



STATE OF VERMONT
JOINT FISCAL OFFICE

MEMORANDUM

To: James Reardon, Commissioner of Finance & Management
From: Nathan Lavery, Fiscal Analyst
Date: December 18, 2008
Subject: JFO #2358 & #2359

At the December 17, 2008 meeting of the Joint Fiscal Committee, the following grant requests were approved:

JFO #2358 — \$11,000 worth of #4 fuel oil from the Saputo Cheese Factory to Buildings & General Services (BGS). The net value of the grant, after the deduction of pumping and transportation costs, is \$8,000.
[JFO received 12/15/08]

JFO #2359 — \$679,705 grant from the Department of Justice (DOJ) to the Agency of Human Services – Department of Children and Families (DCF). These grant funds will be used to support 11 school and community programs to provide a variety of services and interventions to reduce risk factors for at-risk youth. These programs were identified by Senator Sanders for targeted funding by way of a federal earmark.
[JFO received 12/15/08]

In accordance with 32 V.S.A. §5, these grants were placed on the Joint Fiscal Committee agenda and subsequently approved by vote of the Committee. We ask that you inform the Secretary of Administration and your staff of this action.

cc: Gerald Myers, Commissioner
Robert Hofmann, Secretary
Stephen Dale, Commissioner



STATE OF VERMONT
JOINT FISCAL OFFICE

MEMORANDUM

To: Joint Fiscal Committee Members
From: Nathan Lavery, Fiscal Analyst
Date: December 17, 2008
Subject: Grant Requests

Please find attached the following request which the Joint Fiscal Office recently received from the Administration:

JFO #2358 — \$11,000 worth of #4 fuel oil from the Saputo Cheese Factory to Buildings & General Services (BGS). According to Commissioner Gerald Myers, there was a very narrow window of opportunity to accept this donation, and in doing so, BGS expended \$3,000 to pump and haul the oil to the Waterbury Complex. Thus, the net value of the grant, after the deduction of pumping and transportation costs, is \$8,000. [JFO received 12/15/08]

The Joint Fiscal Office was notified of this transaction on December 8, 2008 and requested submission of the attached forms.

The Department of Buildings & General Services is requesting retroactive approval of state acceptance of the approximately 6,000 gallons #4 fuel oil at the November 17, 2008 Joint Fiscal Committee meeting.

cc: James Reardon, Commissioner
Gerald Myers, Commissioner



State of Vermont
 Department of Finance & Management
 109 State Street, Pavilion Building
 Montpelier, VT 05620-0401

Agency of Administration

[phone] 802-828-2376
 [fax] 802-828-2428

**STATE OF VERMONT
 FINANCE & MANAGEMENT GRANT REVIEW FORM**

Grant Summary:	Acceptance of donation of 6,000 gallons of #4 fuel oil from the Saputo Cheese Factory				
Date:	12/8/2008				
Department:	Buildings & General Services				
Legal Title of Grant:					
Federal Catalog #:					
Grant/Donor Name and Address:	Saputo Cheese Factory				
Grant Period:	From:		To:		
Grant/Donation					
	SFY 1	SFY 2	SFY 3	Total	Comments
Grant Amount:	\$11,000	\$	\$	\$	BGS spent \$3,000 to pump and haul the oil

Position Information:	# Positions	Explanation/Comments

Additional Comments: Aside from the rather unusual nature of this donation/grant/gift/thing of value, which as such needs to be accepted by the Governor and the JFC per 32 VSA Sec 5, a "Grant spending pre-notice, Form AA-1PN" accompanies the required AA-1 Grant Acceptance form. This form was developed jointly by our office and the JFO, to be used when funds have been unavoidably spent in anticipation of receiving a grant - in this case, \$3,000 spent to pump and haul the oil. At its 12/17/08 meeting, the JFC will be reviewing the new form as well as being asked to accept the oil donation.

