



SPONSORS: Sen. Adams                      Rep. Gilligan  
                 DeLuca                                      Keeley  
                 Blevins  
                 Cook

DELAWARE STATE SENATE

144th GENERAL ASSEMBLY

SENATE BILL NO. 190

JANUARY 24, 2008

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2009; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1            Section 1. The several amounts named in this Act, or such part thereof as may be necessary and  
2 essential to the proper conduct of the business of the agencies named herein, during the fiscal year ending  
3 June 30, 2009, are hereby appropriated and authorized to be paid out of the Treasury of the State by the  
4 respective departments and divisions of State Government, and other specified spending agencies, subject  
5 to the limitations of this Act and to the provisions of Title 29, Part VI, Delaware Code, as amended or  
6 qualified by this Act, all other provisions of the Delaware Code notwithstanding. All parts or portions of  
7 the several sums appropriated by this Act which, on the last day of June 2009, shall not have been paid  
8 out of the State Treasury, shall revert to the General Fund; provided, however, that no funds shall revert  
9 which are encumbered pursuant to Title 29, Section 6521, Delaware Code.

10            The several amounts hereby appropriated are as follows:



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# DEPARTMENTS

Year ending June 30, 2009

## (01-00-00) LEGISLATIVE

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1	<b>(01-00-00) LEGISLATIVE</b>							
2								
3								
4	<b>Personnel</b>				<b>\$ Program</b>		<b>\$ Line Item</b>	
5								
6			32.0	<b>(01-01-01) General Assembly - House</b>				
7				Personnel Costs				5,240.5
8				Travel				
9				Mileage - Legislative				58.2
10				Other - Travel				69.8
11				Contractual Services				400.0
12				Supplies and Materials				40.0
13				Capital Outlay				10.0
14				Other Items:				
15				Expenses - House Members				323.6
16			32.0	House Committee Expenses				15.0
17				<b>TOTAL -- General Assembly - House</b>				<b>6,157.1</b>
18								
19			20.0	<b>(01-02-01) General Assembly - Senate</b>				
20				Personnel Costs				3,267.8
21				Travel				
22				Mileage - Legislative				52.3
23				Other - Travel				30.9
24				Contractual Services				192.0
25				Supplies and Materials				35.0
26				Capital Outlay				45.0
27				Other Items:				
28				Advertising - Senate Substance Abuse Committee				25.0
29				Expenses - Senate Members				175.1
30				Senate Committee Expenses				75.0
31			20.0	<b>TOTAL -- General Assembly - Senate</b>				<b>3,898.1</b>
32								
33								
34				<b>(01-05-01) Commission on Interstate Cooperation</b>				
35				Travel				20.0
36				Legislative Travel				100.0
37				Contractual Services				40.0
38				Supplies and Materials				0.5
39				Other Items:				
40				Council of State Governments				91.9
41				Delaware River Basin Commission				434.0
42				National Conference of State Legislatures				89.0
43				Eastern Trade Council				5.0
44				Legislation for Gaming States				3.0
45				Interstate Agriculture Commission				25.0
46				State and Local Legal Center, NCSL				3.0
47				<b>TOTAL -- Commission on Interstate Cooperation</b>				<b>811.4</b>



**(01-00-00) LEGISLATIVE**

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(01-08-00) Legislative Council**

**(01-08-01) Research**

		19.0
		19.0

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
Sunset Committee Expenses  
Technical Advisory Office  
Printing - Laws and Journals  
TOTAL -- Research

	1,419.4
	18.3
	262.1
	119.7
	30.0
	7.5
	55.0
	38.5
	1,950.5

**(01-08-02) Office of the Controller General**

	1.0	15.0
	1.0	15.0

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Family Law Commission Expenses  
Contingencies:  
Juvenile Detention Oversight Committee  
JFC/CIP Contingency  
U. of D. Senior Center Formula Update  
Internship Contingency  
Alternative Energy Pilot - Poultry  
Legislative Council  
Legal - Neighborhood Schools  
Clean Air Policy Committee  
Security  
TOTAL -- Office of the Controller General

100.0	1,466.5
	14.4
	494.1
	70.0
	27.0
	8.3
	15.0
	15.0
	25.0
	10.0
	50.0
	25.0
	50.0
	35.0
	30.0
100.0	2,335.3

**(01-08-03) Code Revisors**

Travel  
Contractual Services  
Supplies and Materials  
TOTAL -- Code Revisors

	1.1
	220.8
	0.5
	222.4

**(01-08-06) Commission on Uniform State Laws**

Travel  
Contractual Services  
Supplies and Materials  
TOTAL -- Commission on Uniform State Laws

	17.0
	22.4
	0.2
	39.6

	1.0	34.0
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**TOTAL -- Legislative Council**

100.0	4,547.8
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	1.0	86.0
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**TOTAL -- LEGISLATIVE**

100.0	15,414.4
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**(02-00-00) JUDICIAL**

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(02-01-00) Supreme Court**

11.3		27.0
11.3		27.0

Personnel Costs	
Travel	
Contractual Services	
Energy	
Supplies and Materials	
Capital Outlay	
Other Items:	
Court on the Judiciary	13.0
<b>TOTAL -- Supreme Court</b>	

9.5	3,008.4
6.8	16.8
121.4	172.1
	8.5
5.0	38.1
6.7	
	13.0
149.4	3,256.9

		27.0
11.3		27.0
11.3		27.0

(-10) Supreme Court	
(-40) Regulatory Arms of the Court	
<b>TOTAL -- Internal Program Units</b>	

149.4	3,256.9
149.4	3,256.9

**(02-02-00) Court of Chancery**

	23.0	29.0
	23.0	29.0

Personnel Costs	
Travel	
Contractual Services	
Supplies and Materials	
Capital Outlay	
<b>TOTAL -- Court of Chancery</b>	

1,144.2	3,025.7
5.5	16.2
991.8	62.1
37.5	26.0
35.0	5.0
2,214.0	3,135.0

	23.0	29.0
	23.0	29.0

(-10) Court of Chancery	
<b>TOTAL -- Internal Program Unit</b>	

2,214.0	3,135.0
2,214.0	3,135.0

**(02-03-00) Superior Court**

		313.5
		313.5

Personnel Costs	
Travel	
Contractual Services	
Supplies and Materials	
Capital Outlay	
Jury Expenses	
<b>TOTAL -- Superior Court</b>	

	21,240.9
	68.1
	379.5
	244.1
	56.0
	704.8
	22,693.4

		313.5
		313.5

(-10) Superior Court	
<b>TOTAL -- Internal Program Unit</b>	

	22,693.4
	22,693.4

**(02-06-00) Court of Common Pleas**

	4.0	130.0
	4.0	130.0

Personnel Costs	
Travel	
Contractual Services	
Supplies and Materials	
Capital Outlay	
<b>TOTAL -- Court of Common Pleas</b>	

239.2	8,906.8
	14.7
	281.0
	93.5
4.0	14.6
243.2	9,310.6

	4.0	130.0
	4.0	130.0

(-10) Court of Common Pleas	
<b>TOTAL -- Internal Program Unit</b>	

243.2	9,310.6
243.2	9,310.6



**(02-00-00) JUDICIAL**

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Personnel		
NSF	ASF	GF
	63.7	278.3
	63.7	278.3

**(02-08-00) Family Court**

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Child Protection Registry Appeals

**TOTAL -- Family Court**

\$ Program	
ASF	GF
4,019.9	19,728.2
4,019.9	19,728.2

\$ Line Item	
ASF	GF
3,566.6	19,107.0
12.3	38.4
217.5	448.6
62.2	134.2
48.0	
113.3	
4,019.9	19,728.2

	63.7	278.3
	63.7	278.3

(-10) Family Court  
TOTAL -- Internal Program Unit

**(02-13-00) Justices of the Peace Courts**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Debt Service

**TOTAL -- Justices of the Peace Courts**

		248.5
		248.5

	15,355.2
	12.3
	1,662.9
	115.4
	131.2
	44.5
	0.3
	17,321.8

		248.5
		248.5

(-10) Justices of the Peace Courts  
TOTAL -- Internal Program Unit

	17,321.8
	17,321.8

**(02-17-00) Administrative Office of the Courts - Court Services**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
COTS Maintenance Agreements  
Other Items:  
Retired Judges  
Continuing Judicial Education  
Victim Offender Mediation Program  
Conflict Attorneys  
CASA Attorneys  
Family Court Civil Attorney  
Elder Law Program  
Interpreters  
Court Appointed Attorneys/Involuntary  
Commitment  
New Castle County Courthouse

**TOTAL -- Administrative Office of the Courts - Court Services**

		80.5
		80.5

	5,869.0
	40.4
	1,349.7
	5.7
	386.6
	295.9
	776.8
	60.0
	58.3
	424.8
	2,351.4
	258.3
	529.0
	50.0
	409.1
	177.6
	33.4
	390.7
	33.4
	13,433.3

**(02-00-00) JUDICIAL**

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Personnel		
NSF	ASF	GF
		34.0
		8.0
		35.0
		3.5
		80.5

\$ Program	
ASF	GF
33.4	7,956.9
	566.3
	4,418.6
	491.5
33.4	13,433.3

\$ Line Item	
ASF	GF

**(02-18-00) Administrative Office of the Courts -  
Non-Judicial Services**

	8.0	30.0
	8.0	30.0

Personnel Costs	
Travel	
Contractual Services	
Energy	
Supplies and Materials	
Capital Outlay	
Other Items:	
Special Needs Fund	
Violent Crime Grants	
Ivy Davis Scholarship Fund	
Revenue Refund	
<b>TOTAL -- Administrative Office of the Courts - Non-Judicial Services</b>	

465.1	2,118.0
34.0	46.0
107.3	248.6
	9.8
20.0	34.1
6.0	1.6
	3.0
2,500.0	50.0
1.5	
3,133.9	2,511.1

	8.0	7.5
	7.5	1.0
	7.0	6.0
	1.0	1.0
	8.0	30.0

(-01) Office of the Public Guardian	
(-02) Violent Crimes Compensation Board	
(-03) Child Placement Review Board	
(-04) Educational Surrogate Parent Program	
(-05) Office of the Child Advocate	
(-06) Child Death, Near Death and Still Birth Commission	
(-07) Nursing Home Residents Quality Assurance Commission	
<b>TOTAL -- Internal Program Units</b>	

3,133.9	503.5
	543.2
	102.3
	882.8
	422.1
	57.2
3,133.9	2,511.1

11.3	98.7	1,136.8
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**TOTAL -- JUDICIAL**

9,793.8	91,390.3
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**(10-00-00) EXECUTIVE**

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Personnel		
NSF	ASF	GF
	1.0	24.0
	1.0	24.0

**(10-01-01) Office of the Governor**

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Other Items:  
    Woodburn Expenses  
    Contingency-Other Expenses

**TOTAL -- Office of the Governor**

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

81.4	2,387.3
0.5	14.8
179.9	169.0
0.2	22.7
	43.0
	8.7
262.0	2,645.5

**(10-02-00) Office of Management and Budget**

27.7	173.5	251.1
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Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Cars and Wagons  
Administration Other Items:  
    Trans & Invest  
    Evaluation Projects  
Administration - International Development Group:  
    World Trade Center  
    International Trade  
    Taiwan Trade Office  
    Italian/American Commission  
Budget Commission  
Statistical Analysis Center Other Items:  
    Juvenile YRS  
Budget Administration Other Items:  
    Development Projects  
    Budget Automation - Operations  
Contingencies and One-Time Items:  
    Contingency - Attorney Pay Plan  
    Livable Delaware  
    Prior Years' Obligation  
    Self Insurance  
    Legal Fees  
    Personnel Costs - Salary Shortage  
Appropriated Special Funds  
Salary/OEC Contingency  
One-Time  
KIDS Count  
Great Beginnings  
Judicial Nominating Committee  
Elder Tax Relief & Education Expense Fund  
Tax Relief & Education Expense Fund  
Civil Indigent Services  
Transition  
Local Law Enforcement Education  
Delaware Psychiatric Center  
Compensation Commission  
Statewide Relocation Initiatives  
Recruitment and Retention Education and Training Fund  
4 Year Nursing Expansion  
2 Year Nursing Expansion

10,722.0	17,282.7
92.5	85.1
7,934.1	14,793.5
110.0	7,423.2
2,621.5	1,259.9
701.9	52.7
4,968.4	
500.0	
	350.0
	250.0
	425.0
125.0	
	115.0
	50.0
61.6	
	1,350.0
	38.0
	250.0
	150.0
	450.0
	5,750.0
	4,000.0
	400.0
27,000.0	
	10,933.8
	4,507.3
	100.0
	26.0
	8.0
	13,924.6
	17,500.0
	275.0
	500.0
	100.0
	500.0
	300.0
	1,000.0
	500.0
	500.0
	3,247.3

**(10-00-00) EXECUTIVE**

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
						1,150.0
						452.9
						22.6
						20.0
					180.0	
						150.0
					180.0	
					10.0	
						50.0
						190.0
						98.5
					31,871.0	
					120.0	
						3,913.3
						39.0
					1,800.0	
					613.8	
						17,716.0
27.7	173.5	251.1	<b>TOTAL -- Office of Management and Budget</b>		89,611.8	132,199.4

5.5	6.5	15.0	(-02) PHRST	514.3	2,328.2
			<i>Administration</i>		
2.7	14.0	33.3	(-05) Administration	1,753.2	5,195.2
			(-06) Budget Commission		50.0
2.5		6.3	(-08) Statistical Analysis Center	61.6	672.5
			<i>Budget Development, Planning and Administration</i>		
	4.0	20.0	(-10) Budget Administration	733.6	3,278.2
			(-11) Contingencies and One-Time Items	27,000.0	66,072.0
			<i>Statewide Human Resources Management</i>		
	17.0	47.0	(-20) Human Resource Operations	1,555.3	3,475.6
	5.0	4.0	(-21) Staff Development and Training	700.3	545.8
			<i>Benefits and Insurance Administration</i>		
15.0	1.0		(-30) Statewide Benefits		288.5
	6.0		(-31) Insurance Coverage Office	31,871.0	1,978.6
	61.0		(-32) Pensions	7,810.4	3,952.3
			<i>Government Support Services</i>		
		8.0	(-40) Mail/Courier Services	2,149.3	590.7
	17.0		(-41) Printing and Publishing	2,862.2	
	30.0		(-42) Fleet Management	10,594.8	
		8.5	(-43) Service and Information Guide		619.8
		11.0	(-44) Contracting		861.9
	5.0		(-45) Delaware Surplus Services	395.5	
2.0	4.0	4.0	(-46) Food Distribution	869.2	340.3
			<i>Facilities Management</i>		
	3.0	94.0	(-50) Facilities Management	741.1	41,949.8
27.7	173.5	251.1	<b>TOTAL -- Internal Program Units</b>	89,611.8	132,199.4

**(10-00-00) EXECUTIVE**

	Personnel			\$ Program		\$ Line Item	
	NSF	ASF	GF	ASF	GF	ASF	GF
1							
2							
3							
4							
1							
2							
3			10.0				865.8
4							23.7
5							102.6
6							16.0
7							10.0
8							5.0
9							5.0
10							50.0
11							5.5
12			10.0				1,083.6
13							
14							
15		10.0				692.9	
16						20.2	
17						680.5	
18						8.5	
19						10.0	
20							
21						0.5	
22						0.8	
23						0.8	
24						0.8	
25						45.0	
26						75.0	
27						200.0	
28						250.0	
29						45.0	
30						22.0	
31						6.0	
32						25.0	
33						5.0	
34						200.0	
35		10.0				2,288.0	
36							
37							
38		5.0	27.0			300.8	2,263.6
39						20.0	31.5
40						313.1	
41						1.5	
42						10.0	12.9
43						30.0	10.0
44							
45						400.0	165.0
46						1,700.0	
47						320.9	
48						300.0	
49							50.0
50							1,086.9
51		5.0	27.0			3,396.3	3,619.9
52							
53		15.0	37.0			5,684.3	4,703.5

**(10-00-00) EXECUTIVE**

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(10-05-00) Delaware Health Care Commission</b>			
	1.0	4.0				336.8
						21.4
						79.6
						6.5
						3.5
					57.1	
					1,250.0	
						5.0
						37.5
						250.0
						2,442.5
						698.0
	1.0	4.0	<b>TOTAL -- Delaware Health Care Commission</b>		1,307.1	3,880.8
	1.0	4.0	(-01) Delaware Health Care Commission		1,307.1	740.3
			(-02) Delaware Institute of Medical Education and Research			2,442.5
			(-03) Delaware Institute of Dental Education and Research			698.0
	1.0	4.0	<b>TOTAL -- Internal Program Units</b>		1,307.1	3,880.8
			<b>(10-07-01) Criminal Justice Council</b>			
14.2		12.8				918.7
						1.3
						35.3
						3.8
						12.2
					205.8	24.6
						117.2
14.2		12.8	<b>TOTAL -- Criminal Justice Council</b>		205.8	1,113.1
			<b>(10-07-02) Delaware Justice Information System</b>			
		12.0				943.6
					1.0	6.0
					164.0	390.2
					17.6	14.9
					67.4	
		12.0	<b>TOTAL -- Delaware Justice Information System</b>		250.0	1,354.7
14.2		24.8	<b>TOTAL -- Criminal Justice</b>		455.8	2,467.8

**(10-00-00) EXECUTIVE**

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Personnel		
NSF	ASF	GF
5.0	29.0	
5.0	29.0	

\$ Program	
ASF	GF
<b>(10-08-01) Delaware State Housing Authority</b>	
Personnel Costs	
Travel	
Contractual Services	
Energy	
Supplies and Materials	
Capital Outlay	
Other Items:	
Huling Cove	
Housing Development Fund	
Public Housing	
Home Improvement Insurance	
Neighborhood Assistance Program	
Debt Service	
<b>TOTAL -- Delaware State Housing Authority</b>	

\$ Line Item	
ASF	GF
2,187.8	
123.6	
968.3	
80.0	
108.0	
305.0	
28,800.0	4,070.0
500.0	
1,665.0	
	49.5
	85.8
34,737.7	4,205.3

<b>46.9</b>	<b>219.5</b>	<b>340.9</b>
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**TOTAL -- EXECUTIVE**

<b>132,058.7</b>	<b>150,102.3</b>
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**(11-00-00) DEPARTMENT OF TECHNOLOGY AND INFORMATION**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(11-01-00) Office of the Chief Information Officer</b>			
		4.0				675.4
						3.9
						250.2
						1.0
						34.4
						20.0
		4.0				984.9
			<b>TOTAL -- Office of the Chief Information Officer</b>			
		4.0		984.9		
		4.0		984.9		
			<b>(11-02-00) Technology Office</b>			
	2.0	12.0			175.3	757.4
					25.0	2.3
					400.0	32.0
					48.5	2.5
						35.0
	2.0	12.0			648.8	829.2
			<b>TOTAL -- Technology Office</b>			
	2.0	12.0	648.8	829.2		
	2.0	12.0	648.8	829.2		
			<b>(11-03-00) Operations Office</b>			
	9.5	98.5			504.0	8,734.2
					104.7	50.7
					14,480.6	1,278.6
						501.9
					92.0	303.0
					138.6	9.3
						336.2
					8,859.5	17,185.5
	9.5	98.5			24,179.4	28,399.4
			<b>TOTAL -- Operations Office</b>			
		5.0	10,521.0	358.7		
	3.5	8.5	826.0	2,096.7		
		8.0		973.2		
	4.0	49.0	7,999.8	20,101.1		
	2.0	28.0	4,832.6	4,869.7		
	9.5	98.5	24,179.4	28,399.4		
			<b>TOTAL -- Internal Program Units</b>			



**(11-00-00) DEPARTMENT OF TECHNOLOGY AND INFORMATION**

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Personnel		
NSF	ASF	GF
	6.5	98.5
	6.5	98.5

**(11-04-00) Office of Major Projects**

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Rental

\$ Line Item	
ASF	GF
620.0	8,779.7
70.0	68.0
3,200.0	704.8
10.0	7.8
	1.0
140.0	155.0
4,040.0	9,716.3

**TOTAL -- Office of Major Projects**

	1.0	4.0
	1.0	35.0
		7.0
	2.0	28.0
	2.5	24.5
	6.5	98.5

(-01) Chief Program Officer  
(-02) Senior Project Management Team  
(-03) Organizational Change Management Team  
(-04) Application Delivery  
(-05) Systems Engineering  
TOTAL -- Internal Program Units

ASF	GF
45.6	916.5
110.8	2,686.4
	297.3
2,675.9	3,677.5
1,207.7	2,138.6
4,040.0	9,716.3

	18.0	213.0
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**TOTAL -- DEPARTMENT OF TECHNOLOGY AND INFORMATION**

28,868.2	39,929.8
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**(12-00-00) OTHER ELECTIVE**

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Personnel		
NSF	ASF	GF
		6.0
		6.0

**(12-01-01) Lieutenant Governor**

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Other Items:  
Expenses - Lieutenant Governor  
**TOTAL -- Lieutenant Governor**

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF
	541.2
	6.3
	28.9
	2.8
	7.7
	586.9

	6.0	36.0
	6.0	36.0

**(12-02-01) Auditor of Accounts**

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
**TOTAL -- Auditor of Accounts**

407.6	2,665.8
5.0	25.4
459.9	624.0
8.4	12.9
5.4	29.9
886.3	3,358.0

	26.0	
	26.0	

**(12-03-00) Insurance Commissioner  
(12-03-01) Regulatory Activities**

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
Malpractice Review  
**TOTAL -- Regulatory Activities**

2,000.2	
6.5	
309.3	
5.5	
30.2	
10.5	
2,362.2	

2.0	55.0	
2.0	55.0	

**(12-03-02) Bureau of Examination,  
Rehabilitation and Guaranty**

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
Captive Insurance Fund  
Arbitration Program  
Contract Examiners  
**TOTAL -- Bureau of Examination, Rehabilitation  
and Guaranty**

3,383.0	
60.5	
1,386.8	
30.7	
228.9	
623.1	
38.3	
17,500.0	
23,251.3	

2.0	81.0	
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**TOTAL -- Insurance Commissioner**

25,613.5	
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**(12-00-00) OTHER ELECTIVE**

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(12-05-00) State Treasurer**

**(12-05-01) Administration**

1.0	9.5	14.5
1.0	9.5	14.5

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
Banking Services  
Data Processing  
Electronic Data Interchange  
TOTAL -- Administration

730.1	1,086.0
20.2	7.7
115.6	192.6
9.4	10.4
25.5	
2,483.3	
50.0	
70.0	
3,504.1	1,296.7

**(12-05-03) Debt Management**

Expense of Issuing Bonds  
Debt Service - New  
Debt Service - Local Schools  
Debt Service - Refunding  
Financial Advisor  
TOTAL -- Debt Management

	418.9
	17,834.2
49,414.4	
	29,863.4
	130.0
49,414.4	48,246.5

1.0	9.5	14.5
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**TOTAL -- State Treasurer**

52,918.5	49,543.2
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3.0	96.5	56.5
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**TOTAL -- OTHER ELECTIVE**

79,418.3	53,488.1
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**(15-00-00) LEGAL**

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Personnel		
NSF	ASF	GF
48.7	58.4	302.5
	2.0	
48.7	60.4	302.5

**(15-01-01) Office of Attorney General**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Tobacco:  
    Personnel Costs  
Other Items:  
    Extradition  
    Victims Rights  
    Medicaid Fraud Program  
    Securities Administration  
    AG Opinion Fund  
    Child Support  
    Consumer Protection

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

749.0	26,719.4
0.1	14.5
230.3	2,679.2
	53.0
0.3	71.4
75.1	17.0
204.6	
	60.0
452.8	
30.6	
861.8	
15.0	
1,646.2	
1,262.7	
5,528.5	29,614.5

**TOTAL -- Office of Attorney General**

**(15-02-01) Public Defender**

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay

5.0		147.0
5.0		147.0

**TOTAL -- Public Defender**

	14,429.9
	9.1
	810.4
	62.8
	3.8
	15,316.0

**(15-03-01) Board of Parole**

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials

		8.0
		8.0

**TOTAL -- Board of Parole**

	570.4
	15.0
	68.1
	6.4
	659.9

53.7	60.4	457.5
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**TOTAL -- LEGAL**

5,528.5	45,590.4
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**(20-00-00) DEPARTMENT OF STATE**

<b>Personnel</b>			<b>\$ Program</b>		<b>\$ Line Item</b>	
<b>NSF</b>	<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>
			<b>(20-01-00) Office of the Secretary</b>			
	13.0	49.0			870.1	3,279.4
					34.2	59.1
					1,379.2	499.3
						81.0
					106.0	121.7
					180.0	6.5
						68.1
					3.0	
						72.0
	13.0	49.0	<b>TOTAL -- Office of the Secretary</b>		2,572.5	4,187.1
			<b>(20-01-00) Internal Program Units</b>			
	10.0	8.0	1,901.5	791.5		
		7.0				609.1
		10.0	70.0	691.9		
		6.0	16.0	445.5		
		3.0		219.9		
	3.0	2.0	582.0	168.0		
		2.0		194.4		
		6.0		545.8		
		1.0		138.5		
		4.0	3.0	382.5		
	13.0	49.0	2,572.5	4,187.1		
			<b>(20-02-00) Office of Human Relations</b>			
1.0		9.0				547.1
						5.2
						48.5
						1.5
					10.0	
1.0		9.0	<b>TOTAL -- Office of Human Relations</b>		10.0	602.3
			<b>(20-02-00) Internal Program Units</b>			
1.0		9.0	10.0	602.3		
1.0		9.0	10.0	602.3		
			<b>(20-03-00) Delaware Public Archives</b>			
	5.0	30.0			341.8	1,657.5
						3.8
						223.9
						57.4
						41.0
						20.0
						35.0
						1,100.3
	5.0	30.0	<b>TOTAL -- Delaware Public Archives</b>		341.8	3,138.9
			<b>(20-03-00) Internal Program Units</b>			
	5.0	30.0	341.8	3,138.9		
	5.0	30.0	341.8	3,138.9		

**(20-00-00) DEPARTMENT OF STATE**

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(20-04-00) Regulation and Licensing**

	78.0	
	78.0	

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Real Estate Guaranty Fund  
    Examination Costs  
    Motor Vehicle Franchise Fund  
**TOTAL -- Regulation and Licensing**

5,782.6	
151.4	
2,977.3	
67.9	
160.4	
10.0	
54.5	
15.0	
9,219.1	

	36.0	
	36.0	
	6.0	
	78.0	

(-01) Professional Regulation  
(-02) Public Service Commission  
(-03) Public Advocate  
**TOTAL -- Internal Program Units**

3,897.8	
4,530.0	
791.3	
9,219.1	

**(20-05-00) Corporations**

	113.0	
	113.0	

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Computer Time Costs  
    Technology Infrastructure Fund  
**TOTAL -- Corporations**

6,946.9	
27.0	
2,854.0	
70.6	
505.0	
1,300.0	
5,425.0	
17,128.5	

	113.0	
	113.0	

(-01) Corporations  
**TOTAL -- Internal Program Unit**

17,128.5	
17,128.5	

**(20-06-00) Historical and Cultural Affairs**

6.9	1.5	41.1
6.9	1.5	41.1

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Art Object Refurbishing  
    Museum Operations  
    Museum Collections  
    Museum Conservation Fund  
    Museum Gift Shop  
    Museum Maintenance/Grounds  
    Museum Exhibits  
    Conference Center Operations  
    Conference Center Grounds  
    Museum Marketing  
    Museum Education  
    Dayett Mills  
    John Dickinson Plantation  
Debt Service  
**TOTAL -- Historical and Cultural Affairs**

89.4	2,555.0
	16.0
	258.8
	349.4
	51.4
	11.2
	15.0
20.0	35.0
	15.0
	37.0
84.7	
1.0	5.0
13.1	
83.9	
1.5	
3.0	
10.0	
23.5	50.0
19.6	
	145.8
349.7	3,544.6

**(20-00-00) DEPARTMENT OF STATE**

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Personnel		
NSF	ASF	GF
	1.0	5.0
6.4		5.6
0.5	0.5	30.5
6.9	1.5	41.1

(-01) Office of Administration  
 (-03) Delaware State Historic Preservation Office  
 (-04) Delaware State Museums  
**TOTAL -- Internal Program Units**

\$ Program	
ASF	GF
193.7	703.2
	363.1
156.0	2,478.3
349.7	3,544.6

\$ Line Item	
ASF	GF

**(20-07-00) Arts**

3.0		6.0
3.0		6.0

Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 Other Items:  
     Delaware Art  
     Art for the Disadvantaged  
**TOTAL -- Arts**

	439.8
	2.4
	74.2
	3.0
	1,562.5
	10.0
	2,091.9

3.0		6.0
3.0		6.0

(-01) Office of the Director  
**TOTAL -- Internal Program Unit**

	2,091.9
	2,091.9

**(20-08-00) Libraries**

9.0		13.0
9.0		13.0

Personnel Costs  
 Travel  
 Contractual Services  
 Energy  
 Supplies and Materials  
 Capital Outlay  
 Other Items:  
     Library Standards  
     Delaware Electronic Library  
     DELNET- Statewide  
     Public Education Project  
     Debt Service  
**TOTAL -- Libraries**

	786.1
	4.0
	154.6
	31.1
	21.6
	7.0
	4,669.5
	510.0
	635.0
	100.0
	805.2
	7,724.1

9.0		13.0
9.0		13.0

(-01) Libraries  
**TOTAL -- Internal Program Unit**

	7,724.1
	7,724.1

**(20-09-00) Veterans Home**

		262.5
		262.5

Personnel Costs  
 Travel  
 Contractual Services  
 Energy  
 Supplies and Materials  
 Capital Outlay  
**TOTAL -- Veterans Home**

	10,974.3
	20.8
	1,552.3
	533.4
	1,406.2
	115.0
	14,602.0

		262.5
		262.5

(-01) Veterans Home  
**TOTAL -- Internal Program Unit**

	14,602.0
	14,602.0

**(20-00-00) DEPARTMENT OF STATE**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					<b>(20-15-00) State Banking Commission</b>	
	38.0				2,919.9	
					80.0	
					455.2	
					20.0	
					67.5	
	38.0		<b>TOTAL -- State Banking Commission</b>		3,542.6	
	38.0		(-01) State Banking Commission		3,542.6	
	38.0		<b>TOTAL -- Internal Program Unit</b>		3,542.6	
<b>19.9</b>	<b>248.5</b>	<b>410.6</b>	<b>TOTAL -- DEPARTMENT OF STATE</b>		<b>33,164.2</b>	<b>35,890.9</b>



**(25-00-00) DEPARTMENT OF FINANCE**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(25-01-00) Office of the Secretary</b>			
		20.0				1,916.7
						16.9
						356.1
						16.7
						1.5
					1,982.5	
						65.0
						2,017.1
		20.0			1,982.5	4,390.0
			<b>TOTAL -- Office of the Secretary</b>			
		20.0	1,982.5	4,390.0		
		20.0	1,982.5	4,390.0		
			<b>(-01) Office of the Secretary</b>			
			<b>TOTAL -- Internal Program Unit</b>			
			<b>(25-05-00) Accounting</b>			
	7.0	43.0			453.9	2,678.8
					12.0	19.6
					12.0	576.5
					1.5	33.1
					5.0	69.1
						5.0
	7.0	43.0			484.4	3,382.1
			<b>TOTAL -- Accounting</b>			
	7.0	43.0	484.4	3,382.1		
	7.0	43.0	484.4	3,382.1		
			<b>(-01) Accounting</b>			
			<b>TOTAL -- Internal Program Unit</b>			
			<b>(25-06-00) Revenue</b>			
	1.0	178.0			36.2	11,780.4
						27.4
						1,385.4
						4.5
						99.9
						60.5
	14.0				1,500.5	
	15.0				2,331.8	
	30.0	178.0			3,868.5	13,358.1
			<b>TOTAL -- Revenue</b>			
	30.0	178.0	3,868.5	13,358.1		
	30.0	178.0	3,868.5	13,358.1		
			<b>(-01) Revenue</b>			
			<b>TOTAL -- Internal Program Unit</b>			

**(25-00-00) DEPARTMENT OF FINANCE**

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Personnel		
NSF	ASF	GF
	29.0	
	29.0	
	29.0	
	29.0	
	66.0	241.0

**(25-07-00) State Lottery Office**  
 Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 Capital Outlay  
**TOTAL -- State Lottery Office**

\$ Program	
ASF	GF
54,694.1	
54,694.1	

\$ Line Item	
ASF	GF
2,025.6	
50.0	
52,353.6	
47.9	
217.0	
54,694.1	

(-01) State Lottery Office  
 TOTAL -- Internal Program Unit

**TOTAL -- DEPARTMENT OF FINANCE**

<b>61,029.5</b>	<b>21,130.2</b>
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**(35-00-00) DEPARTMENT OF HEALTH AND SOCIAL SERVICES**

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Personnel		
NSF	ASF	GF
71.4	37.6	470.7
71.4	37.6	470.7

**(35-01-00) Administration**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Revenue Management  
    Program Integrity  
    Nurse Recruitment  
    Birth to Three Program  
    EBT  
    Operations  
    DHSS/IRM  
Debt Service

**TOTAL -- Administration**

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

1,914.6	26,195.1
12.7	5.2
385.9	5,798.6
	214.0
98.5	952.2
65.0	21.2
269.2	
232.8	
	20.0
300.0	2,878.9
	549.2
1,200.0	
650.0	
	181.9
5,128.7	36,816.3

		9.0
71.4	36.6	168.6
	1.0	293.1
71.4	37.6	470.7

(-10) Office of the Secretary  
(-20) Management Services  
(-30) Facility Operations  
**TOTAL -- Internal Program Units**

97.1	751.1
3,831.6	18,666.6
1,200.0	17,398.6
5,128.7	36,816.3

**(35-02-00) Medicaid and Medical Assistance**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Tobacco Fund:  
    Contractual Services  
    Prescription Drug Program  
    Former SSI Beneficiaries  
    Medicaid  
    Money Follows the Person  
Cancer Council Recommendations:  
    Breast and Cervical Cancer Treatment  
Other Items:  
    Medicaid  
    Medicaid Buy In  
    Medicaid/NonState  
    DOC Medicaid  
    Medicaid Other  
    DPH Fees  
    School Based Health Centers  
    Delaware Healthy Children Program  
    Delaware Healthy Children Program Premiums  
    Delaware Healthy Children Program - DSCYF  
    Legal Non-Citizen Health Care  
    Cost Recovery  
    Renal

**TOTAL -- Medicaid and Medical Assistance**

106.5		78.4
3.5	3.5	
110.0	3.5	78.4

	4,749.2
	7.8
	3,860.8
	41.0
	34.0
	6.6
90.0	
4,500.0	
2,295.0	
600.0	
691.0	
200.0	
16,400.0	535,168.4
47.5	1,152.3
100.0	
2,000.0	
1,046.7	
800.0	
600.0	
	5,415.7
600.0	
585.2	
	1,570.0
75.1	
	950.0
30,630.5	552,955.8

110.0	3.5	78.4
110.0	3.5	78.4

(-01) Medicaid and Medical Assistance  
**TOTAL -- Internal Program Unit**

30,630.5	552,955.8
30,630.5	552,955.8



**(35-00-00) DEPARTMENT OF HEALTH AND SOCIAL SERVICES**

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					900.0	
					22.0	
					559.0	
					1,200.0	
						5,872.7
					13.5	
					30.0	
						5,188.5
					25.0	
						250.6
						10.9
260.2	62.8	1,214.1	<b>TOTAL -- Public Health</b>		32,298.6	98,862.0

4.5	9.0	55.0	(-10) Director's Office/Support Services	1,620.9	4,301.5
254.7	52.8	307.1	(-20) Community Health	28,594.9	41,588.3
1.0		9.0	(-30) Emergency Medical Services	250.0	1,454.4
	1.0	544.0	(-40) Delaware Hospital for the Chronically Ill	1,663.4	32,557.5
		163.0	(-50) Emily Bissell	144.4	10,659.2
		136.0	(-60) Governor Bacon	25.0	8,301.1
260.2	62.8	1,214.1	<b>TOTAL -- Internal Program Units</b>	32,298.6	98,862.0

**(35-06-00) Substance Abuse and Mental Health**

5.8	7.0	776.4	Personnel Costs		375.2	48,715.8
			Travel			25.2
			Contractual Services		1,643.3	35,021.7
			Energy			1,559.0
			Supplies and Materials		100.6	5,194.2
			Capital Outlay		9.0	184.0
			Tobacco Fund:			
			Contractual Services		176.6	
			Transitional Housing for Detoxification		220.0	
			Heroin Residential Program		550.0	
			Delaware School Study		47.6	
			Limen House		75.0	
			Other Items:			
	1.0		Medicare Part D		950.0	
			TEFRA		1,000.0	
			DPC Industries			38.1
			DOC Assessments		655.0	
			Clinical Care			347.5
			Kent/Sussex Detox Center		300.0	
			Debt Service			22.1
5.8	8.0	776.4	<b>TOTAL -- Substance Abuse and Mental Health</b>		6,102.3	91,107.6

3.0		66.0	(-10) Administration	60.0	5,354.0
1.0		110.0	(-20) Community Mental Health	2,305.0	32,310.6
0.8	1.0	563.4	(-30) Delaware Psychiatric Center	1,120.0	42,025.9
1.0	7.0	37.0	(-40) Substance Abuse	2,617.3	11,417.1
5.8	8.0	776.4	<b>TOTAL -- Internal Program Units</b>	6,102.3	91,107.6

**(35-00-00) DEPARTMENT OF HEALTH AND SOCIAL SERVICES**

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(35-07-00) Social Services**

214.8		206.9
214.8		206.9

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Tobacco Fund:  
SSI Supplement  
Other Items:  
Cost Recovery  
General Assistance  
TANF Cash Assistance  
TANF Cash Assistance Pass Through  
Child Care  
Emergency Assistance  
Employment and Training

	11,486.0
	3.0
	2,865.5
	67.1
	88.5
	66.3
1,240.4	
75.1	
	4,597.5
	2,282.4
1,200.0	
	40,707.0
	798.9
	2,499.8
2,515.5	65,462.0

**TOTAL -- Social Services**

214.8		206.9
214.8		206.9

(-01) Social Services  
TOTAL -- Internal Program Unit

2,515.5	65,462.0
2,515.5	65,462.0

TOTAL--Temporary Assistance to Needy Families and Their Children (TANF) NSF appropriation

32,291.0
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**(35-08-00) Visually Impaired**

26.6	3.0	41.4
26.6	3.0	41.4

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
BEP Unassigned Vending  
BEP Independence  
BEP Vending

108.5	2,881.4
	3.1
1.5	473.8
	88.3
	108.2
4.0	39.1
175.0	
450.0	
425.0	
1,164.0	3,593.9

**TOTAL -- Visually Impaired**

26.6	3.0	41.4
26.6	3.0	41.4

(-01) Visually Impaired Services  
TOTAL -- Internal Program Unit

1,164.0	3,593.9
1,164.0	3,593.9

**(35-09-00) Long Term Care Residents Protection**

20.4		41.6
20.4		41.6

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
**TOTAL -- Long Term Care Residents Protection**

	2,663.1
	12.3
	529.8
	8.4
	15.8
	20.3
	3,249.7

20.4		41.6
20.4		41.6

(-01) Long Term Care Residents Protection  
TOTAL -- Internal Program Unit

	3,249.7
	3,249.7

**(35-00-00) DEPARTMENT OF HEALTH AND SOCIAL SERVICES**

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Personnel		
NSF	ASF	GF
133.3	27.2	67.5
133.3	27.2	67.5

**(35-10-00) Child Support Enforcement**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
Recoupment

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

1,415.8	3,885.7
5.7	3.9
793.5	673.3
30.0	15.0
23.0	9.8
162.9	2.1
25.0	
2,455.9	4,589.8

**TOTAL -- Child Support Enforcement**

133.3	27.2	67.5
133.3	27.2	67.5

(-01) Child Support Enforcement  
TOTAL -- Internal Program Unit

2,455.9	4,589.8
2,455.9	4,589.8

**(35-11-00) Developmental Disabilities Services**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Tobacco Fund:  
Family Support  
Other Items:  
Facility Repairs & Maintenance  
Music Stipends  
Assisted Living  
Purchase of Care  
Purchase of Community Services  
Stockley Transition Plan  
Debt Service

3.0	1.0	635.6
3.0	1.0	635.6

41.0	33,955.6
	22.6
2,192.0	3,805.6
	801.8
	1,255.8
	146.6
70.0	
	30.0
	9.6
300.0	
2,094.0	27,495.0
	6,115.4
	526.2
	5.0
4,697.0	74,169.2

**TOTAL -- Developmental Disabilities Services**

3.0	1.0	89.0
		305.0
		241.6
3.0	1.0	635.6

(-10) Administration  
(-20) Stockley Center  
(-30) Community Services  
TOTAL -- Internal Program Units

41.0	5,154.9
300.0	22,332.8
4,356.0	46,681.5
4,697.0	74,169.2

**(35-00-00) DEPARTMENT OF HEALTH AND SOCIAL SERVICES**

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(35-12-00) State Service Centers**

22.5		111.1
22.5		111.1

Personnel Costs  
 Travel  
 Contractual Services  
 Energy  
 Supplies and Materials  
 Capital Outlay  
 Other Items:  
     Family Support  
     Community Food Program  
     Emergency Assistance  
     Kinship Care  
     Hispanic Affairs  
     Energy Assistance  
 Debt Service

	5,929.9
7.8	6.1
319.7	1,521.7
231.3	907.4
64.1	58.3
39.8	17.3
	393.0
	129.8
	1,668.9
	70.0
	50.3
	2,000.0
	14.0
662.7	12,766.7

**TOTAL -- State Service Centers**

10.3		78.3
6.2		2.8
6.0		18.0
22.5		111.1

(-10) Family Support  
 (-20) Service Center Management  
 (-30) Community Services  
 (-40) Volunteer Services  
**TOTAL -- Internal Program Units**

	5,044.4
662.7	1,827.7
	4,016.1
	1,878.5
662.7	12,766.7

**(35-14-00) Services for Aging and Adults with Physical Disabilities**

57.7		69.6
57.7		69.6

Personnel Costs  
 Travel  
 Contractual Services  
 Energy  
 Supplies and Materials  
 Capital Outlay  
 Tobacco Fund:  
     Attendant Care  
     Caregivers Support  
     Respite Care  
 Other Items:  
     Community Services  
     Nutrition Program  
     Long Term Care  
     Respite Care

	3,997.4
	9.1
	5,761.9
	13.9
	57.8
	6.8
760.0	
178.1	
46.7	
261.0	3.0
	789.9
	249.1
	110.0
1,245.8	10,998.9

**TOTAL -- Services for Aging and Adults with Physical Disabilities**

57.7		69.6
57.7		69.6

(-01) Services for Aging and Adults with Physical Disabilities  
**TOTAL -- Internal Program Unit**

1,245.8	10,998.9
1,245.8	10,998.9

925.7	143.1	3,762.3
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**TOTAL -- DEPARTMENT OF HEALTH AND SOCIAL SERVICES**

86,901.0	959,153.6
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**(37-00-00) DEPARTMENT OF SERVICES FOR CHILDREN,  
YOUTH AND THEIR FAMILIES**

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Personnel		
NSF	ASF	GF
79.9	33.5	178.2
79.9	33.5	178.2

\$ Program	
ASF	GF
<b>(37-01-00) Management Support Services</b>	
Personnel Costs	
Travel	
Contractual Services	
Supplies and Materials	
Capital Outlay	
Tobacco Funds:	
Tobacco Prevention Programs for Youth	
Other Items:	
MIS Development	
Agency Operations	
Services Integration	
Maintenance and Restoration	
Population Contingency	
Debt Service	
<b>TOTAL -- Management Support Services</b>	

\$ Line Item	
ASF	GF
2,294.7	13,825.1
20.9	13.3
437.1	4,192.8
66.7	234.0
27.0	26.3
110.0	
	646.6
187.0	
102.1	
100.0	
	2,350.0
	2.5
3,345.5	21,290.6

4.0	5.0	22.0
	1.0	2.0
10.3	9.0	23.0
2.0	3.0	22.0
	2.0	13.0
	6.0	65.0
2.6	2.5	19.2
61.0	5.0	12.0
79.9	33.5	178.2

(-10) Office of the Secretary	
(-15) Office of the Director	
(-20) Fiscal Services	
(-25) Planning and Evaluation	
(-30) Human Resources	
(-40) Education Services	
(-50) Management Information Systems	
(-60) Prevention/Early Intervention	
<b>TOTAL -- Internal Program Units</b>	

435.0	4,665.2
113.3	379.9
494.9	1,361.6
534.1	3,519.2
134.7	940.7
475.4	6,330.3
555.2	2,883.9
602.9	1,209.8
3,345.5	21,290.6

6.0	24.0	198.8
6.0	24.0	198.8

<b>(37-04-00) Child Mental Health Services</b>	
Personnel Costs	
Travel	
Contractual Services	
Energy	
Supplies and Materials	
Capital Outlay	
Other Items:	
MIS Maintenance	
<b>TOTAL -- Child Mental Health Services</b>	

1,549.1	14,460.3
8.4	16.4
10,165.3	13,685.0
	276.0
24.7	289.5
	7.7
16.0	
11,763.5	28,734.9

6.0	24.0	96.1
		34.5
		68.2
6.0	24.0	198.8

(-10) Managed Care Organization	
(-30) Periodic Treatment	
(-40) 24 Hour Treatment	
<b>TOTAL -- Internal Program Units</b>	

