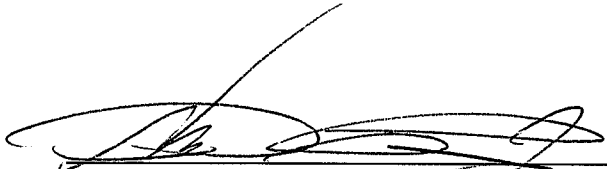


FY 2012


HOUSE TRANSPORTATION AND PUBLIC SAFETY BUDGET COMMITTEE

Adjutant General  
Kansas Department of Transportation

  
Representative Virgil Peck, Jr., Chair

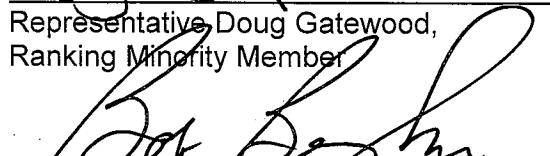
  
Representative Dan Kerschen


  
Representative JoAnn Pottorff, Vice-Chair

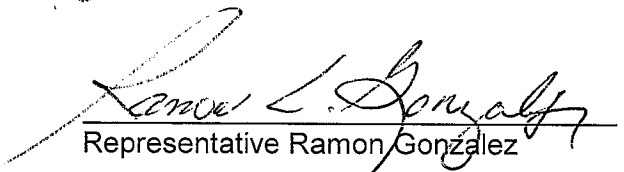
  
Representative Reynaldo Mesa

  
Representative Doug Gatewood,  
Ranking Minority Member

  
Representative Tom Moxley

  
Representative Bob Bethell

  
Representative Vince Wetta

  
Representative Ramon Gonzalez

Appropriations Committee

Date March 14, 15/16

Attachment 15

## Senate Subcommittee Report

**Agency:** Adjutant General

**Bill No. - -**

**Bill Sec. - -**

**Analyst:** Klaassen

**Analysis Pg. No.** 954

**Budget Page No.** 372

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	Senate Subcommittee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 16,393,106	\$ 10,451,493	\$ 0
Other Funds	117,473,653	92,047,833	0
Subtotal	<u>\$ 133,866,759</u>	<u>\$ 102,499,326</u>	<u>\$ 0</u>
<b>Capital Improvements</b>			
State General Fund	\$ 9,667,546	\$ 2,020,000	\$ 0
Other Funds	26,485,691	26,485,691	0
Subtotal	<u>\$ 36,153,237</u>	<u>\$ 28,505,691</u>	<u>\$ 0</u>
<b>TOTAL</b>	<u><u>\$ 170,019,996</u></u>	<u><u>\$ 131,005,017</u></u>	<u><u>\$ 0</u></u>
FTE positions	219.0	199.0	0.0
Non FTE Uncl. Perm. Pos.	254.5	254.5	0.0
<b>TOTAL</b>	<u><u>473.5</u></u>	<u><u>453.5</u></u>	<u><u>0.0</u></u>

### Agency Request

The **agency** requests FY 2012 operating expenditures totaling \$133.9 million, including \$16.4 million from the State General Fund, which is an all funds decrease of \$218.2 million, or 62.0 percent, and a State General Fund decrease of \$27.7 million, or 62.8 percent, below the FY 2011 revised estimate. This decrease is due to significant disaster funding included in FY 2011 that does not reoccur for FY 2012. The agency's FY 2012 request includes operating enhancements totaling \$71.0 million, including \$9.7 million from the State General Fund, which is a decrease of \$151.8 million, including \$10.0 million from the State General Fund, less than FY 2011 supplemental request. Additionally, the 2010 Legislature added \$101.0 million, including \$10.2 million from the State General Fund, for disaster match funding in FY 2011 that does not reoccur for FY 2012. The request includes 219.0 FTE positions, no change from the FY 2011 revised estimate.

