standardization.

e. Windows Migration. CCAP requested \$1,049,300 in 2000-01 for Microsoft terminal server and licenses (\$556,200) and Microsoft Office Suite licenses (\$485,900) to enable users to run Windows applications at the server level, and migrate to Microsoft Office products (the DOA standard). CCAP's current software, which includes back versions of Wordperfect and Lotus 123, does not allow CCAP users to open or read Microsoft Office products, which are used by other state and county government agencies. This request does not reflect a full conversion to a Microsoft Windows environment, but represents a less expensive approach to reach the DOA standard.

f. Other Requests. CCAP requested \$67,100 in 1999-00 for equipment to implement its disaster recovery plan, such as workstations, servers, and software, to allow CCAP to rapidly replace equipment in the event of a disaster, such as flood, fire, or theft. CCAP requested \$31,100 in 2000-01 for a court document imaging feasibility study in two counties to determine the usefulness of integrating a document imaging subsystem within CCAP's court management system.

5. According to the Office of the Director of State Courts, the Governor's recommendation not only prohibits CCAP from adequately serving its users, but also places CCAP far behind the staffing levels and equipment standards of other comparable agencies, such as DOA's Bureau of Justice Information Systems (BJIS), which is developing a similar system for county district attorney offices. The attachment details various IT items between CCAP and BJIS under the Governor's recommendation.

6. Prior to 1995 Wisconsin Act 27, CCAP received funding from a \$3 court automation fee on all forfeiture judgments and most civil actions (of which \$1 was deposited into the state's general fund). Under 1995 Act 27, the \$3 automation fee was renamed the justice information fee and was increased to \$5, with \$4 deposited to BJIS and \$1 deposited to the general fund (CCAP therefore lost this fee as a program revenue source). In the 1997-99 biennial budget, the justice information fee was increased to \$7, with the additional \$2 going to fund CCAP operations.

7. The bill would increase the justice information fee from \$7 to \$9 on the effective date of the bill. The Governor estimates this increase would result in \$1,200,000 of additional revenue annually. However, if one assumes that the increased fee would not be assessed beginning July 1, 1999, but by September 15, 1999, it is estimated that revenue in 1999-00 would be \$950,000, rather than \$1.2 million.

8. Since the IT resources listed in the attachment for BJIS under the bill exceed and more closely meet DOA standards than the resources provided to CCAP, an option to divert to CCAP a portion of the justice information fee revenue currently given to BJIS could be considered appropriate. However, because BJIS is also funded with penalty assessment revenues, which under the Governor's proposal would have a \$4.069 million deficit, this is not considered a viable

alternative at this time.

9. Under the bill, CCAP would be appropriated \$7,452,500 PR annually. However, it is estimated that, with its estimated opening balance in 1999-00, revenues will total \$7,064,700 in 1999-00 and \$7,250,000 in 2000-01. As a result, under the bill, CCAP's expenditure authority would exceed available revenues by \$437,800 in 1999-00 (which consists of a \$250,000 shortfall due to the delayed effective date and \$187,800 in 1999-00 and \$348,200 in 2000-01 due to revenue reestimates), or a total of \$786,000 by the end of the 1999-01 biennium. Consequently, if the Governor's recommendation is accepted, CCAP's expenditure authority could be reduced by \$437,800 PR in 1999-00 and \$348,200 PR in 2000-01 to more accurately reflect estimated revenues and reserves. Under this alternative, CCAP could fund equipment for the six new judgeships that start on August 1, 1999, and half of its required telecommunication costs.

10. CCAP officials indicate that if the Governor's recommendation is adopted, the moratorium on new implementations may have to be reimposed. As a result, Waukesha County and Milwaukee County juvenile court may face additional implementation delays and may have to return to paper systems because those systems are not Year 2000 compliant.

11. In order to address a larger portion of CCAP's identified needs, the Committee may wish to increase the justice information fee by an additional \$1, to \$10. The increased revenue could be used to support 3.0 positions (2.0 technical support engineers and 1.0 computer support analyst) at a cost of \$125,600 in 1999-00 and an additional 1.0 position (computer support analyst) at a cost of \$181,300 in 2000-01, as well as equipment for the new judgeships and full funding of telecommunication costs. In addition, this alternative would provide \$35,000 in 1999-00 and \$494,500 in 2000-01 to help CCAP replace some of its equipment on its current six-year cycle. Under this alternative, CCAP's IT staff to user ratio would be 1:96.

12. Alternatively, the Committee may wish to increase the justice information fee to \$11. This would provide CCAP with sufficient revenues to fund, in addition to the new judgeship equipment and telecommunications costs: (a) 6.0 PR positions in 1999-00 and 10.0 PR positions in 2000-01 at a cost of \$189,100 in 1999-00 and \$310,100 in 2000-01 (a portion of the staff cost would be affected by a reduction in consultant costs); (b) \$500,000 annually for equipment replacement; (c) \$280,200 in 2000-01 to begin the Windows migration project; and (d) \$132,000 in 2000-01 for network management tools. This alternative would allow CCAP to complete its implementation schedule; reach the DOA four-year replacement cycle standard for most, but not all, of its equipment; reduce its IT staff to user ratio to 1:79; and begin to migrate to DOA-standard Microsoft Windows applications.

13. Courts officials have expressed concerns about increasing the justice information fee. One concern is that, as court fees increase, the public's access to the court system is reduced. A second concern is that increased fees may result in revenues falling short of projections because of lower rates of collection and possibly a reduction in cases to which the fees are imposed.

14. As a result, in its budget request, the Director of State Courts requested GPR

funding, which represents excess revenue generated from the court support services fee (a \$30 to \$100 fee on all forfeiture judgments and most civil court filings) that is deposited to the general fund. In 1997-98, excess revenues totaled \$3,276,700. The Director of State Courts office argues that this revenue was intended for court programs such as CCAP. Under this alternative, the justice information fee would remain at \$7, and \$2,000,000 GPR annually would be provided to CCAP in a newly-created GPR appropriation. This would provide funding for 6.0 GPR positions in 1999-00 and 10.0 GPR positions in 2000-01, and the majority of CCAP's other requests. This amount, while less than the agency requested, was the amount requested by the Chief Justice during her testimony before the Committee.