Department of Finance & Management	<i>BT</i>	<i>12/10/08</i>	(Initial) <i>BT</i> 12/15/08
Secretary of Administration	<i>Ronda P. Mc...</i>	<i>12/15/08</i>	(Initial) <i>RPM</i> 12/15/08

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REC'D DEC 10 2008

STATE OF VERMONT
FINANCE & MANAGEMENT GRANT REVIEW FORM

Sent To Joint Fiscal Office	12/15/08	Date



STATE OF VERMONT REQUEST FOR GRANT ACCEPTANCE (Form AA-1)

BASIC GRANT INFORMATION				
1. Agency:	Administration			
2. Department:	Buildings and General Services			
3. Program:	Facilities Operations Revolving Fund (Fee for Space)			
4. Legal Title of Grant:	Gift from Saputo Cheese Factory			
5. Federal Catalog #:	N/A			
6. Grant/Donor Name and Address: Saputo Cheese Factory				
7. Grant Period:	From:	11/21/2008	To:	11/21/2008
8. Purpose of Grant: To gift 6,000 gals. of #4 fuel oil to the State				
9. Impact on existing program if grant is not Accepted: Lost opportunity to gain 6,000 gals. of fuel oil valued at \$11,000 for transport cost of \$3,000.				
10. BUDGET INFORMATION				
	SFY 1	SFY 2	SFY 3	Comments
Expenditures:	FY 2009	FY	FY	
Personal Services	\$	\$	\$	
Operating Expenses	\$3,000	\$	\$	
Grants	\$	\$	\$	
Total	\$3,000	\$	\$	
Revenues:				
State Funds:	\$	\$	\$	
Cash	\$	\$	\$	
In-Kind	\$11,000	\$	\$	
Federal Funds:	\$	\$	\$	
(Direct Costs)	\$	\$	\$	
(Statewide Indirect)	\$	\$	\$	
(Departmental Indirect)	\$	\$	\$	
Other Funds:	\$	\$	\$	
Grant (source)	\$	\$	\$	
Total	\$11,000	\$	\$	
Appropriation No:	1160550378	Amount:	\$3,000	
			\$	
			\$	
			\$	
			\$	
			\$	
			\$	
		Total	\$3,000	

STATE OF VERMONT REQUEST FOR GRANT ACCEPTANCE (Form AA-1)

PERSONAL SERVICE INFORMATION

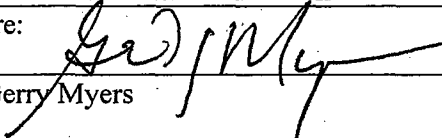
11. Will monies from this grant be used to fund one or more Personal Service Contracts? Yes No
 If "Yes", appointing authority must initial here to indicate intent to follow current competitive bidding process/policy.

Appointing Authority Name: _____ Agreed by: _____ (initial)

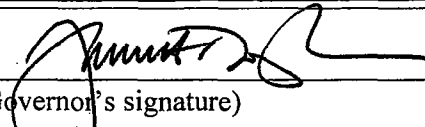
12. Limited Service Position Information:	# Positions	Title
Total Positions		

12a. Equipment and space for these positions: Is presently available. Can be obtained with available funds.

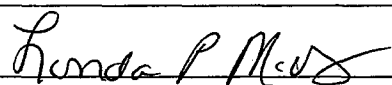
13. AUTHORIZATION AGENCY/DEPARTMENT

I certify that no funds have been expended or committed in anticipation of Joint Fiscal Committee Approval of this grant, unless previously notification was made on Form AA-1PN:	Signature: 	Date: 12/8/2008
	Title: Gerry Myers	
	Signature: _____	Date: _____
	Title: _____	

14. ACTION BY GOVERNOR

<input checked="" type="checkbox"/> Check One Box: Accepted		12/15/08
<input type="checkbox"/> Rejected		(Governor's signature)

15. SECRETARY OF ADMINISTRATION

<input type="checkbox"/> Check One Box: Request to JFO		12/15/08
<input type="checkbox"/> Information to JFO		(Secretary's signature or designee)

16. DOCUMENTATION REQUIRED

Required GRANT Documentation

<input type="checkbox"/> Request Memo	<input type="checkbox"/> Notice of Donation (if any)
<input type="checkbox"/> Dept. project approval (if applicable)	<input type="checkbox"/> Grant (Project) Timeline (if applicable)
<input type="checkbox"/> Notice of Award	<input type="checkbox"/> Request for Extension (if applicable)
<input type="checkbox"/> Grant Agreement	<input type="checkbox"/> Form AA-1PN attached (if pre-notice of spending was done)
<input type="checkbox"/> Grant Budget	

End Form AA-1

Department of Buildings & General Services
Office of the Commissioner
2 Governor Aiken Ave.
Montpelier, VT 05633

[phone] 802-828-3519
[fax] 802-828-3533

Agency of Administration

December 8, 2008

Susan Bartlett, Chair, Members of the Joint Fiscal Committee.