1,841.4	8,938.5
3,709.3	9,903.3
6,212.8	9,893.1
11,763.5	28,734.9

**(37-00-00) DEPARTMENT OF SERVICES FOR CHILDREN,  
YOUTH AND THEIR FAMILIES**

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

	22.0	367.6
	22.0	367.6

**(37-05-00) Youth Rehabilitative Services**

Personnel Costs	1,258.8	22,875.3
Travel	10.5	21.3
Contractual Services	641.7	16,408.6
Energy		1,131.8
Supplies and Materials	84.0	1,375.4
Capital Outlay		17.5
Debt Service		1,296.3
<b>TOTAL -- Youth Rehabilitative Services</b>	<b>1,995.0</b>	<b>43,126.2</b>

	1.0	11.1
	6.0	92.5
	15.0	264.0
	22.0	367.6

(-10) Office of the Director	68.5	955.1
(-30) Community Services	519.3	20,995.7
(-50) Secure Care	1,407.2	21,175.4
<b>TOTAL -- Internal Program Units</b>	<b>1,995.0</b>	<b>43,126.2</b>

32.8	25.5	302.0
32.8	25.5	302.0

**(37-06-00) Family Services**

Personnel Costs	1,713.5	19,044.7
Travel	24.9	3.7
Contractual Services	636.6	2,289.0
Energy		30.4
Supplies and Materials	24.7	82.3
Capital Outlay	6.0	14.3
Child Welfare/Contractual Services		21,954.8
Other Items:		
Emergency Material Assistance		31.0
DFS Decentralization	113.3	
<b>TOTAL -- Family Services</b>	<b>2,519.0</b>	<b>43,450.2</b>

21.8	3.0	53.8
1.0	13.0	102.4
10.0	9.5	145.8
32.8	25.5	302.0

(-10) Office of the Director	422.1	5,262.3
(-30) Intake/Investigation	940.2	6,998.5
(-40) Intervention/Treatment	1,156.7	31,189.4
<b>TOTAL -- Internal Program Units</b>	<b>2,519.0</b>	<b>43,450.2</b>

**TOTAL -- DEPARTMENT OF  
SERVICES FOR CHILDREN,  
YOUTH AND THEIR FAMILIES**

<b>118.7</b>	<b>105.0</b>	<b>1,046.6</b>
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<b>19,623.0</b>	<b>136,601.9</b>
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**(38-00-00) DEPARTMENT OF CORRECTION**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					<b>(38-01-00) Administration</b>	
		296.0				19,854.8
						21.8
					25.0	1,924.3
						101.5
						8,425.6
						61.2
						42,805.5
						80.0
						5,392.0
						15.4
						1,522.5
						1,501.1
						52.3
						96.0
		296.0			25.0	81,854.0
					<b>TOTAL -- Administration</b>	
		23.0	25.0	3,394.1		
		50.0		3,525.9		
		51.0		6,016.9		
		82.0		14,139.4		
		11.0		44,356.9		
				5,392.0		
		79.0		5,028.8		
		296.0	25.0	81,854.0		
					<b>TOTAL -- Internal Program Units</b>	

**(38-00-00) DEPARTMENT OF CORRECTION**

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Personnel		
NSF	ASF	GF
	12.0	1,700.7
	12.0	1,700.7

**(38-04-00) Prisons**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
Population Contingency  
Garment Shop  
Gate Money  
Prison Arts  
DCC Fence  
Distance Learning  
Debt Service

**TOTAL -- Prisons**

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

753.0	104,949.7
9.0	20.0
847.4	3,062.6
15.3	8,987.4
1,322.2	3,437.8
177.0	25.0
	558.2
200.0	
	19.0
	70.0
	23.0
	30.0
	7,257.0
3,323.9	128,439.7

		9.0
		730.0
		398.0
		104.0
		377.0
		54.0
	12.0	19.0
		9.7
	12.0	1,700.7

(-01) Bureau Chief - Prisons  
(-03) Delaware Correctional Center  
(-04) Sussex Correctional Institution  
(-05) Delores J. Baylor Correctional Institution  
(-06) Howard R. Young Correctional Institution  
(-08) Transportation  
(-09) Delaware Correctional Industries  
(-11) Education  
TOTAL -- Internal Program Units

	1,754.6
1.0	54,147.6
	28,791.2
2.7	8,607.3
	26,438.1
	5,958.4
3,319.2	1,382.9
1.0	1,359.6
3,323.9	128,439.7

**(38-00-00) DEPARTMENT OF CORRECTION**

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Personnel		
NSF	ASF	GF
		628.0
		628.0

**(38-06-00) Community Corrections**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Debt Service

**TOTAL -- Community Corrections**

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

0.5	41,280.9
	33.6
441.1	4,853.3
15.0	916.3
242.4	817.1
31.0	26.4
	736.8
730.0	48,664.4

		6.0
		311.0
		39.0
		107.0
		82.0
		83.0
		628.0

(-01) Bureau Chief - Community Corrections  
(-02) Probation and Parole  
(-04) House Arrest  
(-06) New Castle County Community Corrections  
(-07) Sussex County Community Corrections  
(-08) Kent County Community Corrections  
TOTAL -- Internal Program Units

120.9	1,474.6
403.1	23,418.8
	3,572.3
2.0	7,766.7
200.0	6,550.9
4.0	5,881.1
730.0	48,664.4

	12.0	2,624.7
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**TOTAL -- DEPARTMENT OF CORRECTION**

4,078.9	258,958.1
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**(40-00-00) DEPARTMENT OF NATURAL RESOURCES  
AND ENVIRONMENTAL CONTROL**

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Personnel		
NSF	ASF	GF
5.6	33.8	44.6
5.6	33.8	44.6

**(40-01-00) Office of the Secretary**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Non-Game Habitat  
    Ecological Restoration  
    Coastal Zone Management  
    Special Projects/Other Items  
    Outdoor Delaware  
    Wholebasin Management-TMDL  
    Wholebasin Management-Admin.  
    Green Energy Fund  
Debt Service

**TOTAL -- Office of the Secretary**

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

1,652.9	3,733.5
16.9	14.4
296.8	157.1
52.5	603.7
72.8	43.2
7.2	
20.0	
	150.0
15.0	
55.0	
105.0	
314.7	1,216.1
	1.5
850.0	
	38.3
3,458.8	5,957.8

	19.3	24.7
1.0	2.0	4.0
3.6	1.0	4.4
1.0	11.5	11.5
5.6	33.8	44.6

(-01) Office of the Secretary  
(-02) Planning and Compliance Assistance  
(-04) Energy Office  
(-05) Office of Information Technology  
**TOTAL -- Internal Program Units**

1,794.4	4,376.0
109.9	412.9
922.3	217.5
632.2	951.4
3,458.8	5,957.8

**(40-00-00) DEPARTMENT OF NATURAL RESOURCES  
AND ENVIRONMENTAL CONTROL**

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Personnel		
NSF	ASF	GF
31.2	37.4	63.4
31.2	37.4	63.4

**(40-05-00) Fish and Wildlife**

- Personnel Costs
- Travel
- Contractual Services
- Energy
- Supplies and Materials
- Capital Outlay
- Other Items:
  - Spraying and Insecticides
  - Oyster Recovery Fund
  - Boat Repairs
  - Non-Game Habitat
  - Natural Heritage Program
  - Clean Vessel Program
  - Duck Stamp
  - Jr. Duck Stamp
  - Trout Stamp
  - Finfish Development
  - Fisheries Restoration
  - Northern Delaware Wetlands
  - Revenue Refund
  - Phragmites Control
  - Debt Service

**TOTAL -- Fish and Wildlife**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		1,511.7	4,733.2
		27.5	12.3
		1,955.7	1,606.6
		2.3	170.7
		456.3	197.8
		1,271.5	
			789.9
		10.0	
		40.0	
		50.0	
		19.0	197.0
		32.4	
		180.0	
		5.0	
		50.0	
		130.0	
		600.0	
		277.5	
		15.0	
			151.5
			2.0
		6,633.9	7,861.0

	1.0	1.5
26.6	30.4	18.0
0.5	0.5	17.0
4.1	5.5	26.9
31.2	37.4	63.4

- (-01) Management and Support -  
Fish and Wildlife
- (-02) Wildlife/Fisheries
- (-04) Mosquito Control
- (-05) Dog Control
- (-06) Fish and Wildlife Enforcement
- TOTAL -- Internal Program Units

125.9	200.1
4,072.8	2,224.0
357.1	2,225.4
1,223.7	1,023.7
854.4	2,187.8
6,633.9	7,861.0

**(40-00-00) DEPARTMENT OF NATURAL RESOURCES  
AND ENVIRONMENTAL CONTROL**

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Personnel		
NSF	ASF	GF
11.0	64.0	122.0
11.0	64.0	122.0

**(40-06-00) Parks and Recreation**

Personnel Costs

Travel

Contractual Services

Energy

Supplies and Materials

Capital Outlay

Other Items:

    Killen's Pond Water Park

    Biden Center

    Other Items

    Debt Service

**TOTAL -- Parks and Recreation**

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

6,262.3	7,396.4
30.8	5.2
2,090.9	1,129.5
56.9	785.7
886.1	426.9
246.1	
440.0	
90.0	
823.4	
	1,069.7
10,926.5	10,813.4

	4.0	10.0
	41.0	53.0
	11.0	10.0
3.0	7.0	14.0
	1.0	35.0
8.0		
11.0	64.0	122.0

(-01) Management and Support -  
Parks and Recreation

(-02) Operations and Maintenance

(-03) Cultural and Recreational Services

(-04) Planning, Preservation and  
Development

(-05) Wilmington State Parks

(-06) Indian River Marina

**TOTAL -- Internal Program Units**

1,165.3	640.7
7,504.7	5,079.8
1,205.1	647.6
906.3	1,277.6
145.1	3,167.7
10,926.5	10,813.4

**(40-07-00) Soil and Water Conservation**

Personnel Costs

Travel

Contractual Services

Energy

Supplies and Materials

Capital Outlay

Other Items:

    New Castle County Dredge

    Beach Erosion Control Program

    Sand Bypass System

    Tax Ditches\*

Debt Service

**TOTAL -- Soil and Water Conservation**

23.4	4.0	49.6
23.4	4.0	49.6

255.5	3,542.9
5.0	5.9
1,352.4	1,005.0
	73.9
44.0	236.6
39.0	
	225.0
8,000.0	
	95.0
	225.0
	1,047.6
9,695.9	6,456.9

1.5		4.5
	3.0	15.0
2.9		25.1
4.0	1.0	4.0
15.0		1.0
23.4	4.0	49.6

(-01) Management and Support -  
Soil and Water

(-02) Drainage and Stormwater

(-03) Shoreline and Waterway

Management

(-04) District Operations

(-05) Delaware Coastal Programs

**TOTAL -- Internal Program Units**

300.0	469.2
241.3	2,682.7
9,069.6	2,195.9
75.0	1,021.4
10.0	87.7
9,695.9	6,456.9

\*Pursuant to 7 Del. C. § 3921



**(40-00-00) DEPARTMENT OF NATURAL RESOURCES  
AND ENVIRONMENTAL CONTROL**

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Personnel		
NSF	ASF	GF
27.9	61.1	73.0
27.9	61.1	73.0

**(40-08-00) Water Resources**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Inland Bays Research  
    Delaware Estuary  
    Other Items  
    Water Resources Agency  
    Harmful Algal Bloom  
    SRF Future Administration  
    Board of Certification  
Debt Service

**TOTAL -- Water Resources**

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

2,534.1	5,547.8
38.0	40.2
996.0	1,438.0
1.5	13.0
219.0	91.9
241.0	40.0
	156.8
	38.0
65.1	
	280.5
	40.0
750.0	
14.0	
	380.6
4,858.7	8,066.8

8.9	11.9	9.2
0.5	23.5	15.0
2.0	7.0	6.0
4.0	12.0	11.0
6.3	2.7	10.0
5.2		16.8
1.0	4.0	5.0
27.9	61.1	73.0

(-01) Management and Support -  
    Water Resources  
(-02) Environmental Laboratory  
(-04) Surface Water Discharges  
(-05) Ground Water Discharges  
(-06) Water Supply  
(-07) Watershed Assessment  
(-08) Wetlands and Subaqueous Lands  
**TOTAL -- Internal Program Units**

1,230.5	1,808.6
1,506.3	1,333.8
541.0	670.5
813.2	688.5
277.2	720.3
	2,390.4
490.5	454.7
4,858.7	8,066.8

**(40-00-00) DEPARTMENT OF NATURAL RESOURCES  
AND ENVIRONMENTAL CONTROL**

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Personnel		
NSF	ASF	GF
64.4	94.3	57.3
64.4	94.3	57.3

**(40-09-00) Air and Waste Management**

- Personnel Costs
- Travel
- Contractual Services
- Energy
- Supplies and Materials
- Capital Outlay
- Other Items:
  - Local Emergency Planning Committees
  - AST Administration
  - HSCA - Clean-up
  - HSCA - Recovered Administration
  - SARA
  - UST Administration
  - UST Recovered Costs
  - Stage II Vapor Recovery
  - Extremely Hazardous Substance Program
  - Environmental Response
  - Non-Title V
  - Enhanced I & M Program
  - Public Outreach
  - Recycling Community Outreach
  - Other Items
  - Cost Recovery
  - Tire Administration
  - Tire Clean-up

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		3,927.1	4,785.3
		78.0	16.7
		1,320.0	368.3
		40.0	108.8
		335.9	91.7
		242.0	4.9
		300.0	
		225.0	
		25,310.5	
		2,398.0	
		30.0	14.4
		350.0	
		100.0	
		75.0	
		180.9	
		525.8	
		164.8	
		241.2	
		50.0	
			50.0
		834.8	
		20.0	
		500.0	
		1,500.0	
		38,749.0	5,440.1

**TOTAL - Air and Waste Management**

3.0	13.5	11.5
17.2	45.0	12.8
43.2	33.8	23.0
1.0	2.0	10.0
64.4	94.3	57.3

- (-01) Management and Support - Air and Waste
  - (-02) Air Quality Management
  - (-03) Waste Management
  - (-04) Emergency Prevention and Response
- TOTAL -- Internal Program Units

1,691.5	1,216.4
4,414.9	1,349.3
31,255.9	2,024.8
1,386.7	849.6
38,749.0	5,440.1

**TOTAL -- DEPARTMENT OF  
NATURAL RESOURCES AND  
ENVIRONMENTAL CONTROL**

163.5	294.6	409.9
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74,322.8	44,596.0
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**(45-00-00) DEPARTMENT OF SAFETY AND HOMELAND SECURITY**

<b>Personnel</b>			<b>\$ Program</b>		<b>\$ Line Item</b>	
<b>NSF</b>	<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>
			<b>(45-01-00) Office of the Secretary</b>			
41.3	3.5	54.2			162.2	3,767.9
					4.0	9.1
					150.0	949.2
					10.0	53.2
					10.0	0.1
						15.0
						112.1
						50.0
						15.0
					500.0	
					100.0	
					336.0	
					0.7	
						97.2
41.3	3.5	54.2	<b>TOTAL -- Office of the Secretary</b>		1,272.9	5,068.8
1.0		18.0	100.0	1,685.2		
	3.5	23.5	1,172.9	2,273.5		
31.8		8.2		778.7		
4.5		2.5		173.3		
4.0				20.0		
		2.0		138.1		
41.3	3.5	54.2	<b>TOTAL -- Internal Program Units</b>		1,272.9	5,068.8
			<b>(45-02-00) Capitol Police</b>			
		67.0				3,460.6
						4.5
						342.3
						41.0
						30.9
		67.0	<b>TOTAL -- Capitol Police</b>			3,879.3
		67.0		3,879.3		
		67.0	<b>TOTAL -- Internal Program Unit</b>			3,879.3

**(45-00-00) DEPARTMENT OF SAFETY AND HOMELAND SECURITY**

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(45-03-00) Office of the Alcoholic Beverage Control Commissioner**

		7.0
		7.0

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
**TOTAL -- Office of the Alcoholic Beverage Control Commissioner**

	495.6
2.0	5.0
46.4	16.6
	4.0
48.4	521.2

		7.0
		7.0

(-10) Office of the Alcoholic Beverage Control Commissioner  
**TOTAL -- Internal Program Unit**

48.4	521.2
48.4	521.2

**(45-04-00) Division of Alcohol and Tobacco Enforcement**

	2.0	13.0
	4.0	
	6.0	13.0

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Tobacco:  
    Personnel Costs  
    Travel  
    Contractual Services  
    Supplies and Materials  
    Capital Outlay  
Other Items  
**TOTAL -- Division of Alcohol and Tobacco Enforcement**

105.3	849.5
2.8	3.0
43.3	127.0
2.3	18.4
2.0	3.0
235.0	
20.0	
150.0	
89.0	
30.0	
10.0	
689.7	1,000.9

	6.0	13.0
	6.0	13.0

(-10) Division of Alcohol and Tobacco Enforcement  
**TOTAL -- Internal Program Unit**

689.7	1,000.9
689.7	1,000.9

**(45-00-00) DEPARTMENT OF SAFETY AND HOMELAND SECURITY**

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Personnel		
NSF	ASF	GF
44.2	50.5	829.3
44.2	50.5	829.3

**(45-06-00) State Police**  
 Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 Capital Outlay  
 Other Items:  
     Other Items  
     DSP Recruitment  
     Pension - 20 Year Retirees  
     Crime Reduction Fund  
     Career Development  
     Handicapped/Fire Lane Enforcement  
     Special Duty Fund  
 Debt Service  
**TOTAL -- State Police**

\$ Program	
ASF	GF
607.8	28,900.4
1,420.4	
3,886.6	38,377.4
739.7	17,395.7
1,097.1	6,000.7
	4,390.4
40.7	1,904.6
1,129.0	2,981.4
264.6	2,049.1
337.2	7,282.6
453.6	4,914.7
67.8	885.7
8,624.1	116,503.1

\$ Line Item	
ASF	GF
3,286.8	81,663.8
66.8	44.8
754.3	5,375.0
936.7	4,458.2
321.9	1,756.8
112.5	
	50.0
	22,000.0
	110.0
	15.0
	90.0
3,145.1	
	939.5
8,624.1	116,503.1

		64.0
		8.0
2.0	23.0	356.0
33.0		149.0
1.0	7.0	41.0
		24.0
6.2	1.0	20.8
2.0	15.0	41.0
		12.0
	4.5	85.5
		15.0
		13.0
44.2	50.5	829.3

(-01) Executive  
 (-02) Building Maintenance and Construction  
 (-03) Patrol  
 (-04) Criminal Investigation  
 (-05) Special Investigation  
 (-06) Aviation  
 (-07) Traffic  
 (-08) State Bureau of Identification  
 (-09) Training  
 (-10) Communications  
 (-11) Transportation  
 (-12) Community Relations  
**TOTAL - Internal Program Units**

607.8	28,900.4
1,420.4	
3,886.6	38,377.4
739.7	17,395.7
1,097.1	6,000.7
	4,390.4
40.7	1,904.6
1,129.0	2,981.4
264.6	2,049.1
337.2	7,282.6
453.6	4,914.7
67.8	885.7
8,624.1	116,503.1

<b>85.5</b>	<b>60.0</b>	<b>970.5</b>
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**TOTAL -- DEPARTMENT OF SAFETY AND HOMELAND SECURITY**

<b>10,635.1</b>	<b>126,973.3</b>
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**(55-00-00) DEPARTMENT OF TRANSPORTATION**

<b>Personnel</b>				<b>\$ Line Item</b>
<b>NSF</b>	<b>TFO</b>	<b>TFC</b>		<b>TFO</b>
			<b>(55-01-00) Office of the Secretary</b>	
			<b>(55-01-01) Office of the Secretary</b>	
	9.0		Personnel Costs	882.3
			Operations/Capital	29.7
			Salary Contingency	2,349.8
	9.0		<b>TOTAL -- Office of the Secretary</b>	<b>3,261.8</b>
			<b>(55-01-02) Finance</b>	
1.0	35.0		Personnel Costs	2,238.6
			Operations/Capital	1,338.5
1.0	35.0		<b>TOTAL -- Finance</b>	<b>3,577.1</b>
			<b>(55-01-03) Public Relations</b>	
	15.0		Personnel Costs	978.4
			Operations/Capital	112.2
	15.0		<b>TOTAL -- Public Relations</b>	<b>1,090.6</b>
			<b>(55-01-04) Human Resources</b>	
	29.0		Personnel Costs	1,604.5
			Travel	102.3
			Contractual/Supplies	615.5
	29.0		<b>TOTAL -- Human Resources</b>	<b>2,322.3</b>
1.0	88.0		<b>TOTAL -- Office of the Secretary</b>	<b>10,251.8</b>
			<b>(55-02-01) Technology and Support Services</b>	
	93.0		Personnel Costs	6,773.3
			Travel	51.0
			Energy	790.0
			Capital Outlay	361.9
			Contractual/Supplies	10,091.0
	93.0		<b>TOTAL -- Technology and Support Services</b>	<b>18,067.2</b>
			<b>(55-03-01) Planning</b>	
	68.0	27.0	Personnel Costs	4,756.0
			Operations/Capital	877.3
	68.0	27.0	<b>TOTAL -- Planning</b>	<b>5,633.3</b>

**(55-00-00) DEPARTMENT OF TRANSPORTATION**

<b>Personnel</b>				<b>\$ Line Item</b>
<b>NSF</b>	<b>TFO</b>	<b>TFC</b>		<b>TFO</b>
			<b>(55-04-00) Maintenance and Operations</b>	
			<b>(55-04-01) Office of the Director</b>	
	24.0	3.0	Personnel Costs	1,575.8
			Operations/Capital	94.6
	24.0	3.0	TOTAL -- Office of the Director	1,670.4
			<b>(55-04-70) Maintenance Districts</b>	
	725.0	38.0	Personnel Costs	37,927.9
			Energy	2,193.1
			Capital Outlay	234.5
			Contractual/Supplies	18,428.2
			Snow/Storm Contingency	3,277.4
	725.0	38.0	TOTAL -- Maintenance Districts	62,061.1
			<b>(55-04-90) Toll Administration</b>	
	140.0		Personnel Costs	7,451.8
			Travel	26.0
			Energy	624.2
			Capital Outlay	41.0
			Contractual/Supplies	2,404.6
			Contractual - E-ZPass Operations	8,647.6
	140.0		TOTAL -- Toll Administration	19,195.2
	889.0	41.0	<b>TOTAL -- Maintenance and Operations</b>	<b>82,926.7</b>

**(55-00-00) DEPARTMENT OF TRANSPORTATION**

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Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			<b>(55-06-01) Delaware Transportation Authority</b>	
			Delaware Transit Corporation	
	3.0		Transit Operations	70,535.7
			Taxi Services Support "E & H"	148.5
			Newark Transportation	131.2
			Kent and Sussex Transportation "E & H"	1,394.3
			<b>Total -- Delaware Transit Corporation</b>	<b>72,209.7</b>
			DTA Indebtedness	
			Debt Service	
			Transportation Trust Fund	131,375.0
			General Obligation	796.0
			<b>Total -- DTA Indebtedness</b>	<b>132,171.0</b>
	3.0		<b>TOTAL -- Delaware Transportation Authority*</b>	<b>204,380.7</b>
<p>* Delaware Transportation Authority, 2 Del. C. c. 13 These funds, except the Regulatory Revolving Funds, are not deposited with the State Treasurer.</p>				
			<b>(55-08-00) Transportation Solutions</b>	
			<b>(55-08-10) Project Teams</b>	
	17.0	116.0	Personnel Costs	920.1
	17.0	116.0	<b>TOTAL -- Project Teams</b>	<b>920.1</b>
			<b>(55-08-20) Design/Quality</b>	
	9.0	39.0	Personnel Costs	771.6
	9.0	39.0	<b>TOTAL -- Design/Quality</b>	<b>771.6</b>
			<b>(55-08-30) Engineering Support</b>	
	26.0	90.0	Personnel Costs	2,356.9
			Travel	19.5
			Energy	6.9
			Capital Outlay	60.1
			Contractual/Supplies	287.1
	26.0	90.0	<b>TOTAL -- Engineering Support</b>	<b>2,730.5</b>
			<b>(55-08-40) Traffic</b>	
	83.0	1.0	Personnel Costs	5,576.9
			Energy	552.3
			Capital Outlay	22.7
			Contractual/Supplies	1,005.1
	83.0	1.0	<b>TOTAL -- Traffic</b>	<b>7,157.0</b>
	135.0	246.0	<b>TOTAL -- Transportation Solutions</b>	<b>11,579.2</b>



**(55-00-00) DEPARTMENT OF TRANSPORTATION**

<b>Personnel</b>				<b>\$ Line Item</b>
<b>NSF</b>	<b>TFO</b>	<b>TFC</b>		<b>TFO</b>
			<b>(55-11-00) Motor Vehicles</b>	
			<b>(55-11-10) Administration</b>	
	23.0		Personnel Costs	1,555.2
			Travel	6.1
			Contractual Services	644.2
			Supplies and Materials	19.4
			Capital Outlay	0.1
			Motorcycle Safety	154.0
	23.0		<b>TOTAL -- Administration</b>	<b>2,379.0</b>
			<b>(55-11-20) Driver Services</b>	
	82.0		Personnel Costs	3,774.4
			Contractual Services	166.6
			Supplies and Materials	86.3
			Capital Outlay	50.0
			CDL Fees	207.3
	82.0		<b>TOTAL -- Driver Services</b>	<b>4,284.6</b>
			<b>(55-11-30) Vehicle Services</b>	
	174.0		Personnel Costs	7,282.5
			Travel	5.0
			Contractual Services	882.6
			Supplies and Materials	1,040.9
			Capital Outlay	68.0
			Odometer Forms	6.0
			Special License Plates	25.0
			DMVT	150.0
	174.0		<b>TOTAL -- Vehicle Services</b>	<b>9,460.0</b>
			<b>(55-11-50) Motor Fuel Tax Administration</b>	
1.0	25.0		Personnel Costs	1,526.0
			Travel	29.0
			Contractual Services	265.2
			Supplies and Materials	26.1
			Capital Outlay	25.0
1.0	25.0		<b>TOTAL -- Motor Fuel Tax Administration</b>	<b>1,871.3</b>
1.0	304.0		<b>TOTAL -- Motor Vehicles</b>	<b>17,994.9</b>
			<b>TOTAL -- DEPARTMENT OF</b>	
			<b>TRANSPORTATION</b>	
2.0	1,580.0	314.0		<b>350,833.8</b>

**(60-00-00) DEPARTMENT OF LABOR**

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Personnel		
NSF	ASF	GF

12.5	30.7	7.8
12.5	30.7	7.8

12.5	10.7	1.3
12.5	3.5	
	20.0	3.0
12.5	30.7	7.8

135.0	4.0	
135.0	4.0	

135.0	4.0	
135.0	4.0	

9.0	55.0	7.0
9.0	55.0	7.0

6.0	37.0	
3.0	18.0	7.0
9.0	55.0	7.0

**(60-01-00) Administration**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
**TOTAL -- Administration**

(-10) Office of the Secretary  
(-20) Office of Occupational and Labor Market Information  
(-40) Administrative Support  
**TOTAL -- Internal Program Units**

**(60-06-00) Unemployment Insurance**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
Revenue Refund  
**TOTAL -- Unemployment Insurance**

(-01) Unemployment Insurance  
**TOTAL -- Internal Program Unit**

**(60-07-00) Industrial Affairs**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
Second Injury  
**TOTAL -- Industrial Affairs**

(-01) Office of Workers' Compensation, Safety and Health  
(-02) Office of Labor Law Enforcement  
**TOTAL -- Internal Program Units**

\$ Program	
ASF	GF

1,186.7	498.4
	207.0
1,759.1	150.4
2,945.8	855.8

475.0	
475.0	

10,017.3	
1,340.9	534.0
11,358.2	534.0

\$ Line Item	
ASF	GF

1,765.3	537.4
13.0	
1,060.0	253.5
	0.9
57.0	44.0
50.5	20.0
2,945.8	855.8

186.4	
0.1	
242.4	
1.0	
1.0	
2.2	
41.9	
475.0	

3,927.1	391.3
30.8	5.7
1,065.7	130.0
	3.0
41.0	4.0
43.6	
6,250.0	
11,358.2	534.0

**(60-00-00) DEPARTMENT OF LABOR**

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Personnel		
NSF	ASF	GF
136.0	6.0	2.0
136.0	6.0	2.0

**(60-08-00) Vocational Rehabilitation**

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			376.2	109.6
Travel				0.5
Contractual Services			400.7	2,495.0
Supplies and Materials			75.0	76.9
Other Items:				
Sheltered Workshop				306.7
Governor's Committee				13.0
<b>TOTAL -- Vocational Rehabilitation</b>			<b>851.9</b>	<b>3,001.7</b>

84.0	6.0	2.0
52.0		
136.0	6.0	2.0

(-10) Vocational Rehabilitation Services	851.9	3,001.7
(-20) Disability Determination Services		
<b>TOTAL -- Internal Program Units</b>	<b>851.9</b>	<b>3,001.7</b>

**(60-09-00) Employment and Training**

85.9	4.0	22.1
85.9	4.0	22.1

Personnel Costs	230.0	1,098.1
Travel	5.0	4.0
Contractual Services	95.0	320.9
Energy		3.8
Supplies and Materials	7.0	11.6
Capital Outlay	11.4	3.8
Other Items:		
Summer Youth Program		550.0
Individual Skills Grant		181.6
Welfare Reform		959.0
Blue Collar Skills	2,258.3	
<b>TOTAL -- Employment and Training</b>	<b>2,606.7</b>	<b>3,132.8</b>

85.9	4.0	22.1
85.9	4.0	22.1

(-20) Employment and Training Services	2,606.7	3,132.8
<b>TOTAL -- Internal Program Unit</b>	<b>2,606.7</b>	<b>3,132.8</b>

<b>378.4</b>	<b>99.7</b>	<b>38.9</b>
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**TOTAL -- DEPARTMENT OF LABOR**

<b>18,237.6</b>	<b>7,524.3</b>
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**(65-00-00) DEPARTMENT OF AGRICULTURE**

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(65-01-00) Agriculture**

15.2	41.0	92.8
15.2	41.0	92.8

Personnel Costs	3,376.7	6,280.9
Travel	140.0	44.2
Contractual Services	1,039.4	544.9
Energy	16.1	20.3
Supplies and Materials	204.2	141.7
Capital Outlay	312.5	47.0
Other Items:		
Information, Education & Certification		221.0
Nutrient Management Planning		451.8
Poultry Litter Transport		246.0
Agriculture Advertising		50.0
Agriculture Development Program		17.7
Laurel Auction		9.5
Alternative Agriculture Projects		15.0
Cooperative Advertising		40.0
Plant Pest Survey & Control		99.3
Wildlife Damage Control		100.0
Educational Assistance	15.0	
Revenue Refund	6.0	
Fingerprints	76.0	
Fingerprinting	75.5	
Equine Drug Testing	1,225.0	
County Rollback	51.6	
Commuter Assistance	3.0	
Research and Development	150.0	
Crop Insurance		750.0
Debt Service		0.0
<b>TOTAL -- Agriculture</b>	<b>6,691.0</b>	<b>9,079.3</b>

	2.0	14.0
		7.0
4.0	3.5	17.5
1.0	7.0	
2.0	7.0	
0.5		6.5
1.0	0.5	13.5
6.2	13.0	14.8
	6.0	
		10.0
0.5		3.5
	2.0	
		6.0
15.2	41.0	92.8

(-01) Administration	314.1	2,238.3
(-02) Agriculture Compliance	12.2	473.9
(-04) Forest Service	659.6	1,217.7
(-05) Harness Racing Commission	1,672.8	
(-06) Pesticides	534.6	
(-07) Planning		567.8
(-08) Plant Industries	121.7	1,084.0
(-09) Animal Health and Food Products Inspection	990.2	1,124.2
(-10) Thoroughbred Racing Commission	1,665.3	
(-11) Weights and Measures		662.8
(-12) Nutrient Management		1,197.5
(-13) Agricultural Lands Preservation Foundation	595.5	
(-14) Marketing and Promotion	125.0	513.1
<b>TOTAL -- Internal Program Units</b>	<b>6,691.0</b>	<b>9,079.3</b>

<b>15.2</b>	<b>41.0</b>	<b>92.8</b>
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**TOTAL -- DEPARTMENT OF AGRICULTURE**

<b>6,691.0</b>	<b>9,079.3</b>
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**(70-00-00) DEPARTMENT OF ELECTIONS**

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
5				<b>(70-01-01) Commissioner of Elections</b>				
6	2.0		15.0	Personnel Costs				720.4
7				Travel				1.3
8				Contractual Services				171.8
9				Supplies and Materials				19.4
10				Capital Outlay				0.8
11				Other Items:				
12				Voter Purging				17.0
13				Technology Development				20.0
14				Voting Machines				115.0
15				School Elections				300.0
16	2.0		15.0	<b>TOTAL -- Commissioner of Elections</b>				1,365.7
17								
18				<b>(70-02-01) New Castle County Department of Elections</b>				
19			18.0	Personnel Costs				1,091.3
20				Travel				17.1
21				Contractual Services				216.4
22				Energy				27.8
23				Supplies and Materials				9.7
24				Other Items:				
25				Mobile Registration				3.5
26			18.0	<b>TOTAL -- New Castle County Department of Elections</b>				1,365.8
27								
28				<b>(70-03-01) Kent County Department of Elections</b>				
29			8.0	Personnel Costs				557.1
30				Travel				1.5
31				Contractual Services				205.5
32				Energy				15.4
33				Supplies and Materials				5.1
34				Capital Outlay				1.5
35				Other Items:				
36				Mobile Registration				4.8
37			8.0	<b>TOTAL -- Kent County Department of Elections</b>				790.9
38								
39				<b>(70-04-01) Sussex County Department of Elections</b>				
40			8.0	Personnel Costs				559.5
41				Travel				3.2
42				Contractual Services				41.3
43				Supplies and Materials				15.0
44				Capital Outlay				2.0
45				Other Items:				
46				Mobile Registration				2.1
47			8.0	<b>TOTAL -- Sussex County Department of Elections</b>				623.1
48								
49				<b>TOTAL -- DEPARTMENT OF ELECTIONS</b>				
50	2.0		49.0					4,145.5

**(75-00-00) FIRE PREVENTION COMMISSION**

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(75-01-01) Office of the State Fire Marshal**

	32.2	25.8
	32.2	25.8

Personnel Costs	
Travel	
Contractual Services	
Energy	
Supplies and Materials	
Capital Outlay	
Other Items:	
Revenue Refund	
Juvenile Firesetter Intervention Program	
<b>TOTAL -- Office of the State Fire Marshal</b>	

1,944.5	1,887.7
34.0	
365.3	107.1
	84.8
81.0	47.5
311.0	33.6
1.5	
	2.0
<b>2,737.3</b>	<b>2,162.7</b>

**(75-02-01) State Fire School**

		18.5
		18.5

Personnel Costs	
Contractual Services	
Energy	
Capital Outlay	
Other Items:	
Local Emergency Planning Committee	
Background Checks	
EMT Training	
Debt Service	
<b>TOTAL -- State Fire School</b>	

	1,640.1
	211.0
	270.2
	50.0
50.0	
	10.0
	70.0
	2.2
<b>50.0</b>	<b>2,253.5</b>

**(75-03-01) State Fire Prevention Commission**

		1.0
		1.0

Personnel Costs	
Travel	
Contractual Services	
Supplies and Materials	
Other Items:	
Statewide Fire Safety Education	
Contingency - Extraordinary Expenses	
Governor's Fire Safety Conference	
Mid-Atlantic Fire Conference	
<b>TOTAL -- State Fire Prevention Commission</b>	

	75.7
	38.1
	85.3
	15.1
	100.0
	6.2
7.0	10.0
4.0	
<b>11.0</b>	<b>330.4</b>

	<b>32.2</b>	<b>45.3</b>
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**TOTAL -- FIRE PREVENTION COMMISSION**

<b>2,798.3</b>	<b>4,746.6</b>
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**(76-00-00) DELAWARE NATIONAL GUARD**

	<b>Personnel</b>				<b>\$ Program</b>		<b>\$ Line Item</b>		
	NSF	ASF	GF		ASF	GF	ASF	GF	
1									
2									
3									
4									
5									
6	<b>(76-01-01) Delaware National Guard</b>								
7	107.8		30.5	Personnel Costs				3,036.2	
8				Travel				8.4	
9				Contractual Services				297.7	
10				Energy				830.2	
11				Supplies and Materials				159.5	
12				Capital Outlay				10.0	
13				Other Items:					
14				Educational Assistance				490.0	
15				SGLI Premium Assistance				42.0	
16				Unit Fund Allowance				12.2	
17	<b>107.8</b>		<b>30.5</b>	<b>TOTAL -- DELAWARE NATIONAL GUARD</b>					<b>4,886.2</b>

**(77-00-00) ADVISORY COUNCIL FOR EXCEPTIONAL CITIZENS**

	<b>Personnel</b>				<b>\$ Program</b>		<b>\$ Line Item</b>	
	NSF	ASF	GF		ASF	GF	ASF	GF
1	<b>(77-00-00) ADVISORY COUNCIL FOR EXCEPTIONAL CITIZENS</b>							
2								
3	<b>Personnel</b>				<b>\$ Program</b>		<b>\$ Line Item</b>	
4	NSF	ASF	GF		ASF	GF	ASF	GF
5								
6	<b>(77-01-01) Advisory Council For</b>							
7	<b>Exceptional Citizens</b>							
8			3.0	Personnel Costs				157.4
9				Travel				9.5
10				Contractual Services				14.4
11				Supplies and Materials				3.6
12	<b>TOTAL -- ADVISORY COUNCIL FOR</b>							
13	<b>EXCEPTIONAL CITIZENS</b>							<b>184.9</b>



**(90-00-00) HIGHER EDUCATION**

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(90-01-00) University of Delaware**

**(90-01-01) University of Delaware**

Operations		100,508.4
Scholarships		10,178.5
Agricultural Programs		4,931.9
Other Programs		14,040.5
The College School		91.8
Debt Service		2,690.3
<b>TOTAL -- University of Delaware</b>		<b>132,441.4</b>

**(90-01-02) Delaware Geological Survey**

Operations		1,653.2
River Master Program		94.0
<b>TOTAL -- Delaware Geological Survey</b>		<b>1,747.2</b>

**TOTAL -- University of Delaware**

	<b>134,188.6</b>
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**(90-03-00) Delaware State University**

**(90-03-01) Operations**

Operations		29,658.3
Administrative Computing		125.0
Work Study		211.7
Faculty Development		57.0
Mishoe Scholarships		50.0
Cooperative Extension		354.3
Cooperative Research		438.6
Title VI Compliance		220.0
Academic Incentive		50.0
General Scholarships		1,186.0
Athletic Grant		133.1
Aid to Needy Students		2,057.4
Energy		2,195.9
Debt Service		3,109.6
<b>TOTAL -- Operations</b>		<b>39,846.9</b>

**(90-03-05) Sponsored Programs and Research**

**TOTAL -- Delaware State University**

	<b>39,846.9</b>
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**(90-00-00) HIGHER EDUCATION**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					<b>(90-04-00) Delaware Technical and Community College</b>	
					<b>(90-04-01) Office of the President</b>	
18.0		51.0				7,085.7
						90.8
						42.2
						39.3
						36.8
						50.0
						309.8
						1,715.8
						355.2
18.0		51.0				9,725.6
			TOTAL -- Office of the President			
					<b>(90-04-02) Owens Campus</b>	
60.0		219.0				16,967.7
						39.1
						504.6
						48.2
						264.8
						31.2
						707.4
						16.8
						67.9
60.0		219.0				18,647.7
			TOTAL -- Owens Campus			
					<b>(90-04-04) Wilmington Campus</b>	
58.0		167.0				13,184.0
						39.1
						559.6
						219.8
						32.5
						40.1
						634.0
						78.8
						17.2
58.0		167.0				14,805.1
			TOTAL -- Wilmington Campus			

**(90-00-00) HIGHER EDUCATION**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(90-04-05) Stanton Campus</b>			
60.0		208.0	Personnel Costs			16,045.1
			Energy			253.5
			Aid to Needy Students			204.8
			Grants			27.5
			Work Study			41.1
60.0		208.0	TOTAL -- Stanton Campus			16,572.0
			<b>(90-04-06) Terry Campus</b>			
81.3		151.0	Personnel Costs			10,623.4
			Contractual Services			245.8
			Energy			485.3
			Aid to Needy Students			238.3
			Work Study			21.7
			Grants			21.0
			Day Care Training			6.0
			Debt Service			387.7
81.3		151.0	TOTAL -- Terry Campus			12,029.2
			<b>TOTAL -- Delaware Technical and Community College</b>			71,779.6
277.3		796.0				
			<b>(90-07-01) Delaware Institute of Veterinary Medical Education</b>			
			Tuition Assistance			371.2
			TOTAL -- Delaware Institute of Veterinary Medical Education			371.2
277.3		796.0	<b>TOTAL -- HIGHER EDUCATION</b>			246,186.3

**(95-00-00) DEPARTMENT OF EDUCATION**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(95-01-00) Department of Education</b>			
59.5	3.0	140.0				16,223.3
						48.1
						835.6
						41.7
						37.6
		1.0				274.4
	1.0				267.7	
						600.0
						1,942.9
						35.0
						1,073.5
						45.7
						2.0
						20.0
						1.0
						58.6
						60.0
					150.0	510.7
		1.0				160.8
						197.7
						600.0
						100.0
						7,750.1
					100.0	329.5
						60.0
						136.6
					34.0	
						200.0
						20.0
					27.5	
					15.0	
	2.0				775.0	
		7.0			1,232.2	1,210.3
						1,327.5
						50.0
59.5	6.0	149.0	<b>TOTAL -- Department of Education</b>		2,601.4	33,952.6
59.5	6.0	149.0	(-01) Department of Education		2,601.4	33,952.6
59.5	6.0	149.0	TOTAL -- Internal Program Unit		2,601.4	33,952.6

**(95-00-00) DEPARTMENT OF EDUCATION**

	<b>Personnel</b>				<b>\$ Program</b>		<b>\$ Line Item</b>	
	<b>NSF</b>	<b>ASF</b>	<b>GF</b>		<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>
1								
2								
3								
4								
5				<b>(95-02-00) School District Operations</b>				
6				Division I Units (7,966)				
7			13,071.0	Formula Salaries				456,542.8
8				Cafeteria Funds				11,803.3
9				Other Employment Costs				198,241.4
10				Division II Units ( 8,934)				
11				All Other Costs				22,822.8
12				Energy				24,600.6
13				Division III				
14				Equalization				76,986.8
15				Other Items:				
16				General Contingency				9,863.9
17				Guaranteed Unit Count				1,000.0
18				School Improvement Funds				1,600.0
19				Other Items				511.8
20				Delmar Tuition				1,157.8
21				Charter School Tax Relief Funds				184.1
22				Skills, Knowledge & Resp Pay Supplements				8,300.0
23				Full-day Kindergarten Implementation				12,084.5
24				Debt Service				
25				School Districts				67,102.2
26			13,071.0	<b>TOTAL -- School District Operations</b>				892,802.0
27								
28			13,071.0	(-01) Division Funding		790,997.7		
29				(-02) Other Items		34,702.1		
30				(-03) Debt Service		67,102.2		
31			13,071.0	<b>TOTAL -- Internal Program Units</b>		892,802.0		

**(95-00-00) DEPARTMENT OF EDUCATION**

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(95-03-00) Block Grants and Pass Through Programs</b>			
			Education Block Grants			
			Adult Education and Work Force Training Grant			
			Professional Accountability and Instructional Advancement Fund			
			Academic Excellence Block Grant			
			K-12 Pass Throughs			
			Pregnant Students			
			Special Needs Programs			
			Early Childhood Assistance			
			Children with Disabilities			
			Unique Alternatives			
			Exceptional Student Unit - Vocational			
			Related Services for the Handicapped			
			Adolescent Day Program			
			Children Services Cost Recovery Project			
			Sterck Summer Program			
			Tech-Prep 2 + 2			
			First State School			
			Prison Education			
			Innovative After School Initiatives			
			Student Discipline Program			
			Extra Time for Students			
			Reading Resource Teachers			
			Math Specialists			
			Limited English Proficient			
			Early Childhood Initiatives			
			Driver Training			
			Driver's Education			
			<b>TOTAL -- Block Grants and Pass Through Programs</b>			
			(-10) Education Block Grants			
			(-15) K-12 Pass Throughs			
			(-20) Special Needs Programs			
			(-30) Driver Training			
			<b>TOTAL -- Internal Program Units</b>			

**(95-00-00) DEPARTMENT OF EDUCATION**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(95-04-00) Pupil Transportation</b>			
			Public School Transportation			85,611.3
			Neighborhood Schools Transportation Savings			269.4
			Non-Public School Transportation Reimbursement			3,000.0
			<b>TOTAL -- Pupil Transportation</b>			<b>88,880.7</b>
			(-01) Transportation			88,880.7
			<b>TOTAL -- Internal Program Unit</b>			<b>88,880.7</b>
			<b>(95-06-00) Delaware Advisory Council on Career and Technical Education</b>			
		3.0	Personnel Costs			253.6
			Travel			8.2
			Contractual Services			71.2
			Supplies and Materials			5.3
		<b>3.0</b>	<b>TOTAL -- Delaware Advisory Council on Career and Technical Education</b>			<b>338.3</b>
		3.0	(-01) Advisory Council			338.3
		<b>3.0</b>	<b>TOTAL -- Internal Program Unit</b>			<b>338.3</b>
			<b>(95-07-00) Delaware Center for Educational Technology</b>			
		7.0	Personnel Costs			658.0
			Operations			694.8
			Technology Block Grant			1,354.0
		<b>7.0</b>	<b>TOTAL -- Delaware Center for Educational Technology</b>			<b>2,706.8</b>
		7.0	(-01) Delaware Center for Educational Technology			2,706.8
		<b>7.0</b>	<b>TOTAL -- Internal Program Unit</b>			<b>2,706.8</b>
			<b>(95-08-00) Delaware Higher Education Commission</b>			
1.0		7.0	Personnel Costs			554.6
			Operations			326.0
			Scholarships and Grants			3,215.8
			National Teacher Certification Loan Program			100.0
			Michael C. Ferguson Awards			600.0
			Legislative Essay Scholarships			84.5
			SEED Scholarship			3,074.0
1.0		<b>7.0</b>	<b>TOTAL -- Delaware Higher Education Commission</b>			<b>7,954.9</b>
1.0		7.0	(-01) Delaware Higher Education Commission			7,954.9
1.0		<b>7.0</b>	<b>TOTAL -- Internal Program Unit</b>			<b>7,954.9</b>
<b>60.5</b>	<b>9.0</b>	<b>13,286.7</b>	<b>TOTAL -- DEPARTMENT OF EDUCATION</b>		<b>4,527.5</b>	<b>1,154,793.4</b>

<b>Personnel</b>				
<b>TFO</b>	<b>TFC</b>	<b>NSF</b>	<b>ASF</b>	<b>GF</b>
1,580.0	314.0	1,933.6	1,596.2	12,015.8
		277.3		796.0
		60.5	9.0	13,286.7
<b>1,580.0</b>	<b>314.0</b>	<b>2,271.4</b>	<b>1,605.2</b>	<b>26,098.5</b>

**TOTALS**

<b>\$</b>		
<b>TFO</b>	<b>ASF</b>	<b>GF</b>
350,833.8	573,248.9	2,009,786.1
		246,186.3
	4,527.5	1,154,793.4
<b>350,833.8</b>	<b>577,776.4</b>	<b>3,410,765.8</b>

**TOTAL - DEPARTMENTS**

**TOTAL - HIGHER EDUCATION**

**TOTAL - PUBLIC EDUCATION**

**GRAND TOTAL**



# GENERAL

1  
2        Section 2. Any previous Act inconsistent with the provisions of this Act is hereby repealed to the  
3 extent of such inconsistency.