ALTERNATIVES

1. Approve the Governor's recommendation, as modified to reflect revenue reestimates, to provide \$562,200 PR in 1999-00 and \$651,800 PR in 2000-01 to the Circuit Court Automation Program (CCAP), and change CCAP's appropriation from annual to continuing. In addition, increase the justice information fee by \$2, from \$7 to \$9, and deposit the revenue from the \$2 increase to the Circuit Court Automation Program (CCAP) appropriation. The fee increase would take effect on the effective date of the bill. It is estimated that the fee increase would generate \$250,000 less in revenues in 1999-00 than the Governor estimated.

| Alternative 1 | PR |
|---|-------------|
| 1999-01 REVENUE (Change to Bill) | - \$250,000 |
| 1999-01 FUNDING (Change to Bill) | - \$786,000 |

2. Modify the Governor's recommendation by: (a) providing an additional \$1 increase to the justice information fee, to \$10; and (b) providing an additional \$37,800 PR and 3.0 PR positions in 1999-00 and \$251,200 PR and 4.0 PR positions in 2000-01.

| Alternative 2 | PR |
|---|-----------|
| 1999-01 REVENUE (Change to Bill) | \$825,000 |
| 1999-01 FUNDING (Change to Bill) | \$289,000 |

3. Modify the Governor's recommendation by: (a) providing an additional \$2 increase to the justice information fee, to \$11; and (b) providing an additional \$566,300 PR and 6.0 PR positions in 1999-00 and \$797,700 PR and 10.0 PR positions in 2000-01.

| Alternative 3 | PR |
|---|-------------|
| 1999-01 REVENUE (Change to Bill) | \$1,900,000 |
| 1999-01 FUNDING (Change to Bill) | \$1,364,000 |
| 2000-01 POSITIONS (Change to Bill) | 10.00 |

4. For any of the above alternatives, substitute a \$1 increase in the justice information fee with the \$1 of the justice information fee that is currently deposited to the general fund as GPR-Earned.

| <u>Alternative 4</u> | <u>GPR</u> |
|----------------------------------|---------------|
| 1999-01 REVENUE (Change to Bill) | - \$1,200,000 |

5. Delete the Governor's recommendation. Instead, create a GPR appropriation for CCAP and provide \$2,000,000 GPR annually and 6.0 GPR positions in 1990-00 and 10.0 GPR positions in 2000-01.

| <u>Alternative 5</u> | <u>GPR</u> | <u>PR</u> | <u>TOTAL</u> |
|------------------------------------|-------------|--------------|--------------|
| 1999-01 REVENUE (Change to Bill) | \$0 | -\$2,400,000 | -\$2,400,000 |
| 1999-01 FUNDING (Change to Bill) | \$4,000,000 | -\$2,000,000 | \$2,000,000 |
| 2000-01 POSITIONS (Change to Bill) | 10.00 | 0.00 | 10.00 |

6. Maintain current law.

| <u>Alternative 6</u> | <u>PR</u> |
|----------------------------------|--------------|
| 1999-01 REVENUE (Change to Bill) | -\$2,400,000 |
| 1999-01 FUNDING (Change to Bill) | -\$2,000,000 |

Prepared by: Barbara Zabawa

MO# Alt 5

| | | | |
|-----------|----------------------------------|---|---|
| 1 BURKE | <input checked="" type="radio"/> | N | A |
| 2 DECKER | <input checked="" type="radio"/> | N | A |
| JAUCH | <input checked="" type="radio"/> | N | A |
| MOORE | <input checked="" type="radio"/> | N | A |
| SHIBILSKI | <input checked="" type="radio"/> | N | A |
| PLACHE | <input checked="" type="radio"/> | N | A |
| COWLES | <input checked="" type="radio"/> | N | A |
| PANZER | <input checked="" type="radio"/> | N | A |
| GARD | <input checked="" type="radio"/> | N | A |
| PORTER | <input checked="" type="radio"/> | N | A |
| KAUFERT | <input checked="" type="radio"/> | N | A |
| ALBERS | <input checked="" type="radio"/> | N | A |
| DUFF | <input checked="" type="radio"/> | N | A |
| WARD | <input checked="" type="radio"/> | N | A |
| HUBER | <input checked="" type="radio"/> | N | A |
| RILEY | <input checked="" type="radio"/> | N | A |

AYE 5 NO 11 ABS _____

MO# Alt 3

| | | | |
|-----------|----------------------------------|---|---|
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| 1 DECKER | <input checked="" type="radio"/> | N | A |
| 2 JAUCH | <input checked="" type="radio"/> | N | A |
| MOORE | <input checked="" type="radio"/> | N | A |
| SHIBILSKI | <input checked="" type="radio"/> | N | A |
| PLACHE | <input checked="" type="radio"/> | N | A |
| COWLES | <input checked="" type="radio"/> | N | A |
| PANZER | <input checked="" type="radio"/> | N | A |
| GARD | <input checked="" type="radio"/> | N | A |
| PORTER | <input checked="" type="radio"/> | N | A |
| KAUFERT | <input checked="" type="radio"/> | N | A |
| ALBERS | <input checked="" type="radio"/> | N | A |
| DUFF | <input checked="" type="radio"/> | N | A |
| WARD | <input checked="" type="radio"/> | N | A |
| HUBER | <input checked="" type="radio"/> | N | A |
| RILEY | <input checked="" type="radio"/> | N | A |

AYE 8 NO 8 ABS _____

SUPREME COURT

CCAP Funding

[Paper #895 -- Addition to Alternative #1]

Motion:

Move to provide an additional \$950,000 PR and 6.0 PR positions in 1999-00 and \$1,200,000 PR and 10.0 PR positions in 2000-01 in penalty assessment revenues, of which \$500,000 annually would be one-time funding. Create an annual appropriation under the Director of State Courts to receive the penalty assessment revenues.