### Governor's Recommendation

The **Governor** recommends FY 2012 operating expenditures totaling \$102.5 million, including \$10.5 million from the State General Fund. The recommendation is an all funds decrease of \$95.7 million, or 48.3 percent, and a State General Fund decrease of \$6.3 million, or 37.5 percent, below the FY 2011 recommendation. The recommendation is an all funds decrease of \$31.4 million, or 23.4 percent, and a State General Fund decrease of \$5.9 million, or 36.2 percent, below the FY 2012 request. The Governor adds \$40.0 million, including \$4.0

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Attachment 15-2

million from the State General Fund, for disaster relief funding, \$50,000, all from the State General Fund, to finance Kansas Center for Safe and Prepared Schools (KC-SPS), and accepts the agency's reduced resources budget for a reduction of \$458,141, including \$254,141 from the State General Fund. The reduction from the agency's request is due to the net difference between the Governor's additions for disaster funds and KC-SPS, and the agency's non-recommended enhancements totaling \$71.0 million, including \$9.7 million from the State General Fund, for FY 2012. The Governor also recommends reducing the agency's FTE limitation by 20.0 FTE positions, from 219.0 to 199.0 FTE positions for FY 2012.

### Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation with the following notations:

1. The Subcommittee notes that the Governor's recommendation includes \$50,000, all from the State General Fund, to provide for the Kansas Center for Safe and Prepared Schools (KC-SPS) for FY 2012, and that the agency's actual cost for a year has been \$190,000. The Subcommittee notes that 25.0 percent of the state's population can be found in schools, and that the Adjutant General's Department has the expertise necessary for disaster preparation and planning, but does not have access to the types or levels of funding that the Department of Education does. The Subcommittee recommends that the agency pursue any possible funds that might be shared between the Department of Education and the Adjutant General's Department for this project. The KC-SPS seeks to continue the mission and vision of the Governor's Commission on Healthy and Prepared Schools endeavor started by Executive Order 06-12 in 2006, as it seeks to create and implement a school crisis resource center, establish and implement training and exercise programs, and coordinate expectations and standards for school safety and preparedness.
2. The Subcommittee notes the agency's continuing requests for additional funds to provide for the operations, maintenance, and repair of state armories, the State Defense Building, and obligations under the Federal Facilities Operations and Maintenance Cooperative Agreement (FOMA). In particular, the Air Support Operations Squadron (ASOS) building at Smoky Hill was noted, as the agency stated that funds for the ASOS building are matched 25.0 percent state to 75.0 percent federal, and that if additional funds were not provided for the states portion of the match, that already limited funds for base maintenance would be diverted in order to cover the match and capture federal dollars.
3. The Subcommittee notes legislation introduced which would eliminate the State Fire Marshal and transfer statutory duties, responsibilities, and associated funding to other state agencies. The legislation would transfer functions and associated funding as follows: investigative duties to the Kansas Bureau of Investigation; inspection duties to the Division of Facilities Management within the Department of Administration; and hazardous material duties to the Division of Emergency Management within the Adjutant General's Department.

### Senate Committee Recommendation

The **Committee** concurs with the Subcommittee's recommendation.

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Attachment 15-3

### House Budget Committee Report

**Agency:** Adjutant General

**Bill No. - -**

**Bill Sec. - -**

**Analyst:** Klaassen

**Analysis Pg. No.** 954

**Budget Page No.** 372

<u>Expenditure Summary</u>	<u>Agency Request FY 2012</u>	<u>Governor Recommendation FY 2012</u>	<u>House Budget Committee Adjustments</u>
Operating Expenditures:			
State General Fund	\$ 16,393,106	\$ 10,451,493	\$ 0
Other Funds	117,473,653	92,047,833	0
Subtotal	\$ 133,866,759	\$ 102,499,326	\$ 0
Capital Improvements			
State General Fund	\$ 9,667,546	\$ 2,020,000	\$ 0
Other Funds	26,485,691	26,485,691	0
Subtotal	\$ 36,153,237	\$ 28,505,691	\$ 0
<b>TOTAL</b>	<b>\$ 170,019,996</b>	<b>\$ 131,005,017</b>	<b>\$ 0</b>
FTE positions	219.0	199.0	0.0
Non FTE Uncl. Perm. Pos.	254.5	254.5	0.0
<b>TOTAL</b>	<b>473.5</b>	<b>453.5</b>	<b>0.0</b>