The Department of Buildings and General Services requests retroactive approval to accept 6,000 gallons of #4 fuel oil from the Saputo Cheese Factory in what is an unusual situation.


During the week of November 17, 2008 Robert Wood, an employee of the Saputo Cheese Factory in Hinesburg, contacted John Jones, a BGS employee at the Waterbury Heat Plant, asking if the State could use approximately 6,000 gallons of #4 fuel oil. The Saputo Cheese Factory was faced with disposing of the oil as universal waste after the fire at the factory, an expensive proposition. The Saputo facility was in the process of demolition and removal of the oil was urgent. Mr. Wood thought of the State because he was acquainted with the BGS employee from previous work in the private sector. Also #4 fuel oil has limited uses.

Mr. Wood contacted his superiors who confirmed that the oil could be mixed with #6 oil and burned at the Waterbury Heating Plant. Mr. Wood brought the proposal to his superiors who felt this was a win-win situation for both Saputo and the State. They arranged for pumping and hauling with J.P. Noonan at a cost to the State of just under \$3,000. The oil is valued at \$11,000, for a net benefit to the state of \$8,000. The company saved substantially more than that, as they avoided the disposal costs. Because there are two large tanks at the Waterbury Complex, the #4 oil could safely be mixed with the #6 oil normally used at the Waterbury facility.

This transaction could be characterized as a gift or bargain sale but given its unique nature we are asking for Joint Fiscal Committee approval albeit after the fact. This may be an area of policy that we need to address in the future to enable such positive actions to be allowed in a manner consistent with the law.


Again, while gift acceptance is normally sought in advance, time was of the essence in the case and acceptance of this gift is clearly in the best interests of both the State and a company that had provided employment to many Vermonters up until the tragic fire. We had very little time to make the decision due to the need to dispose of the oil.

Sincerely,



Gerald Myers
Commissioner

I recommend acceptance of this gift.



Neale Lunderville
Secretary of Administration



STATE OF VERMONT GRANT SPENDING PRE-NOTICE (Form AA-1PN)

PURPOSE & INSTRUCTIONS:			
<i>This form is intended solely as notification to the Joint Fiscal Committee of the unavoidable need to spend State funds in advance of Joint Fiscal Approval of the grant, in order to maintain eligibility. A completed Form AA-1 Request for Grant Acceptance is still required and must be filed subsequent to this Pre-Notice.</i>			
BASIC GRANT INFORMATION			
1. Agency:		Administration	
2. Department:		Buildings and General Services	
3. Program:		Facilities Operations Revolving Fund (Fee for Space)	
4. Legal Title of Grant:		Gift from Saputo Cheese Factory	
5. Federal Catalog #:		N/A	
6. Grant/Donor Name and Address: Saputo Cheese Factory			
7. Grant Period:		From: 11/21/2008	To: 11/21/2008
8. Purpose of Grant: To gift 6,000 gals. of #4 fuel oil to the State			
9. STATE FUNDS TO BE SPENT IN ADVANCE OF GRANT ACCEPTANCE BY JOINT FISCAL:			
Expenditures:	FY 2009	Required Explanation/Comments	
Personal Services	\$	This was the cost of pumping and transporting the fuel from the site of the fire at the Saputo Cheese Factory to the heating plant at the Waterbury State Office Complex.	
Operating Expenses	\$3,000.00		
Grants	\$		
Total	\$3,000.00		
10. AUTHORIZATION AGENCY/DEPARTMENT			
I/We certify that spending these State funds in advance of Joint Fiscal Approval of the Grant is unavoidable, and that a completed Form AA-1 Request for Grant Acceptance will be provided for Joint Fiscal Committee approval of this grant, under separate cover:	Signature: 		Date: 12/8/2008
	Title: Commissioner		
	Signature:		Date:
	Title:		
11. ATTACHMENTS: Attach relevant documentation that demonstrates the necessity of this expenditure. (example: award letter instructions requiring training, etc.)			
Distribution: Original - Joint Fiscal Office; Copy 1 – Department Grant File; Copy 2 – Attach to Form AA-1			
(End Form AA-1PN – Grant Spending Pre-Notice – Form AA-1PN)			



STATE OF VERMONT
JOINT FISCAL OFFICE

MEMORANDUM

To: Joint Fiscal Committee Members
From: Nathan Lavery, Fiscal Analyst
Date: December 17, 2008
Subject: Grant Requests

Please find attached the following request which the Joint Fiscal Office recently received from the Administration:

JFO #2358 — \$11,000 worth of #4 fuel oil from the Saputo Cheese Factory to Buildings & General Services (BGS). According to Commissioner Gerald Myers, there was a very narrow window of opportunity to accept this donation, and in doing so, BGS expended \$3,000 to pump and haul the oil to the Waterbury Complex. Thus, the net value of the grant, after the deduction of pumping and transportation costs, is \$8,000. [*JFO received 12/15/08*]

The Joint Fiscal Office was notified of this transaction on December 8, 2008 and requested submission of the attached forms.