Note:

Under Alternative #1, LFB Paper #895, the justice information fee would increase from the current \$7 to \$9. This motion would provide \$950,000 in 1999-00 and \$1,200,000 in 2000-01 in penalty assessment revenues (\$500,000 PR annually of which would be one-time) appropriated to a newly-created annual appropriation under the Director of State Courts Office for CCAP.

[Change to Alternative: \$2,150,000 PR]

MO# del. 1 + women

| | | | |
|-----------|------------------------------------|------------------------------------|---|
| BURKE | Y | <input checked="" type="radio"/> N | A |
| DECKER | Y | <input checked="" type="radio"/> N | A |
| JAUCH | Y | <input checked="" type="radio"/> N | A |
| MOORE | <input checked="" type="radio"/> Y | <input checked="" type="radio"/> N | A |
| SHIBILSKI | Y | <input checked="" type="radio"/> N | A |
| PLACHE | <input checked="" type="radio"/> Y | <input checked="" type="radio"/> N | A |
| COWLES | <input checked="" type="radio"/> Y | <input checked="" type="radio"/> N | A |
| PANZER | <input checked="" type="radio"/> Y | <input checked="" type="radio"/> N | A |
| 1 GARD | <input checked="" type="radio"/> Y | <input checked="" type="radio"/> N | A |
| 2 PORTER | <input checked="" type="radio"/> Y | <input checked="" type="radio"/> N | A |
| KAUFERT | <input checked="" type="radio"/> Y | <input checked="" type="radio"/> N | A |
| ALBERS | <input checked="" type="radio"/> Y | <input checked="" type="radio"/> N | A |
| DUFF | <input checked="" type="radio"/> Y | <input checked="" type="radio"/> N | A |
| WARD | <input checked="" type="radio"/> Y | <input checked="" type="radio"/> N | A |
| HUBER | Y | <input checked="" type="radio"/> N | A |
| RILEY | Y | <input checked="" type="radio"/> N | A |

AYE 10 NO 6 ABS 0

ATTACHMENT

Information Technology Items for CCAP and BJIS Under the Governor's Budget Bill

| Items | CCAP | BJIS |
|--|--|--|
| Replacement Cycle | 6 years | 4 years |
| Software Package | Wordperfect and Lotus 123; OS/2 Operating System | Microsoft Office Suite; Windows Operating System |
| Network Management Tools | No | Yes |
| Internet/Email Access | Only judges, clerks of court, and registers in probate (14.6% of total users). Milwaukee, Kenosha, and Brown Counties have internal email only. | All users |
| Support Staff to User Ratio (at end of 1999-01 biennium) | 1:111 | 1:61 |
| Help Desk Hours | 7:00 a.m. to 5:00 p.m. M-F; on call 7:00 a.m. to 5:00 p.m. on Sat. (Milwaukee County only) | 8:00 a.m. to 5:00 p.m. M-F |
| Total Budget (Adjusted Base Plus Governor's Recommended Increases) | \$7,452,500 annually | \$6,482,000 annually |
| Revenue Sources | \$4 from justice information fee (\$2 increase); CCAP fee (a \$5 to \$15 filing fee on most civil actions) | \$4 from justice information fee; federal Byrne grant monies; penalty assessment surcharge |
| Implementation Schedule | Hopes to have all counties implemented by April 1, 2000 (11 years) | LANs installed in all counties by June 30, 2001 (3 years) |
| Number of Users (at end of 1999- 01 biennium) | 2,800 | 1,003.5 |

Gov Agency: Supreme Court - Repeal of Appropriations

Recommendations:

Paper No. 896 Adopt modification

Comments:

The modification changes CCAP appropriation language and schedule title to reflect the repeal of program revenue under the Court of Appeals and the Supreme Court, to fund a portion of the costs associated information technology initiatives. Because CCAP program revenues have been insufficient to support these appropriations, expenditure authority has not been used.

Prepared by: Deb



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

May 5, 1999

Joint Committee on Finance

Paper #896

Repeal of Appropriations (Circuit Courts, Court of Appeals and Supreme Court)

[LFB 1999-01 Budget Summary: Page 126, #2, Page 187, #2 and Page 563, #10]

CURRENT LAW

1997 Act 27 (the 1997-99 biennial budget act) created two program revenue appropriations, under the Court of Appeals and the Supreme Court respectively, to fund a portion of the costs associated with information technology initiatives under the Court of Appeals and the Supreme Court. Act 27 also created a program revenue appropriation under the Circuit Courts to fund a portion of the costs of reimbursing counties for court interpreter services. The appropriations are funded from program revenues from certain court fees deposited the Circuit Court Automation Program (CCAP). Act 27 also modified the CCAP appropriation to reflect these changes. Because CCAP program revenues have been insufficient to support these appropriations, expenditure authority has not been used.

GOVERNOR

Delete \$45,000 PR annually and repeal the program revenue appropriation for court interpreter fee reimbursement to counties. Delete \$10,400 PR annually and repeal the program revenue appropriation for the Court of Appeals automated information systems. Delete \$12,800 PR annually and repeal the program revenue appropriation for the Supreme Court automated information systems. Modify the court information systems and interpreters (CCAP) appropriation to delete "and interpreters" from the appropriation title.

MODIFICATION

Modify the court information systems (CCAP) appropriation language and schedule title to reflect the repeal of the Circuit Courts court interpreter fees program revenue appropriation

and the Court of Appeals and Supreme Court information systems program revenue appropriations.

Explanation: The Governor's bill did not modify the CCAP appropriation language or chapter 20 schedule title to properly reflect the above changes.