#### Agency Request

The **agency** requests FY 2012 operating expenditures totaling \$133.9 million, including \$16.4 million from the State General Fund, which is an all funds decrease of \$218.2 million, or 62.0 percent, and a State General Fund decrease of \$27.7 million, or 62.8 percent, below the FY 2011 revised estimate. This decrease is due to significant disaster funding included in FY 2011 that does not reoccur for FY 2012. The agency's FY 2012 request includes operating enhancements totaling \$71.0 million, including \$9.7 million from the State General Fund, which is a decrease of \$151.8 million, including \$10.0 million from the State General Fund, less than FY 2011 supplemental request. Additionally, the 2010 Legislature added \$101.0 million, including \$10.2 million from the State General Fund, for disaster match funding in FY 2011 that does not reoccur for FY 2012. The request includes 219.0 FTE positions, no change from the FY 2011 revised estimate.

#### Governor's Recommendation

The **Governor** recommends FY 2012 operating expenditures totaling \$102.5 million, including \$10.5 million from the State General Fund. The recommendation is an all funds

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decrease of \$95.7 million, or 48.3 percent, and a State General Fund decrease of \$6.3 million, or 37.5 percent, below the FY 2011 recommendation. The recommendation is an all funds decrease of \$31.4 million, or 23.4 percent, and a State General Fund decrease of \$5.9 million, or 36.2 percent, below the FY 2012 request. The Governor adds \$40.0 million, including \$4.0 million from the State General Fund, for disaster relief funding, \$50,000, all from the State General Fund, to finance Kansas Center for Safe and Prepared Schools (KC-SPS), and accepts the agency's reduced resources budget for a reduction of \$458,141, including \$254,141 from the State General Fund. The reduction from the agency's request is due to the net difference between the Governor's additions for disaster funds and KC-SPS, and the agency's non-recommended enhancements totaling \$71.0 million, including \$9.7 million from the State General Fund, for FY 2012. The Governor also recommends reducing the agency's FTE limitation by 20.0 FTE positions, from 219.0 to 199.0 FTE positions for FY 2012.

### House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation with the following notations:

1. The Budget Committee notes Executive Order 11-05, which appoints the Adjutant General as the Homeland Security Advisor of Kansas. The Kansas Office of Homeland Security, under the supervision of the Homeland Security Advisor, is now designated as the State Administrative Agency for the administration and distribution of homeland security grants and funds.
2. The Budget Committee notes the significance for public safety of the Interoperable Communications System Project for FY 2012. The project will update existing communications towers and allow for communications between various 800 Mhz and non-800 Mhz radio systems that are used by emergency responders and public safety agencies statewide. The final phase of this project (Phase 5) is estimated to take \$3.5 million to complete the remaining 14 towers in Northwest and Southwest Kansas. The state's five homeland security regions have offered up half, or \$1.75 million, in homeland security funds if the state matches these funds to complete the project. The Budget Committee was informed that an agreement had been reached between KDOT and the Highway Patrol, in which KDOT would provide \$875,000, all from the State Highway Fund, and that the Highway Patrol would provide \$875,000, all from the Federal Forfeiture Fund, to provide for the state's match to complete this project.
3. The Budget Committee had discussion on the statutory longevity bonuses for FY 2012. The current statutory provisions of the longevity bonus payment are \$40 per year of service, with a 10-year minimum (\$400), and a 25-year maximum (\$1,000). Classified employees hired after June 15, 2008 are not eligible for longevity bonus payments. For FY 2012, the Governor recommends the continuation of the longevity bonus payment program. The recommendation provides for a bonus of \$50 per year of service, with a 10-year minimum (\$500) and a 25-year maximum (\$1,250). The Budget Committee discussed the possibility of reducing the Governor's recommendation for longevity bonus payments from \$50 per year of service to the statutory level of \$40 per year of service for all state agencies for FY 2012.