4        Section 3. If any provision of this Act, or of any rule, regulation or order thereunder, or the  
5 application of such provision to any person or circumstances, shall be invalid, the remainder of this Act  
6 and the application of such provisions of this Act or of such rule, regulation or order to persons or  
7 circumstances other than those to which it is held invalid shall not be affected thereby.

8        Section 4. The monies appropriated in Section 1 of this Act shall be paid by the State Treasurer  
9 from the General Fund, except as otherwise referenced in Section 1.

10       Section 5. The provisions of this Act to the contrary notwithstanding, any section, chapter or title  
11 of the Delaware Code and any Laws of Delaware providing for the application of "Sunset" shall be  
12 operative for those agencies, commissions or boards effective during the current fiscal year.

13       Section 6. Due to the pilot budget format, the restructuring of divisions into programs within  
14 divisions has created more exempt positions per division than allowed by law for the participating  
15 departments; therefore, all exempt positions authorized by 29 Del. C. § 5903, prior to July 1, 1987, shall  
16 remain exempt for this current fiscal year, except as otherwise specified in this Act.

17       Section 7. (a) Notwithstanding the provisions of 29 Del. C. § 6334(c), for Fiscal Year 2009, the  
18 proposed budget plan, as prepared by the Director of the Office of Management and Budget, shall be in  
19 such a format that it can readily be analyzed and comprehensive in nature.

20       (b) Notwithstanding the provisions of 29 Del. C. § 6340(a), Section 1 of this Act summarizes  
21 salary and wage and other employment costs into a single line entitled Personnel Costs.

22       (c) For Fiscal Year 2009, the payroll recovery rate for the Worker's Compensation Program shall  
23 be 1.75 percent.

24       (d) For Fiscal Year 2009, the payroll recovery rate for the Deferred Compensation Program shall  
25 be .20 percent. This rate shall be combined with the Fiscal Year 2009 payroll recovery rate for Worker's  
26 Compensation. An amount equal to twenty-thousandths (.0020) of the total payroll recovery shall be  
27 transferred from the Office of Management and Budget to the Office of the State Treasurer after each pay

1 cycle is completed. The funds shall be used exclusively for the state match of the Deferred Compensation  
2 Program.

3 (e) Section 1 of this Act provides funding for a state employee pension rate of 16.14 percent.  
4 The components of the rate are 6.68 percent for the pension liability, 6.45 percent for retiree health  
5 insurance costs, 2.20 percent for the Post-retirement Increase Fund and .81 percent for the Other Post -  
6 Employment Benefits Fund.

7 (f) Section 1 of this Act provides funding for a judicial pension rate of 33.55 percent.

8 (g) Section 1 of this Act provides funding for a new State Police pension rate of 18.01 percent.

9 (h) The abbreviations set forth in this Act for authorized positions or funding mean the  
10 following:

11 GF – General Fund

12 ASF – Appropriated Special Funds

13 NSF – Non-appropriated Special Funds

14 TFO – Trust Fund Operations

15 TFC – Trust Fund Capital

16 FTE – Full-time Equivalent

17 All Merit Rules referenced in this Act refer to the Merit Rules in effect June 30, 2008.

18 **Section 8. MERIT SYSTEM AND MERIT COMPARABLE SALARY SCHEDULES.**

19 (a) The General Assembly of the State of Delaware supports Merit System employees in their  
20 ability to collectively bargain pursuant to the provisions of 19 Del. C. § 1311A. All provisions of  
21 Subsections (a)(i), (b), (c), and (i) through (l) of this Section shall not apply to those Merit System  
22 employees who are covered by a collective bargaining agreement which has met all provisions of 19 Del.  
23 C. § 1311A. The effective dates of said collective bargaining agreements shall occur simultaneously with  
24 the fiscal year following final agreement between the State of Delaware and ratification of that agreement  
25 by the respective certified bargaining unit provided funds are appropriated in Section 1 of this Act for said  
26 agreements. Should a collective bargaining agreement not be finalized by December 1 of each fiscal year,  
27 employees represented by the bargaining unit negotiating said agreement shall receive compensation  
28 pursuant to the provisions of this Section until such time as the collective bargaining agreement takes

1 effect. A final collective bargaining agreement shall be defined as an agreement between the State of  
 2 Delaware and a certified bargaining unit in which the agreements completion is achieved through  
 3 ratification by the respective bargaining unit, mediation or binding interest arbitration.

4 (i) Effective July 1, 2008, the following pay plans are established for state merit system  
 5 employees:

6 **Annual Salary**

7 **STATE OF DELAWARE PAY PLAN\***

8 **(Standard Work Schedule of 37.5 Hours per Work Week)**

9	<b>PAY</b>	<b>80% of</b>	<b>100% of</b>	<b>120% of</b>
10	<b>GRADE</b>	<b>Midpoint</b>	<b>Midpoint</b>	<b>Midpoint</b>
11	1	17,520**	20,748	24,898
12	2	17,760	22,200	26,640
13	3	19,008	23,760	28,512
14	4	20,334	25,417	30,500
15	5	21,761	27,201	32,641
16	6	23,283	29,104	34,925
17	7	24,910	31,138	37,366
18	8	26,654	33,317	39,980
19	9	28,522	35,653	42,784
20	10	30,518	38,148	45,778
21	11	32,652	40,815	48,978
22	12	34,939	43,674	52,409
23	13	37,386	46,732	56,078
24	14	39,998	49,997	59,996
25	15	42,801	53,501	64,201
26	16	45,801	57,251	68,701
27	17	49,005	61,256	73,507
28	18	52,433	65,541	78,649
29	19	56,104	70,130	84,156
30	20	60,035	75,044	90,053
31	21	64,235	80,294	96,353
32	22	68,732	85,915	103,098
33	23	73,545	91,931	110,317
34	24	78,696	98,370	118,044
35	25	84,202	105,252	126,302
36	26	90,094	112,618	135,142

37 \* - Annual Salary in Whole Dollars.

38 \*\* - Minimum State Salary.

1 STATE OF DELAWARE PAY PLAN\*

2 (Standard Work Schedule of 40 Hours per Work Week)

3	<b>PAY</b>	<b>80% of</b>	<b>100% of</b>	<b>120% of</b>
4	<b>GRADE</b>	<b>Midpoint</b>	<b>Midpoint</b>	<b>Midpoint</b>
5	1	17,704	22,130	26,556
6	2	18,944	23,680	28,416
7	3	20,271	25,339	30,407
8	4	21,689	27,111	32,533
9	5	23,210	29,013	34,816
10	6	24,834	31,042	37,250
11	7	26,572	33,215	39,858
12	8	28,433	35,541	42,649
13	9	30,423	38,029	45,635
14	10	32,552	40,690	48,828
15	11	34,828	43,535	52,242
16	12	37,269	46,586	55,903
17	13	39,876	49,845	59,814
18	14	42,670	53,337	64,004
19	15	45,656	57,070	68,484
20	16	48,854	61,067	73,280
21	17	52,270	65,338	78,406
22	18	55,930	69,912	83,894
23	19	59,846	74,807	89,768
24	20	64,038	80,047	96,056
25	21	68,519	85,649	102,779
26	22	73,317	91,646	109,975
27	23	78,446	98,057	117,668
28	24	83,938	104,923	125,908
29	25	89,814	112,267	134,720
30	26	96,101	120,126	144,151

31 \* - Annual Salary in Whole Dollars.

32 (ii) Merit Rule 4.13.3 notwithstanding, the standard work week for employees in the  
 33 following classification series as approved by the Director of the Office of Management  
 34 and Budget and the Controller General shall be 40 hours:

35 **DEPARTMENT**

**CLASS SERIES**

36 Department of State

Drug Control Administrator

37 Department of Correction

Quality Improvement Program Administrator

38 Community Work Program Coordinator

39 Director of Probation and Parole

40 Pre-trial Presentence Manager

41 Probation and Parole Officer

1		Probation and Parole Regional Manager
2		Probation and Parole Supervisor
3		Probation and Parole Operations Manager
4		Support Services Manager-DCC
5		Special Services Manager
6		Trainer/Educator I, II, III
7		Correctional Treatment Administrator-DCC
8		Correctional Treatment Administrator-SCI
9		Correctional Officer
10		Correctional Security Superintendent
11		Warden and Deputy Warden
12	Department of Agriculture	Meat Inspectors/Supervisor
13		Meat and Poultry Inspector Officer
14		Food Products Inspection Administrator
15	Fire Prevention Commission	Training Administrator I
16	Department of Safety and Homeland Security	Drug Control and Enforcement Agent
17		Chief Drug Control and Enforcement Agent
18		Telecommunications Specialist Series (ERC)
19		Telecommunications Central Control Specialist
20		Series
21		Capitol Police Officer Series
22		Capitol Police Security Officer
23		Capitol Police Communications Dispatcher
24	Department of Transportation	Toll Collector
25		Toll Collection Supervisor
26		Toll Corporal
27		Toll Sergeant
28		TMC EPS Technician

(iii) During the fiscal year ending June 30, 2009, the Director of the Office of Management and Budget and the Controller General may designate other appropriate classes or groups of employees to work and be paid according to a standard work week of 40 hours. Such designation shall be based upon the operational necessity of agencies to require employees to regularly and consistently work in excess of 37.5 hours per week and upon the availability of any required funding.

(iv) To the extent or where an employee is covered by an existing collective bargaining agreement pursuant to 19 Del. C. § 1311A, the provisions contained within said agreement pertaining to compensation shall apply.

**(b) SELECTIVE MARKET VARIATIONS.**

Recognizing the need for flexibility to respond to critical external market pressures, selective market variations are permitted to the uniform pay plan structure for job classes that are key to the performance of state functions.

(1) The appointing authority shall identify job classes or job families to be considered for selective market variations according to turnover rates, recruitment problems, vacancy rates, feasibility for the work to be performed on a contractual basis and other criteria established by the Director of the Office of Management and Budget.

(2) Upon receipt of the identified classes, the Director of the Office of Management and Budget shall survey the appropriate labor market to determine the State's position in this labor market.

(3) The Director of the Office of Management and Budget and the Controller General shall review the information provided in Sections 8(b)(1) and (2) and shall recommend approval or disapproval for the classes for selective market compensation variations.

(4) Any such selective market variations that the Director of the Office of Management and Budget and the Controller General have determined to be warranted and have been approved by the Joint Finance Committee shall be designated to become effective July 1,

1 2008, provided that such variations have been processed as part of the regular budgetary  
2 process and the funds for such changes shall be appropriated.

3 (5) The Director of the Office of Management and Budget and the Controller General shall  
4 establish criteria to allow for selective market variations to be effective January 1, 2009.  
5 An appointing authority may apply for selective market variation for January 1, 2009 for  
6 job classes or job families that are experiencing severe recruitment and retention issues.  
7 Funds must be available within the agency budget to fund the selective market variation  
8 until such time as the General Assembly appropriates the necessary funds.

9 (6) Upon approval, the minimum, mid-point and maximum salary values shall be raised  
10 according to the results of the labor market surveys for the job class. For the purposes of  
11 this section, the minimum value of the salary scale shall remain at 75 percent of midpoint  
12 and the maximum value shall remain at 125 percent unless the minimum value under the  
13 selective market range for a class is less than the minimum value of the merit system pay  
14 range. The minimum for the class on selective market shall be no less than the merit  
15 system pay range minimum value. No further increases shall be applied to the scale  
16 and/or the midpoints.

17 (7) Employees assigned to job classifications approved under the Selective Market Variation  
18 Program shall have their salaries adjusted in accordance with the following:

19 (i) The salary of employees in positions added to the Selective Market Variation  
20 Program on or after July 1, 2008, whose salary in effect as of June 30, 2008 is below  
21 the adjusted minimum salary for the assigned job classification shall be increased to  
22 the adjusted minimum salary or an advanced starting salary recommended by the  
23 Director of the Office of Management and Budget. If such an increase does not yield  
24 at least a five percent increase, the salary will be further adjusted to yield a total  
25 increase of five percent. This procedure applies only to employees newly approved  
26 for Selective Market variation on or after January 1, 2008.

27 (ii) The salary of employees in positions added to the Selective Market Variation  
28 Program before June 30, 2008, whose salary in effect as of June 30, 2008, is below

1 the adjusted minimum salary for the assigned job classification shall be increased to  
2 the adjusted minimum salary or an advanced starting salary recommended by the  
3 Director of the Office of Management and Budget. The salary of employees whose  
4 current salary falls within the adjusted salary range shall not be increased.

5 (8) All classes assigned to selective market variation shall have the labor market data dictate  
6 the adjustment to the pay scale each year. If the labor market does not support an  
7 increase, the scale(s) will not change for the upcoming fiscal year and shall be frozen at  
8 the current level(s). All classes shall remain on Selective Market until the selective  
9 market ranges meet the merit pay plan ranges or until such time as the classes become  
10 covered by a collective bargaining agreement pursuant to the provisions of 19 Del. C.  
11 § 1311A.

12 (9) Effective July 1, 2008, the shift differential rates paid to registered nurses in accordance  
13 with the provisions of Merit Rule 4.15 shall reflect the salary scale in effect for the  
14 current fiscal year or that which is superseded by a collective bargaining agreement  
15 pursuant to the provisions of 19 Del. C. § 1311A.

16 **(c) SALARY INCREASES FOR FISCAL YEAR 2009.**

17 (1) The amount appropriated by Section 1 of this Act for salaries provides increases for:

- 18 (i) Statutory step increases for Department of Education and Delaware Technical and  
19 Community College plans A and D, as provided in Title 14;
- 20 (ii) Negotiated, collective bargaining increases for Uniformed members of the Delaware  
21 State Police and full-time and regular part-time non-merit Telecommunications  
22 Specialists, Senior Telecommunications Specialists, Telecommunication Shift  
23 Supervisors, Telecommunication Central Control Specialists, Senior  
24 Telecommunications Central Control Specialists and Telecommunications Central  
25 Control Shift Supervisors employed in the Communications Section of the Division  
26 of State Police in the Department of Safety and Homeland Security, and non-  
27 uniformed support staff within the Delaware State Police covered under the  
28 Communication Workers of America;



- 1 (iii) Federal salary plan increases for Delaware National Guard employees;
- 2 (iv) The Competency Based Pay Plan shall continue in Fiscal Year 2009 as it was
- 3 established in 71 Del. Laws c. 354, § 247; and
- 4 (v) In Fiscal Year 2009, the salary plans approved for the Office of the Attorney
- 5 General and Public Defender shall continue as established.

6 (2) Section 1 of this Act appropriates funding in Personnel Costs to the Office of the

7 Attorney General (15-01-00) and to the Public Defender (15-02-00) to be used to pay for

8 salary matrices as approved by the Joint Finance Committee, notwithstanding Chapters

9 4.000 and 5.000 of the Merit Rules. These salary matrices are intended to maintain the

10 salaries of these attorneys at competitive rates. The Office of Management and Budget

11 and the Controller General shall submit to the Joint Finance Committee recommendations

12 for modifications to the matrices which will reflect recommendations in relationship to

13 any approved SMV adjustments as provided in Sections 8(b)(3) and (4).

14 **(d) MAINTENANCE REVIEWS.**

15 (1) Any such reclassifications/regrades that the Director of the Office of Management and

16 Budget determines to be warranted as a result of the classification maintenance reviews

17 regularly scheduled by the Office of Management and Budget shall be designated to

18 become effective July 1, 2008, provided that such reclassifications/regrades have been

19 processed as part of the regular budgetary process and the funds for such

20 reclassifications/regrades have been appropriated. Maintenance review classification

21 determinations may be appealed to the Merit Employee Relations Board in accordance

22 with 29 Del. C. § 5915. Pay grade determinations shall not be appealed.

23 (2) Any such title changes that the Director of the Office of Management and Budget

24 determines to be warranted as a result of a consolidation review shall be implemented as

25 they are completed with the concurrence of the Controller General. A consolidation

26 review is for the specific purpose of combining current class titles and class

27 specifications that are in the same occupational area and require sufficiently similar

28 knowledge, skills, abilities and minimum qualifications. A consolidation review will not

1 impact the current levels of work and corresponding pay grades in a class series. It will  
2 only affect the current title assigned to positions; the corresponding class specification,  
3 levels of work and minimum qualifications will be written general in nature rather than  
4 agency or program specific.

5 **(e) CRITICAL RECLASSIFICATIONS.**

6 The classification of any position whose salary is covered by the appropriations in Section 1 of  
7 this Act may be changed to be effective January 1, 2009 or July 1, 2009 if the requested change is  
8 certified critical by the appointing authority and is approved by the Director of the Office of Management  
9 and Budget and the Controller General prior to the effective date. Critical reclassification requests and  
10 pay grade determinations shall not be appealed to the Merit Employee Relations Board.

11 **(f) OTHER RECLASSIFICATIONS.**

12 Other than those reclassifications/regrades approved in accordance with Section 8(d) or 8(e), no  
13 position shall be reclassified or reggraded during the fiscal year ending June 30, 2009.

14 **(g) STATE AGENCY TEACHERS AND ADMINISTRATORS.**

15 Teachers and administrators employed by state agencies and who are paid based on the Basic  
16 Schedule contained in 14 Del. C. § 1305, as amended by this Act, shall receive as a salary an amount  
17 equal to the index value specified in the appropriate training and experience cell multiplied by the base  
18 salary amount defined in 14 Del. C. § 1305(b), divided by 0.7 for ten months employment. If employed  
19 on an 11- or 12-month basis, the ten-month amount shall be multiplied by 1.1 or 1.2, respectively. In  
20 addition to the above calculation, teachers and administrators qualifying for professional development  
21 clusters in accordance with 14 Del. C. § 1305(l) shall receive an additional amount equal to the approved  
22 cluster percentage multiplied by the base salary amount defined in 14 Del. C. § 1305(b). This calculation  
23 shall not be increased for 11 or 12 month employment. The percentage shall only be applied to the base  
24 10 month salary for 10, 11 and 12 month employees. In accordance with 14 Del. C. § 1305(p), the cluster  
25 percentage is capped at 15 percent. The provisions of this Subsection shall not apply to those Merit  
26 System employees who are covered by a collective bargaining agreement which has met all provisions of  
27 19 Del. C. § 1311A.

1           **(h) ADMINISTRATIVE REGULATIONS.**

2           (1) The administrative regulations and procedures necessary to implement this Section shall  
3           be promulgated by the Director of the Office of Management and Budget and the  
4           Controller General.

5           (2) Consistent with Chapter 13 of the Merit Rules, all state agencies shall implement the  
6           performance review prescribed by the Office of Management and Budget after applicable  
7           training by the Office of Management and Budget. A performance review shall be  
8           completed for employees between January 1 and December 31, 2009.

9           (3) Employees who retain salary upon voluntary demotion in accordance with Merit Rule 4.7  
10          shall be ineligible for a promotional increase upon promotion to a pay grade lower than  
11          or equal to their original pay grade prior to voluntary demotion for a one year period from  
12          the date of their voluntary demotion.

13           **(i) HOLIDAY PAY - DEPARTMENT OF TRANSPORTATION TOLL COLLECTION**  
14           **AND TRANSPORTATION MANAGEMENT CENTER EMPLOYEES.**

15          Merit Rule 4.14 notwithstanding, all Department of Transportation employees directly engaged in  
16          toll collection operations, or directly engaged in the Transportation Management Center's 24-hour  
17          operation, shall be entitled to receive compensation at their normal rate of pay for holidays in lieu of  
18          compensatory time, and they shall also be entitled to receive compensation in accordance with the Fair  
19          Labor Standards Act. To the extent or where an employee is covered by a collective bargaining  
20          agreement pursuant to 19 Del. C. § 1311A, the terms and conditions in said agreement shall supersede  
21          this Subsection.

22           **(j) OVERTIME FOR WEATHER-RELATED EMERGENCIES.**

23          To the extent or where an employee is covered by a collective bargaining agreement pursuant to  
24          19 Del. C. § 1311A, the terms and conditions in said agreement shall supersede this Subsection.

25          (1) Department of Transportation personnel responding to weather-related emergencies and  
26          who are not subject to the Fair Labor Standards Act shall be entitled to receive  
27          compensation at one-and-one-half times their normal rate of pay for all overtime services  
28          performed beyond the normal work week. This shall apply to employees classified

1 through the Area Supervisor level. All additional personnel assigned to assist the area  
2 yards during weather-related emergencies and who are above the level of Area  
3 Supervisor shall be entitled to receive compensation at their straight time rate of pay for  
4 all overtime services performed beyond the normal work week.

5 (2) Office of Management and Budget, Facilities Management and Department of Health and  
6 Social Services, Management Services personnel who respond to weather-related  
7 emergencies and who are not covered under the Fair Labor Standards Act shall be  
8 entitled to receive compensation at their straight time rate of pay for all overtime services  
9 performed beyond the normal work week. The method of compensation is subject to the  
10 availability of funds and/or the operational needs of the respective department.

11 (3) Delaware Emergency Management Agency personnel responding to emergencies or  
12 working at the State Emergency Operations Center (EOC) during activation for weather,  
13 technological, or terrorist-related incidents, who are not covered by the Fair Labor  
14 Standards Act, shall be entitled to receive compensation at their normal rate of pay for all  
15 overtime services performed beyond the normal work week. This shall be in effect only  
16 when there is a Declared State of Emergency by the Governor, the State receives a  
17 presidential Disaster Declaration, and federal funds are made available to compensate for  
18 the overtime worked.

19 **(k) CALL BACK PAY - HIGHWAY EMERGENCY RESPONSE TEAM.**

20 Merit Rule 4.16 notwithstanding, employees designated as Highway Emergency Response Team  
21 members shall be eligible for call back pay regardless of their classification. To the extent or where an  
22 employee is covered by a collective bargaining agreement pursuant to 19 Del. C. § 1311A, the terms and  
23 conditions in said agreement shall supersede this Subsection.

24 **(l) STANDBY PAY - HIGHWAY EMERGENCY RESPONSE TEAM.**

25 Merit Rule 4.17 notwithstanding, employees designated as Highway Emergency Response Team  
26 members shall be eligible for standby pay regardless of their classification. To the extent or where an  
27 employee is covered by a collective bargaining agreement pursuant to 19 Del. C. § 1311A, the terms and  
28 conditions in said agreement shall supersede this Subsection.

1           **(m) SALARY PLAN - PUBLIC EDUCATION.**

2           (1) Each school district shall continue to use salary schedules not less than those in 14 Del.  
3           C. §1322, for all school lunch employees.

4           (2) Effective July 1, 2006, the State shall pay 73.0 percent of the annual salary rate for  
5           school lunch employees as set forth in the salary schedules in 14 Del. C. § 1322(a)(b),  
6           and 64.0 percent of salary rate for school lunch employees as set forth in the salary  
7           schedule 14 Del. C. § 1322(c). The remaining percentage of the hourly salary rate for  
8           school lunch employees shall be paid from local funds. The State shall pay other  
9           employment costs for school lunch employees at the ratio of state supported salaries to  
10          total salaries, provided for by this Section, for school lunch employees.

11          (3) No provision in this Act shall be construed as affecting the eligibility of school lunch  
12          employees as an employee under 29 Del. C. § 5501.

13          (4) Section 1 of this Act provides an amount for salaries and other employment costs for  
14          Formula Employees in Public Education. Additional amounts are included in some  
15          Block Grants and Pass Through Programs (95-03-00). Local school districts must  
16          charge payroll for local share salary supplements and other employment costs and  
17          fringe benefits simultaneously with state-share charges. The amount of salary and other  
18          employment costs that can be charged to state appropriations for any one-day period or  
19          for any one individual cannot exceed the amount the individual is entitled to receive  
20          based on the state salary schedules provided by this Act and 14 Del. C. c. 13, divided  
21          by the number of pays the individual has chosen to schedule per year. The provisions  
22          of this Section do not apply to Division III - Equalization (Appropriation 0186) which  
23          may be charged for local contractual obligations before local current operating funds  
24          are used.

25          Section 9. Salaries and wage rates for state employees who are not covered by the provisions of  
26          14 Del. C. c. 13, 19 Del. C. § 1311A, or by the Merit System, excluding employees of the General  
27          Assembly-House or the General Assembly-Senate, Uniformed State Police, all full-time and regular  
28          part-time non-Merit Telecommunications Specialists, Senior Telecommunications Specialists,

1 Telecommunication Shift Supervisors, Telecommunications Central Control Specialists, Senior  
2 Telecommunications Central Control Specialists and Telecommunications Central Control Shift  
3 Supervisors employed in the Communications Section of the Department of Safety and Homeland  
4 Security, Delaware State Police, employees of the University of Delaware, employees of Delaware  
5 State University, employees of Delaware Technical and Community College who are paid on the  
6 Administrative Salary Plan or Faculty Plan, Plans D and A, respectively, Executive Director of the  
7 Delaware Center for Educational Technology, members and employees of the Delaware National  
8 Guard and employees whose salaries are governed by Section 10 of this Act, shall have the following:

9 (a) The salary of employees shall be comparable to salaries and wage rates paid from funds  
10 appropriated by the State to employees with similar training and experience who serve in similar positions  
11 in the Merit System. In the event that there are no similar positions in the Merit System, the Director of  
12 the Office of Management and Budget shall establish an exempt position classification only for the  
13 purpose of assigning a salary or wage rate to said position. On or before August 15, 2008, the Director of  
14 the Office of Management and Budget shall publish a list of exempt positions and the comparable Merit  
15 System class and/or pay grade for each position. In addition, such listing shall show the name of the  
16 incumbent, if the position is filled, and shall show the statutory citation that authorizes the establishment  
17 of the exempt position(s). The Director of the Office of Management and Budget shall provide copies of  
18 such listing to members of the Joint Finance Committee and the Controller General. No exempt  
19 employee shall be hired until an approved comparability has been assigned to the position. No  
20 reclassification/regarding, change in pay grade comparability of a filled or vacant exempt position, or  
21 change of a Merit System position to an exempt position otherwise permitted under Delaware Law shall  
22 become effective unless approved by the Director of the Office of Management and Budget and the  
23 Controller General. In order to permit the development of the comparability list, state agencies shall  
24 provide to the Director of the Office of Management and Budget job descriptions of all exempt positions  
25 and position classification questionnaires describing the duties and responsibilities of each of the  
26 positions. The certification of comparability by the Director of the Office of Management and Budget  
27 shall not be withheld unreasonably. Those positions assigned on a list of comparability that are assigned  
28 a comparable class and/or pay grade in the Merit System shall be paid in accordance with Sections 8(b)

1 and (c) of this Act and Merit System Rules 4.4.3, 4.5, 4.6 and 4.12; no other salary increases shall be  
 2 given to such employees unless specifically authorized in this Act.

3 (b) The salary of employees whose salary in effect as of June 30, 2008 is below the minimum  
 4 salary of the assigned pay grade of the pay plan shall be raised to the minimum salary.

5 (c) Notwithstanding any other provision of the Delaware Law or this Act to the contrary, civilian  
 6 employees of the Delaware National Guard shall be compensated at a salary and wage rate established by  
 7 the Federal Civil Service Commission.

8 Section 10. (a) For the fiscal year ending June 30, 2009, the salaries displayed below represent  
 9 the salary effective on July 1, 2008.

10			General	All Other
11	<u>Budget Unit</u>	<u>Line Item</u>	Funds	Funds
12	(01-01-01)	Representative	\$ 42,750	
13	(01-02-01)	Senator	42,750	
14	(02-00-00)	Judicial Secretaries	47,850	
15	(02-00-00)	Judicial Secretaries to Presiding Judges	50,050	
16	(02-01-00)	Chief Justice - Supreme Court	194,750	
17	(02-01-00)	Justice - Supreme Court	185,050	
18	(02-01-00)	Judicial Secretary to the Chief Justice	50,650	
19	(02-01-00)	Supreme Court Judicial Secretary	50,050	
20	(02-02-00)	Chancellor - Court of Chancery	185,750	
21	(02-02-00)	Vice Chancellor - Court of Chancery	174,950	
22	(02-03-00)	President Judge - Superior Court	183,650	
23	(02-03-00)	Associate Judge - Superior Court	168,850	
24	(02-03-00)	Commissioner - Superior Court	104,250	
25	(02-03-00)	New Castle County Prothonotary	65,550	
26	(02-03-00)	Kent County Prothonotary	58,550	
27	(02-03-00)	Sussex County Prothonotary	58,550	

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(02-06-00)	Chief Judge - Court of Common Pleas	183,650	
4	(02-06-00)	Judge - Court of Common Pleas	168,850	
5	(02-06-00)	Commissioner - Court of Common Pleas	104,250	
6	(02-08-00)	Chief Judge - Family Court	183,650	
7	(02-08-00)	Associate Judge - Family Court	168,850	
8	(02-08-00)	Commissioner - Family Court	104,250	
9	(02-13-00)	Chief Magistrate - Justices of the Peace Courts	121,750	
10	(02-13-00)	Magistrate - Justices of the Peace Courts - 1st Term	70,750	
11	(02-13-00)	Magistrate - Justices of the Peace Courts - 2nd Term	73,250	
12	(02-13-00)	Magistrate - Justices of the Peace Courts - 3rd Term	75,550	
13	(02-13-00)	Judicial Secretary to the Chief Magistrate	47,850	
14	(02-17-00)	St. Court Administrator - Off. of the St. Court		
15		Administrator	126,550	
16	(02-17-00)	Judicial Secretary to the State Court Administrator	50,050	
17	(02-18-00)	Public Guardian	68,750	
18	(02-18-00)	Executive Director - Violent Crimes Compensation		
19		Board		60,750
20	(02-18-00)	Executive Director - Child Placement Review Board	62,550	
21	(10-01-01)	Governor	132,500	
22	(10-02-00)	Director - Office of Management and Budget	143,050	
23	(10-02-08)	Director - SAC	89,450	
24	(10-02-50)	Executive Secretary - Architectural Accessibility Board	50,450	
25	(10-03-01)	Director - Delaware Economic Development Office	123,850	
26	(10-07-01)	Executive Director - CJC	91,050	
27	(10-07-01)	Director - Domestic Violence Coordinating Council	67,750	
28	(10-07-02)	Executive Director - DELJIS	83,350	
29	(10-08-01)	Director - Delaware State Housing Authority		115,550



			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(11-00-00)	Chief Information Officer	155,450	
4	(12-01-01)	Lieutenant Governor	76,250	
5	(12-02-01)	Auditor	105,350	
6	(12-03-01)	Insurance Commissioner		105,350
7	(12-05-01)	State Treasurer	110,050	
8	(15-01-01)	Attorney General	140,950	
9	(15-01-01)	Chief Deputy Attorney General	124,050	
10	(15-02-01)	Public Defender	136,050	
11	(15-02-01)	Chief Deputy Public Defender	124,050	
12	(15-03-01)	Parole Board Chairman	76,850	
13	(20-01-00)	Secretary - State	123,850	
14	(20-01-00)	Executive Director - Public Employment Relations		
15		Board	77,550	
16	(20-02-00)	Director - Human Relations	72,150	
17	(20-03-00)	Director - Division of Archives	78,250	
18	(20-04-00)	Public Advocate		82,850
19	(20-04-00)	Director - Public Service Commission		93,250
20	(20-04-00)	Director - Professional Regulation		94,850
21	(20-05-00)	Director - Corporations		110,750
22	(20-06-00)	Director - Historical and Cultural Affairs	91,250	
23	(20-07-00)	Director - Arts	79,050	
24	(20-08-00)	State Librarian	81,350	
25	(20-15-00)	State Banking Commissioner		108,150
26	(25-01-00)	Secretary - Finance	143,050	
27	(25-05-00)	Director - Accounting	103,850	
28	(25-06-00)	Director - Revenue	120,950	
29	(25-07-00)	Director - State Lottery		102,250

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(35-01-00)	Secretary - Health and Social Services	143,050	
4	(35-01-00)	Director - Management Services	100,305	11,145
5	(35-02-00)	Director - Medicaid and Medical Assistance	55,825	55,825
6	(35-04-00)	Chief Medical Examiner	192,702	
7	(35-05-00)	Director - Public Health	165,000	
8	(35-06-00)	Director - Substance Abuse and Mental Health	137,250	
9	(35-07-00)	Director - Division of Social Services	55,825	55,825
10	(35-08-00)	Director - Visually Impaired	85,750	
11	(35-09-00)	Director - Long-term Care Residents Protection	89,950	
12	(35-10-00)	Director - Child Support Enforcement	29,650	60,200
13	(35-11-00)	Director - Developmental Disabilities Services	111,550	
14	(35-12-00)	Director - State Service Centers	89,950	
15	(35-14-00)	Director - Services for Aging and Adults		
16		with Physical Disabilities	89,950	
17	(37-01-00)	Secretary - Services for Children,		
18		Youth and Their Families	128,850	
19	(37-01-00)	Director - Management Services	101,650	
20	(37-04-00)	Director - Child Mental Health Services	101,650	
21	(37-05-00)	Director - Youth Rehabilitative Services	101,650	
22	(37-06-00)	Director - Family Services	101,650	
23	(38-01-00)	Commissioner - Correction	143,050	
24	(38-01-00)	Bureau Chief - Management Services	99,550	
25	(38-04-00)	Bureau Chief - Prisons	111,550	
26	(38-06-00)	Bureau Chief - Community Corrections	106,350	
27	(40-01-00)	Secretary - Natural Resources and		
28		Environmental Control	123,850	
29				

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
3	(40-01-00)	Deputy Secretary - Natural Resources		
4		and Environmental Control	103,950	
5	(40-05-00)	Director - Fish and Wildlife	47,825	47,825
6	(40-06-00)	Director - Parks and Recreation	96,350	
7	(40-07-00)	Director - Soil and Water Conservation	95,650	
8	(40-08-00)	Director - Water Resources	98,350	
9	(40-09-00)	Director - Air and Waste Management	98,350	
10	(40-09-00)	Director - Boiler Safety	62,750	
11	(45-01-00)	Secretary - Safety and Homeland Security	128,850	
12	(45-01-00)	Director - Del. Emergency Management Agency	40,025	40,025
13	(45-03-00)	Commissioner - Alcoholic Beverage Control	111,250	
14	(45-04-00)	Director - Alcohol and Tobacco Enforcement	78,900	
15	(45-06-00)	Superintendent - State Police	145,750	
16	(45-06-00)	Assistant Superintendent - State Police	133,750	
17	(55-01-01)	Secretary - Transportation		133,950
18	(55-01-02)	Director - Finance		112,650
19	(55-02-01)	Director - Technology and Support Services		113,150
20	(55-03-01)	Director - Planning		113,150
21	(55-04-01)	Director - Maintenance and Operations		113,150
22	(55-06-01)	Director - Delaware Transit Corporation		113,150
23	(55-08-30)	Chief Engineer		119,050
24	(55-11-10)	Director - Motor Vehicles		98,350
25	(60-01-00)	Secretary - Labor	11,555	103,995
26	(60-06-00)	Director - Unemployment Insurance		95,750
27	(60-07-00)	Director - Industrial Affairs		93,250
28	(60-08-00)	Director - Vocational Rehabilitation		93,250
29	(60-09-00)	Director - Employment and Training	9,400	73,802

	<u>Budget Unit</u>	<u>Line Item</u>	<u>General Funds</u>	<u>All Other Funds</u>
1				
2				
3	(65-01-00)	Secretary - Agriculture	115,550	
4	(65-01-00)	Deputy Secretary - Agriculture	83,650	
5	(70-01-01)	Commissioner - Elections	78,750	
6	(70-02-01)	Administrative Director - New Castle County Elections	74,550	
7	(70-02-01)	Deputy Administrative Director - New Castle		
8		County Elections	73,050	
9	(70-03-01)	Administrative Director - Kent County Elections	74,550	
10	(70-03-01)	Deputy Administrative Director - Kent County		
11		Elections	73,050	
12	(70-04-01)	Administrative Director - Sussex County Elections	74,550	
13	(70-04-01)	Deputy Administrative Director - Sussex County		
14		Elections	73,050	
15	(75-01-01)	State Fire Marshal	56,270	26,480
16	(75-02-01)	Director - State Fire School	82,750	
17	(76-01-01)	Adjutant General	118,250	
18	(95-01-00)	Secretary of Education	155,450	
19	(95-01-00)	Deputy Secretary of Education	127,250	
20	(95-06-00)	Executive Secretary - Advisory Council on Career		
21		and Technical Education	95,150	

22 (b) (i) Salaries of designated positions in Section 10(a) of this Act shall have no further increase  
23 applied by any other section of this Act, except as provided in Section 10(b)(ii), (iii), (iv),  
24 and (vii).

25 (ii) If a position in Section 10(a) becomes vacant during the fiscal year, the appointing  
26 authority shall submit a request with appropriate justification to the Director of the Office  
27 of Management and Budget to establish the salary commensurate with the qualifications  
28 of the proposed incumbent and within the position's evaluated pay range. In reviewing  
29 requests made pursuant to this paragraph, the Director of the Office of Management and

1 Budget shall provide an analysis of the request and shall solicit the advice and written  
2 consent of the Controller General in the event the salary is higher than the amount listed  
3 in Section 10(a).

4 (iii) Regardless of the provisions of this Act, any state employee who is offered a promotional  
5 opportunity to become a division level manager shall be eligible for a five percent  
6 promotional salary increase. This eligibility shall be conditioned on a determination that  
7 the duties and responsibilities of the division level manager position are at least one pay  
8 grade higher than the position proposed to be vacated based on a comparison of  
9 equivalent value. For the purpose of this subsection, the equivalent value of one pay  
10 grade is defined as seven percent difference in the constant fiscal year dollar value of the  
11 evaluated pay range midpoint of the division level manager position compared to the  
12 position that the employee is vacating. The appointing authority may request a  
13 promotional increase in excess of five percent based upon the qualifications of the  
14 selected candidate. The request and appropriate justification shall be submitted to the  
15 Director of the Office of Management and Budget. In reviewing requests made pursuant  
16 to this paragraph, the Director of the Office of Management and Budget shall provide an  
17 analysis of the request, and shall solicit the advice and written consent of the Controller  
18 General.

19 If an employee is offered an appointment to a division level manager position  
20 that has an equivalent value equal to or less than the pay grade assigned to the position  
21 the employee is vacating, the employee may retain his/her current salary provided it does  
22 not exceed the midpoint of the evaluated pay range for the division level manager  
23 position. The appointing authority may request the retention of salary in excess of the  
24 midpoint of the evaluated pay range for the division level manager position by submitting  
25 appropriate justification to the Director of the Office of Management and Budget. In  
26 reviewing requests made pursuant to this paragraph, the Director of the Office of  
27 Management and Budget shall provide an analysis of the request, and shall solicit the  
28 advice and written consent of, the Controller General.

1 (iv) Positions designated in Section 10(a) of this Act may be paid a salary that is less than the  
2 designated salary if the position is filled on an "acting" basis.

3 (v) An agency may request a dual incumbency for a division director or equivalent position  
4 in Section 10(a), provided that the Director of the Office of Management and Budget and  
5 the Controller General determine that the position is essential to fill during the interim  
6 period it would otherwise be vacant. The agency shall submit a request to the Office of  
7 Management and Budget. The Director of the Office Management and Budget shall  
8 review this request and seek the advice and written consent of the Controller General.

9 (vi) If the incumbent in the position of Secretary - Health and Social Services holds a state  
10 medical license, the salary listed in Section 10(a) of this Act for that position shall be  
11 increased by \$12.0. Additionally, if the incumbent in the position of Secretary-Health  
12 and Social Services is a board-certified physician, a \$3.0 supplement shall be added to the  
13 annual salary listed in Section 10(a) of this Act.

14 (vii) The salary in Section 10 for the Superintendent and Assistant Superintendent of the State  
15 Police has been calculated in accordance with 11 Del. C. § 8303. If the salary of the  
16 highest-paid Major increases during the fiscal year, the salaries of the Superintendent and  
17 the Assistant Superintendent shall be increased in accordance with 11 Del. C. § 8303. If  
18 the salary of the highest-paid Major decreases during the fiscal year, the incumbent  
19 Superintendent's and Assistant Superintendent's salaries shall not change.

20 (c) Effective May 1, 2009, the Office of Management and Budget shall submit to the Joint  
21 Finance Committee a listing of employees designated in Section 10(a). The listing shall indicate for each  
22 position the number of Hay points applicable for Fiscal Year 2009 and the number of Hay points of any  
23 recommended changes for any position for Fiscal Year 2010.

24 (d) For this fiscal year, the following represent the maximum salaries appropriated within  
25 Section 1 of this Act. These maximum salaries may be increased upon approval of the Director of the  
26 Office of Management and Budget and the Controller General to accommodate changes in statutory  
27 requirements.

28

July 1, 2008

	<u>Budget Unit</u>	<u>Line Item</u>	<u>General Funds</u>	<u>All Other Funds</u>
4	(10-02-32)	Board Members - Pensions		15.0
5	(10-02-50)	Board Members - Architectural Accessibility Board	2.3	
6	(15-01-01)	Board Members - Consumer Protection	3.5	
7	(15-03-01)	Board Members - Parole	46.1	
8	(20-01-00)	Board Members - Public Employment Relations Board	7.4	
9	(20-01-00)	Board Members - Merit Employee Relations Board	20.0	
10	(20-02-00)	Board Members - Human Relations	2.5	
11	(20-04-00)	Board Members - Professional Regulation		71.5
12	(20-04-00)	Board Members - Public Service Commission		155.0
13	(25-01-00)	Board Members - Revenue	33.0	
14	(38-04-00)	Board Members - Institutional Classification	12.0	
15	(45-04-00)	Board Members - Alcoholic Beverage Control Commission	8.6	
16	(60-07-00)	Board Members - Industrial Accident Board		230.0
17	(65-01-05)	Harness Racing Commission		13.6
18	(65-01-10)	Thoroughbred Racing Commission		13.6
19	(65-01-12)	Nutrient Management Commission	22.4	
20	(70-02-01)	Board Members - New Castle County Elections	21.5	
21	(70-03-01)	Board Members - Kent County Elections	13.0	
22	(70-04-01)	Board Members - Sussex County Elections	13.0	
23	(95-01-01)	Board Members - State Board of Education	16.8	
24	(95-08-01)	Higher Education Commissioners	2.4	

25 (e) Upon the enactment of legislation to standardize property assessments across all three  
26 counties and the creation of a State Assessment Practices Board, consisting of seven members, to provide  
27 guidance and oversight of the property tax system, there shall be established a salary of \$.5 per Board  
28 member.

29 Section 11. Amend 29 Del. C. § 6404 by adding the following new subsection:

1           “(j) Any employee eligible for termination pay whose regular pay was from special funds shall  
2 have termination pay paid from special funds. If the employee's regular pay is from both General Funds  
3 and special funds, termination pay shall be on a pro rata basis. The intent of this Section is that if any  
4 school district charges their local share to Division III - Equalization Funds, that for termination pay  
5 purposes only, these funds are considered special funds. Exceptions to this method of payment must have  
6 the approval of the Director of the Office of Management and Budget and the Controller General. All  
7 agencies shall absorb termination pay within the appropriations set forth in the Annual Appropriations  
8 Act.”

9           Section 12. Amend 29 Del. C. § 6404(g) by inserting a new subsection (5) to read as follows:

10          “(5) All agencies or schools receiving federal funds subject to the federal Single Audit Act shall:

11           (a) Include in program budgets an amount sufficient to cover actual program audit costs incurred  
12 by the Office of Auditor of Accounts. The final audit costs will be provided to the agencies and schools  
13 by the Office of Auditor of Accounts by August 31 of each calendar year.

14           (b) Process audit cost payment documents (Intergovernmental Vouchers and invoices from  
15 accounting firms) within 30 days of receipt of same from the Office of Auditor of Accounts.”