Prepared by: Debbie Salm

MO# modification

| | | | |
|-----------|---|---|---|
| BURKE | Y | N | A |
| DECKER | Y | N | A |
| JAUCH | Y | N | A |
| MOORE | Y | N | A |
| SHIBILSKI | Y | N | A |
| PLACHE | Y | N | A |
| COWLES | Y | N | A |
| PANZER | Y | N | A |
| GARD | Y | N | A |
| PORTER | Y | N | A |
| KAUFERT | Y | N | A |
| ALBERS | Y | N | A |
| DUFF | Y | N | A |
| WARD | Y | N | A |
| HUBER | Y | N | A |
| RILEY | Y | N | A |

AYE 16 NO 0 ABS 0

SUPREME COURT

Appropriation Modifications

Motion:

Move to convert the general operations appropriations for the Director of State Courts Office and the State Law Library from annual to biennial appropriations.

Note:

Under current law, two of the Supreme Court's GPR appropriations - the general program operations appropriations for the Director of State Courts Office and the State Law Library - are annual appropriations. This motion would convert these two appropriations from annual to biennial. An annual appropriation is expendable only up to the amount shown in the schedule and only for the fiscal year for which made. The unencumbered balance on June 30 of each fiscal year lapses to the source fund. A biennial appropriation is expendable for the biennium for which made. The dollar amounts shown in the schedule are the most reliable estimates for each fiscal year and the total for both years is the biennial appropriation. The unencumbered balance remaining at the end of the first fiscal year is available for expenditures during the second fiscal year. The unencumbered balance on June 30 of the second fiscal year lapses to the source fund.

MO#

| | | | | |
|---|-----------|---|---|---|
| 1 | BURKE | Y | N | A |
| | DECKER | Y | N | A |
| | JAUCH | Y | N | A |
| | MOORE | Y | N | A |
| | SHIBILSKI | Y | N | A |
| | PLACHE | Y | N | A |
| | COWLES | Y | N | A |
| | PANZER | Y | N | A |
| 2 | GARD | Y | N | A |
| | PORTER | Y | N | A |
| | KAUFERT | Y | N | A |
| | ALBERS | Y | N | A |
| | DUFF | Y | N | A |
| | WARD | Y | N | A |
| | HUBER | Y | N | A |
| | RILEY | Y | N | A |

AYE 16 NO 0 ABS 0

Gov Agency: Supreme Court (*free standing motion*)

Recommendations:

Burke Motion: Administrative Flexibility

Convert the general operations appropriations for the Director of State Courts Office and the State Law Library from annual to biennial appropriations.

In her testimony before JFC, Chief Justice Abrahamson requested this budget flexibility. Providing this flexibility to allow the Supreme Court to respond efficiently to its needs, *at no additional cost*, is good government and smart management.

Prepared by: Deb

SUPREME COURT

Equal Justice

Motion:

Move to provide \$500,000 GPR in 2000-01 to the Joint Committee on Finance's supplemental appropriation for release under s. 13.10 for a matching grant to be used for the provision of civil legal services for low-income persons. Provide that the Joint Committee on Finance may release funds to the Director of State Courts Office upon submission of a report on the amount of private donations received to fund legal services for the low-income persons. Provide that the Committee may release funds up to the amount, not to exceed \$500,000, of private donations set forth in the report. Create an appropriation under the Director of State Courts Office to receive the released funds. Direct the Director of State Courts Office to grant the monies to the Wisconsin Trust Account Foundation, Inc. (WisTAF) with the condition that WisTAF: (a) sets up a separate account for the state funds; (b) distributes the funds to groups proportionally to the matching individual contributions of grantees; and (c) prepares a report for distribution to the Joint Finance Committee on which organizations received grants.

Note:

The Equal Justice Coalition (EJC) was formed in 1997 with support from the State Bar of Wisconsin to raise private funds for the provision of civil legal services to low-income people. The money raised by EJC is distributed by the Wisconsin Trust Account Foundation, Inc (WisTAF) to legal service groups who are members of the EJC. WisTAF was created by the Wisconsin Supreme Court in 1986 to manage the Interest on Lawyer's Trust Account (IOLTA) program of Wisconsin. IOLTA is an interest-bearing trust account that receives nominal or short-term client funds from attorneys. The interest from the IOLTA account is used to fund legal services for the poor and legal programs to improve the administration of justice.

This motion would provide \$500,000 GPR in 2000-01 to match funds raised by civil legal service providers such as EJC. As a result, up to \$1,000,000 in GPR and private donation match dollars could be available to distribute to organizations that provide civil legal services to low-income persons. Funding provided would represent a portion of the \$600,000 annually currently deposited to the general fund as GPR-Earned that is generated from \$1 of the justice information fee.

[Change to Bill: \$500,000 GPR]

MO# _____

| | | | |
|-----------|---|---|---|
| BURKE | Y | N | A |
| DECKER | Y | N | A |
| JAUCH | Y | N | A |
| MOORE | Y | N | A |
| SHIBILSKI | Y | N | A |
| PLACHE | Y | N | A |
| COWLES | Y | N | A |
| PANZER | Y | N | A |
| | | | |
| GARD | Y | N | A |
| PORTER | Y | N | A |
| KAUFERT | Y | N | A |
| ALBERS | Y | N | A |
| DUFF | Y | N | A |
| WARD | Y | N | A |
| HUBER | Y | N | A |
| RILEY | Y | N | A |

AYE 8 NO 8 ABS 0

Gov Agency: Supreme Court (*free standing motion*)

*****NOTE: Linda Barth from the State Bar believes this will be an 8-8 vote. While Republican JFC members are not saying no, they object to the use of GPR.

Recommendations:

Burke Motion: Funding for Civil Legal Services

Set aside \$500,000 in the second year of the biennium for a grant matching private donations on a pro rata basis for civil legal services for low-income people. {Similar to state matching grant fund provided for Forward Wisconsin}.

Under the motion, the state would match funds raised within a year by the Equal Justice Coalition and other groups that qualify for IOLTA funds (Interest on Lawyers Trust Accounts) that choose to apply for the state funds, in an amount up to \$500,000. The state grant would be distributed by the Wisconsin Trust Account Foundation (WisTAF). Under this proposal, WisTAF would provide the state grants proportionally to the matching individual contributions of the grantees.

Some of the groups that would be eligible for a grant would be:

Center Against Sexual and Domestic Abuse (Superior)

Legal Action of WI

Portage County Legal Aid Society, Inc.