The Department of Buildings & General Services is requesting retroactive approval of state acceptance of the approximately 6,000 gallons #4 fuel oil at the November 17, 2008 Joint Fiscal Committee meeting.

cc: James Reardon, Commissioner
Gerald Myers, Commissioner



State of Vermont
 Department of Finance & Management
 109 State Street, Pavilion Building
 Montpelier, VT 05620-0401

[phone] 802-828-2376
 [fax] 802-828-2428

Agency of Administration

**STATE OF VERMONT
 FINANCE & MANAGEMENT GRANT REVIEW FORM**

Grant Summary:	Acceptance of donation of 6,000 gallons of #4 fuel oil from the Saputo Cheese Factory				
Date:	12/8/2008				
Department:	Buildings & General Services				
Legal Title of Grant:					
Federal Catalog #:					
Grant/Donor Name and Address:	Saputo Cheese Factory				
Grant Period:	From:		To:		
Grant/Donation					
	SFY 1	SFY 2	SFY 3	Total	Comments
Grant Amount:	\$11,000	\$	\$	\$	BGS spent \$3,000 to pump and haul the oil

Position Information:	# Positions	Explanation/Comments

Additional Comments: Aside from the rather unusual nature of this donation/grant/gift/thing of value, which as such needs to be accepted by the Governor and the JFC per 32 VSA Sec 5, a "Grant spending pre-notice, Form AA-1PN" accompanies the required AA-1 Grant Acceptance form. This form was developed jointly by our office and the JFO, to be used when funds have been unavoidably spent in anticipation of receiving a grant - in this case, \$3,000 spent to pump and haul the oil. At its 12/17/08 meeting, the JFC will be reviewing the new form as well as being asked to accept the oil donation.

Department of Finance & Management	<i>BT</i>	<i>12/10/08</i>	(Initial) <i>BT 12/15/08</i>
Secretary of Administration	<i>Ronda P. Meus</i>	<i>12/15/08</i>	(Initial) <i>RPM 12/15/08</i>



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STATE OF VERMONT
FINANCE & MANAGEMENT GRANT REVIEW FORM

Sent To Joint Fiscal Office

12/15/08

Date

STATE OF VERMONT REQUEST FOR GRANT ACCEPTANCE

(Form AA-1)

BASIC GRANT INFORMATION				
1. Agency:	Administration			
2. Department:	Buildings and General Services			
3. Program:	Facilities Operations Revolving Fund (Fee for Space)			
4. Legal Title of Grant:	Gift from Saputo Cheese Factory			
5. Federal Catalog #:	N/A			
6. Grant/Donor Name and Address: Saputo Cheese Factory				
7. Grant Period:	From:	11/21/2008	To:	11/21/2008
8. Purpose of Grant: To gift 6,000 gals. of #4 fuel oil to the State				
9. Impact on existing program if grant is not Accepted: Lost opportunity to gain 6,000 gals. of fuel oil valued at \$11,000 for transport cost of \$3,000.				
10. BUDGET INFORMATION				
	SFY 1	SFY 2	SFY 3	Comments
Expenditures:	FY 2009	FY	FY	
Personal Services	\$	\$	\$	
Operating Expenses	\$3,000	\$	\$	
Grants	\$	\$	\$	
Total	\$3,000	\$	\$	
Revenues:				
State Funds:	\$	\$	\$	
Cash	\$	\$	\$	
In-Kind	\$11,000	\$	\$	
Federal Funds:	\$	\$	\$	
(Direct Costs)	\$	\$	\$	
(Statewide Indirect)	\$	\$	\$	
(Departmental Indirect)	\$	\$	\$	
Other Funds:	\$	\$	\$	
Grant (source)	\$	\$	\$	
Total	\$11,000	\$	\$	
Appropriation No:	1160550378		Amount:	\$3,000
				\$
				\$
				\$
				\$
				\$
				\$
			Total	\$3,000

STATE OF VERMONT REQUEST FOR GRANT ACCEPTANCE (Form AA-1)

PERSONAL SERVICE INFORMATION

11. Will monies from this grant be used to fund one or more Personal Service Contracts? Yes No
 If "Yes", appointing authority must initial here to indicate intent to follow current competitive bidding process/policy.