16           Section 13. Amend 29 Del. C. § 6404 by inserting a new subsection (i) to read as follows:

17          “(i) All state agencies and departments that own land shall inform the Director of the Office of  
18 Management and Budget, the Controller General, and the General Assembly, quarterly, as to any and all  
19 developments relating to the possible new use, lease or sale, of any portion of said land. This section  
20 shall not apply to lands owned by the Department of Transportation that are intended for transportation  
21 purposes except as provided in 17 Del. C. § 137.”

22           Section 14. With the exception of the custodial work associated with Legislative Hall and the  
23 Governor's Office, the Office of Management and Budget may not hire any permanent, full-time custodial  
24 employees in any fiscal year without the concurrence of the Controller General.

25           Section 15. Chapters 4.0 and 5.0 of the Merit Rules notwithstanding, the Director of the Office of  
26 Management and Budget and the Controller General shall have the authority to designate and approve  
27 pilot projects within specified agencies. Such pilot projects shall accrue to the mutual benefit of the State  
28 as an employer and its affected employees in the Department of Health and Social Services, the



1 Department of Services for Children, Youth and Their Families, the Department of Correction, and the  
2 Department of Transportation. These pilot projects may include employee incentives which have the  
3 impact of reducing overtime usage in these departments, and are designed to achieve a net reduction in  
4 costs to the State. Such projects may include elimination of preemployment testing for certain  
5 classifications, eliminating the cap on vacation carryover, gain sharing, and the substitution of certain  
6 fixed state holidays by floating holidays. Such pilot projects shall not exceed a period of two years  
7 duration, subject to renewal on a six-month basis, and shall include a written assessment to the Director of  
8 the Office of Management and Budget and the Controller General of their effectiveness at the end of each  
9 period. To the extent or where employees participating in pilot projects pursuant to this section are  
10 covered by a collective bargaining agreement pursuant to 19 Del. C. § 1311A, any such pilot project shall  
11 not include employee incentives or compensation contrary to that provided in the negotiated collective  
12 bargaining agreement.

13 Section 16. For the fiscal year, the provisions of 29 Del. C. § 6502(a), shall be waived for school  
14 districts. In its place, school districts shall be required to provide to the Director of the Office of  
15 Management and Budget and the Controller General a signed copy of its approved district budget.

16 Section 17. All agencies receiving an Energy appropriation in Section 1 of this Act must work  
17 through Department of Natural Resources and Environmental Control and the Executive Department,  
18 Office of Management and Budget to attain any contract(s) dealing with the retail wheeling of natural gas  
19 or electricity. This includes agencies 01 through 95 with the exception of the University of Delaware.

20 During the current fiscal year, all energy use systems for new facilities, rental/leasing changes,  
21 and/or renovations to energy use systems must be coordinated with the Energy Office within the  
22 Department of Natural Resources and Environmental Control and with the Executive Department, Office  
23 of Management and Budget.

24 Any internal program unit/budget unit having energy funding (electricity, natural or propane gas  
25 and heating oils) for the purpose of reimbursing a host internal program unit/budget unit must release the  
26 remaining sums to the host internal program unit/budget unit in the event that the tenant internal program  
27 unit/budget unit vacates the premises. It is the responsibility of the host internal program unit/budget unit  
28 to initiate the transfer request. Those agencies which are budgeted energy as a result of occupying a

1 portion of a host facility's property, and do not directly pay energy bills, may not transfer energy funds  
2 other than to the host agency.

3 Section 18. (a) Increased use of videophones and related technologies by agencies comprising  
4 the criminal justice system is beginning to have a positive impact on the operations of these agencies.  
5 One such positive impact is the reduction in the number of trips Department of Correction personnel need  
6 to make to transport offenders from the secure facilities in the prisons to the courts for various hearings  
7 and other procedural matters. To help quantify these positive impacts, agencies with videophones  
8 obtained through the Videophone Committee of the Criminal Justice Council shall submit to the Director  
9 of the Office of Management and Budget and the Controller General a report on their use of their  
10 videophone(s) by December 1 of each year. This report shall be based on a period from July 1 through  
11 June 30 and shall contain information such as, but not limited to, 1) the number of videophones used; 2)  
12 the types of activities for which the videophone(s) is/are used; 3) the number of times the videophone(s)  
13 was/were used for each activity; 4) any savings or deferred costs resulting from the use of the  
14 videophone(s); 5) any costs directly associated with the use of the videophone(s); and 6) future plans for  
15 the use of the videophone(s).

16 (b) The Department of Correction shall submit a report of videophone usage to the Director of  
17 the Office of Management and Budget, Controller General and members of the Joint Finance Committee  
18 by December 1 of each year. This report shall be based on a period from July 1 through June 30 and shall  
19 include a detailed description of the actual savings, deferred costs and previously anticipated savings and  
20 deferrals that were not realized.

21 Section 19. Notwithstanding any other provision of the Delaware Code or this Act to the  
22 contrary, the Office of Management and Budget, subject to the approval of the Controller General, is  
23 authorized to make technical adjustments to the personnel complement of any agency as appropriated in  
24 Section 1 of this Act in those situations where, due to the rounding of split-funded positions, such an  
25 adjustment is necessary so that an agency may establish its authorized complement.

26 Section 20. Notwithstanding Merit Rules 4.4.2 and 4.4.3, an agency that requests approval of a  
27 starting rate higher than 85 percent of the midpoint, or that requests that incumbents be leveled up to a  
28 newly-hired employee, shall provide documentation showing that sufficient funds exist within the

1 agency's base budget to fund such actions. An agency that requests approval of a starting rate higher than  
2 85 percent of midpoint shall also indicate if the approval of such starting rate will result in a request to  
3 level up the salary of the existing employees, and shall indicate if sufficient funds exist within the  
4 agency's base budget to fund such a leveling-up action. Notwithstanding any provisions of this Act or the  
5 Delaware Code to the contrary, no provision of Merit Rule 4.0 shall be considered compensation for the  
6 purposes of collective bargaining and leveling up can only occur with the concurrence of the Director of  
7 the Office of Management and Budget and the Controller General. The Director of the Office of  
8 Management and Budget and Controller General, with the concurrence of the co-chairs of the Joint  
9 Finance Committee shall promulgate policies and procedures to implement this section.

10 Section 21. Amend 29 Del. C. § 5202 by striking section (g) in its entirety and substituting in  
11 lieu thereof the following: "(g) Salary reductions voluntarily taken pursuant to subsection (e) of this  
12 section shall not affect the compensation used in the calculation of pension benefits under any state  
13 pension plan and shall be made on a pretax basis, provided that employees who had designated employee  
14 deductions on a posttax basis as of July 1, 2000 shall continue to have the right to make those deductions  
15 on a posttax basis as long as the employee remains in a benefit program or the employee makes a change  
16 to pretax employee benefit deductions."

17 Section 22. In an effort to reduce the financial impact of worker's compensation and property  
18 losses to the State, the agencies and school districts shall work with the Insurance Coverage Office to  
19 implement safety and return to work policies. Any employee who has been on Worker's Compensation  
20 shall be a preferential hire for any position for which the employee is qualified. In accordance with State  
21 law, the employee shall receive a salary supplement based on that employee's prior earnings in the event  
22 the new salary is less than their current salary.

23 Section 23. In accordance with the provisions of 29 Del. C. § 5106, effective for all fiscal years  
24 commencing after June 30, 2003, exceptions to the standard practice of paycheck deductions shall be  
25 made for employees paying dues to the Delaware State Education Association (DSEA). For all  
26 employees designating that DSEA membership dues be deducted from their bi-weekly paycheck shall  
27 have those dues deducted from the 22 pay periods occurring within the 10 month school year. This

1 change will facilitate the maintenance of the state payroll system as well as establish a consistent process  
2 for managing the collection of dues from members of the Delaware State Education Association.

3 Section 24. Notwithstanding Chapter 10.0 and Chapter 19.0 of the Merit Rules, upon approval by  
4 the Director of the Office of Management and Budget and the Controller General, temporary appointees  
5 may be assigned to the same position as that already assigned to a permanent employee in order to  
6 complete a special project.

7 Section 25. Employees of the State of Delaware who are enrolled in a health insurance benefit  
8 plan must re-enroll in a plan of their choice during the open enrollment period as determined by the State  
9 Employee Benefits Committee. Should such employee(s) neglect to re-enroll in the allotted time, said  
10 employee(s) and any spouse or dependents shall be automatically re-enrolled in their previous plan as  
11 long as verification of employment is provided by the employee and the Office of Management and  
12 Budget.

13 Section 26. Notwithstanding any provision of the Delaware Code to the contrary, 29 Del. C.  
14 § 5207 shall not apply to individuals employed in accordance with 29 Del. C. § 5903(17).

15 Section 27. Notwithstanding any provision of the Delaware Code to the contrary, the State  
16 Employee Benefits Committee is authorized to form a subcommittee for the purpose of exploring  
17 employee health benefit design and program eligibility options which, if implemented, would reduce the  
18 State of Delaware's future payment obligation of retiree health benefits. The subcommittee shall submit a  
19 report outlining these options to the Governor, the Co-Chairs of the Joint Finance Committee, and the  
20 State Employee Benefits Committee by April 15, 2009.

21 Section 28. Notwithstanding the provisions of any other law, any non-state organizations  
22 identified in 29 Del. C. § 5209 and not participating in the State Group Health Insurance Program as of  
23 June 30, 2008, shall be prohibited from participation for the fiscal year ending June 30, 2009.

24 Section 29. Notwithstanding any provision in the Delaware Code to the contrary, for the  
25 purposes of developing and implementing the Enterprise Resource Planning (ERP) Financial  
26 Reengineering Project's PeopleSoft Financials application, necessary adjustments to existing state  
27 accounting, budgeting and financial reporting processes and practices may be implemented during Fiscal

1 Year 2009 with the written approval of the Director of the Office of Management and Budget, Controller  
2 General, Secretary of Finance and Chief Information Officer.

3  
4 Section 30. The responsibilities and authorities established by 75 Del. Laws, c. 243 shall remain  
5 in effect through Fiscal Year 2009 or until a bill codifying energy procurement is signed into law. The  
6 following provisions shall apply:

7 (a) The Director of the Office of Management and Budget shall provide the Controller General  
8 with a detailed description of any significant change in energy procurement strategy and procedures  
9 previously approved by the Controller General. The detailed description shall be provided to the  
10 Controller General at least two weeks prior to the execution of an energy supply contract that incorporate  
11 the changes.

12 (b) The Director of the Office of Management and Budget shall have the authority to enter into  
13 wholesale or retail supply contracts for natural gas and other types of fuel and energy in accordance with  
14 the responsibilities and authorities established for the purchase of electricity as per 75 Del. Laws, c. 243.

15 (c) Aggregation partner, as defined in 75 Del. Laws, c. 243, shall also be construed to mean  
16 public libraries, corporations and authorities established by the General Assembly including, but not  
17 limited to the Delaware Riverfront Development Corporation, Delaware River and Bay Authority and  
18 Diamond State Port Corporation upon approval of the Director of the Office of Management and Budget  
19 and the Controller General.

20 (d) The provisions of 75 Del. Laws, c. 243, Section (b) shall be construed to include electricity,  
21 gas and other sources of fuel and energy procured on both retail and wholesale energy markets.

22 Section 31. The Delaware Governmental Accountability Act enacted by the 138th General  
23 Assembly requires performance measures for each Internal Program Unit within state government to  
24 allow the General Assembly to make better informed policy decisions on the allocation and utilization of  
25 state resources. In keeping with the principles of the Delaware Governmental Accountability Act, Section  
26 1 of this Act includes the reallocation of pass through appropriations supporting various health programs;  
27 services for the aging, family and youth services; fire safety; and education to the Grants-In-Aid Act for  
28 Fiscal Year 2009. This reallocation is intended to subject the various non-state agency programs  
29 supported by these appropriations to the rigorous, annual review process of Grants-In-Aid. For Fiscal

1 Year 2009, it is the intent of the General Assembly and Administration that these appropriations receive  
 2 at least the same level of funding as appropriated in the Fiscal Year 2008 Budget Act.

3 Section 32. (a) For the fiscal year ending June 30, 2008, any sums in the following accounts  
 4 shall remain as continuing appropriations and shall not be subject to a reversion until June 30, 2009. Any  
 5 appropriation listed below that has a balance of zero on June 30, 2008 shall not continue:

6	<b>Fiscal Year</b>	<b>Account</b>	
7	<b><u>Appropriation</u></b>	<b><u>Codes</u></b>	<b><u>Remarks</u></b>
8	2007	01-01-01-0140	Travel
9	2006/07	01-01-01-0141	Leg-Mileage
10	2006/07	01-01-01-0150	Contractual
11	2006/07	01-01-01-0160	Supplies
12	2007	01-01-01-0170	Capital
13	2006/07	01-01-01-0181	Committee Expenses
14	2003/04/05/06/07	01-02-01-0140	Travel
15	2006/07	01-02-01-0141	Leg-Mileage
16	2006/07	01-02-01-0150	Contractual
17	2006/07	01-02-01-0160	Supplies
18	2004/05/06/07	01-02-01-0170	Capital
19	2004/05/06/07	01-02-01-0181	Committee Expenses
20	2006/07	01-02-01-0182	Ad Substance Abuse
21	2006/07	01-05-01-0140	Travel
22	2006/07	01-05-01-0141	Leg-Travel
23	2005/06/07	01-05-01-0150	Contractual
24	2006/07	01-05-01-0151	State Governments
25	2006/07	01-05-01-0160	Supplies
26	2006/07	01-08-01-0150	Contractual
27	2006/07	01-08-01-0151	Print Laws
28	2007	01-08-01-0170	Capital
29	2007	01-08-01-0181	Sunset

1	2001	01-08-01-0185	Tri-Cent Committee
2	2007	01-08-01-0186	Technical Advisory
3	2006/07	01-08-02-0140	Travel
4	2006/07	01-08-02-0150	Contractual
5	2006/07	01-08-02-0160	Supplies
6	2005/07	01-08-02-0170	Capital
7	1997/98/99	01-08-02-0180	Senior Center Reporting
8	2003/04/05/06/07	01-08-02-0181	Contingency – Legislative
9	2006/07	01-08-02-0182	Family Law Commission
10	1998/99/2000/01/02/03	01-08-02-0186	Juvenile Detention Oversight Committee
11	2004/05/06/07		
12	1996	01-08-02-0187	Contingency - Legal
13	2001/02/03/04/05/06/07	01-08-02-0190	Neighborhood Schools
14	2001/02/03/04/05/06/07	01-08-02-0191	Clean Air
15	2007	01-08-02-0193	JFC/CIP Contingency
16	2006	01-08-02-0196	One Time
17	2003/04/05/06/07	01-08-02-0197	Contingency - Intern
18	2001	01-08-02-0198	One Time
19	2007	01-08-02-0198	One Time Revolutionary War Monument
20	2003/04/05/06	01-08-02-0200	TriCent Committee
21	2005/06/07	01-08-02-0201	Security
22	2004	01-08-02-0801	Technical Equipment
23	2006	01-08-02-0879	BioTech Engineer
24	2006	01-08-02-0891	Legislative Hall Improvements
25	2002	01-08-02-0985	Senior Center Projects
26	2002	01-08-02-0987	Fox Point Park
27	2005/06	01-08-02-0988	JFC CIP Contract
28	2006	01-08-02-0989	Senior Center Fund
29	2007	01-08-06-0140	Travel

1	2007	01-08-06-0150	Contractual
2	2007/08	02-01-10-0180	Court on the Judiciary
3	2004	02-02-10-0192	COTS Support
4	2008	02-03-10-0180	Jury Expenses
5	2004	02-03-10-0192	COTS Support
6	2004	02-06-10-0192	COTS Support
7	2007/08	02-06-10-0198	One Time
8	2004	02-08-10-0192	COTS Support
9	2008	02-08-10-0198	One Time
10	2008	02-17-01-0180	Retired Judges
11	2008	02-17-01-0183	Victim Offender Mediation Program
12	2008	02-17-01-0184	Conflict Attorneys
13	2008	02-17-01-0185	CASA Attorneys
14	2008	02-17-01-0186	Civil Attorneys
15	2007/08	02-17-01-0188	Court Appointed Attorneys
16	2008	02-17-01-0189	Interpreters
17	2007/08	02-17-01-0190	New Castle County Courthouse
18	2004	02-17-01-0192	COTS Support
19	2003	02-17-01-0200	Computer Training
20	2007	02-17-03-0180	Move Setup
21	2008	02-18-01-0180	Special Needs Fund
22	2007	02-18-06-0180	Fetal Infant Mortality Review Expense
23	2005	10-02-02-0199	Technology
24	2005	10-02-05-0198	One Time
25	2000	10-02-05-0199	Technology
26	2007/08	10-02-05-0202	Evaluation Project
27	2008	10-02-05-0279	International Trade
28	2008	10-02-05-0280	Italian-American Commission



1	2007/08	10-02-06-0196	Contingency Fund
2	2007	10-02-08-0286	Race and Incarceration
3	2006/07/08	10-02-10-0185	Data Development
4	2008	10-02-10-0191	Budget Automation
5	2007/08	10-02-11-0185	Legal Fees
6	2007/08	10-02-11-0189	Salary/OEC
7	2008	10-02-11-0198	One Time
8	2000	10-02-11-0199	Technology Initiative
9	2007/08	10-02-11-0218	Judicial Nominating Committee
10	2006/08	10-02-11-0255	Livable Delaware
11	2005	10-02-11-0272	Classroom Instruction
12	2005	10-02-11-0275	Federal Contingency Fund
13	2006	10-02-11-0283	Actuarial Studies
14	2007	10-02-11-0287	Electric Deregulation
15	2007	10-02-11-0288	Uninsured/Underinsured
16	2007	10-02-11-0292	PEAK
17	2006	10-02-11-0881	Christina School District Loan
18	2008	10-02-20-0181	Employee Recognition
19	2007/08	10-02-20-0187	School-to-Work
20	2007	10-02-20-0274	Recruitment and Retention
21	2006/07/08	10-02-21-0199	First Quality
22	2006/07/08	10-02-30-0183	Flex Benefits
23	2008	10-02-30-0184	Blood Bank
24	2007/08	10-02-31-0150	Contractual
25	2007/08	10-02-31-0183	Self Insurance
26	2008	10-02-32-0182	Health Insurance
27	2008	10-02-32-0191	Pension Paraplegic Veterans
28	2008	10-03-01-0188	Workplace Literacy

1	2006	10-03-03-0198	One Time
2	1997	10-05-01-0180	Pilot Projects
3	2008	10-05-01-0181	Education
4	2008	10-05-01-0184	Uninsured Action Plan
5	2006	10-05-01-0185	Universal Health Insurance Study
6	2006	10-05-02-0275	Federal Contingency
7	2006/07/08	10-05-03-0180	Operations
8	2005	10-07-02-0197	Data Development
9	2007	12-05-01-0229	Evaluation
10	2007/08	12-05-03-0190	Bond Expense
11	2006/08	15-01-01-0197	Data Development
12	2005	15-02-01-0197	Data Development
13	2008	15-02-01-0198	One Time
14	2005	20-01-01-0183	Shipwreck
15	2007	20-01-01-0198	One Time
16	2007/08	20-01-05-0180	Delaware Heritage
17	2007/08	20-03-01-0181	Document Conservation Fund
18	2005/06/07/08	20-03-01-0182	Historical Markers
19	2000/01/02/03/04/05	20-03-01-0198	One Time
20	2006/07/08		
21	2005	20-06-01-0198	One Time
22	2008	20-06-04-0180	Museum Maintenance
23	2008	20-06-04-0181	Museum Conservation
24	2007/08	20-06-04-0183	Collections
25	2008	20-06-04-0184	Operations
26	2007/08	20-06-04-0185	Art Object Refurbishing
27	2003/07	20-06-04-0198	One Time
28	2008	20-07-01-0180	Disadvantaged Arts
29	2008	20-07-01-0182	Delaware Art

1	2005	20-07-01-0198	One Time
2	2007/08	20-08-01-0180	Library Standards
3	2007/08	20-08-01-0181	Delaware Electronic Library
4	2008	20-08-01-0186	DeINET
5	2008	35-05-10-0171	Health Disparities
6	2008	35-05-20-0182	Immunizations
7	2008	35-05-20-0183	Hepatitis B
8	2008	35-05-20-0193	Infant Mortality
9	2008	35-05-30-0977	Paramedic
10	2006/08	35-06-10-0187	Clinical Care
11	2007/08	35-06-10-0188	CCIS
12	2008	35-07-01-0185	Child Care
13	2008	35-07-01-0198	One Time
14	2006	35-10-01-0197	Data Development
15	2008	35-11-30-0180	Community Services
16	2008	35-11-30-0181	Purchase of Care
17	2007	35-12-20-0180	Smyrna SSC
18	2007	35-12-20-0198	One Time
19	2005	37-01-10-0187	Community Mapping
20	2006	37-01-20-0180	CAP Phase 2
21	2008	37-01-50-0181	MIS Development
22	2008	37-05-50-0198	One Time
23	2008	37-06-40-0187	Child Welfare
24	2006/08	38-01-01-0184	Sustainability Contingency
25	2008	38-01-10-0186	Warehouse
26	2007/08	38-01-10-0199	MIS
27	2007/08	38-01-30-0180	Medical Services
28	2008	38-01-31-0180	Drug Treatment

1	2006/07/08	38-04-01-0185	Distance Learning
2	2006	38-04-03-0195	First Quality
3	2008	38-06-02-0198	One Time
4	2008	38-06-04-0198	One Time
5	2007/08	40-01-01-0181	Wholebasin Management - TMDL
6	2007/08	40-01-01-0189	Ecological Restoration Program
7	2007	40-01-01-0195	First Quality
8	2008	40-05-04-0180	Insecticides
9	2006	40-07-02-0198	One Time
10	2008	40-08-01-0180	Delaware Estuary
11	2008	40-08-02-0190	Harmful Algae Bloom
12	2008	40-08-07-0180	Estuaries
13	2008	40-09-03-0183	Recycle Committee
14	2006/07/08	45-01-01-0186	Real Time Crime Report
15	1986	45-01-01-0381	Hazardous Waste Revolving Fund
16	2003	45-01-30-0197	Federal Disaster Relief
17	2001/02/03	45-01-30-0198	One Time
18	2008	45-02-10-0198	One Time
19	2008	45-06-01-0198	One Time
20	2005	45-06-01-0202	Promotion
21	2007/08	45-06-03-0198	One Time
22	2008	45-06-05-0198	One Time
23	2008	45-06-07-0198	One Time
24	2008	45-06-08-0198	One Time
25	2004/07/08	45-06-09-0198	One Time
26	2008	45-06-10-0198	One Time
27	2008	45-06-11-0198	One Time
28	2008	60-01-20-0198	One Time

1	2007	60-01-40-0198	One Time
2	2007	60-07-01-0197	Data Development
3	2007	60-07-01-0229	Workers' Compensation Initiative
4	2008	60-09-20-0182	Summer Youth Program
5	2007/08	60-09-20-0188	Skill Grant
6	2007/08	65-01-01-0188	Wild Life Damage Control
7	2007	65-01-09-0198	One Time
8	2008	65-01-12-0180	Poultry Litter
9	2008	65-01-12-0183	Nutrient Management Planning
10	2007/08	70-01-01-0181	School Elections
11	2007/08	70-01-01-0183	Voter Purge
12	2008	70-01-01-0198	One Time
13	2008	70-02-01-0181	School Elections
14	2008	70-02-01-0198	One Time
15	2001	70-02-01-0200	Reapportionment/Address Verification
16	2008	70-02-01-0201	Technology Development
17	2006	70-02-01-0206	Election Costs
18	2008	70-03-01-0181	School Elections
19	2008	70-03-01-0198	One Time
20	2008	70-04-01-0181	School Elections
21	1997/08	70-04-01-0198	One Time
22	2007/08	70-04-01-0201	Technology Development
23	2006	70-04-01-0206	Election Costs
24	2002/07	75-01-01-0197	Data Development
25	2008	76-01-01-0181	Educational Assistance
26	2008	76-01-01-0183	Service Member Group Life Insurance
27	2008	76-01-01-0229	Youth Challenge Camp
28	2007	76-01-01-0274	Recruiting and Retention

1	2007/08	95-01-01-0131	Parents as Teachers
2	2008	95-01-01-0189	State Board of Education
3	2001/05	95-01-01-0198	One Time
4	2007/08	95-01-01-0200	Standards and Assessment
5	2007/08	95-01-01-0202	DSTP
6	2008	95-01-01-0203	Pupil Accounting
7	2008	95-01-01-0208	Family Involvement
8	2008	95-01-01-0229	Infrastructure Capacity
9	2008	95-01-01-0230	Educator Accountability
10	2007/08	95-02-02-0204	School Improvement
11	2007/08	95-03-10-0191	Professional Development
12	2008	95-03-20-0127	Student Discipline Program
13	2007/08	95-03-20-0153	3-5 Program
14	2008	95-03-20-0181	Unique Alternatives
15	1999/2002/03	95-03-20-0198	One Time
16	2007/08	95-08-01-0185	Ferguson DSTP Scholarship
17	2006/07	95-08-01-0188	Physician Loan
18	2007/08	95-08-01-0189	Legislative Essay
19	2007/08	95-08-01-0190	National Teacher Certification
20	2008	95-08-01-0191	SEED Scholarship
21	2005	95-08-01-0198	One Time (Carson Scholarships)

22 (b) Funds appropriated for the following programs shall be appropriated on a 15 month basis and  
23 not be subject to reversion until September 30, 2009: Tuition Reimbursement (appropriation 0189),  
24 Student Mentoring (appropriation 0207), Discipline Part II (appropriation 0201), LEP (appropriation  
25 0233), Professional and Curriculum Development (appropriation 0205), Professional Mentoring  
26 (appropriation 0151), Teacher to Teacher Instructional Cadre (appropriation 0206). Program expenses  
27 may not be incurred subsequent to the start of the regular 2009-2010 school year.

1 (c) Funds appropriated to Extra Time for Students (appropriations 0203 and 0204) shall not be  
2 subject to reversion until December 31, 2009.

3 (d) For the fiscal year ending June 30, 2008, any sums in Fiscal Year 2008 appropriation 0213  
4 (Charter School Operations) for Public Education, shall remain as continuing and not be subject to  
5 reversion until June 30, 2009.

6 (e) For the fiscal year ending June 30, 2008, any sums for Fiscal Year 2008 Division II – All  
7 Other Costs (appropriation 0165), Division II – All Other Costs for Vocational Education (appropriation  
8 0265), Division II – Energy (appropriation 0159), Division III – Equalization (appropriation 0186),  
9 Education Expense and Property Tax Relief Funds (appropriation 0287), School Building Awards  
10 (appropriation 0243), and Innovative After School Initiative (appropriation 0245) shall become a  
11 continuing appropriation in each local school district for the period of one fiscal year.

12 (f) For the fiscal year ending June 30, 2008, any fiscal year 2006, 2007, or 2008 School  
13 Improvement Funds (appropriation 0244) shall become a continuing appropriation in each local school  
14 district for the period of one fiscal year.

15 (g) Of the Continuing Appropriation for Fiscal Year 1996, (01-08-02-01-87), up to \$100.0 may  
16 be used for the Legislative Clean Air Policy Committee, Inc. legal and consulting expenses. With the  
17 approval of Legislative Council, up to \$20.0 may be used for technical assessment.

18 (h) The Department of Transportation shall promulgate and carry out the policies and procedures  
19 necessary to deauthorize any unexpended, unencumbered or unprogrammed operating appropriations  
20 remaining at the end of the fiscal year.

21 (i) The Department of Transportation shall provide a list of operating appropriations to be  
22 continued into the next fiscal year to include the following: 1) unprogrammed  
23 appropriations from prior years, and 2) unencumbered or unprogrammed appropriations  
24 from the immediately preceding fiscal year. The list shall be comprised of the  
25 accounting code, fiscal year and program description for each appropriation to be  
26 continued. The department may request additional authority, on a project by project  
27 basis, during the fiscal year. Such requests shall be submitted to the Director of the  
28 Office of Management and Budget and Controller General for approval.

1 (ii) For the fiscal year ending June 30, 2008, any authorizations in the following accounts shall  
 2 remain as continuing appropriations and shall not be subject to deauthorization until June  
 3 30, 2009.

4	<b>Fiscal Year</b>	<b>Account</b>	
5	<b><u>Appropriation</u></b>	<b><u>Codes</u></b>	<b><u>Remarks</u></b>
6	2008	55-01-01-6800	Operations/Capital
7	2008	55-01-01-6805	Salary Contingency
8	2008	55-01-01-6815	Personnel Costs
9	2008	55-01-02-6800	Operations/Capital
10	2008	55-01-02-6815	Personnel Costs
11	2008	55-01-03-6800	Operations/Capital
12	2008	55-01-03-6815	Personnel Costs
13	2007/08	55-01-04-6801	Travel
14	2008	55-01-04-6802	Contractual/Supplies
15	2008	55-01-04-6804	Capital Outlay
16	2008	55-01-04-6815	Personnel Costs
17	2008	55-02-01-6801	Travel
18	2008	55-02-01-6802	Contractual/Supplies
19	2008	55-02-01-6803	Energy
20	2008	55-02-01-6804	Capital Outlay
21	2008	55-02-01-6815	Personnel Costs
22	2006/07/08	55-03-01-6800	Operations/Capital
23	2008	55-03-01-6815	Personnel Costs
24	2008	55-04-01-6800	Operations/Capital
25	2008	55-04-01-6815	Personnel Costs
26	2008	55-04-70-6802	Contractual/Supplies
27	2008	55-04-70-6803	Energy
28	2008	55-04-70-6804	Capital Outlay
29	2008	55-04-70-6805	Storm Contingency



1	2008	55-04-70-6815	Personnel Costs
2	2008	55-04-90-6801	Travel
3	2008	55-04-90-6802	Contractual/Supplies
4	2008	55-04-90-6803	Energy
5	2008	55-04-90-6804	Capital Outlay
6	2008	55-04-90-6805	E-ZPass Operations
7	2008	55-04-90-6815	Personnel Costs
8	2008	55-06-01-8572	Transit Operations
9	2008	55-06-01-8581	Newark Transportation
10	2008	55-06-01-8583	Kent and Sussex
11	2008	55-06-01-8589	Taxi Service
12	2008	55-08-10-6815	Personnel Costs
13	2008	55-08-20-6815	Personnel Costs
14	2008	55-08-30-6801	Travel
15	2008	55-08-30-6802	Contractual/Supplies
16	2008	55-08-30-6804	Capital Outlay
17	2008	55-08-30-6815	Personnel Costs
18	2008	55-08-40-6802	Contractual/Supplies
19	2008	55-08-40-6803	Energy
20	2008	55-08-40-6804	Capital Outlay
21	2008	55-08-40-6815	Personnel Costs
22	2008	55-11-10-6801	Travel
23	2008	55-11-10-6804	Capital Outlay
24	2008	55-11-10-6807	Contractual Services
25	2008	55-11-10-6808	Supplies and Materials
26	2008	55-11-10-6815	Personnel Costs
27	2008	55-11-10-6820	Motorcycle Safety
28	2008	55-11-20-6807	Contractual Services

1	2008	55-11-20-6808	Supplies and Materials
2	2008	55-11-20-6815	Personnel Costs
3	2008	55-11-20-6822	CDL Fees
4	2008	55-11-30-6801	Travel
5	2008	55-11-30-6804	Capital Outlay
6	2008	55-11-30-6807	Contractual Services
7	2008	55-11-30-6808	Supplies and Materials
8	2008	55-11-30-6815	Personnel Costs
9	2008	55-11-30-6823	Odometer Forms
10	2008	55-11-30-6824	Special License Plates
11	2008	55-11-30-6825	DMVT
12	2008	55-11-50-6801	Travel
13	2008	55-11-50-6804	Capital Outlay
14	2008	55-11-50-6807	Contractual Services
15	2008	55-11-50-6808	Supplies and Materials
16	2008	55-11-50-6815	Personnel Costs

# 1 TOBACCO – MASTER SETTLEMENT AGREEMENT

2 Section 33. (a) Section 1 of this Act includes Appropriated Special Funds of \$34,117.9 from  
3 funds received as a result of the Master Settlement Agreement on tobacco funds. These funds are  
4 allocated as follows:

5 (10-05-01) Health Care Commission

6 \$1,250.0 Uninsured Action Plan

7 \$48.1 1.0 ASF FTE - Assistance to the Commission on health issues

8 \$9.0 Casual and Seasonal assistance

9 (15-01-01) Attorney General

10 \$204.6 2.0 ASF FTEs - legal matters relating to tobacco laws and regulations

11 (35-02-01) Health and Social Services - Medicaid and Medical Assistance

12 \$4,500.0 Prescription Drug Program

13 \$2,295.0 SSI coverage for persons who lose benefits due to unearned income; Health care  
14 coverage and supplemental payments necessary to insure federal Medicaid  
15 matching funds for former SSI persons who lose benefits due to unearned income

16 \$600.0 Increase Medicaid eligibility for pregnant women/infants to 200 percent of  
17 poverty

18 \$691.0 Money Follows the Person

19 \$90.0 Exceptional Care for Children

20 (35-05-20) Health and Social Services - Community Health

21 \$500.0 Diabetes

22 \$2,189.8 New Nurse Development Program at Delaware Technical and Community  
23 College

24 \$158.6 Delaware State University Nursing Program

25 \$653.7 Personnel Costs associated with Tobacco Control Programs

26 This Act makes an appropriation to the Division of Community Health for Tobacco Fund Contractual  
27 Services. Of that appropriation, funds are allocated as follows:

28 \$3,374.2 Tobacco prevention through Community Based organizations

1	\$400.0	E-Resources Program - Delaware Academy of Medicine
2	\$240.0	Kent County/Sussex County Consumer Health Services - Delaware Academy of
3		Medicine
4	\$331.0	Wesley College Nursing Program
5	\$122.3	Polytech Adult Education Nursing Program
6	\$155.5	Delaware Hospice
7	\$143.2	Planned Parenthood of Delaware
8	\$124.4	St. Francis Hospital
9	\$75.0	Hepatitis B Vaccine
10	\$65.1	American Lung Association - Asthma Project
11	\$250.0	Child and Families First - Resource Mothers Program
12	\$46.7	Kelly Heinz - Grundner Brain Tumor Foundation - Awareness Program
13	\$30.0	Neonatal Intensive Care Unit Family Support Project - March of Dimes
14	\$24.9	AIDS Delaware
15	Also appropriated in this Act is \$11,029.7 for Cancer Council Recommendations, of this amount,	
16	funding is included for the following agencies:	
17	\$150.0	Cancer Care Connection
18	\$200.0	The Wellness Community
19	\$100.0	Delaware Breast Cancer Coalition
20	\$200.0	Breast and Cervical Cancer Treatment (35-02-01)
21	\$295.8	Delaware Help Line
22	<u>(35-05-30) Health and Social Services - Emergency Medical Services</u>	
23	\$250.0	Public Access Defibrillation initiative
24	<u>(35-06-40) Health and Social Services - Substance Abuse and Mental Health</u>	
25	\$75.0	Limen House
26	\$220.0	Transitional housing for persons completing detoxification
27	\$550.0	Heroin Residential Program
28	\$47.6	University of Delaware - Delaware School Survey

1	\$176.6	Brandywine Counseling
2	<u>(35-07-01) Health and Social Services - Social Services</u>	
3	\$1,240.4	SSI Supplement
4	<u>(35-11-30) Health and Social Service - Community Services</u>	
5	\$70.0	Family Support Services
6	<u>(35-14-01) Health and Social Services - Services for Aging and Adults with Physical Disabilities</u>	
7	\$760.0	Attendant Care
8	\$178.1	Caregiver Support
9	\$46.7	Easter Seals - Respite Care Services
10	<u>(37-01-60) Services for Children, Youth and Their Families - Prevention/ Early Intervention</u>	
11	\$110.0	Tobacco Prevention Programs for Youth
12	<u>(45-04-10) Safety and Homeland Security - Alcoholic Beverage Control and Tobacco Enforcement</u>	
13	\$524.0	Enhanced Enforcement and 3.0 FTE Agents and 1.0 FTE Clerical
14	<u>(95-01-01) Public Education - Department of Education</u>	
15	\$77.7	1.0 ASF FTE School Health Coordinator for statewide training
16	\$120.0	Professional development of public school staff, promotion of prevention
17		activities in private schools, and prevention and health promotion supplies in
18		public schools
19	\$70.0	Pilot Life Skills Training Program or other research-based programs

20 All of the above allocations are contained in the specified budget units in Section 1 of this Act  
21 including associated positions and line item funding. The funds herein appropriated shall be disbursed in  
22 accordance with the recommendations of the Delaware Health Fund Advisory Committee as amended by  
23 the Joint Finance Committee.

24 (b) For Fiscal Year 2009, effective June 25, 2009, all remaining unallocated funds for Fiscal  
25 Year 2009 shall be invested by the Cash Management Policy Board and any interest accrued shall be  
26 deposited to the credit of the funds of the Master Settlement Agreement. All funds from the above  
27 allocations left unexpended or unencumbered shall be transferred back to the Cash Management Policy  
28 Board and reinvested.

1 (c) These funds shall be available for Fiscal Year 2009 only.

2 Section 34. Section 1 of this Act makes an ASF appropriation to the Department of Health and  
3 Social Services, Division of Medicaid and Medical Assistance (35-02-00) for the Prescription Assistance  
4 Program and other programs funded with Tobacco Settlement funds. These funds may be used for both  
5 the client services and administrative costs of the programs.

6 Section 35. The Delaware Health Fund Advisory Committee is directed to submit their proposed  
7 recommendations each fiscal year to the Office of Management and Budget no later than November 15th  
8 per Senate Bill 8 as amended of the 140th General Assembly. It is the intent of the General Assembly  
9 that the Delaware Health Fund Advisory Committee will present their proposed recommendations before  
10 the Joint Finance Committee in a public budget hearing.

# FEDERAL FISCAL RELIEF

1

2

Section 36. For the fiscal year ending June 30, 2008, any unencumbered and unexpended funds

3

in the following accounts shall continue into the next fiscal year and shall not be subject to reversion to

4

the Federal Fiscal Relief fund until June 30, 2009.

5

<b>Fiscal Year</b>	<b>Account Code</b>	<b>Remarks</b>
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6

2005	10-02-11-9951	Federally Qualified Health Centers
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7

2006	25-01-01-9950	Enterprise Resource Planning (ERP)
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8

2005	40-06-02-9950	State Park Water Quality Initiative
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# LEGISLATIVE

1  
2        Section 37. Of the total positions authorized in Section 1 of this Act for the Division of Research  
3 (01-08-01), the position of Research Assistant to the House and Senate Sunset Standing Committees shall  
4 be an exempt position and shall report to the Director.

5        Section 38. Section 1 of this Act provides an appropriation to the Office of the Controller General  
6 (01-08-02) for Contingencies: Legislative Council. Requests from the Chairs of Standing Legislative  
7 Committees for professional staff assistance shall be submitted to the Legislative Council for approval or  
8 disapproval. Approvals for professional staff assistance shall be allowed within the limits of the  
9 appropriation and as provided by guidelines established by the Legislative Council.

10       Section 39. Section 1 of this Act provides an appropriation to the Office of the Controller  
11 General (01-08-02) for Contingencies: Legislative Council. Requests from various task forces and  
12 committees of either the House of Representatives or the Senate for travel expenses, meeting expenses,  
13 contractual services and any other expenses shall be submitted to the Legislative Council for  
14 consideration.

15       Section 40. The Controller General shall receive compensation at a rate of a Tier 2 level Cabinet  
16 position as determined by the Compensation Commission. Such compensation may be adjusted by the  
17 Legislative Council as defined in 29 Del. C. § 1110(e).

18       Section 41. This Act provides continuing appropriations to the Office of the Controller General  
19 (01-08-02) for legal expenses regarding neighborhood schools. Expenditures of such funds shall be  
20 approved by both the Speaker of the House and the President Pro Tempore of the Senate on issues arising  
21 from planning for and implementation of neighborhood schools.



# JUDICIAL

1  
2        Section 42. Section 1 of this Act contains position authorizations and associated appropriations  
3 to the Justices of the Peace Courts (02-13-10) included for the purpose of maintaining business hours in  
4 the following courts as required by caseload and permitted by staffing:

5        J.P. Court #2 (Lewes)	10 eight-hour shifts per week
6        J.P. Court #4 (Seaford)	10 eight-hour shifts per week
7        J.P. Court #10 (Prices Corner)	12 eight-hour shifts per week
8        J.P. Court #15 (Claymont)	10 eight-hour shifts per week
9        J.P. Court #20 (City of Wilmington)	21 eight-hour shifts per week

10        Section 43. This Act appropriates Appropriated Special Funds to the Court of Chancery (02-02-  
11 00) and to the Court of Common Pleas (02-06-00). Notwithstanding other statutes to the contrary, the  
12 Court of Chancery is authorized to retain a portion of the fees, costs and interest it will collect in an  
13 amount sufficient to cover the personnel and operating costs of the statewide Register in Chancery office.  
14 Notwithstanding other statutes to the contrary, the Court of Common Pleas is authorized to retain a  
15 portion of the fines and fees it will collect in an amount sufficient to cover the personnel and operating  
16 costs of three Judicial Case Processors and one Controller. Adjustments to the Appropriated Special  
17 Fund spending authority for these courts may be made upon the concurrence and approval of the Director  
18 of the Office of Management and Budget and the Controller General.

19        Section 44. The positions of Master in Chancery/Chief Staff Attorney (BP#s 56683 and 100226),  
20 as well as any additional Master in Chancery/Chief Staff Attorney position(s) that may be established in  
21 the future for the Court of Chancery (02-02-10), shall receive the same salary as Commissioner in the  
22 Superior Court.

23        Section 45. (a) Notwithstanding any other provisions of the Delaware Code to the contrary,  
24 \$655.0 shall be transferred from the Victims Compensation Fund for the following purposes: \$230.2 ASF  
25 shall be transferred to Contractual Services in the Office of the Attorney General (15-01-01) to fund  
26 family violence services in Kent and Sussex counties; \$273.8 ASF Victims Rights in the Office of the  
27 Attorney General; and \$151.0 ASF Contractual Services in the Department of Correction, Community

1 Corrections, Probation and Parole (38-06-02) to support a community restorative justice program in New  
2 Castle County.

3 (b) It is the intent of the General Assembly and the Administration that the funds identified in  
4 subsection (a) shall be established in the base budget appropriations within the respective departments in  
5 the Fiscal Year 2010 budget.

6 Section 46. Section 1 of this Act appropriates \$22.0 in Contractual Services to Justices of the  
7 Peace Courts (02-13-10) to support lease obligations associated with the Justice of the Peace Court 1  
8 facility located in the Town of Frankford.

9 Section 47. Upon the approval of a plan submitted to the Director of the Office of Management  
10 and Budget, Controller General and the co-chairs of the Joint Finance Committee, the Chief Justice shall  
11 have the flexibility to transfer positions from individual courts to the Administrative Office of the Courts  
12 for the purpose of further centralizing personnel, finance, collections and filing/records management  
13 functions therein. Notwithstanding any other provisions of this Act or the Delaware Code to the contrary,  
14 positions and related operating funds may be transferred from Supreme Court (02-01-00), Court of  
15 Chancery (02-02-00), Superior Court (02-03-00), Court of Common Pleas (02-06-00), Family Court (02-  
16 08-00) and Justices of the Peace Courts (02-13-00) to the Administrative Office of the Courts, Office of  
17 the State Court Administrator (02-17-01), the Administrative Office of the Courts, Office of State Court  
18 Collections Enforcement (02-17-03) or the Administrative Office of the Courts, Judicial Information  
19 Center (02-17-04). Only positions from the courts or other judicial positions located in New Castle  
20 County may be considered for transfer under this section. In the cases where Merit System positions are  
21 transferred, the incumbents shall retain their Merit System status.

22 Section 48. Section 1 of this Act appropriates \$275.0 to the Office of Management and Budget,  
23 Contingencies and One-Time Items (10-02-11) for the purpose of providing civil legal services to the  
24 indigent. Upon the concurrence and approval of the Director of the Office of Management and Budget  
25 and the Controller General, this amount shall be used by the Administrative Office of the Courts, Office  
26 of the State Court Administrator (02-17-01) exclusively for civil legal services to the indigent with the  
27 guidance of the Delaware Bar Foundation.

1           Section 49. The Administrative Office of the Courts (AOC) shall coordinate with the Department  
2 of Technology and Information to develop electronic document systems projects for the Courts, subject to  
3 review and approval by the Technology Investment Council (TIC); provided however, that such review  
4 and approval by the TIC shall not apply to existing licensing agreements, contracts or projects related to  
5 electronic document systems entered into or approved by the AOC on or prior to June 30, 2006.

6 Notwithstanding 29 Del. C. c. 69, or any other law to the contrary, the AOC is authorized to enter into  
7 licensing agreements or other contracts with private companies on behalf of the Courts for electronic  
8 document systems. Such systems shall include filing and publication of judicial opinions and related  
9 docket files, electronic tracking and researching services, as well as internet access for video transmission  
10 of court proceedings, video conferencing and related technological services. Fees derived from such  
11 contracts or licensing agreements shall be applied by the respective Courts to offset expenses related to e-  
12 filing, video conferencing, video streaming, technological improvements, and related court and courtroom  
13 improvements.

14           Section 50. Section 1 of this Act provides an appropriation to the Child Death, Near Death and  
15 Stillbirth Commission (02-18-06) for the Fetal Infant Mortality Review. Included in this appropriation  
16 are funds for 3.0 FTEs and associated operating costs.

17           Section 51. Section 1 of this Act makes an appropriation to the Administrative Office of the  
18 Courts, Non-Judicial Services, Delaware Nursing Home Residents Quality Assurance Commission (02-  
19 18-07) of 1.0 FTE and \$53.2 in Personnel Costs to fund an Administrative Specialist III. This position  
20 shall provide clerical support for the Commission. The position shall be hired by and report to the  
21 Commission.