Metropolitan Milwaukee Fair Housing Council

Western Wisconsin Legal Services

Centro Legal Por Derechos Humanos

Legal Aid Society of Milwaukee

Wisconsin Judicare

Legal Aid Society of Door County

Coalition of Wisconsin Aging Groups

Legal Services of Northeastern WI

The need for funding of civil legal services.

Lack of adequate funding has put justice outside the reach of thousands of disadvantaged individuals. According to data collected for the first 8 months of 1998, Legal Action of Wisconsin had to decline nearly 50% of cases due to insufficient resources.

An American Bar Association study showed that about 40% of low-income households reported they experienced a need for legal assistance and only 20% of those households were successful in obtaining legal assistance.

Compared to other states, Wisconsin ranks very low in funding for legal services for the poor:

| State | Amount of funding per low income citizen |
|------------------|--|
| Minnesota | \$42.63 |
| Ohio | \$21.67 |
| Iowa | \$16.95 |
| Illinois | \$15.56 |
| Michigan | \$15.01 |
| Wisconsin | \$14.09 |

* From the State Planning Assistance Network (SPAN) Update, July 1998. SPAN is a partnership between the American Bar Association and the National Legal Aid and Defender Association.

Nationally, Wisconsin ranks 37th in its funding of legal services.

Prepared by: Deb

SUPREME COURT

Justice Trust Fund

Motion:

Move to create a separate, nonlapsible trust fund, referred to as the justice trust fund, and provide \$1,500,000 GPR in 2000-01 to that fund. Specify that these segregated funds could be used to fund additional judgeships in the state.

Note:

The number of circuit court branches (judgeships) is statutorily determined. Currently, there are 234 circuit court branches. Under current law, six additional branches will be created on August 1, 1999. This motion would provide \$1,500,000 GPR to a newly-created segregated fund to support the creation of additional judgeships.

[Change to Bill: \$1,500,000 GPR and \$1,500,000 SEG-REV]

| MO# | | | |
|-----------|---|---|---|
| BURKE | Y | N | A |
| DECKER | Y | N | A |
| JAUCH | Y | N | A |
| MOORE | Y | N | A |
| SHIBILSKI | Y | N | A |
| PLACHE | Y | N | A |
| COWLES | Y | N | A |
| PANZER | Y | N | A |
| GARD | Y | N | A |
| PORTER | Y | N | A |
| KAUFERT | Y | N | A |
| ALBERS | Y | N | A |
| DUFF | Y | N | A |
| WARD | Y | N | A |
| HUBER | Y | N | A |
| RILEY | Y | N | A |

2

AYE 4 NO 12 ABS

Gov Agency: Supreme Court

Recommendations:

Paper No. No LFB papers available for:

1. Standard budget adjustments
2. Milwaukee County Library Services contracts
3. Law library catalog system
4. Law library book inflation
5. Board of Bar Examiners funding
6. Board of Attorneys Professional Responsibility funding
7. Convert LTE program assistant position to permanent
8. Convert annual program revenue appropriations to continuing

Comments:

These look ok. No affirmative action is needed because Gov agency.

Prepared by: Deb

SUPREME COURT

LFB Summary Items for Which No Issue Paper Has Been Prepared

| <u>Item #</u> | <u>Title</u> |
|---------------|---|
| 1 | Standard Budget Adjustments |
| 5 | Milwaukee County Library Services Contracts |
| 6 | Law Library Catalog System |
| 7 | Law Library Book Inflation |
| 8 | Board of Bar Examiners Funding |
| 9 | Board of Attorneys Professional Responsibility Funding |
| 11 | Convert LTE Program Assistant Position to Permanent |
| 12 | Convert Annual Program Revenue Appropriations to Continuing |

Technology for Educational Achievement in Wisconsin Board

(LFB Budget Summary Document: Page 565)

LFB Summary Items for Which Issue Papers Have Been Prepared

| <u>Item #</u> | <u>Title</u> |
|---------------|---|
| 3 | Training and Technical Assistance Grants (Paper #900) |
| 4 | Foreign Language Instruction Grants (Paper #901) |
| 6 | Educational Telecommunications Access Program (Paper #902) |
| 7 | Educational Telecommunications Access for State Residential Schools (Paper #903) |
| - | Technology Block Grants (Paper #904) |

(Base) Agency: TEACH -- Training and Technical Assistance Grants

Recommendations:

Paper # 900: Alternatives 2 and 4

Comments: The gov's proposal would give the committee's blessing to the board's efforts to deal with protests from rural areas that got dorked on initial grants. This measure would grant an additional \$1 million to rural schools by allowing the board to shift around money within its technical assistance grant fund, essentially delaying full payment on some earlier grants into the next biennium.

Alternative 2 allows the board to do this, but in a way that doesn't add to the base (see point 8). Alternative 4 attempts to rein in the board's ability to commit funds in beyond levels already appropriated.

Alternative 3 would indulge your staff's neo-Luddite tendencies by deleting the extra money and telling TEACH to live within its means. Sen. Jauch would not be amused.

Prepared by: Bob



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

April 27, 1999

Joint Committee on Finance

Paper #900

Training and Technical Assistance Grants (TEACH Board)

[LFB 1999-01 Budget Summary: Page 565, #3]

CURRENT LAW

The TEACH Board can award up to \$6 million GPR during the 1997-99 biennium in grants for training and technical assistance in the use of educational technology. Eligible grant applicants include CESAs and consortia consisting of: (a) two or more school districts; (b) two or more CESAs; (c) one or more school districts and one or more public library boards; or (d) one or more CESAs and one or more public library boards. Grants are to be awarded through one funding cycle annually on a competitive basis with preference statutorily required to be given to consortia that include one or more public library boards. The Board is required, to the extent possible, to ensure the grants are equally distributed on a statewide basis. Base level funding for this program is \$4 million GPR in 1998-99.

GOVERNOR

Provide \$500,000 GPR annually for the training technical assistance grant program. Further, require TEACH to award at least one grant annually to an applicant located in the territory of each CESA.