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Attachment 15-5

## Senate Subcommittee Report

**Agency:** Kansas Department of Transportation

**Bill No. - -**

**Bill Sec. - -**

**Analyst:** Klaassen

**Analysis Pg. No.** 1071

**Budget Page No.** 462

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	Senate Subcommittee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
State Highway Fund	397,737,514	397,737,514	875,000
Other Funds	343,779,588	343,779,588	0
Subtotal	<u>\$ 741,517,102</u>	<u>\$ 741,517,102</u>	<u>\$ 875,000</u>
<b>Capital Improvements</b>			
State General Fund	\$ 0	\$ 0	\$ 0
State Highway Fund	716,927,689	693,596,769	0
Other Funds	0	0	0
Subtotal	<u>\$ 716,927,689</u>	<u>\$ 693,596,769</u>	<u>\$ 0</u>
<b>TOTAL</b>	<u><u>\$ 1,458,444,791</u></u>	<u><u>\$ 1,435,113,871</u></u>	<u><u>\$ 875,000</u></u>
FTE positions	3,113.5	2,916.5	0.0
Non FTE Uncl. Perm. Pos.	51.0	51.0	0.0
<b>TOTAL</b>	<u><u>3,164.5</u></u>	<u><u>2,967.5</u></u>	<u><u>0.0</u></u>

### Agency Request

The **agency** requests a FY 2012 reportable budget of \$1.5 billion, which is an increase of \$18.2 million, or 1.3 percent, above the FY 2011 revised estimate. Reportable expenditures from the State Highway Fund total \$1.1 billion, which is an increase of \$46.9 million, or 4.4 percent, above the FY 2011 revised estimate. All funds non-reportable expenditures total \$323.4 million, including \$196.6 million from the State Highway Fund, which is an all funds decrease of \$105.1 million, or 24.5 percent, and a State Highway Fund increase of \$5.8 million, or 3.1 percent, above the FY 2011 revised estimate. The request includes an enhancement request for \$5.4 million, all from the State Highway Fund, to replace 281 vehicles.

### Governor's Recommendation

The **Governor** recommends a FY 2012 reportable budget of \$1.4 billion, which is an increase of \$17.0 million, or 1.2 percent, above the FY 2011 recommendation, and a decrease of \$23.3 million, or 1.6 percent, below the agency's FY 2012 request. Reportable expenditures from the State Highway Fund total \$1.1 billion, which is an increase of \$45.8 million, or 4.4 percent, above the FY 2011 recommendation, and a decrease of \$23.3 million, or 2.1 percent, below the agency's FY 2012 request. The Governor's recommendation includes:

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- The transfer of \$200.0 million from the State Highway Fund to the State General Fund for FY 2012. In order to make this transfer in FY 2012 funding for preservation projects was reduced by \$22.0 million in FY 2011 and FY 2012 to capture the necessary savings;
- As part of the \$200.0 million transfer, the Governor's recommendation includes an increase of \$50.0 million to the agency's non-reportable expenditures to advance \$50.0 million in bond proceeds for FY 2012;
- Reducing building project expenditures by \$1.3 million;
- The agency's enhancement request for 281 replacement vehicles for FY 2012 totaling \$5.4 million, all from the State Highway Fund;
- Continuation of funding for the Kansas Highway Patrol Operations for FY 2012 through a transfer to the State General Fund (\$31.1 million); and
- Reducing 197.0 FTE vacant FTE positions, which would decrease the agency's FTE limitation from 3,113.5 to 2,916.5 FTE positions for FY 2012.

#### Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation with the following adjustment and notations:

1. Add \$875,000, all from the State Highway Fund, to provide half of the remaining \$1.75 million to complete the the KDOT Communications System Project for FY 2012. The other half will be provided by the Kansas Highway Patrol from federal forfeiture funds. The Subcommittee notes the importance of the KDOT Communications System Project, which will update existing communications towers and allow for communications between various 800 Mhz and non-800 Mhz radio systems that are used by emergency responders and public safety agencies statewide. It is estimated that it will take \$3.5 million to complete the remaining 14 towers in Northwest and Southwest Kansas. The state's five homeland security regions have offered up half, or \$1.75 million, in homeland security funds if the state matches these funds to complete the project. The Subcommittee was informed that an agreement had been reached between KDOT and the Highway Patrol, in which KDOT would provide \$875,000, all from the State Highway Fund, and that the Highway Patrol would provide \$875,000, all from the Federal Forfeiture Fund, to provide for the state's match to complete this project.
2. The Subcommittee notes that the agency stated that approximately \$1.4 billion has been transferred out of the State Highway Fund since the beginning of the Comprehensive Transportation Program in FY 2000. The Subcommittee notes concern as to the magnitude of the transfers and how these transfers limit the agency's ability to create jobs through project lettings and fully provide the services for which they were created. Additionally, the Subcommittee notes that the agency's current debt outstanding, as of March 1<sup>st</sup>, is \$1.78 billion.
3. The Subcommittee notes that 2010 Senate Sub. for HB 2360 increased the sales and compensating use tax from 5.3 percent to 6.3 percent. The agency currently receives 0.65 percent of this tax, and as part of the increased tax the State Highway Fund is estimated to receive an additional \$20.4 million in FY 2011, \$21.0 million for FY 2012,