22           Section 52. Section 1 of this Act includes appropriations to the Office of the State Court  
23 Administrator (02-17-01) for Conflict Attorneys, Court Appointed Special Advocate (CASA) Attorneys,  
24 Family Court Attorneys, and Court Appointed Attorneys. Upon approval by the Director of the Office of  
25 Management and Budget and the Controller General, the Chief Justice may use said appropriations, as  
26 well as any carryover funding in said appropriations, to address recruitment and retention of contract  
27 attorneys under these programs. The Chief Justice may decide upon, but is not limited to, the following  
28 options: implement new contract rates, including setting regional or market-based contract rate

- 1 structures; increase the number of contracts; or split full-time contracts into part-time contracts. The
- 2 Chief Justice may implement any combination of these or other reasonable options in an effort to
- 3 maximize the recruitment and retention of qualified attorneys to serve these programs.

# EXECUTIVE

Section 53. (a) Section 1 of this Act appropriates \$1,350.0 to the Office of Management and Budget (10-02-00) for technology development projects. For Fiscal Year 2009, the following projects may receive an allocation for planning, development, procuring services or conducting a feasibility/investment analysis provided they meet all of the requirements contained within this Section:

<b>DEPARTMENT/AGENCY</b>	<b>SERVICE NEED</b>
Judicial	
Office of the State Court Administrator	Telephone System
Delaware Economic Development Office	
Office of the Director	Servers
Technology and Information	
Telecommunications	Message Journaling
Fire Prevention	
Office of the State Fire Marshal	Incident Log System

Allocation of the funds appropriated for this purpose shall be made by the Director of the Office of Management and Budget in consultation with the affected department/agency head. Project allocations shall not be transferred to another department/agency unless approved by the Director of the Office of Management and Budget. In the event federal funds are available for match in support of a project or projects, the Director of the Office of Management and Budget and the Controller General may transfer such funds as are necessary to meet the match requirements to the department/agency involved.

(b) In no instance shall any information technology (IT) project identified in Subsection (a) of this Section be initiated by the department/agency during this fiscal year until its formalized plan has been approved by the department/agency head, Director of the Office of Management and Budget and state Chief Information Officer. The project plan and the request for funding to be transferred shall consist of a business case for the project, which includes:

- (i) needs analysis;
- (ii) business process to be impacted/reengineered;
- (iii) risk assessment;

- 1 (iv) stakeholder impact assessment;
- 2 (v) cost-benefit analysis; and,
- 3 (vi) an analysis of the total cost of ownership, which includes costs incurred during all phases
- 4 of the development and operational life cycles.

5 In no instance shall any project be approved by the Director of the Office of Management and Budget if  
6 any portion of the above project plan requirements are absent from the department's/agency's request for  
7 a transfer of funds.

8 (c) No IT project that receives funds through Subsection (a) that has a scope beyond the scope of  
9 work approved by the department/agency head and the Director of the Office of Management and Budget  
10 is to be undertaken. Changes in scope or cost that fundamentally alter the original intent of an approved  
11 project shall be communicated to the Director of the Office of Management and Budget, Controller  
12 General and the state Chief Information Officer. Departments/agencies failing to communicate this  
13 information in a prompt manner may cause the project to be postponed or terminated. This requirement  
14 applies to all IT or technology-related systems development performed by the Department of Technology  
15 and Information, the department/agency itself, or an outside consultant or contractor. Further, this  
16 requirement applies to IT applications or systems purchased or otherwise acquired and placed in use.

17 (d) Funding shall be transferred on a phase-by-phase basis. Except for the initial transfer where  
18 the project plan needs to be approved, subsequent funding transfer requests shall be contingent upon the  
19 receipt and review of quarterly project status reports by the Director of the Office of Management and  
20 Budget, Controller General and Chief Information Officer. In instances where the project requires a  
21 transfer prior to the deadline for the quarterly report, a report of the project's status at the time of the  
22 request will be necessary.

23 (e) In all projects executed between the Department of Technology and Information, the Office  
24 of Management and Budget, and the concerned department/agency, the Department of Technology and  
25 Information shall maintain staff support to the benefit of the department/agency at the projected level of  
26 effort (subject to recruitment delays) until the project work has been accomplished.

1 (f) In no case shall funds appropriated in Section 1 of this Act be used to employ data or word  
2 processing professionals in support of current or proposed IT projects without the express written  
3 approval of the Director of the Office of Management and Budget.

4 Section 54. Section 1 of this Act appropriates \$100.0 in Local Law Enforcement Education to the  
5 Office of Management and Budget, Contingencies and One Time Items (10-02-11) for educational  
6 reimbursement as provided for in subsection (a).

7 (a) A certified police officer or other law enforcement officer as defined in 11 Del. C. §1911(a) or  
8 a State of Delaware Probation and Parole Officer employed by the Department of Correction who is  
9 employed full-time in the State is eligible for post-secondary education tuition reimbursement under the  
10 following conditions:

- 11 (1) The officer must make application for tuition reimbursement in accordance with rules  
12 and regulations promulgated by the Director of the Criminal Justice Council or the  
13 Director's designee.
- 14 (2) Education benefits authorized by this Section may be used only at a college or  
15 university within the State.
- 16 (3) An officer may not attend a class or course of instruction during scheduled work hours  
17 unless the officer uses his or her earned leave or earned compensation time.
- 18 (4) An officer may be reimbursed under this program for only two classes or courses of  
19 instruction for undergraduate study or one class or course for graduate study each  
20 grading period. The classes will be reimbursed at 100 percent of the tuition paid  
21 following the completion of the course with a grade of 'C' or better at a college or  
22 university within the State for classes related to Corrections, Public Safety, Criminal  
23 Justice, Computer Science, Psychology, Sociology, Education and related fields.  
24 Related fields shall include any courses necessary to complete a degree program in  
25 Criminal Justice, Corrections, Public Safety, Computer Science, Psychology,  
26 Sociology, and Education.
- 27 (5) A class or course of instruction taken under this Section must:  
28 (a) improve an officer's competence and capacity in employment;

1 (b) have direct value to the State; and

2 (c) provide knowledge or skills that are not available through in-service or other  
3 professional training.

4 (6) In order to receive tuition reimbursement for a post-secondary class or course of  
5 instruction authorized by this Section, an officer must:

6 (a) Earn a grade no lower than a 2.0 on a 4.0 scale, or its equivalent, for each class or  
7 course of instruction for which the tuition reimbursement is granted. In any class or  
8 course of instruction for which a specific grade is not issued, the officer must show  
9 documentation to verify satisfactory completion; and

10 (b) Submit to the Director of the Criminal Justice Council or the Director's designee  
11 within 30 days after completing a class or course of instruction proof of:

12 (1) the course title and grade received;

13 (2) the amount of tuition paid for the course; and

14 (3) the name of the post-secondary institution where the course was taken.

15 (7) The Director of the Criminal Justice Council or the designee shall adopt rules and  
16 regulations as deemed necessary and proper for the efficient administration of this  
17 Section. The rules and regulations must contain appeal procedures.

18 (8) An officer who receives tuition reimbursement pursuant to this Section but is  
19 terminated from law enforcement employment for cause or who otherwise fails to  
20 comply with any requirement of this Section shall immediately become ineligible to  
21 receive education benefits pursuant to this Section and shall repay all tuition  
22 reimbursement previously extended to the employee, including interest on a pro rata  
23 basis from the time of termination or noncompliance. The Director of the Criminal  
24 Justice Council or the Director's designee shall determine the amount of repayment due  
25 by the employee pursuant to this Subsection. If law enforcement employment is  
26 terminated for other than just cause, the officer will not be required to repay previously  
27 reimbursed tuition.



1 (9) Nothing in this section is intended to inhibit or deny officer promotion or transfer to  
2 other law enforcement agencies within this State.

3 (10) The Director of the Criminal Justice Council shall include in the agency's annual  
4 report:

5 (a) the number of officers who participated at each post-secondary educational  
6 institution during the year;

7 (b) the total amount of tuition expenditures made pursuant to this Section during the  
8 year not to exceed \$100,000; and

9 (c) the total amount required to be repaid to the State by defaulting officers during the  
10 year; and Intergovernmental Voucher the total amount actually repaid by defaulting  
11 officers during the year.

12 Section 55. Effective July 1, 2006, BP #879 shall receive compensation at a rate of a tier 3 level  
13 Cabinet position as determined by the Compensation Committee.

14 Section 56. The Director of the Office of Management and Budget, upon concurrence of the  
15 Controller General and the Co-Chairs of the Joint Finance Committee, may restructure internal program  
16 units to create greater efficiencies within the Office of Management and Budget.

17 Section 57. Section 1 of this Act appropriates \$3,247.3 to the Office of Management and Budget,  
18 Contingencies and One-Times Items (10-02-11) for Two Year Nursing Expansion Initiative. Said funds  
19 shall be used to address Delaware Technical and Community College's (DTCC) recommendations to  
20 mitigate the shortage in the nursing and allied healthcare fields. Said funds maybe used to hire up to 36  
21 faculty and staff FTEs relevant to meeting said nursing shortage and shall be transferred to DTCC upon  
22 approval of the Director of the Office of Management and Budget, Controller General and Co-Chairs of  
23 the Joint Finance Committee.

24 Section 58. Section 1 of this Act appropriates \$500.0 to the Office of the Management and  
25 Budget, Contingencies and One Times (10-02-11) for Four Year Nursing Expansion Initiative. Of the  
26 amount appropriated, \$250.0 shall be allocated to the University of Delaware and \$250.0 shall be  
27 allocated to Delaware State University to expand their nursing programs. Both universities shall provide  
28 a detailed expansion plan to the Director of the Office of Management and Budget and Controller General

1 no later than July 31, 2008. Said funds shall be transferred to the University of Delaware and Delaware  
2 State University upon approval of the Director of the Office of Management and Budget, Controller  
3 General and the Co-Chairs of the Joint Finance Committee.

4 Section 59. Notwithstanding any other provision of the Delaware Code or this Act to the  
5 contrary, the Office of Management and Budget is authorized to contract with the University of Delaware  
6 for statistical analysis of data, for state operated programs, services, policies and/or procedures.

7 Section 60. The General Assembly finds that the establishment of the federal Temporary Aid to  
8 Needy Families (TANF) block grant has left the state vulnerable to deficits from caseload increases  
9 attributable to an economic downturn. In order to minimize such exposure, the funds within the Reserve  
10 Account for Children's Services Cost Recovery Program (CSCR) Disallowances (10-02-05-80-51) shall  
11 be available to mitigate to the extent possible, projected deficits in TANF supported programs within the  
12 Department of Health and Social Services. The use of such funds for such purposes shall require the  
13 approval of the Director of the Office of Management and Budget and Controller General.

14 Section 61. The amount appropriated to the Office of Management and Budget, Contingencies  
15 and One-Time Items, Prior Years' Obligations, shall be used to pay Personnel Costs, reimbursement of  
16 overpayment of fringe benefits, and other obligations except coding errors by a school district which  
17 require adjustment of the state's accounts. Any use of the Prior Years' Obligations account by any agency  
18 receiving funds in Section 1 of this Act, in excess of the amount reverted from the applicable line code on  
19 June 30 of the fiscal year in which the expense was incurred, will require the requesting agency or school  
20 district to reimburse the Prior Years' Obligations account by the amount equal to the excess requested. A  
21 line code reversion sum does not negate the necessity of encumbering sufficient funds to cover known  
22 expenses, proof of circumstances beyond an agency's ability to encumber must be documented on the  
23 request for transfer to be excluded from the reimbursement clause. All requests for prior year funds to  
24 complete the payment of one-time items will require a reimbursement to the Prior Years' Obligations  
25 account by the requesting agency from any appropriation other than personnel costs. The reimbursement  
26 can be removed from the current fiscal year's budget. The reimbursement clause shall not apply to legal  
27 judgments against the agency or school district. A reimbursement under this Section shall not be deemed  
28 to be prohibited by 10 Del. C. § 8111.

1           Section 62. (a) For Fiscal Year 2009, 29 Del. C. § 6529 is interpreted to include the ability to  
2 implement a hiring review process. All State agencies with the exception of Legislative, Judicial, Higher  
3 Education and school districts shall be subject to the provisions of 29 Del. C. § 6529 as interpreted by this  
4 section. Implementation of a hiring review process shall require all positions to be reviewed and  
5 approved by the Director of the Office of Management and Budget prior to filling. All non-cabinet  
6 agency hiring requests shall also require the review and approval of the Controller General prior to filling.

7           (b) In the event the authority granted in subsection (a) of this section is implemented, Chapters  
8 3.0000 and 13.0000 of the Merit Rules notwithstanding, the Director of the Office of Management and  
9 Budget shall have the authority to extend temporary promotions based on agency need until the hiring  
10 review process has ended. At the time the hiring review process has ended, those temporary promotions  
11 granted during the hiring review process shall be subject to the limitations identified in the Merit Rules  
12 governing the duration of temporary promotions.

13           Section 63. For Fiscal Year 2009, the Director of the Office of Management and Budget,  
14 pursuant to 29 Del. C. § 6529, may implement an overtime management practices review process for all  
15 State agencies with the exception of Legislative, Judicial, Higher Education, and school districts. Said  
16 review shall include, but not be limited to, operational guidelines, guidelines to prohibit excessive  
17 utilization, staffing ratios, and standard work week schedules for employees. The Director of the Office  
18 of Management and Budget shall report to the Governor and the Co-Chairs of the Joint Finance  
19 Committee no later than May 1 of each fiscal year on the status of any review process implement pursuant  
20 to this Section.

21           Section 64. The appropriation in Section 1 of this Act to the Office of Management and Budget,  
22 Contingencies and One-Time Items (10-02-11) for Contingency, Appropriated Special Funds for  
23 \$27,000.0 shall be used to make adjustments in the amount of state special fund appropriations in the  
24 event additional state special funds are received which were not previously anticipated. Such adjustments  
25 shall be made in accordance with the approval of the Director of the Office of Management and Budget  
26 and the Controller General.

27           Section 65. Section 1 of this Act includes \$500.0 for the Recruitment and Retention Education  
28 and Training Fund in the Office of Management and Budget (10-02-11). Disbursement of the

1    aforementioned monies shall be subject to the approval of the Director of the Office of Management and  
2    Budget, Controller General, and co-chairs of the Joint Finance Committee.

3           Section 66. State of Delaware merit employees providing HVAC services as part of their job  
4    duties shall be exempted from requirements of 24 Del. C. § 1820, for a period not to exceed one year.

5           Section 67. The Director of the Office of Management and Budget is authorized to create a State  
6    of Delaware Merit Employee Mediation Pilot Program within state agencies selected by the Director and,  
7    notwithstanding Chapters 12 and 18 of the Merit Rules and/or any provision of Delaware Code to the  
8    contrary, the Director of the Office of Management and Budget is further authorized to promulgate rules  
9    and regulations to implement the said pilot program. Matters that may be grieved shall be eligible for  
10   mediation. Matters that are otherwise not subject to the merit grievance procedure may be eligible for the  
11   pilot mediation program. With the consent of the employee and employing agency, participation in the  
12   Mediation Pilot Program will be offered as a voluntary alternative to the ordinary grievance procedure.  
13   All mediation proceedings shall be deemed confidential. If a grievance is subjected to mediation pursuant  
14   to this section, normal timelines associated with the filing of a grievance shall be tolled pending the  
15   completion of mediation. If an employee has filed a formal grievance, subsequent mutual consent to  
16   mediation will cause the grievance to be held in abeyance pending completion of mediation and the  
17   timelines that would otherwise have applied to the grievance shall likewise be tolled pending completion  
18   of mediation. Upon completion of mediation, an employee may continue to grieve and the normal  
19   timelines provided for grievances shall then apply. The Mediation Pilot Program is not intended to limit  
20   other dispute resolution procedures available to an agency or an employee or to deny a person a right  
21   granted under federal or other state law, including the right to administrative or judicial hearing.

22           Section 68. Section 1 of this Act provides an appropriation to Office of Management and Budget,  
23   Contingencies and One-Time Items (10-02-11). It is the intent that the appropriation for One-Time Items  
24   in the amount of \$4,507.3 shall be non-recurring expenditure items. The Director of the Office of  
25   Management and Budget shall transfer the appropriations as itemized to the departments. Each receiving  
26   department shall identify the line item, object code and, for all practical purposes, complete and separate  
27   accountability for each appropriation amount transferred. No appropriation shall be transferred without  
28   the Director of the Office of Management and Budget and the Controller General approvals. Any

1 one-time appropriation for computer hardware, software and telecommunications, which contemplates the  
 2 development of computer-related systems, shall be transferred into the line Computer One-Time Projects  
 3 in Office of Management and Budget, Budget Administration (10-02-10). The expenditure of computer  
 4 or computer related funds shall be subject to the restrictions of the Development Fund.

5 Furthermore, it is the legislative intent that none of the appropriations for One-Time  
 6 Appropriations be included, or be considered, as a part of the budget request for the Fiscal Year 2010  
 7 Appropriation Bill.

8 Where applicable, the appropriations to Office of Management and Budget, Contingencies and  
 9 One-Time Items (10-02-11), are subject to the following terms and conditions:

10	(02-03-10)	Equipment and Supplies	\$ 98.0
11	(02-03-10)	Board of Canvass	25.0
12	(02-13-10)	Phone System for Voluntary Assessment Center	11.0
13	(02-13-10)	Network Circuit Routers	19.2
14	(10-08-01)	Delaware Emergency Mortgage Assistance Program	250.0
15	(15-01-01)	Equipment and Supplies	5.0
16	(15-02-01)	Equipment and Supplies	6.0
17	(35-01-20)	Payment Error Reduction Methodology (PERM)	477.3
18	(35-02-01)	Third Party Liability Unit	4.5
19	(35-04-01)	Equipment and Supplies	29.0
20	(35-05-20)	School Based Health Centers	10.0
21	(38-01-30)	Equipment and Supplies	12.0
22	(38-01-31)	Drug and Alcohol Treatment Services	213.0
23	(40-06-02)	Equipment Auburn Heights	30.0
24	(40-06-05)	Equipment Blue Ball/Alapocas Run Park	20.0
25	(45-06-05)	Equipment AFIS	91.4
26	(70-01-01)	Primary and General Elections	350.5
27	(70-02-01)	Primary and General Elections	1,789.4
28	(70-03-01)	Primary and General Elections	510.1

1	(70-04-01)	Primary and General Elections	480.9
2	(95-03-10)	Management Information System	75.0

3           Section 69. The Director of the Office of Management and Budget shall continue to assume the  
4 central leadership role for the Executive branch over all matters relating to Senate Bill 36, and any other  
5 personnel and labor relations matters affecting the Executive branch and its departments and agencies,  
6 including collective bargaining negotiations with employee organizations, labor arbitration, Public  
7 Employment Relations Board, Department of Labor, Equal Employment Opportunity Commission, and  
8 other administrative proceedings. The Director of the Office of Management and Budget shall also, on  
9 behalf of the State, approve and sign all collective bargaining agreements and any other agreement or  
10 arrangements made involving employee organizations that represent employees subject to Executive  
11 branch authority.

12           Section 70. Notwithstanding any provision of the Delaware Code to the contrary, the Office of  
13 Management and Budget is authorized to analyze and implement the most appropriate mechanism to  
14 cover any liabilities as a result of Senate Bill No. of the 144<sup>th</sup> General Assembly. Such mechanism may  
15 include but not be limited to self-insurance, a fully insured proposal, or some other means to insure  
16 against any potential liability.

17           Section 71. Section 1 of this Act includes 1.0 FTE in the Executive Department, Office of  
18 Management and Budget, Statistical Analysis Center (10-02-08) for the Director of the Statistical  
19 Analysis Center. This position shall be exempt from the Merit System until such time as the current  
20 incumbent vacates the position, at which time the position shall be classified by the Director of the Office  
21 of Management and Budget in accordance with the Merit System and 29 Del. C. c. 59.

22           Section 72. The Statistical Analysis Center (10-02-08) shall submit by July 15 an annual project  
23 schedule for the fiscal year that details the staff workload and time allocation. Requests for (special)  
24 projects to be included in this schedule should be made in advance to the Statistical Analysis Center. This  
25 schedule shall be reviewed by the Criminal Justice Council and approved by the Director of the Office of  
26 Management and Budget and the Controller General. No changes shall be made to the annual project  
27 schedule without the approval of the Director of the Office of Management and Budget. After July 15, all  
28 ad hoc requests for projects seeking completion during the fiscal year shall be reviewed by the Director of

1 the Office of Management and Budget. Work shall not commence on these projects without the approval  
2 of the Director of the Office of Management and Budget

3 Section 73. Any other statutory provision notwithstanding, any change to the Merit Rules  
4 required by an Act of Legislature, shall be codified in the Merit Rules by the Office of Management and  
5 Budget.

6 Section 74. Notwithstanding any provision to the contrary, for the purposes of developing and  
7 implementing PHRST Time & Labor, a new recruitment system, and other PeopleSoft modules,  
8 necessary adjustments to existing State human resource procedures shall be implemented during Fiscal  
9 Year 2009 with the written approval of the co-chairs of the Joint Finance Committee, the Director of the  
10 Office of Management and Budget and the Controller General.

11 All state organizations shall use all components of the PHRST system if so designated by the  
12 State's Enterprise Resource Planning Executive Sponsors.

13 Section 75. Whenever the annual valuation of the market value of the assets of the Special  
14 Pension Fund exceeds the actuarial value of benefits available to persons entitled to receive special  
15 pensions by a factor of at least 20 percent, the Board of Pension Trustees may transfer the excess over 20  
16 percent or any part of it to the State Employees Pension Fund for the benefit of that Fund.

17 Section 76. The Board of Pension Trustees may allocate the pension/health insurance monies  
18 received from the State during any month to ensure that funds are available to pay health insurance  
19 premiums for retirees in each month.

20 Section 77. During the fiscal year, the Office of Management and Budget Management, Facilities  
21 Management (10-02-50), shall retain the rental fees as Appropriated Special Funds for the buildings  
22 known as the Kent County Courthouse, Family Court Building, Sussex County Courthouse, Sussex  
23 County Chancery Court, Absolom Jones/Belvedere State Service Center and New Castle County  
24 Courthouse. The retained portion must be deposited as per state laws and shall be disbursed per Section 1  
25 of this Act.

26 Section 78. For energy backcharge purposes, the Office of Management and Budget, Facilities  
27 Management (host department) current fiscal year Energy Budget assumes that Motor Fuel Tax uses ten  
28 percent of the Public Safety Building, for which energy payment is the responsibility of the host

1 department. The Department of Transportation is responsible for paying the Motor Fuel Tax portion of  
2 the energy bills upon request for payment by the host department.

3 Section 79. Notwithstanding the provisions of 29 Del. C. § 5117, state agencies may pay for  
4 employee parking in the Government Center Parking Garage as long as long as such payments are  
5 continuances of payments made prior to May 31, 1998. Such payments shall cease when the employee  
6 leaves the positions he or she occupied prior to May 31, 1998.

7 Section 80. (a) Section 1 of this Act includes \$290.0 in Personnel Costs and 4.0 FTEs (BP#  
8 65750, 927, 9313 and 9322); \$8.0 in Travel; \$2.0 in Supplies and Materials; \$60.0 in Contractual  
9 Services; \$125.0 ASF in Taiwan Trade Office; \$425.0 in International Trade; \$250.0 in World Trade  
10 Center; and \$115.0 in Italian/American Commission in the Office of Management and Budget,  
11 Administration (10-02-05). The affected employees will remain exempt from classified service in  
12 accordance with 29 Del. C. § 5903, and will retain current compensation levels in addition to enacted  
13 salary policy.

14 (b) The appropriations in subsection (a) support the International Development Group which  
15 shall be the primary entity for the State related to all international trade matters including: export and  
16 import assistance to Delaware citizens and businesses; international trade missions; coordination with  
17 other state agencies, departments, international organizations, international commissions and councils.

18 (c) The International Trade Group shall be designated as the primary contact for the State  
19 regarding all international trade matters with the business community; U.S. federal agencies; regional,  
20 national and international organizations; foreign governments; and other domestic and international trade  
21 organizations world-wide.

22 (d) The International Development Group shall be responsible to host, arrange and coordinate the  
23 schedule for international trade delegations and foreign government officials visiting the State.

24 Section 81. The Delaware Economic Development Office shall limit its scope of international  
25 activities including international travel to business attraction objectives.

26 Section 82. The Delaware Economic Development Office, Economic Development Authority  
27 (10-03-03) will continue to use revenue from the Blue Collar Training Fund for the Workforce  
28 Development Grant. Funding for this grant shall be maintained at current levels.



1           Section 83. Section 1 of this Act appropriates \$2,288.0 ASF to the Delaware Tourism Office. Of  
2 this amount, \$675.9 shall be allocated to "Other Items" as designated in Section 1 of this Act and payable  
3 by the Delaware Tourism Office in quarterly allotments. The first installment shall be paid by September  
4 30 of each fiscal year or as otherwise approved by the Director of the Office of Management and Budget  
5 and the Controller General.

6           Section 84. Notwithstanding the provisions of any other law, for the fiscal year ending June 30,  
7 2009 interest earnings of the Delaware Strategic Fund as provided for in 29 Del. C. § 5027, shall to the  
8 extent of such interest earnings, be used in the following order and manner, not to exceed the amounts so  
9 noted:

10           (i) The first \$320.9 shall be used for the general operating expenses of the Delaware Economic  
11 Development Office, as determined by the Director of the Delaware Economic  
12 Development Office.

13           (ii) The second \$125.0 shall be used for the general operating expenses of the economic  
14 development trade office in Taiwan, as structured within the Office of Management and  
15 Budget.

16           (iii) The third \$400.0 shall be used for the general operating expenses of the Small Business  
17 Development Center. Should interest earnings not be available by December 31, 2008, the  
18 Center shall receive funding directly from the Strategic Fund for said expenses and shall  
19 waive further interest earnings for that period.

20           (iv) The fourth \$300.0 shall be used to continue the Delaware Business Marketing Program  
21 within the Delaware Economic Development Authority (10-03-03). It is the intent of the  
22 General Assembly that these funds shall be used for business marketing and recruitment.  
23 These funds may be used together with non-state contributions to the Delaware Business  
24 Marketing Program. However, in the event that non-state contributions are not available,  
25 or in the event such contributions are insufficient to fully access the resources of the  
26 Delaware Business Marketing Program, it is the intent of the General Assembly that the  
27 Delaware Business Marketing Program shall continue to fully operate using only the  
28 interest earnings on the Delaware Strategic Fund as provided for in 29 Del. C. § 5027.

1                   In the event that non-state contributions are available, they may be made in cash  
2 or in-kind. Non-state cash contributions shall be deposited in a special fund for business  
3 marketing and recruitment purposes only. Non-state in-kind contributions shall be valued at  
4 their fair market value and documented by the Delaware Economic Development Authority  
5 in connection with the Delaware Business Marketing Program.

6                   When non-state contributions are used, expenditures of the program shall be  
7 divided between non-state contributions and state funds for any fiscal year's appropriations  
8 such that non-state contributions are not less than fifty percent of total expenditures. Of the  
9 fifty percent non-state contributions, up to twenty-five percent shall be cash contributions,  
10 and up to twenty-five percent shall be in-kind contributions. These funds shall not be used  
11 for hiring full-time employees. Allocations shall be made by the Director of the Delaware  
12 Economic Development Office with the approval of the Director of the Office of  
13 Management and Budget and the Controller General.

14                   On or before April 1, 2009, the Director of the Delaware Economic Development  
15 Office shall provide to the Director of the Office of Management and Budget and the  
16 Controller General a report on the Delaware Business Marketing Program. The report shall  
17 include an itemized list of all non-state cash and in-kind contributions received, total  
18 expenditures and an assessment of the program to date.

19           (v)   The fifth \$150.0 shall be used to provide customized information technology training to  
20 small and medium-sized businesses through grants made by Delaware Technical and  
21 Community College I. T. Learning Center.

22           (vi)  Any remaining funds shall be used for the purposes of the Delaware Strategic Fund.

23           Section 85. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-  
24 02) pursuant to 30 Del. C. § 6102(b) contained in Section 1 of this Act, \$160.0 ASF shall be used to fund  
25 a matching grants program and \$40.0 ASF shall be used for a grant program where no match is required.  
26 Funds awarded as either grants or matching grants shall not be used for overhead or personnel related  
27 costs by the recipient entities. The Delaware Tourism Office, in cooperation with the Tourism Advisory  
28 Board, shall develop rules and regulations for the application and award of the grants and matching

1 grants. The Delaware Tourism Office shall provide the Controller General and Director of the Office of  
2 Management and Budget with a report by April 1, 2009, detailing the usage of the funds herein  
3 authorized. Said report shall also contain an assessment of the economic impact of the grants programs  
4 and effectiveness of extending visitors stays. If subsequent to the enactment of this Act, Public  
5 Accommodations revenue should prove greater than the budgeted amount of Fiscal Year 2009, the first  
6 \$50.0 ASF shall be used to restore full funding for the Matching Grants and Grant appropriation to \$250.0  
7 ASF. In this event, the Matching Grant portion of the distribution shall be \$200.0 ASF and the Grant  
8 portion shall be \$50.0 ASF.

9 Section 86. Section 1 of this Act authorizes ASF positions and funding to the Delaware Tourism  
10 Office (10-03-02). Should said ASF authorization prove inadequate to support the authorized positions as  
11 contained in Section 1 at any time during Fiscal Year 2009, the Director of the Office of Management and  
12 Budget and Controller General are hereby authorized to transfer sufficient funding from any other source  
13 to Tourism's Personnel Cost line.

14 Section 87. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-  
15 02) pursuant to 30 Del. C. § 6102 (b) contained in Section 1 of this Act, \$250.0 is authorized for the  
16 Kalmar Nyckel. During the period beginning July 1, 2008, and ending on June 30, 2009, the State of  
17 Delaware, through the Delaware Tourism Office, and the Riverfront Development Corporation, shall be  
18 entitled to charter the Kalmar Nyckel. Said use is to include docked guest entertaining privileges and /or  
19 day sails at no cost for as many State of Delaware guests as is consistent with Kalmar Nyckel safety  
20 policies. Scheduling for State and Riverfront Development Corporation use of the Kalmar Nyckel shall  
21 be at mutually agreeable times and locations to the Kalmar Nyckel, the Delaware Tourism Office on  
22 behalf of the State of Delaware and the Riverfront Development Corporation.

23 Section 88. The Kalmar Nyckel Foundation shall provide to the Office of Management and  
24 Budget and the Controller General's Office quarterly financial reports detailing year to date expenditures  
25 and revenues as well projected expenditures and revenues for the remainder of the fiscal year. Such  
26 reports shall be due October 1, January 1, March 1, and June 30 of each fiscal year.

27 Section 89. The Delaware Economic Development Office shall provide a bi-annual update to the  
28 Director of the Office of Management and Budget, Controller General and the Co-Chairs of the Joint

1 Finance Committee regarding the implementation of the industry/cluster-based organization. The bi-  
2 annual report, due no later than December 1 and May 15 of each year, shall include a status report on the  
3 implementation of the industry clusters, progress of the overall refocusing effort and any proposed  
4 changes in implementation of said clusters.

5 Section 90. Employees of the Delaware Economic Development Office shall be eligible for the  
6 full general salary increase irrespective of their position within their assigned pay grade as part of the  
7 reorganization to a cluster-based organizational structure.

8 Section 91. Section 1 of this Act appropriates \$250.0 to the Delaware Health Care Commission  
9 (10-05-00) for the Uninsured Action Plan. It is the intent of the Administration and the General  
10 Assembly that these funds shall be used for the continuation of the services provided under the plan after  
11 all other available funds for this purpose have been exhausted. The Commission shall submit a report to  
12 the Director of the Office of Management and Budget and the Controller General no later than October 15  
13 of each fiscal year detailing the plan for the expenditure of these funds.

14 Section 92. (a) Section 1 of this Act appropriates \$698.0 to the Delaware Institute of Dental  
15 Education and Research (DIDER) (10-05-03). This amount shall be allocated as follows:

16	Temple University School of Dentistry	\$225.0
17	Financial Assistance	225.0
18	Delaware Psychiatric Center Internships	148.0
19	Loan Repayment Program	100.0

20 (b) In accordance with 16 Del. C. c. 99, the appropriation shall provide for three dental  
21 internships and sufficient funds to support three dental internships and to continue a contract for the  
22 Dental Internship Program at the Delaware Psychiatric Center. The Commission shall submit a report to  
23 the Director of the Office and Management and Budget and Controller General by May 1 of each fiscal  
24 year outlining the expenditure of these funds.

25 (c) Of the allocation identified above, \$100.0 shall be used to recruit and retain dentists and other  
26 practitioners eligible under the loan repayment program.

27 (d) \$225.0 of the allocation identified above shall be used to provide financial assistance for the  
28 students attending the Temple University School of Dentistry.

1 (e) \$225.0 of the allocation identified above shall be used to support eighteen dental slots at the  
2 Temple University School of Dentistry.

3 (f) Any loan or scholarship program developed by the DIDER Board shall be repaid under terms  
4 and conditions coordinated with the Delaware Higher Education Commission, who shall be responsible  
5 for monitoring and enforcement. In designing either a scholarship or loan program, the DIDER Board  
6 shall consider the need to assure that there is a continuing supply of dentists for Delaware. Scholarships,  
7 loans and loan repayment programs shall be approved by the Delaware Health Care Commission, the  
8 Director of the Office of Management and Budget and the Controller General.

9 Section 93. Section 1 of this Act appropriates \$2,442.5 to the Delaware Institute of Medical  
10 Education and Research (DIMER) (10-05-02). This amount shall be allocated as follows:

11 Jefferson Medical College	\$1,250.0
12 Philadelphia School of Osteopathic Medicine	312.5
13 University of Delaware	50.0
14 Christiana Care Health System	200.0
15 Scholarships/Loans	480.0
16 Loan Repayment	<u>150.0</u>
17 Total	\$2,442.5

18 Any changes in this allocation must receive prior approval from the Director of the Office of  
19 Management and Budget and the Controller General.

20 Of the Scholarship/Loans allocation identified above, \$400.0 is to be used to provide financial  
21 assistance for students attending the Jefferson Medical College and \$80.0 is to be used for students  
22 attending Philadelphia College of Osteopathic Medicine. Any loan or scholarship program developed by  
23 the DIMER Board will be repaid under terms and conditions that will be coordinated with the Delaware  
24 Higher Education Commission, who shall be responsible for monitoring and enforcement. In designing  
25 either a scholarship or loan program, the DIMER Board will consider the need to assure that there is a  
26 continuing supply of physicians for Delaware. The loan repayment allocation of \$150.0 shall be used to  
27 recruit physicians or other practitioners eligible under the loan repayment program and to recruit and  
28 retain practitioners in underserved areas of Delaware. Recruitment tools include, but are not limited to,

1 loan repayment programs. Scholarships, loans and loan repayment programs will be approved by the  
2 Delaware Health Care Commission, the Director of the Office of Management and Budget and the  
3 Controller General.

4 Section 94. Section 1 of this Act appropriates funding for a 1.0 FTE Senior Secretary in Criminal  
5 Justice Council (10-07-01) to be used as dedicated secretarial support for the Executive Director of the  
6 Domestic Violence Coordinating Council. This position shall be an exempt position and shall be  
7 excluded from classified service as defined under 29 Del. C. § 5903.

8 Section 95. (a) Section 1 of this Act includes non-appropriated special fund positions funded  
9 through grants administered by the Criminal Justice Council (10-07-01). Further, the Delaware State  
10 Clearinghouse Committee may, during the fiscal year, approve additional non-appropriated special fund  
11 positions supported by Criminal Justice Council administered grants. By virtue of said positions being  
12 included in the Annual Appropriations Act and/or approved by the Clearinghouse Committee does not  
13 guarantee future state funding upon expiration of federal grants supporting the positions. Any requests  
14 for state funding for said positions shall be prioritized by the affected department in its budget request for  
15 Fiscal Year 2010.

16 (b) The Criminal Justice Council shall submit a report to the Director of the Office of  
17 Management and Budget and the Controller General on May 1 of each year. This report shall forecast to  
18 the extent possible the number of federal grants FTE position requests that may be presented as requests  
19 to the Delaware State Clearinghouse Committee during the course of the upcoming fiscal year.

20 Section 96. There is hereby established the Delaware Sentencing Research and Evaluation  
21 Committee. The committee shall be a permanent committee, and shall consist of the incumbent members  
22 of the SENTAC Research Committee. The Office of Management and Budget and the Controller General  
23 shall be notified of Committee meetings and a representative of each invited to attend and participate in  
24 all such meetings. The committee chair or his or her designee will serve as committee liaison to  
25 SENTAC, and will present all findings and reports to SENTAC in a timely fashion for their review and  
26 comment.

27 The Delaware Sentencing Research and Evaluation Committee shall recommend a plan annually  
28 to the Joint Finance Committee for the purpose of sustaining the comprehensive study of Delaware's

1 Criminal Justice System begun by the SENTAC Research Committee. The committee will report  
2 regularly to the Joint Finance Committee on analysis, research, and evaluation findings, and will  
3 recommend system improvements based on these findings.

4 The Statistical Analysis Center will provide support for the research plan as directed by the  
5 committee and approved by the Office of Management and Budget. The Statistical Analysis Center is  
6 authorized at any time to contract employees on behalf of the committee as funds become available, as  
7 directed by the committee and approved by the Office of Management and Budget. Notwithstanding the  
8 provisions of 29 Del. C. § 69, the committee is authorized to seek and receive public and private funds  
9 and to enter into contracts as necessary to fulfill its mission.

10 The committee chairman shall have the right to appoint other committee members as he sees fit.  
11 The committee will have the right to seek input from executive agencies and courts in order to fulfill its  
12 mission, and all agencies shall provide relevant data, information, representation and additional support as  
13 requested.

14 Section 97. (a) Section 1 of this Act includes a General Fund appropriation within Delaware State  
15 Housing Authority (10-08-01). Of these funds, \$49.5 shall be used to extend the contractual  
16 administration for the Neighborhood Assistance Tax Credit Act (Senate Bill 248) of the 140th General  
17 Assembly through the fiscal year ending June 30, 2009. The Neighborhood Assistance Tax Credit  
18 Program is intended to foster business investment in low-income communities through financial support  
19 to neighborhoods as well as job training, education, crime prevention and community services.

20 (b) The Delaware State Housing Authority shall submit an annual report to the Director of the  
21 Office of Management and Budget and the Controller General by May 1 of each year, which will include  
22 but not be limited to a synopsis of the tax credit program, a detailed list of expenditures and a list of  
23 projects that have received tax credit awards.

# TECHNOLOGY AND INFORMATION

Section 98. The Chief Information Officer shall not make any changes to the department's compensation plan regarding any aspect of employee compensation without the approval of the Director of the Office of Management and Budget and Controller General. Further, sufficient funding within the department must be available for any change to be approved.

Section 99. Section 1 of this Act includes 13.0 FTEs in the Department of Technology and Information (11-00-00) to address the utilization of existing positions for the ERP project. During the course of the fiscal year, the department shall continue to provide level of staff support previously agreed upon by the Executive Sponsors to ensure the continuation of this project without disruption.

Section 100. The state government of Delaware, recognizing the inherent value in implementing common standards, has chosen Microsoft as its statewide network platform and messaging system. In an effort to establish a single, common electronic messaging platform throughout the State, no state agency/department shall migrate, change or switch to an alternative messaging platform without the express written consent of the Chief Information Officer, Director of the Office of Management and Budget and Controller General. Any agency seeking exemption from this requirement must submit a request to the Chief Information Officer clearly stating the reasons why migrating to an alternative platform is necessary and/or desirable.

Section 101. The Department of Technology and Information shall publish the statewide telephone directory during Fiscal Year 2009. State agencies shall provide annual updates to the department by the date specified by the department.

Section 102. The Department of Technology and Information (11-00-00) shall receive a lump sum appropriation calculated as a fixed percentage of all salaries as appropriated to the Department in Section 1 of this Act. The lump sum amount shall be the product of the general salary increase in Section 8 of this Act and Personnel Costs lines less non-salary-driven Other Employment Costs components. Overtime and casual/seasonal components of the Personnel Costs lines shall not be part of the calculation. The resultant lump sum amount may be distributed to employees as determined by the Chief Information Officer. However, in no case shall individually awarded increases exceed ten percent of an individual's base salary, nor shall the aggregate amount awarded exceed the product of the



1 calculation as described above. Further, in no case shall individually awarded amounts be given  
2 retroactively.

3 Section 103. Amend 29 Del. C. c. 64 by creating a new section as follows:

4 “§ 6411. Department of Technology and Information.

5 All agencies are directed to remit payment for services rendered by the Department of  
6 Technology and Information within 30 days of receipt of invoice. Services may include, but are not  
7 limited to, postal metering, distribution supplies, telecommunication and telephone services, professional  
8 services, and data processing services.

9 If a prompt payment problem exists, the Department of Technology and Information may require  
10 all agencies and school districts receiving services to make monthly estimated payments toward their  
11 invoice. The estimated payments should be equal to the average of the last three months of reconciled  
12 payments or based on a schedule established by the department. The department will continue to be  
13 responsible for the actual payments to telephone companies and other vendors. In addition, the  
14 department will be responsible for the reconciliation of accounts with the user agencies and school  
15 districts.”

## OTHER ELECTIVE

1  
2        Section 104. Of the total positions authorized in Section 1 of this Act for the Auditor of Accounts  
3 (12-02-01), the position of Community Relations Officer shall be exempt from classified service.

4        Section 105. Section 1 of this Act reflects for the Auditor of Accounts (12-02-01) sufficient  
5 state-match funding for federally-mandated audit services. If, during the first three months of any fiscal  
6 year, the State Auditor should experience a cash flow deficit in fulfillment of federal audit  
7 responsibilities, the Director of the Office of Management and Budget, upon the request of the State  
8 Auditor, shall attempt to advance sufficient funding from the Indirect Cost Account.

9        Section 106. Section 1 of this Act contains ASF position authorizations and associated  
10 appropriations for the Bureau of Examination, Rehabilitation and Guaranty, Insurance Commissioner (12-  
11 03-02). Said authorizations and appropriations include an authorization for 1.0 Director of  
12 Administration and 1.0 Arbitration Secretary, both of which shall be exempt.

13        Section 107. Section 1 of this Act provides an ASF appropriation of \$3,504.1 to the State  
14 Treasurer, Administration (12-05-01), Cash Management Policy Board, authorized by 29 Del. C. c. 27,  
15 for the purpose of providing staff support and operational expenses, including payment of fees for  
16 banking services. The \$3,504.1 in interest income on bank deposits shall be coded as special fund  
17 revenue to provide funds for operation of the Cash Management Policy Board.

18        Section 108. Notwithstanding 18 Del. C. § 305 or any provision of Delaware law to the contrary,  
19 up to \$500.0 may be transferred from the Insurance Commissioner Regulatory Revolving Fund into a  
20 special fund appropriation titled the Medical Malpractice Relief Initiative Pilot Program, to the extent the  
21 unencumbered balance of the Insurance Commissioner Regulatory Revolving Fund is greater than  
22 \$1,400.0 as of June 30, 2008. The requirement to reduce assessments or fees pursuant to 18 Del. C. §  
23 305(e) shall not apply to any balance in excess of \$1,400.0 as of June 30, 2008, provided such balance  
24 does not exceed \$1,900.0. Use of these funds shall be limited to low or non-interest loans, via a surplus  
25 note, letter of credit or otherwise, to help foster the establishment of Delaware-domiciled risk reduction  
26 group(s) and/or captive entities, provided the purpose of such entities is to increase the availability of  
27 medical malpractice insurance and reduce the costs of medical malpractice insurance through enhanced  
28 risk management and lower administrative costs. Utilization of these funds, as well as program

1 regulations, shall be on the recommendation of the Insurance Commissioner, with final approval by the  
2 Director of the Office of Management and Budget and the Controller General. Such approvals shall be  
3 conditioned upon binding agreements requiring that such funds be repaid to the State, with such  
4 repayments occurring as soon as feasible. At the conclusion of the pilot program and before any funds  
5 are re-loaned from the revolving fund, the Insurance Commissioner must prepare legislation for the  
6 permanent adoption of the program, which shall be subject to the approval of the General Assembly.

7 Section 109. Section 1 of this Act establishes a special fund appropriation entitled Electronic  
8 Data Interchange, State Treasurer, Administration (12-05-01) Cash Management Policy Board to support  
9 the Electronic Data Interchange/Electronic Funds Transfer initiative. Use of these funds shall be  
10 coordinated with and approved by the Chief Information Officer of the Department of Technology and  
11 Information and the Secretary of Finance.

12 Section 110. The State Treasurer's Office shall develop a rate for the purpose of recovering costs  
13 associated with the state's acceptance of funds through the use of credit, debit and purchasing cards. Cost  
14 recoverable activities shall include online transactions as well as traditional card transactions. The initial  
15 rate and periodic necessary adjustments to the rate shall be approved by the Office of Management and  
16 Budget. The Treasurer's Office may initiate an automated revenue reduction process, equal to the  
17 approved rate, for all cash receipts received by the aforementioned methods. The Treasurer's Office shall  
18 provide the agency with a statement of total revenue or payment, less transaction costs and net revenue.  
19 In lieu of an automated revenue reduction process the Treasurer's Office may invoice a state agency for  
20 necessary reimbursement. The use of these recovered funds shall be for the sole purpose of payment of  
21 Merchant Services fees.