DISCUSSION POINTS

1. In December, 1998, the TEACH Board awarded a total of \$6 million in training and technical assistance grants to the top 23 ranked applicants. Individual grant amounts ranged from \$68,200 to \$500,000. Two applicants were disqualified due to insufficient information and ineligible proposed use of the funding and the remaining 15 applicants did not receive a grant. Further, seven of the applicants that did receive a grant received less funding than originally requested. In total, \$9,946,034 GPR was requested by applicants, after deducting the amount

associated with the two applicants that were disqualified.

2. The TEACH Board, in response to concerns that grant awards were not distributed equitably across the state and that school districts and libraries in four, predominately rural, CESAs received little or no funding under the program, directed TEACH staff to develop recommendations for the creation of a rural technology training initiative. Under this initiative, consortia that: (a) met the definition of rural as approved by the Board; (b) submitted an application for the training and technical assistance grant in 1998-99 and received a score of 70 points or above; and (c) would serve the largest number of schools and libraries in rural areas would be eligible for funding. The Board defined rural areas to include those areas: (a) not designated as a Wisconsin metropolitan area; and (b) not located in a Wisconsin county having a metropolitan area. A metropolitan area was defined as an area in a county that contains a central city that has a population of 50,000 or more.

3. Using the above eligibility criteria, it was determined that an additional four consortia would be eligible for grants under this rural technology initiative (CESAs 3, 11 and 12 and the Lakeland Consortium). Individual grant amounts under the initiative were \$300,000 per CESA and \$100,000 for the Lakeland Consortium for a total of \$1 million GPR, of which \$800,000 (80%) will be paid out in 1998-99. Eleven eligible training grant applicants did not receive funding from either the training and technical assistance program or the rural technology initiative.

4. The rural technology training initiative was funded by reallocating \$1 million GPR within the training and technical assistance program. Under program guidelines for the training and technical assistance grant program, proposals selected for funding receive 80% of the funds at the start of the project and 20% upon completion of the project and receipt of the approval of the grantee's final evaluation. As a result, only \$4.8 million GPR of the committed \$6 million would be disbursed in 1998-99 for grants awarded in December, 1998. Applicants have 12 to 18 months to complete their projects; therefore, the remaining \$1.2 million will be distributed upon the completion of the projects in 1999-00. Of this \$1.2 million, \$1 million was reallocated to fund the rural initiative grants.

5. Through this reallocation of funding, the TEACH Board has committed more GPR funding (\$7 million) for these grants than was appropriated in the 1997-99 biennium (\$6 million). A concern may be raised regarding TEACH's actions to commit future funding prior to the Legislature actually appropriating funding for the program. The Committee could consider modifying the appropriation which funds the training grants from a biennial appropriation to an annual appropriation and prohibiting the Board from committing more funds than appropriated each year.

6. The Governor's recommendations would increase base level funding in the biennial training grant appropriation by \$500,000 GPR annually in 1999-01. This additional money would be sufficient to fund, over the biennium, the \$1 million of 1998-99 grant payments that the Board reallocated to the rural technology training initiative. As a result, the TEACH Board would have \$4 million annually or \$8 million over the biennium available to fund new grants in the 1999-01

biennium.

7. Based on the number of 1998-99 grant applicants and requested funding amounts, it appears that the demand for these grants exceeds current base funding levels. Therefore, it may be reasonable to increase base level funding for the program in order to fund more grant applications. However, because the base level funding increase would not be used to fund new grants until the 2001-03 biennium, it could be argued that a base budget increase should not be provided at this time. Rather, the Legislature and Governor could review demand for the program as part of the next biennial budget and determine at that time if a funding increase is needed for the 2001-03 biennium.

8. If the Committee wishes to ensure that sufficient funding is available to fully fund the training and technical assistance grants that were awarded in 1998-99 but not increase base level funding for the program, the Committee could shift \$500,000 from second fiscal year of the biennium to the first year. This would maintain the \$1 million GPR funding increase for the program; however, base level funding for the program would remain at \$4 million GPR.

9. Alternatively, the Committee could decide that funding for these prior year commitments should be paid out of the base level funds. One could argue that the advance commitment of funding by an agency does not necessitate the Legislature to subsequently provide added funding for the program. Because these monies count toward two-thirds funding of partial school revenues, \$166,700 GPR for equalization aids would need to be provided annually to maintain this goal, if the Governor's recommended funding increase of \$500,000 GPR annually was not approved.

10. The Governor's budget would also require TEACH to award at least one grant annually to an applicant located in the territory of each CESA. Under current law, grants are to be awarded on a competitive basis with preference statutorily required to be given to consortia that include one or more public library boards. The Board is required, to the extent possible, to ensure the grants are equally distributed on a statewide basis.

11. Requiring a grant to be awarded to each CESA could result in some applicants not receiving a grant even though they scored higher than other applicants. If the Committee wishes to have the grants awarded on a strictly competitive basis, it could delete the Governor's recommendation as it relates to awarding a grant to each CESA.

ALTERNATIVES TO BASE

1. Approve the Governor's recommendation to provide an additional \$500,000 GPR annually for TEACH training and technical assistance grants. Adjust equalization aid by -\$166,700 GPR annually to maintain two-thirds funding.

| <u>Alternative 1</u> | <u>GPR</u> |
|----------------------------------|------------|
| 1999-01 FUNDING (Change to Base) | \$666,600 |
| [Change to Bill] | [\$0] |

2. Modify the Governor's recommendation by transferring \$500,000 GPR from 2000-01 to 1999-00. Decrease equalization funding by \$166,700 GPR in 1999-00 and increase funding by \$166,700 GPR in 2000-01 to maintain two-thirds funding. Under this alternative, all of the additional \$1,000,000 GPR would be provided in 1999-00 as one-time funding to pay the final amounts due on awarded 1998-99 training and technical assistance grants.

| Alternative 2 | GPR |
|----------------------------------|-----------|
| 1999-01 FUNDING (Change to Base) | \$666,600 |
| [Change to Bill] | [\$0] |

3. Maintain current law and delete \$500,000 GPR annually from the bill and provide \$166,700 GPR annually in equalization aids to maintain two-thirds funding.

| Alternative 3 | GPR |
|----------------------------------|------------|
| 1999-01 FUNDING (Change to Base) | \$0 |
| [Change to Bill] | -\$666,600 |

4. In addition to any of the alternatives, modify the appropriation that funds the training and technical assistance grant program from a biennial to an annual appropriation and prohibit the TEACH Board from committing funding in excess of the appropriation amounts.