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and \$21.0 million for FY 2013. Additionally, beginning in FY 2014 the rate will drop back to 5.7 percent, and the State Highway Fund will receive all sales and compensating use tax in excess of 5.3 percent. The Subcommittee once again notes the importance of funding transportation and encourages efforts to allow the agency to retain the additional 0.4 percent sales and compensating use tax funding in the future.

4. The Subcommittee notes that as Kansas looks to the future for the road to recovery, that one of the primary factors behind economic growth is transportation. Past history has proven that there is a strong link between the strength of the state's transportation program and the ability of the State to sustain and even hasten economic recovery.

#### **Senate Committee Recommendation**

The **Committee** concurs with the Subcommittee's recommendation.

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Attachment 15-8



## House Budget Committee Report

**Agency:** Kansas Department of Transportation

**Bill No. - -**

**Bill Sec. - -**

**Analyst:** Klaassen

**Analysis Pg. No.** 1071

**Budget Page No.** 462

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
State Highway Fund	397,737,514	397,737,514	(2,723,036)
Other Funds	343,779,588	343,779,588	0
Subtotal	<u>\$ 741,517,102</u>	<u>\$ 741,517,102</u>	<u>\$ (2,723,036)</u>
<b>Capital Improvements</b>			
State General Fund	\$ 0	\$ 0	\$ 0
State Highway Fund	716,927,689	693,596,769	0
Other Funds	0	0	0
Subtotal	<u>\$ 716,927,689</u>	<u>\$ 693,596,769</u>	<u>\$ 0</u>
<b>TOTAL</b>	<u><u>\$ 1,458,444,791</u></u>	<u><u>\$ 1,435,113,871</u></u>	<u><u>\$ (2,723,036)</u></u>
FTE positions	3,113.5	2,916.5	0.0
Non FTE Uncl. Perm. Pos.	51.0	51.0	0.0
<b>TOTAL</b>	<u><u>3,164.5</u></u>	<u><u>2,967.5</u></u>	<u><u>0.0</u></u>

### Agency Request

The **agency** requests a FY 2012 reportable budget of \$1.5 billion, which is an increase of \$18.2 million, or 1.3 percent, above the FY 2011 revised estimate. Reportable expenditures from the State Highway Fund total \$1.1 billion, which is an increase of \$46.9 million, or 4.4 percent, above the FY 2011 revised estimate. All funds non-reportable expenditures total \$323.4 million, including \$196.6 million from the State Highway Fund, which is an all funds decrease of \$105.1 million, or 24.5 percent, and a State Highway Fund increase of \$5.8 million, or 3.1 percent, above the FY 2011 revised estimate. The request includes an enhancement request for \$5.4 million, all from the State Highway Fund, to replace 281 vehicles.

### Governor's Recommendation

The **Governor** recommends a FY 2012 reportable budget of \$1.4 billion, which is an increase of \$17.0 million, or 1.2 percent, above the FY 2011 recommendation, and a decrease of \$23.3 million, or 1.6 percent, below the agency's FY 2012 request. Reportable expenditures from the State Highway Fund total \$1.1 billion, which is an increase of \$45.8 million, or 4.4

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percent, above the FY 2011 recommendation, and a decrease of \$23.3 million, or 2.1 percent, below the agency's FY 2012 request. The Governor's recommendation includes:

- The transfer of \$200.0 million from the State Highway Fund to the State General Fund for FY 2012. In order to make this transfer in FY 2012 funding for preservation projects was reduced by \$22.0 million in FY 2011 and FY 2012 to capture the necessary savings;
- As part of the \$200.0 million transfer, the Governor's recommendation includes an increase of \$50.0 million to the agency's non-reportable expenditures to advance \$50.0 million in bond proceeds for FY 2012;
- Reducing building project expenditures by \$1.3 million;
- The agency's enhancement request for 281 replacement vehicles for FY 2012 totaling \$5.4 million, all from the State Highway Fund;
- Continuation of funding for the Kansas Highway Patrol Operations for FY 2012 through a transfer to the State General Fund (\$31.1 million); and
- Reducing 197.0 FTE vacant FTE positions, which would decrease the agency's FTE limitation from 3,113.5 to 2,916.5 FTE positions for FY 2012.