22 Section 111. The State Treasurer's Office, with the assistance of the Department of Technology  
23 and Information and the Delaware Government Information Center, where appropriate, shall evaluate and  
24 approve the payment component of all new web-based technology initiatives involving the electronic  
25 remittance of funds to the state. Specifically, those projects promoting the use of online credit card  
26 payment, online debit card payment, Automated Clearing House payments, "e-checks" and other forms of  
27 electronic funds transfer shall be subject to this joint review and approval process. For those agencies that  
28 already use online credit card payment, online debit card payment, Automated Clearing House payment,

1 “e-check” or other forms of electronic funds transfer, those agencies shall be exempt from this  
2 requirement unless and until such time as their current electronic payment component must undergo any  
3 type of upgrade or the contract is due to expire at which point the agency shall investigate the feasibility  
4 of implementing the state’s designated payment component. A standard evaluation form will be designed  
5 by the State Treasurer’s Office with the assistance of the Department of Technology and Information and  
6 the Government Information Center, where appropriate, and approved by the Office of Management and  
7 Budget.

8 Section 112. Section 1 of this Act appropriates \$54.0 and 1.0 FTE in Personnel Costs and \$75.0  
9 in Contractual Services in Office of State Treasurer, Administration (12-05-01) to support the plan  
10 development, compliance and implementation, which may include recommending the establishment of  
11 a council to provide oversight, of a 403(b) tax deferred saving program for school district and other  
12 eligible employees, to comply with IRS regulations. During the development of this program, the Office  
13 of the State Treasurer, in conjunction with the Department of Education, Office of Management and  
14 Budget, and Controller General’s Office, shall explore potential funding sources for the administrative  
15 costs of this program, which may include but not be limited to a cost-recovery model.

# LEGAL

1  
2        Section 113. Section 1 of this Act authorizes an appropriation for Contractual Services for the  
3 Office of Attorney General (15-01-01). Of this amount, \$1,021.2 shall be used for the purpose of  
4 providing services covering family violence in New Castle County, and \$777.2 shall be used for the  
5 purpose of providing services covering family violence in Kent and Sussex counties.

6        Section 114. Of the total Deputy Attorneys General authorized in Section 1 of this Act to the  
7 Office of Attorney General (15-01-01):

8            (a) 2.0 FTEs Deputy Attorneys General shall be assigned to Family Court for service in Kent and  
9 Sussex counties. 2.0 FTEs additional Deputy Attorneys General shall be assigned to Family Court in  
10 Kent and Sussex counties for the purpose of prosecuting juvenile misdemeanor cases;

11           (b) 1.0 ASF FTE Deputy Attorney General shall be assigned to Family Court to be used to  
12 increase the existing staff assigned to prosecute child support cases;

13           (c) 2.0 NSF FTEs Deputy Attorneys General shall be assigned to Family Court to enhance  
14 prosecution of domestic violence cases;

15           (d) 1.0 FTE Deputy Attorney General shall be exclusively dedicated to Labor Law Enforcement  
16 in the Department of Labor, Division of Industrial Affairs, Office of Workers' Compensation, Safety and  
17 Health (60-07-01). The cost of this employee and all expenses associated with his/her employment shall  
18 be included in the annual tally pursuant to 19 Del. C. § 2392(c)(1) and the semi-annual administrative  
19 assessment per Subsection 2392(d) of the same Title;

20           (e) 0.5 FTE Deputy Attorney General shall be assigned to the Child Placement Review Board;

21           (f) 3.0 FTEs Deputy Attorneys General shall be assigned to provide legal representation as  
22 required to the Department of Correction;

23           (g) 2.0 FTEs Deputy Attorneys General shall be assigned to the Domestic Violence Units serving  
24 Kent and Sussex counties; 2.0 GF Administrative Assistants shall also be assigned to these units;

25           (h) 1.0 FTE Deputy Attorney General shall be devoted exclusively to the handling of the Office  
26 of Management and Budget and other related personnel issues and is not intended to supplant existing  
27 Deputy Attorneys General assignments in this area;

1 (i) The Attorney General shall provide legal assistance/representation as needed for the  
2 implementation of 6 Del. C. c. 46 (Delaware Fair Housing Act) until funds in the "Special Administration  
3 Fund" are sufficiently available;

4 (j) 1.0 ASF FTE Deputy Attorney General shall be assigned to the State Lottery Office to assist  
5 the State Lottery Director in the implementation of 69 Del. Laws, c. 446;

6 (k) 1.0 FTE Deputy Attorney General shall be assigned to provide legal services to the Delaware  
7 Economic Development Office;

8 (l) 1.0 ASF FTE Deputy Attorney General shall be assigned to provide legal representation to the  
9 boards and commissions under the Department of State, Regulation and Licensing, Professional  
10 Regulation. A second split-funded (0.5 GF and 0.5 ASF) Deputy Attorney General shall be assigned to  
11 provide additional contract review, general legal services and legal counsel as needed for the Department  
12 of State, Regulation and Licensing, Professional Regulation;

13 (m) 1.0 split-funded (0.5 NSF FTE and 0.5 FTE) Deputy Attorney General, 1.0 ASF FTE Deputy  
14 Attorney General and 3.0 NSF FTEs Deputy Attorneys General (one for each county) shall be assigned to  
15 the Department of Services for Children, Youth and Their Families, Family Services to work on  
16 termination of parental rights, pursuit of custody and adoption cases and to provide other legal advice and  
17 appearances related to the work done by this division;

18 (n) 1.0 FTE support staff position shall be assigned to augment the NSF positions assigned to  
19 Family Court in Kent and Sussex counties per the Juvenile Accountability Incentive Block Grant;

20 (o) 4.0 split-funded (1.0 and 3.0 NSF) FTEs, 1.0 Deputy Attorney General, 2.0 Investigators and  
21 1.0 Secretary shall be assigned to the Medicaid Fraud Unit to be used for investigating incidents of abuse  
22 and neglect in Delaware nursing homes;

23 (p) 1.0 ASF FTE Deputy Attorney General shall be assigned to the Department of Services for  
24 Children, Youth and Their Families, Family Services to work on termination of parental rights, pursuit of  
25 custody and adoption cases and to provide other legal advice and appearances related to the work done by  
26 this division. Such work shall specifically include thoroughly preparing termination and temporary  
27 custody cases, in concert with division investigators and their supervisors, sufficiently before trial so as to  
28 ensure these cases are presented properly and effectively;

1 (q) 1.0 ASF FTE Deputy Attorney General shall be assigned to the Drug Unit to handle forfeiture  
2 cases statewide. Said Deputy Attorney General position shall be funded from assets and/or proceeds from  
3 the disposition of seized property resulting from forfeitures;

4 (r) 1.0 ASF FTE Deputy Attorney General and 2.0 ASF support staff shall be assigned to  
5 handle personal injury litigation involving state-owned vehicles;

6 (s) 1.0 split-funded (0.5 FTE and 0.5 ASF FTE) Deputy Attorney General shall be assigned to  
7 the Department of Agriculture. Fifty percent of this position shall be assigned to work on issues related to  
8 nutrient management and shall be funded by General Funds; 50 percent of this position shall be assigned  
9 to work on issues related to the Thoroughbred Racing Commission and Harness Racing Commission, and  
10 shall be funded by Appropriated Special Funds; and

11 (t) 1.0 FTE Deputy Attorney General shall be assigned to the Delaware State Police.

12 (u) Section 1 of this Act appropriates 2.0 ASF positions (one Deputy Attorney General and one  
13 Paralegal) relating to the tobacco settlement in an effort to supplement and enhance the ongoing  
14 aggressive enforcement efforts of the Office of the Attorney General of Delaware's tobacco laws  
15 pertaining to youth access and to enforce the Master Settlement Agreement in an effort to prevent the loss  
16 of settlement dollars.

17 (v) The Attorney General shall submit a semi-annual report to the Director of the Office of  
18 Management and Budget and Controller General that details the number of Deputy Attorney General  
19 FTEs, the source of their funding and the divisions to which they are assigned. These reports are due on  
20 November 30 and May 15 of each fiscal year.

21 Section 115. Section 1 of this Act makes an appropriation of \$1,646.2 ASF, \$400.0 GF and 22.0  
22 split-funded FTEs (66 percent ASF and 34 percent GF) to the Office of the Attorney General (15-01-01)  
23 to support the Child Support Enforcement function. The Child Support Enforcement function in the  
24 Attorney General's Office will operate on a reimbursement basis, wherein the State makes the initial  
25 expenditures and is reimbursed from federal funds controlled by the Department of Health and Social  
26 Services. The reimbursement rate for operations will be 66 percent of total direct costs; the  
27 reimbursement rate for indirect costs will be 31.61 percent of federal dollars spent on direct salary costs.

1 Notwithstanding the provisions of 29 Del. C. § 6404(h)(1)(2)(3), the Attorney General's Office  
2 shall be allowed to retain the federal reimbursement of direct costs in an Appropriated Special Funds  
3 account to pay the Appropriated Special Funds share of operating expenses associated with the Child  
4 Support function.

5 The Attorney General's Office shall also be allowed to retain up to a maximum of \$30.0 of the  
6 departmental portion of indirect cost recoveries for this function to support the agency's overhead and  
7 \$16.3 to be applied to the state's share for four clerical positions. The statewide portion of indirect cost  
8 recoveries will be deposited into the indirect cost account in the Office of Management and Budget. The  
9 remainder of the indirect cost recoveries and any unused portion of indirect cost funds in the Attorney  
10 General's Office will be deposited into a separate account and retained to support the General Fund  
11 portion of the budget for this function in subsequent years.

12 Adjustments to Appropriated Special Fund spending authority for the Office of the Attorney  
13 General may be made upon the concurrence and approval of the Director of the Office of Management  
14 and Budget and the Controller General.

15 Section 116. Section 1 of this Act makes an appropriation to Contingency-Attorney Pay Plan in  
16 the Office of Management and Budget, Contingencies and One-Time Items (10-02-11). This  
17 appropriation is for the purpose of funding the salary matrices of the Office of the Attorney General (15-  
18 01-01) and the Office of the Public Defender (15-02-01). Of the total amount, \$185.0 is allocated for the  
19 Office of the Attorney General, and \$65.0 is allocated for the Office of the Public Defender. Upon  
20 requesting contingency funds, each agency must submit for approval by the Director of the Office of  
21 Management and Budget and Controller General a report of personnel activity relating to salary plan  
22 movements with a description of the need to use said funds. Total personnel expenditures by these  
23 agencies may not exceed total personnel appropriations.

24 Section 117. Section 1 of this Act includes \$39.5 ASF in Personnel Costs and 1.0 ASF FTE  
25 Administrative Specialist II (BP #8131) in the Office of the Attorney General (15-01-01). In order to  
26 provide funding for this position, the Department of Natural Resources and Environmental Control (40-  
27 00-00) shall allocate monies to the Office of the Attorney General by July 15 of each fiscal year.



1           Section 118. Section 1 of this Act includes \$80.0 ASF in Consumer Protection and 2.0 ASF  
2 FTEs in the Office of the Attorney General (15-01-01) for activities associated with the regulation of  
3 credit counseling and debt management companies as authorized in 6 Del. C. c. 24A, the Delaware  
4 Uniform Debt-Management Services Act.

5           Section 119. Section 1 of this Act provides an appropriation for six month funding of two new  
6 judges and support staff in Superior Court (02-03-10) for the operation of two new court rooms. Also  
7 appropriated is \$45.4 and 2.0 FTEs (Administrative Specialist) within the Attorney General's Office (15-  
8 01-01) and \$130.0 and 2.0 FTEs (Assistant Public Defender) within the Public Defender's Office (15-02-  
9 01). These positions are also funded for six months and are appropriated in conjunction with the case  
10 load increases that result from adding two additional judges in Superior Court.

**STATE**

1  
2        Section 120. Amend 29 Del. C. § 5915(c) by inserting the following at the end of the existing  
3 section:

4            “The Merit Employee Relations Board shall hear all maintenance review classification appeals  
5 before it in chronological order, beginning with the oldest such appeal unless all parties are in agreement  
6 with other such arrangements.”

7        Section 121. Section 1 of this Act appropriates \$35.0 in the line item Historical Marker  
8 Maintenance to the Department of State, Delaware Public Archives (20-03-01). Of this amount, \$25.0  
9 shall be used for replacement, repair and refurbishing of historical markers.

10        Section 122. Section 1 of this Act provides an appropriation to the Department of State, Office of  
11 the Secretary, Delaware Commission on Veteran's Affairs (20-01-02) for Contractual Services. Of that  
12 amount, \$49.9 shall be used to provide mental health services for veterans in Kent and Sussex counties.

13        Section 123. (a) Section 1 of this Act establishes a special fund appropriation entitled  
14 Technology Infrastructure Fund, in the Division of Corporations (20-05-01). All revenues derived as a  
15 result of 8 Del. C. § 391(h)(1), 6 Del. C. § 15-1207(b)(1), 6 Del. C. § 17-1107(b)(1), 6 Del. C. § 18-  
16 1105(b)(1), and 12 Del. C § 3813(b)(1) will be deposited into this fund to be used for technological and  
17 infrastructure enhancements, ongoing maintenance, operational expenses for Corporations, electronic  
18 government information projects, and library initiatives. Quarterly reports regarding the status of this  
19 fund shall be made by the Department of State to the Director of the Office of Management and Budget  
20 and the Controller General.

21            (b) Of the amount appropriated in Section 1 of this Act, up to \$500.0 may be allocated for  
22 matching grants pursuant to the Delaware Public Library Technology Assistance Act (29 Del. C. c. 66B)  
23 for the purposes of implementing a 3-year replacement cycle for public access hardware and software in  
24 Delaware’s public libraries or, if funds are remaining, for other hardware, peripherals and software used  
25 to support local library services. An additional \$100.0 may be provided to the Division of Libraries for  
26 other library technology initiatives.

1           Section 124. Section 1 of this Act provides an appropriation to the Department of State, Office of  
2 the Secretary, Delaware Heritage Commission (20-01-05). Of that amount, \$15.0 shall be used at the  
3 discretion of the Delaware Heritage Commission for scholar awards, challenge grants and publications.

4           Section 125. Section 1 of this Act contains an Appropriated Special Fund authorization for  
5 Contractual Services in the Division of Corporations (20-05-01). Of this amount, up to \$200.0 may be  
6 transferred to a captive insurance regulatory and supervisory fund in the Insurance Commissioner's  
7 Office.

8           Section 126. The Delaware Heritage Commission shall investigate which out of print books and  
9 writings on Delaware history should be considered for republication. Further, the Delaware Heritage  
10 Commission shall investigate which writings in these categories would be valuable for republication. A  
11 report shall be made to the Controller General and Director of the Office of Management and Budget by  
12 December 1 of each fiscal year.

13           Section 127. Section 1 of this Act includes an appropriation to the Department of State, Division  
14 of Historical and Cultural Affairs, Delaware State Museums (20-06-04) for a Museum Conservation  
15 Fund. Of that amount, up to \$25.0 can be used for the purpose of matching private grants to purchase art  
16 for placement in state museums.

17           Section 128. Section 1 of this Act authorizes \$15.0 to the Department of State, Delaware State  
18 Museums (20-06-04) in Art Object Refurbishing for the purpose of refurbishing portraits and art objects  
19 in Legislative Hall.

20           Section 129. Notwithstanding the provisions of 29 Del. C. § 6102(a) and 5 Del. C. § 1106, the  
21 Office of the State Banking Commissioner is authorized to retain \$150.0 of the Bank Franchise Tax for  
22 costs associated with the collection and administration of the Bank Franchise Tax. Also, an additional  
23 \$75.0 of the Bank Franchise Tax shall be used for costs associated with a study of foreclosures and  
24 consumer protection in Delaware.

25           Section 130. Section 1 of this Act makes an appropriation to Libraries (20-08-01) in the amount  
26 of \$4,669.5 for Library Standards. Of that amount, Libraries may reserve up to \$466.7 for planning and  
27 evaluation grants to determine each library's attainment of state and federal library standards. The  
28 remaining funds shall be paid to libraries in two installments equal to 50 percent of the total amount

1 allocated to that library, one installment upon signature of the contract and the second installment in  
2 January of the fiscal year. Funds granted to any library under the provisions of 29 Del. C. c. 66, if  
3 unspent at the end of the fiscal year shall not revert to the General Fund, but instead shall be held in an  
4 account for the benefit of the library from which the unspent funds came. These funds may be spent in  
5 subsequent years for purposes described in 29 Del. C. c. 66. The use of such carryover funds shall not be  
6 used as part of any subsequent years' formula payment.

7 Section 131. The Department of State shall establish the shift differential for Licensed Practical  
8 Nurses employed at the Delaware Veterans Home at 10 percent for 3 - 11 shifts on weekdays and 7-3  
9 shifts on weekends. The shift differential shall be established at 15 percent for 11-7 shifts on weekdays  
10 and 3-11 shifts on weekends. The shift differential for the 11-7 weekend shifts shall be established at 20  
11 percent. To the extent or where an employee is covered by a collective bargaining agreement pursuant to  
12 19 Del. C. § 1311A, the terms and conditions of said agreement shall apply.

13 Section 132. The Department of State shall have the authority to fill vacant positions at the  
14 Delaware Veterans Home with qualified applicants for the Nursing Assistant, Certified Nursing Assistant,  
15 Active Treatment Facilitator, Licensed Practical Nurse, Registered Nurse, Physician, Dentist, and  
16 Psychiatrist classifications by agency recruitment efforts unless an eligibility list is required by federal  
17 law for that position.

18 Section 133. Section 1 of this Act appropriates \$142.7 ASF in Personnel Costs and 2.0 ASF  
19 FTEs in the Department of State, Regulation and Licensing, Professional Regulation (20-04-01) for the  
20 regulatory inspection of controlled substances. This function was reallocated from the Department of  
21 Health and Social Services, Public Health, Community Health (35-05-20) during Fiscal Year 2007. All  
22 revenue generated by the activities performed by, or on behalf of, the Division's Office of Controlled  
23 Substances, shall be deposited in an ASF account in the Division of Professional Regulation pursuant to  
24 29 Del. C. § 8735 (c). These funds shall be used to fund all costs necessary to defray the expenses of the  
25 Office of Controlled Substances, up to the budget authority for any fiscal year or portion thereof.

26

# FINANCE

1  
2       Section 134. The Department of Finance, Office of the Secretary (25-01-01) is authorized during  
3 the fiscal year to maintain special funds with the State Treasurer for the acquisition of technology and  
4 payment of other costs incidental (including the hiring of seasonal employees) to the implementation and  
5 maintenance of computer systems at the Office of the Secretary or Revenue (25-06-01). Deposits to the  
6 special funds shall be from the collection of delinquent taxes and shall not exceed \$1,897.5. Of this  
7 amount, \$600.0 shall be used for the purpose of maintaining the State's mainframe computer system and  
8 Revenue's programs that reside thereon. Of the said \$600.0, \$130.0 shall be used to contract for system  
9 maintenance with the Department of Technology and Information.

10       Section 135. Revenue (25-06-01) is authorized to establish and maintain a special fund with the  
11 State Treasurer for the purpose of contracting and/or employing personnel for the collection of delinquent  
12 State taxes and other debts that Revenue has undertaken to collect. The contracts and/or personnel may  
13 provide for 1) collection or assistance in collection of delinquent accounts from businesses or persons;  
14 and/or 2) audit of business taxables under the direct supervision of Revenue management; and/or 3) audit  
15 of physical inventory of alcoholic beverage wholesalers. Deposits to the special fund shall be from the  
16 collection of delinquent taxes. A detailed report on all expenditures from and collections to this special  
17 fund shall be sent annually to the Director of the Office of Management and Budget and the Controller  
18 General. Unencumbered balances on June 30 in excess of \$275.0 shall revert to the General Fund.

19       Section 136. The Director of Revenue shall have the authority to accept, on whatever terms and  
20 conditions he/she may establish, payment by credit card of taxes, fees and other obligations that Revenue  
21 has undertaken to collect. The Director is authorized to enter into contracts for the processing of credit  
22 card payments and fees associated with such contracts. Up to \$200.0 of the delinquent collections in the  
23 Appropriated Special Fund line may be used to pay for fees and expenses associated with the collection of  
24 taxes by credit cards.

25       Section 137. The Director of Revenue shall have the authority to enter into agreements according  
26 to which contingency and other fees are provided to finders of property to be escheated to the State or to  
27 other persons identifying abandoned property by means of audit or otherwise. When the Director deems  
28 it to be appropriate, he/she may enter into escrow, custodian or similar agreements for the purpose of

1 protecting the state's interest in property to be escheated or fees payable pursuant to the aforesaid  
2 agreements. The Director may direct that payment for said fees or other costs incident to escheat of  
3 property under the aforesaid agreements, including litigation expenses incident to escheat administration,  
4 be made out of such money held in the escrow, custodian or other account established under this  
5 paragraph. Section 1 of this Act establishes an Appropriated Special Fund account, Escheat, from which  
6 charges relating to receiving and processing remittances and reports by holders, and claims by owners of  
7 abandoned property, as well as advertising and travel fees and associated costs may be paid and into  
8 which abandoned property remittances may, at the discretion of the Director, be deposited.  
9 Unencumbered balances on June 30 in excess of \$150.0 shall revert to the General Fund. A semi-annual  
10 report of amounts in escrow or in custodian accounts shall be furnished to the Director of the Office of  
11 Management and Budget and the Controller General.

12 Section 138. (a) In the event that the State Lottery's amount of Contractual Services shall exceed  
13 the amount in Section 1 of this Act due to increased lottery ticket sales, the Appropriated Special Fund  
14 Budget in Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and  
15 the Director of the Office of Management and Budget, provided that the total operating budget for this  
16 fiscal year shall not exceed 20 percent of gross sales as limited by 29 Del. C. § 4815(a).

17 (b) In the event that the State Lottery's amount of Contractual Services shall exceed the amount  
18 in Section 1 of this Act due to increased video lottery net proceeds, the Appropriated Special Funds in  
19 Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and the  
20 Director of the Office of Management and Budget, subject to the limitations outlined in 29 Del. C.  
21 § 4815(b).

22 Section 139. There shall be established a special fund for the purpose of receiving the proceeds  
23 of liquidating stock acquired pursuant to 12 Del. C. c. 11 or liquidating investments described in this  
24 section. Such proceeds may at his discretion be invested and reinvested by the Secretary of Finance in  
25 issues of the United States Treasury or investments of comparable risk. The Secretary may at his/her  
26 discretion cause amounts in such special fund to be remitted to the General Fund of the State.

1           Section 140. Pursuant to 29 Del. C. § 4815(b)(2), funds from the State Lottery Fund shall be  
2 released to an appropriately established account within the Department of Health and Social Services,  
3 Substance Abuse and Mental Health (35-06-00) on or before the fifteenth day of each month, the amount  
4 of which shall be based on the results of video lottery operations conducted during the immediately  
5 preceding month.

6           Section 141. Pursuant to 29 Del. C. § 4805(b)(4), the State Lottery Office (25-07-01) is  
7 authorized to enter into an agreement with other state lotteries for participation in multi-jurisdictional,  
8 wide-area, progressive video lottery games. The State Lottery Office is authorized to contract with these  
9 other state lotteries for the procurement of services for implementation of multi-jurisdictional, wide-area,  
10 progressive video lottery games, and the provisions of 29 Del. C. c. 69 shall not apply.

11           Section 142. Notwithstanding any other provisions of 29 Del. C. c. 48 to the contrary, video  
12 lottery agents shall be required to reimburse the State Lottery Office (25-07-01) for the equipment costs  
13 and related fees associated with the installation of the ticket-in, ticket-out system for the video lottery  
14 machines.

# HEALTH AND SOCIAL SERVICES

Section 143. Notwithstanding any other provisions of the Delaware Code, the Department of Health and Social Services shall have the authority to fill vacant positions with qualified applicants for the Certified Nursing Assistant, Active Treatment Facilitator, Activity Therapist, Licensed Practical Nurse, Registered Nurse, Physician, Dentist and Psychiatrist classifications by agency recruitment efforts unless an eligibility list is required by federal law for that position.

Section 144. Section 1 of this Act includes \$25.0 ASF in the Department of Health and Social Services, Public Health, Delaware Hospital for the Chronically Ill (35-05-40) for Hospice. The division shall be allowed to collect and deposit funds into this account as a result of revenue generated from Hospice services being provided.

Section 145. (a) Results of investigations conducted by the Audit and Recovery Management Services concerning any and all public welfare programs administered by the Department of Health and Social Services that indicate possible error or fraud shall be transmitted to the Office of the Attorney General directly by the Secretary of the Department of Health and Social Services. The Office of the Attorney General shall prosecute those cases deemed actionable and return the rest to the Department of Health and Social Services for collection of overpayment. The Secretary of the Department of Health and Social Services shall file an annual report directly with the Director of the Office of Management and Budget and the Controller General.

(b) Section 1 of this Act provides an appropriation of \$232.8 ASF in the Department of Health and Social Services, Administration, Management Services (35-01-20), Program Integrity for the operation of the Audit Recovery and Management Services (ARMS) unit. Revenue from ARMS collections related to Public Assistance programs shall fund this account. All revenue in excess of the Program Integrity's ASF authority shall be deposited as designated by 29 Del. C. § 6102.

Section 146. (a) Section 1 of this Act appropriates \$2,878.9 in Administration, Management Services (35-01-20) under Early Intervention for the Part C Birth to Three Program. The Interagency Resource Management Committee (IRMC) shall consult and advise the lead agency in setting program eligibility standards and shall have the authority to allocate such funds, and may advise on the use of other funds specifically designated for this project. The IRMC shall also have the authority to maintain up to



1 37.5 FTEs and establish or contract for an additional 2.0 FTEs needed to provide appropriate services for  
2 Children Birth to Three, selected through the early intervention process and to ensure coordination with the  
3 Program for Children with Disabilities. In addition, the IRMC may recommend the transfer of General  
4 Fund positions and/or General Fund dollars from the Department of Health and Social Services as  
5 necessary to operate this program.

6 (b) The Secretary of the Department of Health and Social Services shall ensure that under the  
7 Part C Birth to Three Program, no child will be denied services because of his/her parent's inability to pay.  
8 The following will be adhered to by the Department of Health and Social Services in developing Part  
9 C/vendor agreements: 1) vendors will agree to bill Third Party Insurance including Medicaid and clients;  
10 2) client fees will be based on the DHSS scale developed by the Ability to Pay Committee and found in  
11 the department's policy Memorandum 37; and 3) those agencies who have sliding payment scales  
12 currently will be permitted to continue using them as long as those scales do not require a greater financial  
13 burden than that of the Department of Health and Social Services scale.

14 Section 147. Section 1 of this Act makes an appropriation the Department of Health and Social  
15 Services, Administration, Management Services (35-01-20) for the Early Intervention Program. Of that  
16 amount, \$150.0 is appropriated to provide evaluation and direct services for children.

17 Section 148. The Department of Health and Social Services is authorized to contract with a  
18 cooperative Multi-State purchasing contract alliance for the procurement of pharmaceutical products,  
19 services and allied supplies. The provisions of 29 Del. C. c. 69 shall not apply to such contract. Prior to  
20 entering into any such contracts the department will obtain the approval of the Director of the Office of  
21 Management and Budget.

22 Section 149. Amend 29 Del. C. § 6435 by adding a new subsection as follows:

23 “(h) Notwithstanding any other provisions of the Delaware Code, State employee recognition  
24 funds may be used pursuant to existing guidelines to include the recognition of volunteers and other non-  
25 state employees at the discretion of the Secretary of the Department of Health and Social Services.”

26 Section 150. (a) The amount appropriated by Section 1 of this Act to the Department of Health  
27 and Social Services for Title XIX Federal Programs Medicaid shall be expended solely in accordance  
28 with the following conditions and limitations:

1 (i) This appropriation shall be used for the purpose of continuing the program of medical  
2 assistance provided within the State Plan under Title XIX of the Social Security Act and the  
3 requirement of Section 121(a) of P.L. 89-97 and all subsequent amendments enacted by the  
4 Congress of the United States and commonly known as Title XIX of the Social Security Act;

5 (ii) The State Plan of medical care to be carried out by the Department of Health and Social  
6 Services shall meet the requirement for Federal Financial Participation under the  
7 aforementioned Title XIX.

8 (b) Funds appropriated by Section 1 of this Act for Title XIX Medicaid may be expended by the  
9 Department of Health and Social Services for covered direct client services as well as transportation and  
10 disease management. Funds may be expended for other administrative costs involved in carrying out the  
11 purpose of this Section if approved by the Director of the Office of Management and Budget.

12 (c) The funds hereby appropriated for Medicaid shall be expended only on condition that the  
13 program is approved and federal matching funds are provided by the appropriate federal agency except  
14 that funds may be expended to cover certain mental health services received by Medicaid eligible clients  
15 even though the federal government has terminated matching funds.

16 (d) The Department of Health and Social Services shall file a report to the Director of the Office of  
17 Management and Budget and Controller General of all services provided by the Medicaid appropriation.  
18 The report shall clearly identify any services that were changed, added or deleted during the current fiscal  
19 year. This report is due by May 15 of each fiscal year.

20 Section 151. The Department of Health and Social Services shall submit a plan for approval to  
21 implement a pilot program utilizing web-based procurement strategies as a cost-savings mechanism to the  
22 Director of the Office of Management and Budget and the Controller General. The pilot shall include, but  
23 not be limited to, placing legal notices in state-wide publications of record directing interested bidders to  
24 the Department's website for detailed information on procurement opportunities. For purposes of  
25 implementing this pilot, said publication of legal notices shall fulfill the advertising requirement of 29  
26 Del. C. c. 69. The Department shall report on the outcomes of this initiative to the Co-Chairs of the Joint  
27 Finance Committee and the Director of Office of Management and Budget by May 15, 2009.

1           Section 152. Section 1 of this Act makes appropriations to the Department of Health and Social  
2 Services, Medicaid and Medical Assistance (35-02-01), for various programs that pay for health care. In  
3 the Medicaid program, federal regulations mandate that drug companies must provide rebates in order to  
4 participate in the program. Medicaid and Medical Assistance shall establish a drug rebate process for any  
5 prescription benefits provided to clients enrolled in the non-Medicaid programs administered by the  
6 division including but not limited to: the Delaware Healthy Children program, the Renal Disease  
7 program, the Delaware Prescription Assistance program and the Legal Non-Citizen Health Care program.  
8 The division shall establish a rebate process that it determines is in the best interests of the citizens who  
9 are being served. The rebate amount shall be calculated using the full methodology prescribed by the  
10 federal government for the Medicaid program. In addition, the division is authorized to negotiate rebates  
11 with drug companies for both Medicaid and other programs. Notwithstanding any provisions of the  
12 Delaware Code to the contrary, the division shall deposit any drug rebate funds received as well as third  
13 party insurance collections (minus retention amounts) and other collections into the appropriate Medicaid  
14 and Medical Assistance program account and use them to meet program costs.

15           Section 1 of this Act also makes appropriations to other agencies of state government for health  
16 care programs that purchase drugs. Division of Medicaid and Medical Assistance shall work with other  
17 state agencies to develop a drug rebate process for these programs.

18           The rebate amounts may be calculated using the full methodology prescribed by the Federal  
19 government for the Medicaid program. Rebates received for non-Division of Medicaid and Medical  
20 Assistance programs shall be deposited into the General Fund.

21           The Director of the Office of Management and Budget and the Secretary of Health and Social  
22 Services shall continue to analyze cost containment initiatives in the area of additional drug rebates for  
23 prescription drugs. The Director of the Office of Management and Budget and the Secretary of Health  
24 and Social Services shall confer with the Controller General and the co-chairs of the Joint Finance  
25 Committee.

26           Section 153. The Department of Health and Social Services is authorized to contract for the  
27 procurement of managed care services for the Delaware Medical Assistance Program. The provisions of  
28 29 Del. C. c. 69 shall not apply to such contracts.

1           Section 154. Section 1 of this Act provides an appropriation to the Department of Health and  
2 Social Services, Medicaid and Medical Assistance (35-02-01) for Renal Disease.

3           Public Health (35-05-00) will provide the following support for the Chronic Renal Disease  
4 Program: 1) provide staff support for the Chronic Renal Disease Advisory Committee, including the  
5 maintenance of the committee membership and appointment system; 2) assist in developing programs and  
6 other public health initiatives designed to prevent chronic renal disease; and, 3) carry out educational  
7 programs for health professionals and the public to increase general knowledge of the prevention and  
8 treatment of chronic renal disease.

9           Medicaid and Medical Assistance will provide the following support for the Chronic Renal  
10 Disease Program: 1) develop standards for determining eligibility for services provided by the program,  
11 with the advice of the Advisory Committee; 2) extend assistance to persons suffering from chronic renal  
12 disease who meet eligibility criteria; 3) periodically provide information to the Advisory Committee on  
13 services provided and expenditures for these services; and 4) coordinate benefits with the Medicare Part  
14 D program for non-state employee clients. Those clients not Medicaid eligible will receive the same level  
15 of services as in previous years.

16           Section 155. Section 1 of this Act includes 2.0 NSF FTEs in the Department of Health and Social  
17 Services, Social Services (35-07-01). These Medicaid Eligibility Specialist positions will be funded  
18 through voluntary contributions from medical facilities and from federal matching funds. These positions  
19 will expedite the Medicaid Eligibility application process for Medicaid clients, and will ensure that these  
20 clients apply for services through Medicaid, if appropriate, thereby maximizing federal revenues for the  
21 State of Delaware. Other medical facilities throughout the state may participate in this program.

22           Section 156. Notwithstanding any other provisions of the Delaware Code, the merit position  
23 Nursing Home Director I, Governor Bacon Health Center (BP #4554) shall become exempt at such time  
24 as the current incumbent vacates such position.

25           When this position becomes vacant, the Director of the Office of Management and Budget shall  
26 take the appropriate steps to carry out the provisions of this section.

1           Section 157. Section 1 of this Act includes an appropriation to the Department of Health and  
2 Social Services, Public Health, Director's Office/Support Services (35-05-10) for Contractual Services.  
3 Of that amount, \$446.4 shall be used for the purpose of providing school nursing services five days a  
4 week to non-public schools in New Castle County and Kent County.

5           The Secretary of the Department of Health and Social Services will ensure that the contracts with  
6 the various schools in this program are executed no later than August 15 of each fiscal year. The  
7 Secretary will also ensure that timely payments are made to all contractors.

8           Section 158. Section 1 of this Act provides an appropriation of \$40.0 to the Department of  
9 Health and Social Services, Public Health, Community Health (35-05-20) to provide vaccinations to  
10 individuals who are members of volunteer ambulance companies or volunteer fire companies acting as  
11 “first responders” in the State of Delaware. Public Health shall purchase vaccine and administer or  
12 contract vaccine at local fire stations or other sites mutually agreed upon by the fire companies and Public  
13 Health. No such vaccinations shall be furnished until after certification by the volunteer fire or  
14 ambulance company on a form provided by Public Health, indicating that the person for whom the  
15 vaccination is desired, is a member in good standing of a volunteer ambulance or volunteer fire company  
16 in the State of Delaware. A record of the names and addresses of all persons immunized shall be  
17 maintained by Public Health. To insure the success of this program, Public Health and representatives of  
18 the Delaware Volunteer Firemen’s Association shall work collaboratively in the best interests of all  
19 parties. Public Health may promulgate reasonable rules and regulations regarding the vaccination of  
20 volunteer firemen and individuals who volunteer for ambulance companies. If resources allow, after the  
21 needs of the volunteer community have been met, similar assistance may be offered to other fire and  
22 ambulance companies such as the Wilmington City fire company. Such funds, as are necessary from this  
23 fund, may also be spent to provide any required post vaccination antibody testing in order to assure  
24 adequate protection has been achieved.

25           Section 159. Section 1 of this Act provides an appropriation for the Department of Health and  
26 Social Services, Public Health, Community Health (35-05-20) to provide Hepatitis B and other necessary  
27 childhood vaccinations for children between infancy and young adulthood who are uninsured, are not  
28 eligible for any Federal program providing the vaccination, and are otherwise medically indigent.

1           Section 160. Section 1 of this Act makes an appropriation of \$75.0 ASF in Contractual Services  
2 from the Tobacco Settlement to the Department of Health and Social Services, Division of Public Health,  
3 Community Health (35-05-20) to implement a Hepatitis B Vaccination Program for Correctional Officers  
4 and Probation and Parole Officers within the Department of Correction. For the purpose of this program,  
5 Correctional Officers shall be defined as any employee within the Correctional Officer Series through  
6 Captain and Probation and Parole Officers shall be defined as Probation and Parole Officers I through  
7 Senior Probation and Parole Officers. Public Health shall purchase and administer the vaccine upon  
8 request. It is the intent of the General Assembly that in Fiscal Year 2009 the Correctional Officers and  
9 Probation and Parole Officers with the most direct prisoner contact will receive the vaccination series and  
10 in subsequent years the remaining staff shall be vaccinated.

11           Section 161. The State desires to establish a permanent funding program for rodent control  
12 activities at the local level by providing the City of Wilmington \$15.0; New Castle County \$15.0; Kent  
13 County \$10.0; and Sussex County \$10.0. The Department of Health and Social Services, Public Health,  
14 Community Health (35-05-20) shall dispense these funds to local governments in lump sum payments to  
15 be made no later than September 1 of each fiscal year; establish program objectives and spending  
16 guidelines; require regular expenditure reporting to the State; and allow unexpended funds to carry over at  
17 the local level into the next fiscal year.

18           Section 162. Public Health, Community Health (35-05-20) will receive a portion of the Federal  
19 Medicaid reimbursement for services to Medicaid eligible students in School Based Health Centers. The  
20 division shall be allowed to collect and deposit up to \$102.0 of the revenue into an ASF account entitled  
21 School Based Health Centers to support the cost of this initiative. Up to \$600.0 of the remaining revenue  
22 will be deposited into an ASF account in Medicaid and Medical Assistance (35-02-01) and used for  
23 expenses associated with the normal operations of the Medicaid program. This amount may be increased  
24 subject to approval from the Director of the Office of Management and Budget and Controller General.

25           Section 163. Section 1 of this Act makes an appropriation to the Department of Health and Social  
26 Services, Public Health, Community Health (35-05-20) for supplies and materials. Of that appropriation,  
27 \$10.0 is to be used to purchase chemical reference materials for the Office of Environmental Health  
28 Evaluation.

1           Section 164. Section 1 of this Act provides funding for the Department of Health and Social  
2 Services, Public Health, Community Health, Office of Drinking Water (35-05-20) to administer the  
3 Drinking Water State Revolving Fund (DWSRF). This Fund consists of funding from the State Twenty-  
4 First Century Fund and United States Environmental Protection Agency and includes appropriations for  
5 technical assistance and water operator training for drinking water systems in the State. The  
6 Environmental Training Center at the Delaware Technical and Community College and the Delaware  
7 Rural Water Association are the sole providers of water operator training and drinking water system  
8 technical assistance in Delaware. Therefore, available funding through the DWSRF for training and  
9 technical assistance shall be distributed appropriately to these agencies.

10           Section 165. Section 1 of this Act appropriates funds to the Division of Public Health,  
11 Community Health (35-05-20) and to the Administrative Office of the Courts, Non-Judicial Services,  
12 Child Death, Near Death and Stillbirth Commission (02-18-06) for infant mortality. More specifically,  
13 the funds are to implement recommendations of the Infant Mortality Task Force. Included are \$5,872.7 in  
14 Infant Mortality Task Force and \$156.8 and 3.0 FTEs in Personnel Costs in Community Health (35-05-  
15 20) and \$163.9 in Infant Mortality Task Force in Child Death, Near Death and Stillbirth Commission (02-  
16 18-06). The Department of Health and Social Services shall submit an update on the spending plan for  
17 these funds to the Director of the Office of Management and Budget and Controller General no later than  
18 November 1 of each fiscal year.

19           Section 166. Of the funds derived from those State Lottery funds transferred to the Division of  
20 Substance Abuse and Mental Health Services of the Department of Health and Social Services pursuant to  
21 29 Del. C. § 4815 (b)(2), \$20.0 shall be used by the Division to create and/or continue an Addiction  
22 Prevention Program in all Delaware high schools on the subject of compulsive gambling. These funds  
23 shall provide, but not be limited to, the following:

- 24           1) a prevention education booklet to be given to every high school student in the State;
- 25           2) a teacher guideline instructional booklet to assist teachers to impart this information to  
26           students; and
- 27           3) on-site training to teachers on appropriate teaching methods.

1           Section 167. The Division of Substance Abuse and Mental Health (35-06-00) is encouraged,  
2 where appropriate, to reallocate resources so as to create a balanced system of services and treatment  
3 among the Delaware Psychiatric Center (35-06-30), community hospitals, and community-based  
4 residential placements for persons with mental illness. Such reallocation initiatives must be made within  
5 the total division's appropriation limit with the approval of the Director of the Office of Management and  
6 Budget and the Controller General. These reallocation initiatives shall not compromise the standard of  
7 care of the remaining Delaware Psychiatric Center population.

8           Section 168. Section 1 of this Act provides an appropriation of \$1,000.0 ASF to the Department  
9 of Health and Social Services, Substance Abuse and Mental Health, Community Mental Health (35-06-  
10 20). Substance Abuse and Mental Health expects to generate additional retroactive revenue as a result of  
11 the Tax Equity and Fiscal Responsibility Act (TEFRA) rebasing of Medicare payment rates at Delaware  
12 Psychiatric Center. These funds shall be used to fund the rebasing project and support the Division of  
13 Substance Abuse and Mental Health programs, including but not limited to purchasing medicines for  
14 clients.

15           Section 169. Delaware Psychiatric Center maintains appropriation account 35-06-30-98-37 to  
16 receive reimbursement for providing a work study program for local nursing schools and for assigning  
17 residents to work in non-psychiatric services at area hospitals on a rotating basis, respectively.  
18 Notwithstanding the provisions of 29 Del. C. § 6102, the IPU shall be allowed to collect and expend the  
19 proceeds from the aforementioned account.

20           Section 170. Section 1 of this Act provides an appropriation of \$1,200.0 ASF to the Division of  
21 Social Services (35-07-01) for TANF Cash Assistance Pass Through. The division shall be allowed to  
22 collect and deposit funds into this account as a result of child support payments collected by the Division  
23 of Child Support Enforcement on behalf of TANF clients. These funds will be used by the DSS to make  
24 supplemental payments to clients who are eligible to retain a portion of their child support under State and  
25 Federal TANF budgeting rules.

26           Section 171. Section 1 of this Act provides an appropriation to the Department of Health and  
27 Social Services, Substance Abuse and Mental Health, Delaware Psychiatric Center (35-06-30), for



1 Contractual Services. Of that amount, \$41.2 shall be made available for a Direct Patient Care Intern  
2 Program to enable direct care professionals to take courses to increase their skills in specialty areas.

3 It is understood that participants in this program will provide clinical services with compensation  
4 to Delaware Psychiatric Center during the duration of their education. It is further understood that these  
5 individuals shall remain in the employ of Delaware Psychiatric Center for a minimum of one year after  
6 graduation or reimburse the State for any and all tuition received.

7 Section 172. Section 1 of this Act provides an appropriation to the Department of Health and  
8 Social Services, Social Services (35-07-00) for Contractual Services. Of that amount, \$750.0 is for DCIS  
9 II system maintenance. Social Services shall have the authority to contract for positions needed to  
10 provide system maintenance. The division shall also have the authority, with approval from the Director  
11 of the Office of Management and Budget and Controller General, to transfer a portion of these funds to  
12 Personnel Costs and establish up to 2.1 General Fund positions and 1.8 NSF positions in order to support  
13 DCIS II system maintenance.

14 Section 173. Notwithstanding any provisions of the Delaware Code to the contrary, Social  
15 Services (35-07-01) is authorized to make such policy changes in the administration of the Temporary  
16 Assistance for Needy Families (TANF) program as may be necessary to assure that Delaware will qualify  
17 for the full amount of its federal block grant entitlement. Any changes require the prior approval of the  
18 Director of the Office of Management and Budget and Controller General.

19 Section 174. Section 1 of this Act appropriates \$2,881.4 in Personnel Costs and 41.4 FTEs to  
20 Visually Impaired (35-08-00). This section authorizes 1.0 FTE in addition to the 8.0 FTEs itinerant  
21 teachers available to meet caseload requirements for the Braille Literacy Act. This additional FTE may  
22 be filled if the current fiscal year September educational unit count indicates the number of teachers  
23 required to meet caseloads for visually impaired students is greater than the current fiscal year  
24 complement of teachers.

25 Section 175. Section 1 of this Act provides an appropriation to the Department of Health and  
26 Social Services, Visually Impaired (35-08-01) for Contractual Services. Of that amount, \$18.9 shall be  
27 used to compensate correctional inmates for the purpose of producing Braille materials for visually  
28 impaired school children.

1           Section 176. Section 1 of this Act provides an appropriation of \$2,455.9 ASF in the Department  
2 of Health and Social Services, Child Support Enforcement (35-10-00) for the operation of the division.  
3 Revenue from child support collections shall fund this account and the related 27.2 ASF FTEs. The  
4 department shall continue its efforts to maintain collections related to child support programs, and all  
5 revenue in excess of the division's ASF authority shall be deposited as designated by 29 Del. C. § 6102.

6           Section 177. Section 1 of this Act provides an appropriation to the Department of Health and  
7 Social Services, Division of Child Support Enforcement (35-10-00) for Contractual Services. Of that  
8 amount, \$211.1 is for programming costs for the DACSES Redevelopment Project. Child Support  
9 Enforcement shall have the authority to contract for IT resources needed to augment existing  
10 programming staff for the duration of this project. At the project's conclusion, the division shall have the  
11 authority, with approval from the Director of the Office of Management and Budget and Controller  
12 General, to transfer these funds to Personnel Costs and establish up to 3.0 General Fund positions and 5.0  
13 NSF positions in order to support DACSES system maintenance.