5. In addition to any of the alternatives, delete the Governor's requirement that the TEACH Board award at least one grant annually to an applicant located in the territory of each CESA.

Prepared by: Tricia Collins

| MO# <u>Alt. 2</u> | | | | MO# <u>Alt. 4</u> | | | |
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| RILEY | <input checked="" type="radio"/> | N | A | RILEY | <input checked="" type="radio"/> | N | A |
| AYE <u>16</u> | NO <u>0</u> | ABS <u>0</u> | | AYE <u>16</u> | NO <u>1</u> | ABS <u>0</u> | |

TEACH BOARD

Distribution of Training and Technical Assistance Grants

[Paper #900]

Motion:

Move to:

1. Require the TEACH Board to allocate funding under the training and technical assistance grant program by the geographic boundaries of the 12 cooperative educational service agencies (CESAs). Specify that these allocations would be done on a per pupil basis, as calculated by: (1) dividing the annual funding appropriated for the program by the statewide membership; and (2) taking the result and multiplying it times the membership in each CESA. For purposes of this allocation, specify that Racine and Kenosha would be considered to be part of the geographic area of CESA 2;
2. Require TEACH to award competitive grants within the geographic boundaries of each CESA to the same entities as under the current program up to the funding allocated as calculated above;
3. Require the Board to give priority to applicants that have not received a training grant in the prior year;
4. Modify the appropriation that funds the training and technical assistance grant program from a biennial to an annual appropriation and prohibit the TEACH Board from committing funding in excess of the appropriation amounts; and
5. Specify that the allocation mechanism under (a) would not apply to the monies needed to fully fund grants awarded in 1998-99.

b.

Note:

This motion would allocate annual funding amounts (\$4 million) to the geographic area of each CESA based on the number of pupils in each CESA multiplied by the statewide per capita

funding amount. The TEACH Board, after determining the funding allocation that would be awarded within each CESA would be required to award grants, competitively within each CESA, with preference given to those applicants that did not receive a grant in the prior year.

Under current law, the TEACH Board is required to award grants under the program on a competitive basis with preference statutorily required to be given to consortia that include one or more public library boards. In addition, the Board is required, to the extent possible, to ensure the grants are equally distributed on a statewide basis.

MO# _____

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|-----------|---|---|---|
| BURKE | Y | N | A |
| DECKER | Y | N | A |
| JAUCH | Y | N | A |
| MOORE | Y | N | A |
| SHIBILSKI | Y | N | A |
| PLACHE | Y | N | A |
| COWLES | Y | N | A |
| PANZER | Y | N | A |
| GARD | Y | N | A |
| PORTER | Y | N | A |
| KAUFERT | Y | N | A |
| ALBERS | Y | N | A |
| DUFF | Y | N | A |
| WARD | Y | N | A |
| HUBER | Y | N | A |
| RILEY | Y | N | A |

AYE 3 NO 13 ABS 0

(Base) Agency: TEACH -- Foreign Language Instruction Grants

Recommendations:

Paper #901: Alternative 3

Card 1

Comments: The gov would create a new grant program to award and administer foreign language grants for public schools grades K-6. Would require use of data lines of video links as part of the program.

Alternative 3 maintains current law, stopping the creation of a new, under-funded categorical aid program that simply saps equalization aid. (see point 9).

Alternative 2 places the program in DPI, where one would think instructional programs belong. *DPI and WEAC are lobbying for this option. Benson called personally to say if this is done, please send it to DPI. He would not be heartbroken to see Alternative 3).*

Prepared by: Bob



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

April 27, 1999

Joint Committee on Finance

Paper #901

Foreign Language Instruction Grants (TEACH Board)

[LFB 1999-01 Budget Summary: Page 566, #4]

CURRENT LAW

The Technology for Educational Achievement in Wisconsin Board (TEACH Board) administers the educational technology block grant program and the training and technical assistance grant program and coordinates with the Department of Administration (DOA) and the Public Service Commission to operate the telecommunications access program. In addition, the TEACH Board coordinates with DOA to provide infrastructure loans, technology purchasing services and technical assistance to school districts, cooperative educational service agencies (CESAs), technical colleges and the UW System.

The Department of Public Instruction (DPI) is the state's designated K-12 educational agency and is responsible for administering most educational state aid programs. The State Superintendent of Public Instruction is constitutionally and statutorily vested with the supervision of primary and secondary public education in Wisconsin. The Department provides assistance to school districts, CESAs and parents with the development and implementation of second language and international education curriculum, programs and projects. In addition, DPI administers the distribution of federal foreign language grants to school districts. In federal fiscal year 1998-99, DPI received \$48,200 FED for the federal foreign language assistance program. DPI has recently applied for continued federal funding under this program for federal fiscal years 2000-02.

GOVERNOR

Provide \$350,000 GPR in 2000-01 in a new, annual appropriation for foreign language instruction grants to an educational organization or consortium of educational organizations for the development and implementation of a foreign language instruction program in a public school in grades kindergarten to six. Require the TEACH Board beginning in 2000-01 to award at least one

grant in each fiscal year, on a competitive basis, to an eligible applicant. Prohibit the TEACH Board from awarding a grant to an organization or consortium of organizations unless the foreign language instruction would be provided using data lines or video links funded through the TEACH telecommunications access program. Require the Board to promulgate rules defining an educational organization for purposes of this program.

DISCUSSION POINTS

1. In 1997-98, 78 districts reported that they have or were planning on having at least one school in the district provide foreign language instruction programs for pupils in elementary grade levels. Languages taught included Spanish, German, French, Japanese, Chinese and Ojibwe.