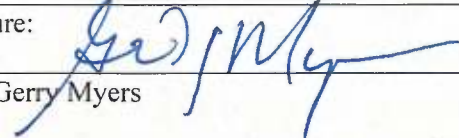
Appointing Authority Name: _____ Agreed by: _____ (initial)

12. Limited Service Position Information:	# Positions	Title
Total Positions		

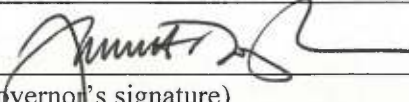
12a. Equipment and space for these positions: Is presently available. Can be obtained with available funds.

13. AUTHORIZATION AGENCY/DEPARTMENT

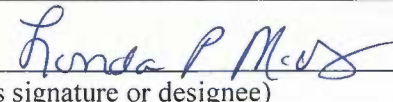
I certify that no funds have been expended or committed in anticipation of Joint Fiscal Committee Approval of this grant, unless previously notification was made on Form AA-1PN:

Signature: 	Date: 12/8/2008
Title: Gerry Myers	
Signature: _____	Date: _____
Title: _____	

14. ACTION BY GOVERNOR

<input checked="" type="checkbox"/> Check One Box: Accepted		12/15/08
<input type="checkbox"/> Rejected	(Governor's signature)	Date: _____

15. SECRETARY OF ADMINISTRATION

<input type="checkbox"/> Check One Box: Request to JFO		12/15/08
<input type="checkbox"/> Information to JFO	(Secretary's signature or designee)	Date: _____

16. DOCUMENTATION REQUIRED

Required GRANT Documentation

<input type="checkbox"/> Request Memo	<input type="checkbox"/> Notice of Donation (if any)
<input type="checkbox"/> Dept. project approval (if applicable)	<input type="checkbox"/> Grant (Project) Timeline (if applicable)
<input type="checkbox"/> Notice of Award	<input type="checkbox"/> Request for Extension (if applicable)
<input type="checkbox"/> Grant Agreement	<input type="checkbox"/> Form AA-1PN attached (if pre-notice of spending was done)
<input type="checkbox"/> Grant Budget	

End Form AA-1

Department of Buildings & General Services
Office of the Commissioner
2 Governor Aiken Ave.
Montpelier, VT 05633

[phone] 802-828-3519
[fax] 802-828-3533

Agency of Administration

December 8, 2008

Susan Bartlett, Chair, Members of the Joint Fiscal Committee.

The Department of Buildings and General Services requests retroactive approval to accept 6,000 gallons of #4 fuel oil from the Saputo Cheese Factory in what is an unusual situation.

During the week of November 17, 2008 Robert Wood, an employee of the Saputo Cheese Factory in Hinesburg, contacted John Jones, a BGS employee at the Waterbury Heat Plant, asking if the State could use approximately 6,000 gallons of #4 fuel oil. The Saputo Cheese Factory was faced with disposing of the oil as universal waste after the fire at the factory, an expensive proposition. The Saputo facility was in the process of demolition and removal of the oil was urgent. Mr. Wood thought of the State because he was acquainted with the BGS employee from previous work in the private sector. Also #4 fuel oil has limited uses.

Mr. Wood contacted his superiors who confirmed that the oil could be mixed with #6 oil and burned at the Waterbury Heating Plant. Mr. Wood brought the proposal to his superiors who felt this was a win-win situation for both Saputo and the State. They arranged for pumping and hauling with J.P. Noonan at a cost to the State of just under \$3,000. The oil is valued at \$11,000, for a net benefit to the state of \$8,000. The company saved substantially more than that, as they avoided the disposal costs. Because there are two large tanks at the Waterbury Complex, the #4 oil could safely be mixed with the #6 oil normally used at the Waterbury facility.

This transaction could be characterized as a gift or bargain sale but given its unique nature we are asking for Joint Fiscal Committee approval albeit after the fact. This may be an area of policy that we need to address in the future to enable such positive actions to be allowed in a manner consistent with the law.


Again, while gift acceptance is normally sought in advance, time was of the essence in the case and acceptance of this gift is clearly in the best interests of both the State and a company that had provided employment to many Vermonters up until the tragic fire. We had very little time to make the decision due to the need to dispose of the oil.