14           Section 178. The Division of Developmental Disabilities Services (35-11-00) will rebase, once  
15 every one to three years, its Inventory for Client and Agency Planning (ICAP) based rate setting system.  
16 This rebasing will be predicated on raising the direct care staff wage and mirroring elements in the model  
17 to keep pace with changing economic conditions on regional and national level that will ensure a livable  
18 wage for workers and provide continuity of care to individuals with developmental disabilities.

19           Section 179. Developmental Disabilities Services (35-11-00) is encouraged, where appropriate,  
20 to reallocate resources so as to maximize community-based residential placements for persons with  
21 mental retardation. Such reallocation initiatives must be made within the total Division's appropriation  
22 limit with the approval of the Director of the Office of Management and Budget and the Controller  
23 General. These reallocation initiatives shall not compromise the standard of care of the remaining  
24 Stockley Center population.

25           Section 180. Section 1 of this Act makes an appropriation to the Department of Health and Social  
26 Services, Division of Developmental Disabilities (35-11-00) for Purchase of Care. Of that appropriation,  
27 \$50.0 is appropriated to expand the number of individuals receiving respite care services at the Fiscal  
28 Year 2005 contract levels.

1           Section 181. Developmental Disabilities Services, Community Services (35-11-30) receives  
2 Medicaid reimbursement for the provision of day rehabilitation services provided in state operated day  
3 centers. Notwithstanding the provisions of 29 Del. C. § 6102, the division shall be allowed to collect and  
4 deposit the Medicaid reimbursement in an Appropriated Special Fund. Receipts in the account may be  
5 used to fund community residential, day program, respite and other related contracts currently funded out  
6 of the Purchase of Care and Purchase of Community Services lines.

7           Section 182. Section 1 of this Act provides an appropriation of \$2,094.0 ASF to the Division of  
8 Developmental Disabilities Services, Community Services (35-11-30) for Purchase of Care. The division  
9 shall be allowed to collect and deposit funds into this account as a result of revenue from implementation  
10 of a sliding fee scale, Medicaid transportation reimbursements, patient payments and tenant fees and  
11 Medicaid receipts from state operated group homes and state operated apartments.

12           Section 183. State Service Centers, Family Support (35-12-10) maintains appropriation accounts  
13 35-12-10-8000 and 35-12-10-8001 for the purposes of lending car seats to families who cannot afford to  
14 buy them and to publish a Human Services Directory, respectively.

15           Section 184. (a) Section 1 of this Act for Department of Health and Social Services, State  
16 Service Centers, Family Support (35-12-10) includes 1.0 FTE (BP #3094) and \$39.3 Personnel Costs  
17 which support the Delaware Helpline. Upon vacancy, this position shall be deleted and the corresponding  
18 funding shall be transferred to Contractual Services for the Delaware Helpline.

19           (b) Section 1 of this Act includes funding for Contractual Services for Department of Health and  
20 Social Services, State Service Centers, Family Support (35-12-10). Of this amount, \$94.1 shall be used  
21 for the Delaware Helpline. Available funds designated for the Delaware Helpline may be distributed  
22 annually in a lump sum at the beginning of the contract year.

23           Section 185. Section 1 of this Act appropriates \$3.0 in Contractual Services to the Department of  
24 Health and Social Services, Division of State Service Centers, Community Services (35-12-30). These  
25 funds are to be used to reimburse emergency shelters for housing homeless women in Kent County during  
26 Code Purple conditions. Code Purple is defined as nights when the temperature is 25 degrees or below or  
27 in emergency weather conditions such as an ice storm or a blizzard.

1           Section 186. Services for Aging and Adults with Physical Disabilities (35-14-00) will receive  
2 Medicaid reimbursement for the administration of community based services for the Aging and Adults  
3 with Physical Disabilities population. Notwithstanding the provisions of 29 Del. C. § 6102, the division  
4 shall be allowed to collect and deposit the Medicaid reimbursement in an Appropriated Special Fund  
5 account entitled "Community Based Services Reimbursement." Receipts in the account may be used to  
6 maintain existing services and provide additional services for adults with physical disabilities. Such  
7 services are not to exceed the estimated annualized revenue, and are subject to initial and on-going review  
8 by the Director of the Office of Management and Budget and the Controller General.

9           Section 187. Section 1 of this Act makes an appropriation to the Department of Health and Social  
10 Services, Division of Services for Aging and Adults with Physical Disabilities (35-14-00) for Respite  
11 Care. Of that appropriation, \$110.0 is appropriated to expand the number of families provided respite  
12 care services through the Caregiver Program.

# CHILDREN, YOUTH AND THEIR FAMILIES

Section 188. To maintain the accuracy of information regarding Delaware's juvenile justice system, specifically its institutions, Levels III, IV and V residential alternative programs and non-secure detention:

All juvenile related Statistical Analysis Center (SAC) (10-02-08) positions shall be located in Youth Rehabilitation Services (YRS) (37-05-00) with access to all appropriate computer systems. After July 1, 2008, the Director of the Office of Management and Budget and the Controller General shall transfer \$51.7 in Personnel Costs; \$1.6 in Travel; \$3.0 in Contractual Services; \$1.3 in Supplies and Materials; and \$4.0 in Capital Outlay from the Office of the Secretary (37-01-10) to the Statistical Analysis Center (10-02-08).

Section 189. During the fiscal year, the Department of Services for Children, Youth and Their Families may develop proposals to enhance or develop services provided in the State of Delaware. These proposals shall include cost estimates that will demonstrate the cost effectiveness of the new or enhanced services. In the event that a new service would require additional state employees, the department may request new positions that will be funded by a structural change from existing appropriations within the department. Any new positions and funding changes must be approved by the Director of the Office of Management and Budget and the Controller General.

Section 190. Management Services (37-01-00) shall have 1.0 FTE exempt position in addition to those authorized by 29 Del. C. § 5903.

Section 191. (a) Section 1 of this Act includes \$2,350.0 in Population Contingency in the Department of Services for Children, Youth and Their Families, Office of the Secretary (37-01-10) to meet existing service demands associated with population growth in the department.

(b) Should the department identify opportunities to enhance or develop services necessary to respond to the growing population, any such proposals shall be submitted to the Director of the Office of Management and Budget, and shall include demonstration of the cost effectiveness of any new or enhanced services and strategies for population containment. In the event that a new service would require additional state employees, the department may request new positions that will be funded by a structural change from existing appropriations within the department. Any new positions and funding

1 changes must be approved by the Director of the Office of Management and Budget and Controller  
2 General.

3 (c) The department shall submit quarterly reports to the Director of the Office of Management  
4 and Budget and the Controller General detailing contingency expenditures, relevant cost savings and  
5 service population reductions.

6 Section 192. Section 1 of this Act provides an appropriation of \$588.5 and \$284.3 ASF to the  
7 Department of Services for Children, Youth and Their Families, Child Mental Health Services (37-04-  
8 00). These funds shall be used to operate a Drug Court Program with Family Court. In addition,  
9 recovered Medicaid funds will be directed towards the Drug Court Program. Said funds are intended to  
10 serve 140 youth during this fiscal year, with a maximum of 70 youth at any one time.

11 Section 193. Funds which are appropriated for foster care of children in Section 1 of this Act in  
12 the Department of Services for Children, Youth and Their Families, Family Services (37-06-00), are  
13 made available with the goal of limiting the number of children who remain in foster care for more than  
14 two years. For the year beginning October 1, 2008, the goal will be 220 children. This goal statement is  
15 intended to satisfy the requirements of the Federal Adoption Assistance and Child Welfare Act (P.L. 96-  
16 272).

17 Section 194. Amend 31 Del. C. c. 38 by adding a new section as follows:

18 “§ 3824. Child Placement Review Board Notification.

19 Family Services is hereby directed to formally notify, in advance, the Child Placement Review  
20 Board of any meeting, hearing or other event of which the Board desires notification. Said notification  
21 shall be directed to the Executive Director of the Board.”

22 Section 195. (a) As a means of monitoring and continuing to improve the expenditure of  
23 casual/seasonal and overtime in Youth Rehabilitative Services, Secure Care (37-05-50), the Secretary of  
24 the Department of Services for Children, Youth and Their Families shall file a quarterly report with the  
25 Director of the Office of Management and Budget and the Controller General on casual/seasonal and  
26 overtime expenditures. The report shall include, but not be limited to, sick leave usage, vacancy rates,  
27 training and transportation costs at the Ferris School, New Castle County Detention Center and Stevenson

1 House. The report should reflect all actions (including disciplinary) being taken to expeditiously correct  
2 the noted problem areas.

3 (b) The Department of Services for Children, Youth and Their Families shall report on a  
4 quarterly basis to the Controller General and Director of the Office of Management and Budget the status  
5 of the Stevenson House Facility in Milford. This report shall include, but not be limited to, staffing  
6 vacancies, total budgetary expenditures vs. appropriations, overtime, casual/seasonal expenditures,  
7 population statistics, facility condition and capacities, and incident reports.

8 Section 196. Section 1 of this Act provides \$341.7 ASF to the Department of Services for  
9 Children, Youth and Their Families for the purpose of supporting the Young Criminal Offender Program  
10 located at the Department of Correction, Prisons, Howard R. Young Correctional Institution (38-04-06).

11 Section 197. Section 1 of this Act provides \$113.3 ASF to the Department of Services for  
12 Children, Youth and Their Families for the purpose of supporting a Family Court Commissioner to assist  
13 in the Child Protection Registry appeal process as required pursuant to 16 Del. C. c. 9.

14 Section 198. (a) In addition to the positions authorized in Section 1 of this Act for Family  
15 Services, Intake/Investigation (37-06-30) and Intervention/Treatment (37-06-40), the Director of the  
16 Office of Management and Budget may authorize additional training positions for the purpose of training  
17 investigative and treatment workers.

18 (b) An additional 2.0 FTEs were authorized in Fiscal Year 2000 in Family Services, Office of the  
19 Director (37-06-10) for the purposes of training workers hired in accordance with 29 Del. C. § 9015 (d).  
20 As the need for the over-hire provisions and the associated training authority is reduced, the Director of  
21 the Office of Management and Budget and the Controller General may eliminate 2.0 positions through  
22 attrition.

23 Section 199. If the quarterly average daily population at the New Castle County Detention Center  
24 is below 114, the Director of the Office of Management and Budget and the Controller General may  
25 reduce the number of casual seasonal or full time positions through attrition.

26 Section 200. Notwithstanding the provisions of 29 Del. C. § 5916 (e)(3), staff who are employed  
27 by the Department of Services for Children, Youth and Their Families and are assigned to work in the

- 1 Division of Youth Rehabilitation Services facilities shall continue to receive hazardous duty pay, subject
- 2 to the approval of the Director of the Office of Management and Budget and the Controller General.



# CORRECTION

1  
2        Section 201. Section 1 of this Act appropriates funding to the Department of Correction for  
3 initiatives to improve recruitment and retention for Correctional Officers series positions as well as  
4 workplace security throughout the department. Said initiatives shall include:

5            (a) Authorization from the General Assembly for the Department of Correction to continue its  
6 recruitment incentive pilot program initiated in Fiscal Year 2005 or until such time as the applicable  
7 classes become covered by a collective bargaining agreement pursuant to the provisions of 19 Del. C. §  
8 1311A. At the conclusion of the fiscal year, the department shall submit a report to the Director of the  
9 Office of Management and Budget and Controller General with regard to the effectiveness of the program  
10 on improving recruitment of Correctional Officer series positions.

11            (b) \$1,522.5 is appropriated to the Office of the Commissioner (38-01-01) for the Correctional  
12 Sustainability Contingency. Said funds shall be utilized by the department to address recommendations  
13 contained in the final Report of the Task Force on Security Issues at the Delaware Correctional Center,  
14 the National Institute of Corrections Technical Assistance Report and other security/equipment issues that  
15 may arise during the fiscal year. Funding may be utilized for, but not be limited to, annual equipment and  
16 security needs of the department, automating manual record keeping systems to provide immediate and  
17 responsive control over staffing and building security, and training of Correctional Officer series  
18 positions. On or before September 1 of each fiscal year and prior to disbursement of said funds, the  
19 department shall submit to the Office of Management and Budget and the Controller General a plan for  
20 approval of expenditure of these funds and the relationship of the expenditure to the recommendations  
21 contained within these reports. At the conclusion of the fiscal year, the department shall submit a report  
22 on the actual expenditure of the funds, detail the improvements realized and report on the effectiveness of  
23 the improvements with regard to fulfilling the recommendations contained within the reports.

24        Section 202. (a) Section 1 of this Act includes funding for relief positions in the Department of  
25 Correction, Administration, Human Resources/Employee Development Center (38-01-02). These  
26 positions shall be used primarily for training relief. The Department of Correction shall provide a  
27 quarterly report to the Director of the Office of Management and Budget and the Controller General  
28 detailing the non-training relief assignments of the staff training relief officers.

1 (b) In addition to the positions authorized in Section 1 of this Act for the Department of  
2 Correction, additional positions are authorized in Human Resources/Employee Development Center for  
3 the purpose of training classes. During the training sessions, up to 100 positions will be made available to  
4 accommodate the class being trained. Funding is authorized to seed the first-time use of 30 of these 100  
5 positions. In order to utilize these positions after the first-time use, and to use the remaining 70 positions,  
6 the department will use salary savings realized throughout the year.

7 (c) In addition to the positions authorized in Section 1 of this Act for the Department of  
8 Correction, additional positions are authorized in Human Resources/Employee Development Center for  
9 the purpose of Probation and Parole Officer Basic Training classes. During the training sessions, up to 25  
10 FTEs will be made available to accommodate the class being trained. No funding will be authorized for  
11 these 25 FTEs. In order to utilize these positions, the department will use salary savings realized  
12 throughout the year.

13 Section 203. Section 1 of this Act makes an appropriation to the Department of Correction,  
14 Medical/Treatment Services (38-01-30). Of the total appropriation, \$25.0 shall be used for the purpose of  
15 inmate hospice care.

16 Section 204. The Department of Correction is authorized to contract for the procurement of  
17 health care services to the Department's incarcerated population. For Fiscal Year 2009, the provisions of  
18 29 Del. C. c. 69 shall not apply to such contracts.

19 Section 205. The Department of Correction, Administration, Office of the Commissioner (38-01-  
20 01) shall provide a report to the members of the Joint Finance Committee, the Controller General and the  
21 Director of the Office of Management and Budget relating to bilingual medical services. For each  
22 institution, the report shall detail the number of bilingual staff maintained by the medical vendor and the  
23 number of inmates who require communication in another language or for whom English is a second  
24 language. The semi-annual reports shall be due by the end of October and March.

25 Section 206. Section 1 of this Act appropriates \$40.0 in Personnel Costs to the Department of  
26 Correction, Community Corrections, New Castle County Community Corrections (38-06-06) for the  
27 purpose of maintenance overtime costs at Riverview Cemetery. Implementation shall not commence

1 until the City of Wilmington agrees to be financially responsible for tipping or hauling expenses  
2 associated with Riverview Cemetery.

3 Section 207. Section 1 of this Act provides an appropriation for the Prison Arts Program funded  
4 in the Department of Correction, Prisons, Bureau Chief - Prisons (38-04-01). Included in this  
5 appropriation is 1.0 FTE Correctional Arts Program Coordinator and Personnel Costs, and \$23.1 for  
6 Operating Costs.

7 Section 208. Section 1 of this Act makes an appropriation to the Department of Correction,  
8 Prisons, Bureau Chief - Prisons (38-04-01), Contractual Services. Of this amount, \$20.0 shall be used for  
9 the purpose of collecting DNA samples.

10 Section 209. Section 1 of this Act provides an appropriation for Personnel Costs to the  
11 Department of Correction, Prisons, Delaware Correctional Center (38-04-03). Included in this  
12 appropriation is 1.0 FTE and Personnel Costs to allow the department to oversee a program to  
13 manufacture reading materials in Braille for the visually impaired.

14 Section 210. Section 1 of this Act appropriates funds to Department of Correction, Prisons,  
15 Delores J. Baylor Correctional Institution (38-04-05) in Contractual Services for a contract to provide a  
16 program for female offenders at Delores J. Baylor Correctional Institution to address anger and behavior  
17 issues from a feminine psychological perspective. The Warden of the facility will submit an annual  
18 report to the Joint Finance Committee, Director of the Office of Management and Budget, Controller  
19 General and Commissioner of Correction by June 1 of each year, which will include but not be limited to  
20 the mission of the organization, the statement of the problem, a synopsis of the program, the number of  
21 participants, statistics relating to recidivism rates of those participating in the program and an annual  
22 budget of the organization.

23 Section 211. (a) Section 1 of this Act makes an appropriation of \$5,392.0 to the Department of  
24 Correction, Administration, Drug and Alcohol Treatment Services (38-01-31) for Drug and Alcohol  
25 Treatment Services; \$632.0 to the Department of Correction, Community Corrections, Bureau Chief -  
26 Community Corrections (38-06-01); and \$55.9 to the Department of Correction, Community Corrections,  
27 Probation and Parole (38-06-02). Funding in Department of Correction, Community Corrections,  
28 Probation and Parole (38-06-02) will be augmented by \$250.0 ASF from the Substance Abuse

1 Rehabilitation, Treatment, Education and Prevention Fund. All funds described in this section are  
2 intended to support drug and alcohol treatment programs provided by the department to individuals in its  
3 custody or under its supervision. The administration of these contracts shall be the responsibility of the  
4 Commissioner of Correction or his designee.

5 (b) On or before August 1, the department is to submit a plan on how these funds will be spent  
6 during the fiscal year. This plan shall be submitted for approval to the Director of the Office of  
7 Management and Budget and the Controller General.

8 (c) The Commissioner of Correction and the Secretary of Health and Social Services, or their  
9 designees, shall jointly participate in developing the appropriate requests for proposals (RFPs) for  
10 contract services to provide drug and alcohol treatment. All selected contract providers shall report on a  
11 regular basis to the Department of Correction on all follow-up regarding referrals and services provided to  
12 the offender population.

13 Section 212. Section 1 of this Act provides an appropriation to Community Corrections,  
14 Probation and Parole (38-06-02). The department must submit a semi-annual report to the Director of the  
15 Office of Management and Budget and the Controller General that details the expenditure of these funds  
16 by SENTAC level (levels I, II and III) and the average personnel complement for each level. These  
17 reports are due on December 31 and June 30.

18 Section 213. (a) The Department of Correction shall have the authority, upon the concurrence  
19 and approval of the Director of the Office of Management and Budget and Controller General, to  
20 establish up to 6.0 ASF FTEs. The positions shall be Correctional Officers who will supervise inmate  
21 work crews assigned to the completion of projects requested by the Department of Transportation. Upon  
22 approval, 4.0 ASF FTEs shall be assigned to the Department of Correction, Community Corrections, New  
23 Castle County Community Corrections (38-06-06) and 2.0 ASF FTEs in Department of Correction,  
24 Community Corrections, Kent County Community Corrections (38-06-08). The source of funding shall  
25 be the Department of Transportation, Maintenance and Operations, Maintenance Districts (55-04-70).  
26 Adjustments to Appropriated Special Fund spending authority for this program can be made upon the  
27 concurrence and approval of the Director of the Office of Management and Budget and the Controller  
28 General.

1 (b) Of the total positions authorized in Section 1 of this Act for the Department of Correction, the  
2 following shall be used to continue the existing highway beautification projects: Community Corrections,  
3 Kent County Community Corrections (38-06-08) - at least 5.0 positions, Community Corrections, Sussex  
4 County Community Corrections (38-06-07) - at least 3.0 positions and Community Corrections, New  
5 Castle County Community Corrections (38-06-06) - at least 2.0 positions.

6 (c) Section 1 of this Act also makes an appropriation for Contractual Services to Department of  
7 Correction, Community Corrections, Kent County Community Corrections (38-06-08).

8 Section 214. The Department of Correction, Administration, Office of the Commissioner (38-01-  
9 01) shall maintain an overtime expenditure report and shall provide such report quarterly to the Director  
10 of the Office of Management and Budget and Controller General. The report shall include the number of  
11 overtime hours worked and the amount of overtime salary expended by each agency within the  
12 Department, and shall include a breakdown of the reason for overtime.

13 Section 215. Prison education services shall be provided by utilizing existing teachers that are in  
14 the Department of Correction as well as authorized teaching positions in the Department of Education.  
15 The management of all educational positions shall be provided by the Department of Education.  
16 Department of Correction teachers shall have the opportunity each year to notify both agencies of their  
17 intent to transfer to the Department of Education. Such notification shall be made by April 15 of each  
18 year to become effective July 1 of that calendar year. Any position transfer made pursuant to this section  
19 shall be permanent.

20 If a remaining Department of Correction teacher applies for and is accepted into an authorized  
21 position in the Department of Education, the position and associated funding shall be transferred to the  
22 Department of Education for the operation of prison education services. If a remaining Department of  
23 Correction teacher position becomes otherwise vacant, the position and associated funding shall be  
24 transferred to the Department of Education for the operation of prison education services.

25 Section 216. The Department of Correction, Community Corrections, House Arrest (38-06-04)  
26 shall provide 24 hour, 7 day a week supervision of community correction's offenders. The department  
27 shall determine the number of employees needed on duty throughout each 24-hour period and arrange

1 staff coverage accordingly. At no time shall the ratio of Probation Officers I's to other staff exceed 50  
2 percent during night time and weekend hours.

3 Section 217. The Merit Rules notwithstanding, Department of Correction employees  
4 designated as Correctional Emergency Response Team (CERT) members, as well as the Chief of  
5 Security and Inspections (BP #61023), in the Office of the Commissioner (38-01-01), and the Health  
6 Services Director (BP #85588) and Treatment Administrators (BP #67423 and 99247) in  
7 Medical/Treatment Services (38-01-30) shall be eligible for standby pay regardless of their  
8 classification.

9 Section 218. For the upcoming fiscal year, the Videophones System Specialist in the Office of  
10 the Public Defender (15-02-01) shall work with the Department of Correction under the manager of the  
11 Research and Planning Unit within the Office of the Commissioner to continue a pilot Distance Learning  
12 Program for persons supervised in Level V facilities, employee development and telemedicine. The  
13 Department shall submit an annual report on distance learning including pilot project recommendations to  
14 the Director of the Office of Management and Budget and the Controller General.

15 Section 219. The Department of Correction is hereby authorized to review the current security  
16 status classification of its facilities and submit a report, including but not limited to, any proposed security  
17 level changes deemed necessary and appropriate to accommodate the needs of the Department. Such  
18 report shall be submitted to the Director of the Office of Management and Budget and the Controller  
19 General no later than January 1 of each fiscal year. No change shall be made to the security status of the  
20 facility without the prior approval of the Director of the Office of Management and Budget and the  
21 Controller General.

22 Section 220. Section 1 of this Act appropriates \$75.0 in Contractual Services to Department of  
23 Correction, Probation and Parole (38-06-02). These funds shall be used to support reentry services  
24 provided by The Way Home.

25 Section 221. Section 1 of this Act appropriates \$44,356.9 to the Department of Correction,  
26 Medical/Treatment Services (38-01-30). The Department of Correction shall provide quarterly reports  
27 relating to medical vendor performance to the Chairs of the Joint Finance Committee, the Chairs of the  
28 House and Senate Correction Committees, the Controller General and the Director of the Office of

1 Management and Budget. Reports shall include, but not be limited to, medical staffing levels, overall  
2 performance and plans for improvement.

3 Section 222. Section 1 of this Act appropriates \$213.0 to the Office of Management and Budget,  
4 Budget Development, Planning and Administration, Contingencies and One-Time Items (10-02-11) for  
5 recruitment and retention of contractual drug and alcohol counselors. On or before September 1, 2008,  
6 the Department shall submit to the Director of the Office of Management and Budget and the Controller  
7 General a plan which identifies how these funds will be used to improve the recruitment and retention of  
8 contractual drug and alcohol counselors.

# 1     **NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**

2           Section 223. The Department of Natural Resources and Environmental Control will provide the  
3 Joint Finance Committee with information on the actual cost of all Title V program activities, including  
4 permitting, enforcement and monitoring. Reports on each six months of activity will be submitted to the  
5 Joint Finance Committee by January 31 and July 31, respectively.

6           Section 224. Section 1 of this Act contains an appropriation for the competency-based pay  
7 project. Notwithstanding Chapters 5.0 and 6.0 of the Merit Rules, this pay plan is intended for the  
8 enforcement classes within Fish and Wildlife, Parks and Recreation, and Air and Waste Management, and  
9 shall be based upon the Competency-Based Pay Plan report provided to the Controller General's Office on  
10 June 8, 1998. To the extent of where an employee is covered by a collective bargaining agreement  
11 pursuant to 19 Del. C. § 1311A, the provisions of this section shall not apply.

12           The competency-based pay plan shall provide a plan for employees to follow in order to achieve  
13 promotional increases based on objective, measurable, pre-determined standards for all enforcement  
14 employees. These standards include, but are not limited to, training and education, certification, time and  
15 experience, public relations, performance review and operational readiness.

16           The promotional increases shall be based on a competency based matrix. The matrix shall provide  
17 for promotional standards both within and between pay grades. There shall be three levels that an  
18 employee must achieve within one pay grade in order to be eligible for promotion to a higher pay grade.  
19 These three levels are skill building, full performance, and expert. Decisions related to promotion to a  
20 higher pay grade shall be determined by an Enforcement Career Board composed of 3 representatives  
21 from the Department of Natural Resources and Environmental Control with final approval by the Office  
22 of Management and Budget. Career advancement to the next highest performance level will be a paper  
23 process unless the Board believes an oral interview is necessary for clarification. The employee  
24 requesting a promotion for a higher pay grade will not be required to attend the Enforcement Career  
25 Board review process unless the Board requests the employee's attendance.

26           Section 225. Section 1 of this Act appropriates 1.0 ASF FTE Enforcement Coordinator position,  
27 which shall be exempt from the Merit System, to the Department of Natural Resources and  
28 Environmental Control, Office of the Secretary (40-01-01) to be funded through expenses incurred and



1 recovered by the department, related to processing of administrative enforcement actions under 7 Del. C.  
2 c. 60. Violators shall be liable for the following expenses of the investigation incurred by the State after  
3 the notice of violation is issued: direct costs of the investigation; legal assistance including paralegal  
4 assistance; public hearings; all other costs expressly determined by the Secretary as reasonably related to  
5 the investigation of the incident; and the indirect costs related to all of the above.

6 Section 226. Section 1 of this Act appropriates \$66.3 ASF in Personnel Costs and 1.0 ASF FTE  
7 Green Energy Program Administrator, \$1.0 ASF in Travel, and \$5.0 ASF in Contractual Services from  
8 the Green Energy Fund to the Department of Natural Resources and Environmental Control, Office of the  
9 Secretary, Energy Office (40-01-04).

10 Section 227. Fish and Wildlife is authorized to expend funds carried forward from the sale of  
11 boat registration fees, effective Fiscal Year 2000 and thereafter, for the purpose of supporting fisheries  
12 programs and marine enforcement.

13 Section 228. Amend 29 Del. C. c. 64 by adding a new section as follows:

14 “§ 6437. Department of Natural Resources and Environmental Control.

15 The Division of Fish and Wildlife is authorized to establish, maintain and administer:

16 (a) An interest-bearing, Non-Appropriated Special Fund known as the Delaware Marsh  
17 Management and Maintenance Trust, as allowed by conditions of the DNREC/PSE&G Settlement  
18 Agreement of March 23, 1995, and further allowed by the subsequent Settlement Agreement of June 24,  
19 2001. The interest income from this trust account will be dedicated to implement the Settlement  
20 Agreement’s provisions to enhance or restore tidal wetlands habitats for coastal fish and wildlife  
21 resources along Delaware Bay and River in Delaware, and to maintain such tidal wetlands habitat  
22 enhancements or restoration in perpetuity, as partial compensation for natural resource losses caused by  
23 past, ongoing and future operation of the PSE&G Salem Nuclear Generating Station.

24 (b) A Non-Appropriated Special Fund for administration of the dedicated interest earned on the  
25 fund established above, with said dedicated interest to be expended to help support or implement  
26 compensatory tidal wetlands habitat enhancements or restorations and associated maintenance activities  
27 referred to in (a).”

1           Section 229. Section 1 of this Act makes an appropriation for Contractual Services to the  
2 Department of Natural Resources and Environmental Control, Fish and Wildlife, Wildlife/Fisheries (40-  
3 05-02). Of that total appropriation \$25.0 is to be dedicated to beaver control.

4           Section 230. Section 1 of this Act appropriates funding to Fish and Wildlife, Wildlife/Fisheries  
5 (40-05-02) for the Deer Damage Assistance Program. This funding includes \$51.3 in Personnel Costs  
6 and 1.0 FTE for an Environmental Scientist III, \$61.5 in Contractual Services for butchering fees,  
7 seminars and deer school and \$20.7 in Supplies and Materials for the Master Hunter Program, videos and  
8 literature.

9           Section 231. Section 1 of this Act authorizes Fish and Wildlife, Wildlife/Fisheries (40-05-02) to  
10 spend up to \$4,072.8 in Appropriated Special Funds. Within this amount, the division is authorized to  
11 undertake capital expenditures to maintain/develop fish and wildlife recreational areas. These  
12 expenditures should be in accordance with the Capital Development Plan for the division, submitted as an  
13 attachment to the department's Annual Fiscal Year Capital Improvement Program. Any deviation from  
14 the listed projects must be approved by the Director of the Office of Management and Budget and the  
15 Controller General.

16           Section 232. Section 1 of this Act makes an appropriation to the Department of Natural  
17 Resources and Environmental Control. Of that appropriation the Department of Natural Resources and  
18 Environmental Control is directed to pay \$40.8 to the New Castle Conservation District for the rental of  
19 office space, storage facility, and garage for Mosquito Control.

20           Section 233. (a) Section 1 of this Act makes an appropriation to the Department of Natural  
21 Resources and Environmental Control, Fish and Wildlife (40-05-05) for a statewide dog control program.  
22 It is the intent of the General Assembly that the sole provider of the contractual services required by the  
23 department for the enforcement of Dog Control pursuant to 7 Del. C. c. 17 be the Kent County SPCA, or  
24 its successor. This sole source contractual agreement shall be negotiated and approved by the Department  
25 and shall be put in place for a minimum of 3 years with an optional renewal upon its expiration.

26           (b) During the contract period the Department shall maintain all administrative responsibilities  
27 for the state-wide dog control program. The department shall continue to sell dog licenses using the

1 current fee structure. The fees collected from the sale of licenses shall be applied to the dog control  
2 contract with the exception of \$50.0 which may be used by the department to administer the program.

3 (c) The General Assembly directs that the department shall negotiate with each county a prorated  
4 cost share amount that will equate to 50 percent of the total annual statewide cost to provide dog control  
5 services. This negotiated cost share amount shall be born by the Counties effective July 1, 2007 without  
6 exception.

7 Section 234. Section 1 of this Act makes an appropriation of \$30.0 in Personnel Costs to the  
8 Department of Natural Resources and Environmental Control, Fish and Wildlife, Fish and Wildlife  
9 Enforcement (40-05-06). This appropriation is to fund four casual/seasonal enforcement officers to patrol  
10 the inland bays.

11 Section 235. Section 1 of this Act appropriates funds for Contractual Services in Parks and  
12 Recreation (40-06-00). Of this amount, \$14.4 shall be used for the leasing of an enforcement vehicle and  
13 Interpretive Program vehicle at Killens Pond State Park.

14 Section 236. Section 1 of this Act makes an appropriation to the Department of Natural  
15 Resources, Parks and Recreation, Operations and Maintenance (40-06-02). Of this amount, \$115.0 shall  
16 be used to fund casual/seasonal positions for Killens Pond Waterpark and \$8.5 shall be used for program  
17 services and contractual services at the Bellevue State Park system

18 Section 237. Section 1 of this Act makes an appropriation to the Department of Natural  
19 Resources and Environmental Control, Parks and Recreation, Cultural and Recreational Services (40-06-  
20 03). Of that appropriation \$10.1 is to be spent on promotion and programs for Trap Pond State Park as  
21 follows: \$5.0 for Contractual Services, \$5.0 for Supplies and Materials and \$0.1 for Travel.

22 Section 238. Section 1 of this Act makes an appropriation for Contractual Services to  
23 Department of Natural Resources and Environmental Control, Parks and Recreation, Planning,  
24 Preservation and Development (40-06-04). Of the total appropriation, \$25.0 is dedicated to Greenways  
25 and Trails maintenance.

26 Section 239. Section 1 of this Act makes an appropriation to the Division of Parks and  
27 Recreation, Wilmington State Parks (40-06-05). Of this amount, \$50.0 shall be used for monument and  
28 general maintenance within the parks, including the maintenance of war memorials and ball fields.

1           Section 240. Section 1 of this Act provides an appropriation and 1.0 FTE to the Division of Parks  
2 and Recreation, Wilmington Parks (40-06-05) to fund a Park Technician II. This position shall be  
3 dedicated primarily to the South Park Drive area and the Brandywine Zoo with additional duties  
4 throughout Wilmington State Parks.

5           Section 241. Section 1 of this Act makes an appropriation to Soil and Water Conservation,  
6 District Operations (40-07-04) for Contractual Services. Of that amount, \$180.0 shall be used for  
7 additional field staff personnel for the preparation of nutrient management plans.

8           Section 242. Section 1 of this Act makes an appropriation for Contractual Services to the  
9 Department of Natural Resources and Environmental Control, Water Resources, (40-08-01). Of that  
10 amount \$50.0 shall be used to support the Partnership for the Delaware Estuary.

11           Section 243. Section 1 of this Act makes an appropriation to the Department of Natural  
12 Resources and Environmental Control, Water Resources, Management and Support - Water Resources  
13 (40-08-01). Of the total appropriation, \$245.0 will pass through the department to fund the  
14 Environmental Training Center at Delaware Technical and Community College, Owens Campus.  
15 Funding is to be used to provide training for state and local water and wastewater operators.

16           Section 244. Section 1 of this Act makes an appropriation to the Department of Natural  
17 Resources and Environmental Control, Water Resources, Management and Support – Water Resources  
18 (40-08-01). Of that amount, \$1.0 shall be set aside for the Environmental Science Scholarship program.

19           Section 245. Section 1 of this Act appropriates \$156.8 to Water Resources, Watershed  
20 Assessment (40-08-07) for Inland Bays Research. The appropriation shall be used to support citizen-  
21 monitoring activities including, but not limited to, the Stream Watch Program in the amount of \$106.0  
22 and the Inland Bays Citizen Monitoring Program in the amount of \$50.8. In addition, \$270.0 of the  
23 Watershed Assessment (40-08-07) Contractual Services funding shall be used by the Center for the Inland  
24 Bays for programs promoting strategies to improve the quality of water in the Inland Bays.

25           Section 246. It is intent of the General Assembly that the Department of Natural Resources and  
26 Environmental Control shall be required, pending legal review, to post on its Internet website within three  
27 working days, all unclassified misdemeanors issued by Air and Waste Management Enforcement Officers  
28 after such citations have been entered in the courts.

1           Section 247. Section 1 of this Act appropriates funds to support 2.0 FTEs within the Department  
2 of Natural Resources and Environmental Control, Air and Waste Management, Air Quality Management  
3 (40-09-02). One position is an Environmental Engineer II/IV assigned to the Delaware City Petro  
4 Chemical Complex. The second position is an Environmental Engineer II/IV assigned to  
5 Claymont/Edgemoor Industrial Complex and located at the Robinson House. The incumbents shall each  
6 submit an annual report to the Joint Finance Committee on February 1 of each year, which summarizes  
7 the complaints and activities of the previous calendar year. These positions will respond to and provide  
8 follow-up on complaints from the community on the air quality throughout New Castle County.

9           Section 248. Section 1 of this Act appropriates funds to the Hazardous Substance Cleanup Act  
10 (HSCA) Cleanup Fund in Air and Waste Management, Waste Management (40-09-03). A maximum of  
11 \$500.0 ASF per fiscal year will be set aside from the HSCA Cleanup Fund to address orphaned and  
12 abandoned underground storage tank (UST) systems. These USTs shall include those where no viable  
13 responsible parties exist or can be found or where the responsible parties have shown to the satisfaction of  
14 the Department of Natural Resources and Environmental Control, that they do not have the ability to pay  
15 for the necessary UST system removal and the remediation of any resulting contamination. In such case,  
16 the department shall not seek cost recovery of the funds expended under the HSCA fund.

17           Section 249. Air and Waste Management (40-09-03) shall have 1.0 FTE exempt position in  
18 addition to those authorized by 29 Del. C. § 5903. When position BP #09228 becomes vacant, it shall be  
19 classified by the Director of the Office of Management and Budget in accordance with the Merit System,  
20 29 Del. C. c. 59.

# SAFETY AND HOMELAND SECURITY

Section 250. The Department of Safety and Homeland Security is hereby authorized to continue the agreement between State Police (45-06-00) and Sussex County Council to provide up to 40 additional patrol officers in Sussex County.

In Section 1 of this Act, ASF authority has been provided to State Police, Patrol (45-06-03) in order to accommodate the match requirements stipulated by the agreement. In the event that the aforementioned agreement between State Police and Sussex County is terminated, this authority shall be deauthorized.

Section 251. Section 1 of this Act makes an appropriation to State Police, Executive (45-06-01). Included in this amount are funds for implementation of a Career Development Program. Any adjustment received under this program will be added to base compensation and will be included to determine retirement benefits.

Section 252. State Police receives funds resulting from drug and other seizure activities. If seizure is defined as being under federal jurisdiction, then the funds flow to State Police, Executive (45-06-01), as Non-appropriated Special Funds. The division shall submit a plan for the expenditure of these funds to the Director of the Office of Management and Budget and the Controller General. This plan shall be updated quarterly. A quarterly report as to the expenditure of such funds and to the respective projects shall be submitted to the Director of the Office of Management and Budget and the Controller General.

Section 253. In addition to the positions authorized in Section 1 of this Act for State Police (45-06-00), additional positions are authorized in State Police, Patrol (45-06-03) for the purpose of training State Police recruits. During recruit training, up to 20 positions will be made available to accommodate the class being trained. Funding is authorized for initial use of these positions to accommodate an anticipated graduating class of 15 troopers. The Director of the Office of Management and Budget may authorize additional recruit positions accordingly.

Section 254. Notwithstanding 29 Del. C. c. 63 and c. 69 or any other statutory provision to the contrary, the Department of Safety and Homeland Security is authorized to enter into agreements with private telecommunications companies to use space for communication facilities on telecommunications

1 towers under their administration. The revenues paid to the State under these agreements shall be  
2 designated for use by State Police in support of mobile data computing telecommunications infrastructure  
3 cost, effective retroactively.

4 Section 255. Section 1 of this Act provides 3.0 Physical Plant Maintenance/Trades Mechanic I  
5 FTEs to the Department of Safety and Homeland Security, State Police, Building Maintenance and  
6 Construction (45-06-02). These positions shall report to Delaware State Police Troop 1, Troop 2 and  
7 Troop 6.

8 Section 256. The Department of Safety and Homeland Security, Office of the Secretary,  
9 Administration (45-01-01) shall maintain an overtime expenditure report tracking the overtime usage of  
10 Capitol Police (45-02-10). This report shall include the number of overtime hours worked as a result of  
11 normal operating demand, the number of overtime hours worked as a result of special events demand, the  
12 amount of overtime expenditures, and a detailed justification for the usage of the overtime hours. This  
13 report shall be submitted to the Director of the Office of Management and Budget and the Controller  
14 General on a quarterly basis.

15 Section 257. Section 1 of this Act appropriates \$180.0 Personnel Costs and 3.0 Traffic Light  
16 Enforcement FTEs in Safety and Homeland Security, State Police, Traffic (45-06-07) for the Red Light  
17 Enforcement Safety Program.

18 Section 258. Amend 29 Del. C. § 8208 by identifying the existing section as (a) and inserting a  
19 new section (b) as follows:

20 “(b) Notwithstanding any other provisions of 29 Del. C. c. 69 to the contrary, the Delaware  
21 Emergency Management Agency is authorized to utilize the United States Department of Defense,  
22 Defense Logistics Agency, Defense Supply Center Philadelphia, First/Emergency Responder Equipment  
23 Purchase Program or such other similar program for the procurement of material from the Authorized  
24 Equipment List of the U.S. Department of Homeland Security’s State Homeland Security Grant Program  
25 or such other similar program with funds that may be provided by the U.S Department of Homeland  
26 Security, Office for Domestic Preparedness, to the extent that such purchase is authorized by federal laws  
27 and/or regulations.”

1           Section 259. Section 1 of this Act appropriates \$20.0 in Contractual Services to Developmental  
2 Disabilities Council (45-01-50) for the Partners in Policymaking Program.

3           Section 260. Section 1 of this Act includes \$569.8 in Personnel Costs and 7.0 FTEs; \$58.6 in  
4 Contractual Services; and \$148.2 in Supplies and Materials in the Department of Safety and Homeland  
5 Security, State Police, Traffic (45-06-07) for the personnel and operating costs associated with the Truck  
6 Enforcement Unit (TEU). These costs shall be leveraged as a portion of the state match for the State  
7 Planning and Research (SPR) program in the Department of Transportation. Any additional  
8 enhancements that are made to the TEU to remain in compliance with Title 23, Code of Federal  
9 Regulations Part 657, shall occur through the annual budgetary process.



# TRANSPORTATION

1  
2        Section 261. The Delaware Transportation Authority budget, as set forth in memorandum form  
3 in Section 1 of this Act, shall be expended in accordance with the following limitations:

4            (a) Debt Service estimates are for current project financing as authorized by 2 Del. C. c. 13.

5            (b) Funds provided for Newark Transportation are intended to cover the expenses of the public  
6 transportation system operated by the City of Newark. The funds may be used to provide up to 100  
7 percent of the total operating cost of the system during the year.

8            (c) Funds provided for Kent and Sussex Transportation “E&H” are intended for continuation of  
9 transportation service for the elderly and handicapped in Kent and Sussex counties. It is intended that  
10 management and direction of the service will reside with the Delaware Transit Corporation which may  
11 contract for services as they see fit, and that Kent County and Sussex County governments will review  
12 and approve allocation of the service levels within each county.

13            (d) Funds provided for Kent and Sussex Transportation “E&H” includes funding for the Sussex  
14 County Reimbursable Program. To improve the operation of this program, the following provisions shall  
15 be implemented:

16            1) Sussex County Council, on behalf of the eligible transportation providers, shall submit  
17            annual operating budget requests to the Delaware Transit Corporation by September 1 of  
18            each year; and

19            2) Delaware Transit Corporation shall by May 1 distribute proposed contracts to each of the  
20            eligible transportation providers for transportation services commencing the ensuing  
21            July 1. Said contracts shall be subject to an annual appropriation for such purpose.

22            (e) It is intended that funds for Taxi Services Support “E&H” will be maintained at least at the  
23 same service level as in the previous year. It is intended that management and direction of these services  
24 shall reside with the Delaware Transit Corporation who may contract for this service as required.

25            (f) Funds of the Delaware Transit Corporation may not be provided as aids to local governments  
26 for transportation systems which restrict passengers because of residential requirements. Nothing in this  
27 Section is meant to require that governments must operate these transportation systems outside their  
28 political boundaries.

1 (g) Funds provided for Transit Operations are intended to include funding to allow the Delaware  
2 Transit Corporation or a private contractor to:

- 3 1) continue to provide the present level of service to dialysis patients on normal service days  
4 during the hours offered in New Castle County by the Delaware Transit Corporation to  
5 the extent that such service does not place the Delaware Transit Corporation in violation  
6 of the federal Americans with Disabilities Act.
- 7 2) provide service to dialysis patients in Kent and Sussex counties during hours identical to  
8 those offered in New Castle County.

9 Section 262. Section 1 of this Act appropriates \$1,338.5 TFO to Finance (55-01-02) for  
10 Operations/Capital. Of this amount, \$200.0 shall be allocated to the Maritime Exchange for the Delaware  
11 River and Bay.

12 Section 263. Section 1 of this Act makes an appropriation of \$877.3 TFO to Planning (55-03-01)  
13 for Operations/Capital.

14 (a) Of this amount, \$62.5 shall be used for infrastructure research and forums through the  
15 University of Delaware, Institute for Public Administration. An additional \$50.0 shall be allocated for the  
16 purposes set forth in this Section to be funded from eligible Federal Funds. The activities funded by this  
17 appropriation shall be approved by the Secretary of the Department of Transportation.

18 (b) Of this amount, \$250.0 shall be used for the purposes of funding research programs of the  
19 Delaware Center for Transportation. Use of these program funds is subject to prior approval of the  
20 research approach and specific research projects of the Center by the existing Policy Committee for the  
21 Center, which shall include representation from the Department of Transportation, the University of  
22 Delaware, the Chairperson of the House Transportation and Infrastructure Committee, and the  
23 Chairperson of the Senate Highways and Transportation Committee and/or the Energy and Transit  
24 Committee.

25 Section 264. Section 1 of this Act provides an appropriation to Maintenance and Operations (55-  
26 04-00). Of this appropriation, \$2,460.0 TFO shall be used to maintain the National Pollutant Discharge  
27 Elimination System (NPDES). The Secretary of Transportation shall report quarterly to the Director of

1 the Office of Management and Budget and the Controller General on the status of NPDES and provide  
2 associated cost projections for the remainder of the fiscal year.

3 Section 265. Section 1 of this Act makes an appropriation in the amount of \$62,061.1 TFO to  
4 Maintenance and Operations, Maintenance Districts (55-04-70) and \$19,195.2 TFO to Maintenance and  
5 Operations, Toll Administration (55-04-90).