2. DPI has received approximately \$155,500 FED over the last three federal fiscal years under the federal language assistance program. DPI has used this funding to provide a number of activities related to increasing the number of foreign language instructional programs in the state including: (a) summer methods courses with student teaching experiences; (b) administration of competitive planning, training and salary incentive grants to school districts developing elementary school foreign language programs; (c) workshops to train teachers to evaluate students' oral proficiency according to standards-based goals and instruction; and (d) technical assistance for districts interested in developing elementary foreign language programs. The next federal three-year program cycle (2000-02), DPI has requested approximately \$211,800 FED that it plans on using to continue and expand its efforts to prepare teachers and schools for effective language instruction.

3. As part of DPI's 1999-01 biennial budget submittal, the agency requested \$350,000 GPR in 1999-00 and \$700,000 GPR in 2000-01 for the expansion of foreign language immersion programs in elementary schools. This initiative was developed in response to a Wisconsin International Trade Council (WITCO) Task Force on International Education recommendation that the state increase the number of school districts providing foreign language immersion programs to 200 school districts by 2015. Under DPI's initiative, five-year competitive grants would be awarded to a total of 20 public and private schools each year for ten years for planning, teacher retraining and curriculum development to add foreign language at the elementary school level. Grantees would be required to match in increasing amounts the state grant provided for five years, after which the program would be completely locally funded. Costs for DPI's proposal would reach \$4.5 million in 2003-05 through 2007-09 after which it would decrease, as no new districts would receive funding. The Governor's budget recommendations did not include funding under DPI for this initiative.

4. One could argue that the administration of an educational program should be the responsibility of DPI, which is constitutionally charged and statutorily vested with supervision of K-12 education in Wisconsin, rather than TEACH, which is responsible for providing assistance in accessing and using technology equipment, services and training. DPI has staff experienced both in assisting districts to plan and develop foreign language programs, providing training for teachers and administering foreign language grant programs.

5. Further, one could argue that requiring the foreign language instruction, funded through this program, to be linked to telecommunications may limit access to the program for some school districts. In addition, there are a number of foreign language instruction methods, which may or may not be most effectively taught through technology, including: (a) programs designed to achieve language proficiency; (b) immersion programs, which combine language instruction with content learning from the regular curriculum; and (c) programs designed to provide limited exposure to one or more foreign languages. Depending on the teaching model selected, goals of the program, total funding available, age of the pupils and amount of instruction time, instruction through an on-site teacher rather than technology may be a better approach for providing foreign language instruction for some schools.

6. However, if the Committee believes the focus of the grant program should be on the use of technology in classroom, the program could remain under TEACH Board. There may be a number of benefits in providing the instruction through TEACH provided technology, including the potential ability to provide instruction to a large number of students throughout the state, which could be more cost effective than hiring additional staff at each site.

7. The Committee may also wish to consider whether this funding should be included in the state's calculation of funding two-thirds of K-12 school district costs. Under the Governor's proposal, the instruction would be provided to public school pupils in grades K-6; however, the grants would be distributed to an educational organization or consortium of educational organizations. Under the bill, the TEACH Board would be required to define, by rule, what constitutes an educational organization under the program. This could include a number of entities such as school districts, CESAs, private schools, technical colleges, the University of Wisconsin System or private business entities. If the grants were distributed directly to school districts or CESAs, the funding for the program could be counted in the state's calculation of funding two-thirds of K-12 school district costs. As a result, the amount of equalization aid could be reduced by 33.3 cents for every dollar of funding for a reduction of \$116,700 GPR in 2000-01 in equalization aids.

8. The Committee could transfer the funding and statutory authorization for the program to DPI, require DPI to provide grants to only school districts and CESAs and treat the program as a categorical aid for purposes of school aid funding. In addition, the Committee could require DPI to promulgate rules to administer and implement the program. Under this alternative, the Committee could delete the requirement that grants be limited schools that would provide the foreign language instruction through data lines or video links funded by the TEACH telecommunications access program. This would allow school districts to decide what method of instruction is most appropriate for their pupils given the age of the pupils to be instructed, desired student goals, budgetary resources and community input.

9. Alternatively, the Committee could decide that school districts could offer foreign language instruction without additional state funding as demonstrated by the 78 districts currently providing elementary foreign language instruction. Further, one could argue that DPI will most likely receive federal funds for the next three years, which would be used to increase the number of foreign language instructional programs in the state.

ALTERNATIVES TO BASE

1. Approve the Governor's recommendation to provide \$350,000 GPR in 2000-01 to the TEACH Board for foreign language instruction grants.

| <u>Alternative 1</u> | <u>GPR</u> |
|----------------------------------|------------|
| 1999-01 FUNDING (Change to Base) | \$350,000 |
| [Change to Bill | -\$0] |

2. Modify the Governor's recommendation by creating the foreign language grant program under DPI as a categorical aid program under which school districts and CESAs would be eligible to apply for a competitive grant for the development and implementation of a foreign language instruction program in public school in grades kindergarten to six. Delete the requirement that the foreign language instruction be provided using data lines or video links funded through the TEACH telecommunications access program. Require DPI to promulgate rules to administer and implement the program. In addition, transfer the \$350,000 GPR in 2000-01 recommended by Governor for the TEACH Board to DPI, specify that these monies would count towards two-thirds funding and reduce equalization aids by \$116,700 GPR in 2000-01 to maintain the two-thirds funding goal.

| <u>Alternative 2</u> | <u>GPR</u> |
|----------------------------------|-------------|
| 1999-01 FUNDING (Change to Base) | \$233,300 |
| [Change to Bill | -\$116,700] |

3. Maintain current law.

| <u>Alternative 3</u> | <u>TOTAL</u> |
|----------------------------------|--------------|
| 1999-01 FUNDING (Change to Base) | \$0 |
| [Change to Bill | -\$350,000] |

MO# ALL

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AYE 10 NO 6 ABS _____