#### House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation with the following adjustment and notations:

1. Delete \$2.7 million, all from the State Highway Fund, to reduce, by half, the recommended enhancement funding for replacement of 281 agency vehicles for FY 2012. The Budget Committee recommended that the agency be allowed to determine which of its vehicles were most in need of being replaced.
2. The Budget Committee notes that as of March 1<sup>st</sup> the agency has \$1.78 billion in outstanding debt, which includes \$170.0 million from the 1989 Comprehensive Highway Program, \$1.28 billion from the 1999 Comprehensive Transportation Program, and \$325.0 million for the 2010 T-WORKS Program. The Budget Committee also notes that the agency stated that including the \$200.0 million recommended to be transferred to the State General Fund for FY 2012, that over the past 10 years, approximately \$1.44 billion has been transferred out of the State Highway Fund.
3. The Budget Committee notes that the 2002 and 2004 Legislatures "borrowed" from the State Highway Fund with arrangement to pay back by from FY 2007 to FY 2010. The first two repayments were made in FY 2007 and FY 2008, and the remaining two payments, totaling \$63.4 million, have not yet been repaid.
4. The Budget Committee notes that 2010 Senate Sub. for HB 2360 increased the sales and compensating use tax from 5.3 percent to 6.3 percent. The agency previously received 0.65 percent of this tax, but as part of the increase the State Highway Fund is estimated to receive an additional \$20.4 million in FY 2011 (0.72 percent), \$21.0 million for FY 2012 (0.71 percent), and \$21.0 million for FY 2013 (0.71 percent). Additionally,

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beginning in FY 2014 the sales and compensating use tax rate will drop back to 5.7 percent, and the State Highway Fund will receive all sales and compensating use tax in excess of 5.3 percent (or 1.05 percent).

5. The Budget Committee notes that the Governor's recommendation reduces the agency's FTE limitation by 197.0 vacant FTE positions. This will reduce the agency's total vacant FTE positions to 135.0, the agency stated that it will need 168.0 vacant FTE positions in order to meet it's shrinkage rate of 5.0 percent for FY 2012. This leaves the agency to come up with 33.0 FTE positions in order to make shrinkage for FY 2012.
6. The Budget Committee notes the significance for public safety of the Interoperable Communications System Project for FY 2012. The project will update existing communications towers and allow for communications between various 800 Mhz and non-800 Mhz radio systems that are used by emergency responders and public safety agencies statewide. The final phase of this project (Phase 5) is estimated to take \$3.5 million to complete the remaining 14 towers in Northwest and Southwest Kansas. The state's five homeland security regions have offered up half, or \$1.75 million, in homeland security funds if the state matches these funds to complete the project. The Budget Committee was informed that an agreement had been reached between KDOT and the Highway Patrol, in which KDOT would provide \$875,000, all from the State Highway Fund, and that the Highway Patrol would provide \$875,000, all from the Federal Forfeiture Fund, to provide for the state's match to complete this project.
7. The Budget Committee had discussion on the statutory longevity bonuses for FY 2012. The current statutory provisions of the longevity bonus payment are \$40 per year of service, with a 10-year minimum (\$400), and a 25-year maximum (\$1,000). Classified employees hired after June 15, 2008 are not eligible for longevity bonus payments. For FY 2012, the Governor recommends the continuation of the longevity bonus payment program. The recommendation provides for a bonus of \$50 per year of service, with a 10-year minimum (\$500) and a 25-year maximum (\$1,250). The Budget Committee discussed the possibility of reducing the Governor's recommendation for longevity bonus payments from \$50 per year of service to the statutory level of \$40 per year of service for all state agencies for FY 2012.

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Date March 14, 15, 16

Attachment 15-11