Sincerely,



Gerald Myers
Commissioner

I recommend acceptance of this gift.



Neale Lunderville
Secretary of Administration



STATE OF VERMONT GRANT SPENDING PRE-NOTICE (Form AA-1PN)

PURPOSE & INSTRUCTIONS:

*This form is intended solely as notification to the Joint Fiscal Committee of the unavoidable need to spend State funds in advance of Joint Fiscal Approval of the grant, in order to maintain eligibility. A completed **Form AA-1 Request for Grant Acceptance** is still required and must be filed subsequent to this Pre-Notice.*

BASIC GRANT INFORMATION

1. Agency:	Administration
2. Department:	Buildings and General Services
3. Program:	Facilities Operations Revolving Fund (Fee for Space)
4. Legal Title of Grant:	Gift from Saputo Cheese Factory
5. Federal Catalog #:	N/A

6. Grant/Donor Name and Address:

Saputo Cheese Factory

7. Grant Period:	From: 11/21/2008	To: 11/21/2008
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8. Purpose of Grant:

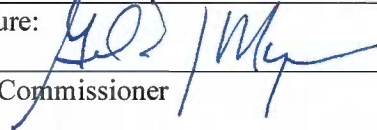
To gift 6,000 gals. of #4 fuel oil to the State

9. STATE FUNDS TO BE SPENT IN ADVANCE OF GRANT ACCEPTANCE BY JOINT FISCAL:

Expenditures:	FY 2009	Required Explanation/Comments
Personal Services	\$	This was the cost of pumping and transporting the fuel from the site of the fire at the Saputo Cheese Factory to the heating plant at the Waterbury State Office Complex.
Operating Expenses	\$3,000.00	
Grants	\$	
Total	\$3,000.00	

10. AUTHORIZATION AGENCY/DEPARTMENT

I/We certify that spending these State funds in advance of Joint Fiscal Approval of the Grant is unavoidable, and that a completed **Form AA-1 Request for Grant Acceptance** will be provided for Joint Fiscal Committee approval of this grant, under separate cover:

Signature: 	Date: 12/8/2008
Title: Commissioner	
Signature:	Date:
Title:	

11. ATTACHMENTS: Attach relevant documentation that demonstrates the necessity of this expenditure. (example: award letter instructions requiring training, etc.)

Distribution:

Original - Joint Fiscal Office; Copy 1 – Department Grant File; Copy 2 – Attach to Form AA-1

(End Form AA-1PN – Grant Spending Pre-Notice – Form AA-1PN)

STATE OF VERMONT
FINANCE & MANAGEMENT GRANT REVIEW FORM

Sent To Joint Fiscal Office

12/15/08

Date

JFO 2358



State of Vermont
Department of Finance & Management
109 State Street, Pavilion Building
Montpelier, VT 05620-0401

Agency of Administration

[phone] 802-828-2376
[fax] 802-828-2428

STATE OF VERMONT
FINANCE & MANAGEMENT GRANT REVIEW FORM

Grant Summary:	Acceptance of donation of 6,000 gallons of #4 fuel oil from the Saputo Cheese Factory				
Date:	12/8/2008				
Department:	Buildings & General Services				
Legal Title of Grant:					
Federal Catalog #:					
Grant/Donor Name and Address:	Saputo Cheese Factory				
Grant Period:	From:		To:		
Grant/Donation					
	SFY 1	SFY 2	SFY 3	Total	Comments
Grant Amount:	\$11,000	\$	\$	\$	BGS spent \$3,000 to pump and haul the oil

Position Information:	# Positions	Explanation/Comments

Additional Comments: Aside from the rather unusual nature of this donation/grant/gift/thing of value, which as such needs to be accepted by the Governor and the JFC per 32 VSA Sec 5, a "Grant spending pre-notice, Form AA-1PN" accompanies the required AA-1 Grant Acceptance form. This form was developed jointly by our office and the JFO, to be used when funds have been unavoidably spent in anticipation of receiving a grant - in this case, \$3,000 spent to pump and haul the oil. At its 12/17/08 meeting, the JFC will be reviewing the new form as well as being asked to accept the oil donation.

Department of Finance & Management	<i>ST</i>	<i>12/10/08</i>	(Initial) <i>ST</i> 12/15/08
Secretary of Administration	<i>Ronda P. Mc...</i>	<i>12/15/08</i>	(Initial) <i>SPM</i> 12/15/08



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JOINT FISCAL OFFICE

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