6 The appropriation for both units may be allocated among the State's toll roads as follows:

Line Item	Toll Operations		Maintenance	E-ZPass	Total All
	I-95	SR-1			
Personnel Costs	3,362.7	4,089.1	7,967.9		15,419.7
Travel	26.0	0.0			26.0
Contractual/Supplies	1,506.5	898.1	2,051.6	8,647.6	13,103.8
Energy	146.5	477.7	1,339.9		1,964.1
Capital Outlay	41.0		50.0		91.0
TOTALS	5,082.7	5,464.9	11,409.4	8,647.6	30,604.6
FTEs	66.0	74.0	158.0	0.0	298.0

7  
8 Section 266. Section 1 of this Act provides an appropriation to Maintenance Districts (55-04-70)  
9 for Contractual/Supplies. Of this appropriation, \$29.5 shall be allocated to the Woodland Ferry.

10 Section 267. The Department of Transportation and/or its E-ZPass contractor is prohibited from  
11 monitoring the speed of motor vehicles through E-ZPass toll booths for the purpose of issuing traffic  
12 citations or the suspension of E-ZPass privileges. Nothing in this section shall prohibit the State Police  
13 from enforcing traffic laws including speed enforcement at the E-ZPass toll booths.

14 Section 268. Section 1 of this Act makes an appropriation to Maintenance and Operations,  
15 Maintenance Districts (55-04-70) in the amount of \$3,277.4 TFO to establish a Special Line called  
16 Snow/Storm Contingency that will provide for the expenses of weather/emergency operations.  
17 Notwithstanding any other provision of the law to the contrary, any sums in this account not expended by  
18 the end of a fiscal year shall be carried over for use in future fiscal years, with appropriate transfers to  
19 current fiscal year accounts. The department shall be allowed to transfer funds from this account to  
20 divisions on an as-needed basis for expenditures incurred. The department may also transfer funds to  
21 municipalities and other qualified entities to reimburse them pursuant to contracts entered into by the  
22 department and the municipality to keep transit routes open during snow and storm emergencies. The

1 transfer of funds from this account shall not require the approval of the Director of the Office of  
2 Management and Budget or the Controller General. The department shall provide quarterly reports each  
3 fiscal year to the Director of the Office of Management and Budget and the Controller General.

4 Section 269. In addition to the positions authorized in Section 1 of this Act for the Department of  
5 Transportation, Technology and Support Services (55-02-01), additional positions are authorized in  
6 Delaware Transportation Authority (55-06-01) for the purpose of information technology support. As  
7 remaining positions for the purpose of information technology support become vacant, up to 3.0 FTEs  
8 and associated funding from the Delaware Transportation Authority may be reallocated to continue the  
9 centralization of the information technology function within Technology and Support Services (55-02-  
10 01). The Director of the Office of Management and Budget and Controller General may authorize this  
11 reallocation accordingly.

12 Section 270. During the fiscal year, the Department of Transportation shall be prohibited from  
13 changing its departmental policy regarding access pipe installation on private homeowner entrances.  
14 Specifically, the department shall not charge said homeowners for the labor costs associated with the  
15 installation of the access pipe.

16 Section 271. Notwithstanding any other provisions of the Delaware Code, the Department of  
17 Transportation, Motor Vehicles (55-11-00) shall have the authority to charge state agencies for state  
18 identification cards, not to exceed \$20 per card. The amount to be reimbursed shall be determined by  
19 Motor Vehicles and will be deposited into a holding account coded as special fund revenue and shall not  
20 be subject to General Fund deposit or Transportation Trust Fund deposit at any time.

21 Section 272. Section 1 of this Act appropriates \$200.0 TFO to the Department of Transportation,  
22 Motor Vehicles, Vehicle Services (55-11-30) for the purpose of replacing vehicle inspection equipment.

23 Section 273. Notwithstanding the provisions of 29 Del. C. § 6102(o)(3), any remaining balance  
24 in the Inspection and Maintenance (I/M) Fund shall not be subject to General Fund deposit until June 30,  
25 2008. These funds may be used for costs associated with Motor Vehicles (55-11-00) lane construction.

26 Section 274. Notwithstanding the provisions of 2 Del. C. § 1325 or 29 Del. C. § 7106(d) the  
27 employees in the Delaware Transit Corporation that are riders of the State van pool program known as  
28 Fleetlink, effective March 1, 2007 may remain in this program provided that they remain on a single van,

1 that the necessary liability policy as defined by the Insurance Risk Office of the Office of Management  
2 and Budget is provided and maintained in good standing by the Delaware Transit Corporation, and that  
3 riders continue to pay the fees associated with participation in this program. Such eligibility shall be  
4 continuous for these individuals until and unless these conditions are not met.

5 Section 275. Notwithstanding 29 Del. C. § 5903, the position of Deputy Principal Assistant (BP#  
6 9493) in the Department of Transportation shall remain as exempt until vacated. Once vacated, this  
7 position will be classified by the Director of the Office of Management and Budget and the Controller  
8 General in accordance with the Merit System and 29 Del. C. c. 59.

1  
2 **LABOR**

3 Section 276. (a) Section 1 of this Act provides an appropriation of \$550.0 in Employment and  
4 Training, Employment and Training Services (60-09-20) for the Delaware State Summer Youth  
5 Employment Program to operate a program commencing July 1, 2008. The budget will take into  
6 consideration the funds required to commence the program at the end of Fiscal Year 2009, on or about  
7 June 15, 2009. This sum is to be allocated in the following manner:

8	New Castle County (outside the City of Wilmington)	\$ 90.3
9	City of Wilmington	331.7
10	Kent County	64.0
11	Sussex County	64.0
12	TOTAL	\$550.0

13 (b) In each of the political subdivisions wherein funds have been appropriated, no more than \$5.0  
14 shall be expended for administrative purposes and no more than \$2.0 shall be expended for equipment,  
15 supplies and mileage. A record of all equipment and supplies purchased with funds herein appropriated  
16 shall be kept by the sponsoring agent, and at the conclusion of the ten-week program such supplies and  
17 equipment shall be reverted to the Department of Labor.

18 (c) The funds appropriated for the Delaware State Summer Youth Employment Program shall  
19 not be co-mingled with funds appropriated from any other source. The guidelines for youth employment  
20 and administrative costs for all persons employed in the State Summer Youth Employment Program shall  
21 be based in accordance with prior year's practice of payment for services.

22 Section 277. Section 1 of this Act makes an appropriation of \$130.0 in Contractual Services to  
23 Industrial Affairs, Office of Labor Law Enforcement (60-07-02). Of this amount \$65.0 shall be used to  
24 fund the Public Allies program at the University of Delaware, which is a non-profit professional  
25 apprenticeship and training program for young Delawareans ages 18-30. The training and apprenticeships  
26 shall include leadership skills, team building, problem solving and community issues.

# AGRICULTURE

1  
2        Section 278. (a) Amend 29 Del. C. § 6102 (d)(3)(a) and (b) by striking the phrase “subject to the  
3 approval of the Controller General and the Director of the Office of Management and Budget” and adding  
4 the following at the end of (a) “and may be held in an interest-bearing account.”

5        (b) Section 1 of this Act makes an appropriation of \$500.0 ASF to the Department of Agriculture  
6 for the Delaware Agriculture Land Preservation Foundation pursuant to 29 Del. C. § 6102A(d)(3). The  
7 Foundation shall not operate any accounts outside of the State accounting system.

8        Section 279. Beginning Fiscal Year 2004, the Delaware Department of Agriculture is hereby  
9 authorized to develop and implement a state crop insurance program, not to exceed a funding level of  
10 \$750.0, to provide assistance to farmers in purchasing federal crop insurance coverage. The state crop  
11 insurance program is intended to encourage farmers to enroll in federal crop insurance programs and  
12 provide limited financial assistance to farmers in purchasing coverage. This program shall provide cost  
13 share assistance at a rate not to exceed 30 percent of farmer paid premium with a maximum subsidy of  
14 \$3.00 per acre. To ensure accessibility of funds for all eligible applicants, the department will include  
15 guidelines to prorate available resources accordingly if applications exceed funding. The Department of  
16 Agriculture shall provide the Controller General and the Director of the Office of Management and  
17 Budget with a report by April 1, 2009 detailing the commitments and expenditure of said funds. It is the  
18 expectation that when a significant number of agricultural landowners participate in crop insurance the  
19 necessity of this program will be re-evaluated.

20        Section 280. The Delaware Department of Agriculture may use up to \$200.0 annually from  
21 forest timber sales for the following programs:

22        (a) \$125.0 shall be used for marketing and promoting Delaware’s agricultural and forestry  
23 products and commodities.

24        (b) \$75.0 shall be used for a forestry cost share program. The allocation of these funds, and the  
25 determination of qualifying projects, shall be determined by the State Forester, provided the funds are  
26 allocated to supplement federal Rural Forestry Assistance and Urban Forestry Assistance programs.

1           Section 281. Section 1 of this Act makes an appropriation to the Harness Racing Commission  
2 (65-01-05) and the Thoroughbred Racing Commission (65-01-10) for fingerprinting. It is the intent of the  
3 General Assembly that the Commissions are required to use the State Bureau of Identification for all  
4 fingerprinting activities and background investigations per recommendation of the Joint Sunset  
5 Committee.

6           Section 282. Subject to the approval of the Director of Management and Budget and the  
7 Controller General, the State Lottery may:

8           a) deduct up to \$450.0 from the proceeds due to the video lottery agents licensed only to conduct  
9 thoroughbred racing in the current fiscal year to pay for expenses associated with conducting  
10 thoroughbred racing at their respective racetrack; and

11           b) deduct up to \$200.0 from the proceeds, which would otherwise fund purses for thoroughbred  
12 racing in the current fiscal year to pay for racing expenses.

13           Section 283. Subject to the approval of the Director of Management and Budget and the  
14 Controller General, the State Lottery may:

15           a) deduct up to \$950.0 from the proceeds due to the video lottery agents licensed only to conduct  
16 harness racing in the current fiscal year to pay for expenses associated with conducting harness racing at  
17 their respective racetrack; and

18           b) deduct up to \$150.0 from the proceeds, which would otherwise fund purses for harness racing  
19 in the current fiscal year to pay for racing expenses.

20           Section 284. The Director of the Office of Management and Budget and the Controller General,  
21 with the approval of the Co-Chairs of the Joint Finance Committee, may authorize up to five (5.0) ASF  
22 positions for the purposes of conducting live thoroughbred racing and up to five (5.0) ASF positions for  
23 the purposes of conducting live harness racing in the Department of Agriculture.



# ELECTIONS

1  
2        Section 285. Any Department of Election, upon approval of the respective Board of Elections,  
3 may establish polling places in which one or more small mandated districts of less than 300 registered  
4 voters as of 60 days prior to the date of an election may be administered by the election officers of  
5 another election district.

6        These entities shall hereinafter be referred to as "Combined Election Districts". Each election  
7 district that is part of a Combined Election District shall have designated voting machine(s), voting  
8 machine certificate, absentee ballot box, poll list, signature cards and other documents and/or materials  
9 necessary to certify the election.

10        The respective department may assign up to two additional clerks for each such mandated district  
11 so assigned to a Combined Election District. If any Board of Elections is unable to meet due to a  
12 vacancy, the Commissioner of Elections shall approve the establishment of Combined Election Districts  
13 within that respective county.

14        Section 286. 70 Del. Laws, c. 515 transferred the responsibility for the conduct of school board,  
15 referenda and bond issue elections to the Department of Elections, should this law be funded by the  
16 General Assembly.

17        Funding included in Section 1 of this Act provides an appropriation to the Department of  
18 Elections, Commissioner of Elections (70-01-01) in the amount of \$300.0, which includes all costs for  
19 transporting voting machines used in all public school elections. On or before July 31, of each fiscal year,  
20 the Commissioner shall transfer an amount equal to 50 percent of prior year expenditures on school  
21 elections to the Department of Elections in New Castle County, Kent County, and Sussex County.

22        The Department of Elections for the county responsible for conducting a public school election  
23 shall appoint, compensate and train an inspector and such election officers as it deems necessary to  
24 properly staff the polling places designated for use in a public school election. The respective  
25 Department of Elections shall also designate two of the other election officers to join with the inspector in  
26 deciding all questions regarding voter eligibility. All other questions concerning operation of the polling  
27 place shall be decided by the inspector.

1           The total statewide expenditures for school elections shall not exceed the amount appropriated in  
2 Section 1 of this Act or approved transfers for said purpose.

3           Section 287. Section 1 of this Act contains an appropriation for Commissioner of Elections, (70-  
4 01-01), Other Items: Voter Purging, for the purpose of assisting the Department of Elections with its  
5 statewide efforts to maintain the voter rolls in an orderly manner.

6           Section 288. For purposes of designating and procuring polling places for primary, general and  
7 special elections, the respective county department of elections shall pay a rental fee totaling \$300.00 for  
8 each facility used, no matter how many election districts are assigned to that facility.

9           Section 289. Any state agency, office or department is prohibited from publishing or funding the  
10 publication of voter guides.

11           Section 290. Based on findings of the 2001 Tax Compliance Audit, specifically those regarding  
12 poll worker compensation and deductions, all Department of Election poll workers shall be compensated  
13 through the Payroll/Human Resource Statewide Technology (PHRST) system if paid \$1,400.00 or more  
14 during a calendar year. In addition, all appropriate deductions shall be taken from such compensation.  
15 All Department of Election poll workers who are paid under \$1,400.00 may be paid through the Delaware  
16 Financial Management System.

# FIRE PREVENTION

1

2

Section 291. Section 1 of this Act provides an appropriation of \$100.0 to the State Fire

3

Prevention Commission (75-03-01) in the line item Statewide Fire Safety Education. These funds are to

4

be matched by members of the Delaware Volunteer Firemen's Association and are to be used for the

5

purpose of operating a statewide Fire Safety Education Program.

6

Section 292. Section 1 of this Act appropriates \$2.0 to the Office of the State Fire Marshal (75-

7

01-01) for the purchase of smoke detectors and educational materials for the Juvenile Firesetter

8

Intervention Program.

# NATIONAL GUARD

1

2

Section 293. Section 1 of this Act provides an appropriation to Delaware National Guard (76-01-01) for energy. Within this appropriation, sufficient energy funds are included to defray energy expenses of the Lora Little School building that are not directly attributable to occupancy by the Delaware National Guard.

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Section 294. (a) Section 1 of this Act provides an appropriation to the Delaware National Guard (76-01-01) for educational assistance. The National Guard shall not be required to pay fees.

7

8

(b) The Delaware National Guard, with the approval of the Director of the Office of Management and Budget and Controller General, is authorized to use excess educational funds to fund recruitment programs.

9

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Section 295. Section 1 of this Act appropriates \$42.0 to Delaware National Guard (76-01-01) for Service members' Group Life Insurance (SGLI). These funds are for the purpose of reimbursing insurance premiums for active duty Delaware National Guard members.

12

13

# HIGHER EDUCATION

Section 296. Section 1 of this Act provides an appropriation for Operations of the University of Delaware (90-01-01) and an appropriation for Operations of the Delaware Geological Survey (90-01-02). This figure includes total state assistance for University operations costs as well as funds required to be appropriated by 29 Del. C. § 5505(6). The appropriation for Operations of the University of Delaware includes \$4,586.1 for energy.

Section 297. (a) Section 1 of this Act appropriates amounts for Scholarships, Agricultural Programs and Other Programs to the University of Delaware (90-01-01). Those amounts shall be allocated as follows:

Scholarships:

General Scholarships	\$3,227.4
Scholarships	2,632.7
Student Diversity Recruitment Program	1,829.5
Aid to Needy Students	2,037.4
Governor's Scholars Program	200.0
Student Employment Program	136.9
Academic Incentive	<u>114.6</u>
Total	\$ 10,178.5

Agricultural Programs:

Agricultural Experimental Station	\$ 638.7
Agricultural Cooperative Extension	1,077.2
Agricultural Research and Education Center	536.6
Poultry Disease Research	1,105.3
Crop Extension	378.5
Agricultural Environmental Quality	202.8
Soil Testing and Pesticide Program	380.4
Carvel Research Center	410.9
Diagnostic Poultry Program	<u>201.5</u>

1	Total	\$ 4,931.9
2	<u>Other Programs:</u>	
3	Sea Grant	\$ 559.0
4	Urban Agent Program	135.6
5	Public Service and Applied Research Projects	452.9
6	Diversity Enhancement	293.0
7	Local Government Research and Assistance	238.7
8	Graduate Education (Southern Delaware)	37.3
9	Library Automation	52.0
10	Nurse Practitioner	269.0
11	Science, Engineering and Technology Service Program	156.3
12	Molecular Biology/Biotechnology Program	499.2
13	Math/Science Education for DE Teachers	1,141.7
14	Center for Community Development and Family Policy	261.2
15	Training and Research (Educational Management)	466.7
16	Computer Aided Math Instruction	80.0
17	Delaware Center for Teacher Education	656.0
18	Research on School Finance Issues	90.5
19	Delaware Education Research and Development Center	235.1
20	Delaware Research Scholars Program	150.0
21	Milford Professional Development School	117.2
22	Information Technology Partnership	2,541.3
23	Biotechnology	734.3
24	Computer Aided Instruction, Arts & Science	100.0
25	Clinical Instruction in Teacher Education	238.5
26	Early Childhood Education	114.2
27	Civics Education for Teachers	100.0
28	Biotechnology Institute	809.8

1	Software License Support	314.6
2	Study Abroad for Delaware Residents	50.0
3	Associate in Arts Degree	170.1
4	Early Learning Center	423.4
5	Service Learning Scholarships	200.0
6	Nursing Program Expansion	318.7
7	Improved Campus Security	236.6
8	Coastal Community Development	302.9
9	Center for Translational Research	365.3
10	Undergraduate Multimedia Instruction	202.3
11	Secondary Clinical Teacher Education	127.1
12	Alternative Energy	600.0
13	Economic Innovation & Partnerships	<u>200.0</u>
14	Total	\$14,040.5

15 (b) Notwithstanding any provision to the contrary, and assuming the Fiscal Year 2009 budget is  
16 as herein recommended, the University will, and has agreed to, meet ongoing commitments in Fiscal Year  
17 2009 utilizing University funds for those programs identified for reduction in State funds during Fiscal  
18 Year 2004. In addition, the University will, and has agreed to, not lay off any faculty or staff in these  
19 programs nor discontinue any of the impacted programs.

20 (c) Subsection (a) of this section appropriates \$200.0 for the Governor's Scholars Program. Of  
21 said funds, \$100.0 shall be combined with University funds to honor commitments made to currently  
22 enrolled eligible recipients prior to Fiscal Year 2009, until said completion. The remaining \$100.0 shall  
23 be used for new students in Fiscal Year 2009. Students that are pursuing educational or nursing degrees  
24 shall have priority in receiving a merit scholarship under this Program.

25 Section 298. Section 1 of this Act provides an appropriation to the University of Delaware (90-  
26 01-01) for Agricultural Programs. Within that appropriation are sufficient funds to fully fund 5.0 FTEs  
27 Agricultural Extension Agents in New Castle County, 3.0 FTEs Agents in Kent County, 2.5 FTEs Agents

1 in Sussex County, and 1.0 FTE Agricultural Extension Engineer for the Agricultural Cooperative  
2 Extension Program.

3 Section 299. Section 1 of this Act provides an appropriation to the University of Delaware for the  
4 Milford Professional Development School. The University and the Milford School District shall submit  
5 to the Controller General and the Director of the Office of Management and Budget, by March 1, 2009, a  
6 joint report detailing the implementation status of this program as it relates to the appropriation herein.

7 Section 300. Section 1 of this Act makes an appropriation to Delaware State University,  
8 Operations (90-03-01), for General Scholarships. Of that amount, \$22.0 shall be for state scholarships for  
9 high ability students, \$20.0 shall be for departmental scholarships to attract high achievers into the  
10 sciences, \$200.0 shall be for scholarships to attract high ability students into the teaching program, and  
11 \$100.0 shall be for scholarships for female athletes.

12 Section 301. For the fiscal year covered by this Act, in order to continue the assessment of  
13 procedures implemented during Fiscal Year 1993 intended to reduce the administrative burden incurred  
14 as a result of processing accounting transaction data into two independent accounting systems, the  
15 Director of the Office of Management and Budget has authorized Delaware State University to:

16 (a) Discontinue detail data input to the Delaware Financial Management System (DFMS) for  
17 encumbrance and vendor payment transactions related to General Fund, federal financial assistance and  
18 college funds;

19 (b) Effect vendor payment disbursements of the above identified funds on Delaware State  
20 University checks, generated through the University Accounting System and drawn on a University bank  
21 account; and,

22 (c) Summarize General Fund and federal financial assistance fund disbursements on a weekly,  
23 post disbursement basis, and draw down the corresponding amounts through the standard DFMS Payment  
24 Voucher process.

25 This authorization does not provide for any change to the processing of encumbrances and vendor  
26 payment transactions related to Bond/Capital funds; it does not affect payroll processing and does not  
27 relax or alter any control requirements prescribed by law or policy related to procurement, encumbrance  
28 and payment activity.



1           The University shall comply with specific procedures developed and prescribed by the Office of  
2 Management and Budget and the Department of Finance, Accounting. In addition, the University shall  
3 cooperate fully with the Office of Auditor of Accounts to aid in any review or examination of the  
4 University's accounting procedures, records and system.

5           Operations as enabled by this section shall be periodically reviewed and evaluated during the  
6 stated period by the Office of Management and Budget, the Department of Finance and the Office of  
7 Auditor of Accounts. Any procedural/control weaknesses identified shall be addressed and resolved, and  
8 this authority may be withdrawn for cause at any time during the stated period, with the allowance that  
9 Delaware State University will be provided reasonable time to revert to standard processes.

10           Section 302. Section 1 of this Act provides an appropriation to Delaware Technical and  
11 Community College, Office of the President (90-04-01), for Associate in Arts Program - Operation and  
12 Associate in Arts Program - Academic. This appropriation is to assist in the provision of the Delaware  
13 Technical/University of Delaware Associate in Arts Program which will be operated jointly by the two  
14 institutions under a contract initiated by Delaware Technical and Community College. Under this  
15 contract, the University of Delaware will teach students at Delaware Technical and Community  
16 College's facilities. Future budget requests will be made jointly by Delaware Technical and Community  
17 College and the University of Delaware, and budget cuts, if necessary, will be shared on a pro rata basis.  
18 Approval of tuition and other fees will be made by the Board of Trustees of the institution that delivers  
19 the relevant service and after the institutions have reached an agreement for tuition sharing.  
20 Representatives from both institutions will meet at least once each semester to review program  
21 operations.

22           Section 303. Section 1 of this Act contains an appropriation of \$371.2 for the Delaware Institute  
23 of Veterinary Medical Education (DIVME), (90-07-01). Notwithstanding current Laws of Delaware  
24 relating to the DIVME Program, these funds shall be used to provide tuition support for five Delaware  
25 residents studying at the veterinary medicine program at the University of Georgia, four Delaware  
26 residents studying at the veterinary medicine program at Oklahoma State University, plus four additional  
27 students accepted to a veterinary medicine program for the coming year.

# EDUCATION

1  
2        Section 304. Amend 14 Del. C. § 1702 by adding the following new subsection:

3            “(f) The Department of Education, Office of Management and Budget and Controller General’s  
4 Office are authorized to simplify the complexity of state share accounting by consolidating school district  
5 appropriations in the Delaware Financial Management System. Such consolidation may include state  
6 funding appropriated and allocated to school districts under Division I, II and III, Academic Excellence,  
7 Guaranteed Unit, Reading Cadre, Teacher to Teacher Cadre, Reading Resource Teachers, and  
8 Exceptional Student Unit-Vocational. Appropriations authorized to be consolidated herein, shall not alter  
9 the school funding formulas, salary schedules, and provision of expenditure stipulated in 14 Del. C. and  
10 in the Annual Appropriations Act.”

11        Section 305. During the course of the fiscal year, the Department of Education is authorized to  
12 continue the work of the Public Education Compensation Committee to review and make  
13 recommendations to the Governor and Joint Finance Committee regarding the public education salary  
14 schedules authorized in 14 Del. C. c. 13. The committee shall consist of the following individuals or their  
15 designee: Controller General, Director of the Office of Management and Budget, Secretary of Education,  
16 Executive Director of the Delaware State Education Association (DSEA), one school business manager,  
17 and one school superintendent. The committee shall review comparability of salaries statewide, in  
18 addition to surrounding areas. A report of findings shall be submitted to the Governor and co-chairs of the  
19 Joint Finance Committee no later than May 1, 2009.

20        Section 306. It is the goal of the General Assembly to implement by Fiscal Year 2010 the  
21 recommendations of the Public Education Compensation Committee with respect to Instructional and  
22 Service Aides contained in the report of said committee, dated May 15, 2007, as follows; (1) to ensure  
23 that the Step 0 of the salary schedule for Instructional Aides is equivalent to the U.S. Department of  
24 Commerce poverty income level for a family of four for the year 2010; the Step 0 of the salary schedule  
25 for Service Aides to be equivalent to 85 percent of the Step 0 for Instructional Aides; (2) to reduce the  
26 number of steps on the Instructional Aides and Service Aides salary schedules to ten; (3) to ensure that  
27 the percentage difference between steps on the Instructional Aides and Service Aides salary schedules are  
28 equal percentage amounts as specified in the recommendation found in the aforementioned report.

1           Section 307. Notwithstanding the provisions of 14 Del. C. § 1305(m), (o) and (p), for those  
2 employees who have achieved certification from the National Board for Professional Teaching  
3 Standards and serve as teacher or lead mentors, the mentor stipend payment for such service will be  
4 excluded from the 15 percent salary supplement limit only.

5           Section 308. (a) For this fiscal year, employees who have been issued an initial license and are  
6 in a third or fourth year extension due to failure to pass Praxis I shall receive a ten percent salary  
7 reduction. Employees currently on an emergency certificate as a result of being assigned to an area  
8 outside the area of certification shall not receive a ten percent salary reduction.

9           (b) Section 1 of this Act makes an appropriation of \$8,300.0 to Public Education, School District  
10 Operations, Other Items (95-02-02) for Skills, Knowledge and Responsibilities Pay Supplements. This  
11 appropriation provides funding for the supplements associated with professional development clusters,  
12 mentor stipends and National Board Certifications. Any new programs, initiatives and/or clusters for  
13 supplemental pay must be approved by the Professional Standards Board, State Board and Department of  
14 Education. The implementation and effective dates shall not occur before approval by the Director of the  
15 Office of Management and Budget and the Controller General, who will review all initiatives, programs  
16 and clusters on April 1, August 1 and December 1 of each year, and approve such based on available  
17 appropriations.

18           (c) Recognizing the effort involved in pursuing a National Board for Professional Teaching  
19 Standards (NBPTS) certification by individuals paid under 14 Del. C. § 1305, excluding  
20 superintendents, assistant superintendents, directors, and individuals employed in non-instructional  
21 areas detailed in Section 1312(c), and employees at the Department of Education, such certification  
22 shall result in a salary supplement as specified in 14 Del. C. § 1305 (l). The salary supplement shall be  
23 based upon the 10-month base state salary scale for teachers. The Department of Education shall report  
24 annually to the Director of the Office of Management and Budget and Controller General the number of  
25 NBPTS certificates obtained under this program. The NBPTS salary supplement shall be valid for a  
26 period not to exceed ten years.

1 (d) The funds received by charter schools through the Department of Education associated with  
2 staff members who qualify for the salary supplement described in subsection (c) shall be paid to said  
3 employees in accordance with subsection (c).

4 Section 309. Section 1 of this Act makes an appropriation of \$775.0 ASF and 2.0 ASF FTEs to  
5 the Department of Education (95-01-01) for the Delaware Interscholastic Athletic Fund. The Association  
6 shall not operate any accounts outside of the State accounting system and the Fund shall be interest  
7 bearing.

8 Funds shall be utilized to support the activities and operations of Delaware interscholastic  
9 athletics. During the fiscal year, the expenditure of funds from the Delaware Interscholastic Athletic  
10 Fund will be in accordance with the Division of Accounting budget and accounting procedures.

11 Section 310. For this fiscal year, the inflation factor for the local per pupil payments required  
12 under the state's Enrollment Choice Program, as specified in 14 Del. C. § 408(e), and for the local per  
13 pupil payments required under the state's Charter School Program, as specified in 14 Del. C. § 509(d),  
14 shall be equal to two percent.

15 Section 311. Any course offered at a vocational technical high school may be offered in the  
16 comprehensive high schools if a sufficient student interest can be demonstrated as determined by the  
17 Secretary of Education.

18 Section 312. Section 1 of this Act makes an appropriation to the Department of Education (95-  
19 01-01) for Educator Certification and Development activities. This appropriation to the Department of  
20 Education is intended to offset expenditures in the following areas: standard setting for PRAXIS II;  
21 teacher and administrator assessment procedures; revision and update of teacher and administrator  
22 evaluation procedures (DPASII); diversity and educator recruitment; professional recertification and  
23 expanding the Alternative Routes to Teacher Certification program.

24 Section 313. Section 1 of this Act provides an appropriation of \$329.5 to the Department of  
25 Education (95-01-01) for Standards and Assessment. Part of the Standards and Assessment program  
26 agenda is to support the development and implementation of performance indicators.

1           Section 314. Section 1 of this Act makes an appropriation of \$60.0 to the Department of  
2 Education (95-01-01) for Odyssey of the Mind. This appropriation shall be made available to school  
3 students to assist in defraying out-of-state travel expenses associated with this program.

4           Section 315. Section 1 of this Act makes an appropriation of \$600.0 to the Department of  
5 Education (95-01-01) for Student Mentoring. Of this amount, \$350.0 shall be used by the Department of  
6 Education to review and award grants competitively to schools with grades kindergarten through eighth.  
7 Programs selected shall provide at-risk children with academic tutoring and instruction, with the  
8 involvement of parents and volunteer mentors. School districts shall make direct application to the  
9 Department on behalf of individual school buildings, addressing in their proposal the following: (a) one-  
10 on-one tutoring for academically at-risk students; (b) early childhood preventive intervention strategies;  
11 (c) adherence to academic standards as adopted by the State Board of Education; (d) parental  
12 involvement; and (e) provision of program evaluation and performance evaluation. Local schools are  
13 encouraged to utilize such programs for students during non-core academic class time. Grant awards for  
14 individual schools, of no more than \$30.0 each, shall be determined by the Department no later than  
15 November 30 of each year and funds shall be allocated by December 31 of each year. The remaining  
16 \$250.0 may go to the University of Delaware for the Delaware Mentoring Council to provide technical  
17 assistance and professional development for mentors and other activities.

18           Section 316. Section 1 of this Act appropriates \$600.0 to the Department of Education (95-01-  
19 01) for Infrastructure Capacity. These funds shall be used to support the development and  
20 implementation of automated systems to manage such activities as the licensure and certification process;  
21 the Delaware Performance Appraisal System; the tracking of skills and knowledge supplements;  
22 development of on-line standards-based units of instruction; and the accountability reporting system.

23           Section 317. Section 1 of this Act appropriates \$1,942.9 to the Department of Education (95-01-  
24 01) for Educator Accountability. These funds shall be used to support the design and implementation of  
25 DPAS II; teacher recruitment and retention programs; and modification of the licensure and certification  
26 system. Prior to expending any of these funds, an approved budget must be submitted by the Secretary of  
27 Education, after consultation with the Professional Standards Board, and approved by the Director of the  
28 Office of Management and Budget and Controller General.

1           Section 318. The Department of Education shall transfer \$136.6 to the Department of Safety and  
2 Homeland Security, State Police to reimburse qualified applicants for the cost of criminal background  
3 checks for all school district employees on a first come, first served basis. State Police shall send  
4 quarterly reports to the Department of Education regarding expenditures of said funds.

5           Section 319. 14 Del. C. § 122(e), requires the Department of Education to review all regulations  
6 to ensure that all regulations are current and not burdensome, and 14 Del. C. § 122(f) and (g) provide a  
7 means for districts to pursue waivers of state regulations. The Federal Education Flexibility Partnership  
8 Act of 1999 allows districts to apply for waivers of federal regulation in states that have adopted  
9 challenging content and performance standards, have aligned assessments to those standards, have  
10 established a system of school and district accountability, and allow waiver of State statutory and  
11 regulatory requirements relating to education.

12           Given federal approval of the Department of Education’s application for Ed Flex, the Department  
13 may waive State statutory and regulatory requirements pursuant to the Federal Education Flexibility  
14 Partnership Act of 1999. Such waivers must be applied for according to procedures and policies  
15 determined by the Department of Education and must be related to Title I, Part B of Title II, Title IV,  
16 Title V, Title III, and the Carl D. Perkins Career and Technical Education Act of 2006. State programs  
17 for which waivers may be granted include, but are not limited to, Extra Time, Student Discipline,  
18 Academic Excellence, Early Reading Intervention, Student Mentoring, and Professional and Curriculum  
19 Development.

20           Section 320. Notwithstanding the provisions of 29 Del. C. c. 69, the Department of Education is  
21 authorized to extend, for a period not to exceed two years, its existing contract providing for student  
22 assessment as required under the federal No Child Left Behind Act.

23           Section 321. During Fiscal Year 2009, the Department of Education may be authorized to  
24 continue a needs-based funding structure within Brandywine and Seaford School Districts, to provide  
25 resources to students with disabilities in the most flexible and equitable manner possible, upon approval  
26 of the Director of the Office of Management and Budget and Controller General. Any changes to the  
27 existing structure must be approved by the Director of the Office of Management and Budget and the  
28 Controller General. In addition the Department may expand this funding structure to include the

1 Appoquinimink, Caesar Rodney, Cape Henlopen, Lake Forest, Capital, Laurel, Milford, New Castle  
2 County Vocational Technical, Sussex Tech, and Woodbridge school districts, provided those  
3 districts shall not realize an increase or decrease in the number of units earned which is greater than three  
4 units.

5 Section 322. The Delaware Code notwithstanding, during this fiscal year, the Director of the  
6 Office of Management and Budget is authorized to continue funding for issues such as, but not limited to,  
7 the number of administrative positions and activity busing for which the State was required to provide  
8 funding as a result of a 1978 federal court order. This authorization, as it relates to administrative  
9 positions, shall apply only to positions filled for employment, and shall not be considered as authorization  
10 to fund any cash options pursuant to 14 Del. C. § 13.

11 Section 323. General Fund appropriations to Public Education in appropriation units (95-03-00),  
12 (95-04-00) and the Delmar Tuition, General Contingency and Debt Service appropriations in  
13 appropriation units (95-01-00) and (95-02-00) shall not be subject to the limitations as defined for  
14 Division I and Division II in 14 Del. C. § 1706 and § 1709.

15 Section 324. Section 1 of this Act makes an appropriation to Public Education, School District  
16 Operations, Other Items (95-02-02) for Guaranteed Unit Count. The appropriation is sufficient to fund 20  
17 guaranteed units. In the event that more units are required districts shall receive partial unit funding in  
18 proportion to the units available.

19 A school district that loses enrollment as a result of a decision to close a school or program shall  
20 not be guaranteed units lost as a result of that decision. Charter schools shall not be eligible for funding  
21 under the Guaranteed Unit Count.

22 Section 325. Notwithstanding the provisions of 14 Del. C. § 1703, the First State School  
23 Program shall be guaranteed state funding based upon a minimum of two Division I units. In addition,  
24 Section 1 of this Act appropriates \$314.5 to Public Education, Block Grants and Pass Through Programs,  
25 Special Needs Programs for the First State School.

26 The Department of Education, Children's Services Cost Recovery Project is authorized to pursue  
27 Medicaid cost recovery for eligible services provided to Medicaid eligible children at the First State  
28 School. Students in the program are considered eligible for special education services and have

1 Individual Education Plans in addition to their medical treatment plans. Any funds recovered shall be  
2 returned to the Department of Education and utilized to offset the guaranteed 2.0 units and First State  
3 School operational costs.

4 The Department of Education is authorized to provide AI duPont Hospital an amount not to  
5 exceed \$50.0 for its program serving medically fragile students from funds appropriated in Section 1 of  
6 this Act to Public Education, School District Operations, Other Items (95-02-02).

7 Section 326. Section 1 of this Act provides certain appropriations to Public Education, School  
8 District Operations, Other Items and Debt Service. These amounts are not based on the unit system.  
9 Allocation of these funds shall conform to the following:

10 (a) Debt Service amounts are predicated upon the amortization schedule as provided by the State  
11 Treasurer.

12 (b) The line item Other Items in the internal program unit Other Items (95-02-02) shall be  
13 allocated as follows:

14	Caesar Rodney - Americanization	\$ 14.1
15	Red Clay - Americanization	113.6
16	Margaret S. Sterck -	
17	Residence - Other Costs	85.4
18	Consultant Services	11.0
19	Preschool Summer Program	6.9
20	Christina Autistic -	
21	Residence - Other Costs	206.5
22	Contractual Services	11.4
23	John G. Leach	50.0
24	Sussex Orthopedic School	<u>12.9</u>
25	Total	\$511.8



1           Section 327. Section 1 of this Act makes an appropriation to Public Education, School District  
2 Operations, Other Items (95-02-02) of \$1,600.0 for School Improvement Funds. Of that amount,  
3 \$1,500.0 shall be used to provide technical assistance and support to schools and districts rated as  
4 academic review, academic watch or academic progress. The remaining \$100.0 shall be allocated for  
5 recognition of schools and districts that receive the superior designation. Such recognition shall include  
6 special ceremonies and/or the award of plaques or flags.

7           Section 328. Section 1 of this Act makes an appropriation of \$12,084.5 to Public Education,  
8 School District Operations, Other Items (95-02-02) for Full-day Kindergarten Implementation to continue  
9 the phase-in of statewide full-day Kindergarten. This appropriation will provide funding to continue  
10 existing pilot programs, as awarded by the Department of Education at the Fiscal Year 2007 funding  
11 level, in the following school districts: Indian River and Red Clay.

12           Notwithstanding 14 Del. C. § 1703, this appropriation also provides funding for the following  
13 school districts/charter schools to generate Kindergarten units at a rate of 17.4: Academy of Dover, East  
14 Side, Thomas Edison, Kuumba Academy, Laurel, Marion T. Academy, MOT, Providence Creek,  
15 Odyssey, Seaford, Smyrna, Woodbridge, Cape Henlopen, Appoquinimink, Capital, Colonial, Newark,  
16 Brandywine and Lake Forest. Students in Delmar will attend full-day Kindergarten through an  
17 agreement with Wicomico County, Maryland.

18           The intent of full-day Kindergarten is to offer voluntary comprehensive options to parents and  
19 students. When a district and/or charter school fully implements full-day Kindergarten, school districts  
20 will still have to make available a half-day option if parents request it. School districts shall have the  
21 flexibility to locate such half-day options at designated schools to ensure the most efficient use of state  
22 and local resources. Transportation shall be made available for half-day and full-day Kindergarten  
23 programs.

24           The Department of Education shall continue an in-depth evaluation program of full-day  
25 Kindergarten, to include a longitudinal study and comparison of half and full-day programs annually.

26           Section 329. Section 1 of this Act makes appropriations to the Department of Education, School  
27 District Operations, Division Funding (95-02-01) for Division II – All Other Costs and Energy. A

1 Division II - Energy Unit shall be valued at \$2,678.00. A Division II - All Other Costs Unit shall be  
 2 valued at \$3,279.00.

3 Section 330. Provisions of 29 Del. C. § 6102(r)(2) and § 6102(r)(3) notwithstanding, during  
 4 Fiscal Year 2009, the sum authorized to the Education Expense and Property Tax Relief Fund shall be  
 5 allocated as follows:

6	<b>District</b>	<b>Increase Support</b>	<b>Offset Local</b>	
7	<b>Allocation</b>	<b>for Education</b>	<b>Current Expense Taxes</b>	<b>Total</b>
8	Appoquinimink	\$ 0	\$ 523,260	\$ 523,260
9	Appoquinimink ILC	18,468	0	18,468
10	Brandywine	0	2,158,200	2,158,200
11	Bush	16,350	0	16,350
12	AI Institute	6,298	0	6,298
13	Brandywine ILC	75,210	0	75,210
14	Christina	0	3,691,830	3,691,830
15	Autistic Program	135,407	0	135,407
16	REACH	53,533	0	53,533
17	Sterck	85,023	0	85,023
18	Christina ILC	170,040	0	170,040
19	Colonial	0	2,001,240	2,001,240
20	Leach	75,576	0	75,576
21	Colonial ILC	42,510	0	42,510
22	Red Clay	0	2,897,220	2,897,220
23	Meadowood	75,576	0	75,576
24	Red Clay ILC	122,811	0	122,811
25	Caesar Rodney	0	567,840	567,840
26	Caesar Rodney ILC	9,204	0	9,204
27	Charlton	47,554	0	47,554
28	Capital	0	728,495	728,495
29	Capital ILC	4,820	0	4,820
30	Kent Orthopedic	16,874	0	16,874
31	Lake Forest	0	412,230	412,230
32	Milford	0	584,661	584,661
33	Milford ILC	5,062	0	5,062
34	Smyrna	0	520,000	520,000
35	Smyrna ILC	5,000	0	5,000
36	Cape Henlopen	0	24,174	24,174
37	Delmar	0	125,000	125,000
38	Delmar ILC	1,303	0	1,303
39	Indian River	0	592,680	592,680
40	Laurel	0	358,314	358,314
41	Laurel ILC	5,874	0	5,874
42	Seaford	0	263,895	263,895
43	Seaford ILC	6,025	0	6,025
44	Woodbridge	0	125,000	125,000
45	New Castle Vo-Tech	0	834,485	834,485
46	New Castle Vo-Tech ILC	25,192	0	25,192
47	Polytech	0	125,000	125,000
48	Polytech ILC	12,272	0	12,272
49	Sussex Technical	0	0	0
50	Total	\$1,015,982	\$16,533,524	\$17,549,506

1           Section 331. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
2 and Pass Through Programs, Adult Education Work Force Training Block Grant (95-03-10). This  
3 appropriation shall be allocated by the Department of Education to the following programs/districts:  
4 Adult Trade Extension/Apprentice Program (statewide), James H. Groves High School (statewide), Adult  
5 Basic Education (statewide), New Castle County Learning Center (Christina School District), Delaware  
6 Skills Center (New Castle County Vocational Technical School District), Alternative Secondary  
7 Education Program (statewide), Marine Mechanics Apprentice Program (Sussex Technical School  
8 District) and Interagency Council on Adult Literacy. For each program continued in Fiscal Year 2009,  
9 each program shall receive no less than the same allocation from this appropriation as its Fiscal Year  
10 2008 allocation.

11           Section 332. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
12 Pass Through Programs, Professional Accountability and Instructional Advancement Fund (95-03-10).

13           (a) The following allocations shall be provided:

14           (1) \$275.0 for Alternative Routes programs. \$200.0 is provided for the Alternative Routes to  
15 Certification program, to include an expansion for Special Education. The remaining  
16 \$75.0 may be used for the Summer Institute program.

17           (2) \$2,866.5 shall be allocated by the Department of Education to districts for professional  
18 and curriculum development activities. Districts shall submit applications to the  
19 Department of Education detailing the district's plan for the utilization of these funds.  
20 The Department of Education shall review and approve plans and allocate an amount not  
21 to exceed \$331.00 per certified employee, based on a district's personnel complement for  
22 the 2007-2008 school year. Grants are to be used for developing and implementing  
23 curriculum based on the content standards established by the Curriculum Frameworks  
24 Commission, as approved by the State Board of Education or for other professional  
25 development activities, including, but not limited to: Discipline, Special  
26 Education/Inclusion Collaboration/Consensus Building, Conflict Resolution, Shared  
27 Decision Making, local school board member training, and Educational Technology.  
28 Districts are encouraged to collaborate as a means of maximizing resources as well as

1 focusing district activities on consistent principles. Grants may be utilized for training,  
2 planning, in-service programs and contractual services. The Department of Education is  
3 authorized to transfer 50 percent of the estimated district grant amount by July 30 of the  
4 fiscal year. The remaining 50 percent shall be transferred within 30 days of the final  
5 approval of the district application for funding.

6 In the application, districts shall detail the proposed utilization of funds as well as  
7 the incorporation of the following criteria:

8 (a) Integration of the proposal with existing resources and programs such as the

9 Comprehensive Discipline Act, Delaware Principals Academy, Delaware Teachers  
10 Center, Drug Free Schools, Title I and II, Special Education and local funds  
11 dedicated to Standards and Assessment.

12 (b) Inclusion of local staff in planning of the grant proposal, with representation from all  
13 involved in student learning, including all professional employees by category. The  
14 plan(s) should focus on overall improved student performance, with a built in level of  
15 accountability to determine effectiveness.

16 (3) \$142.8 for Delaware Principals Academy activities. The Department of Education shall  
17 determine, in coordination with the agency (or agencies) operating this program, the goals  
18 and objectives of this program, including how it will further the objectives of Standards  
19 and Assessment and integrate Shared Decision Making training into the program focus.  
20 The Controller General and the Director of the Office of Management and Budget shall  
21 ensure that the proposed program is cost efficient and meets the objectives outlined in this  
22 section before agreeing to transfer the appropriation from the Department of Education to  
23 the operating agency. All expenditures from this allocation shall serve principals from the  
24 State of Delaware only.

25 (4) \$800.0 for Professional Mentoring. The intent of this appropriation is for exemplary  
26 teachers to assist new teachers through leadership and guidance, and includes a training  
27 component in order for teachers to become better mentors. This funding level allows for  
28 a statewide program.

1 (5) \$1,100.0 for Tuition Reimbursement of which \$50.0 shall be used exclusively for tuition  
2 reimbursement for summer school courses. This allocation provides, at the discretion of  
3 the Department of Education, for the possible operation of a tuition reimbursement  
4 program for the purpose of reimbursing public school employees and teachers employed  
5 by state agencies for tuition payments for undergraduate and graduate college courses,  
6 including Early Childhood Education courses, or courses in an Education Technology  
7 Certificate Program. Funds may only be used to reimburse certificated non-  
8 administrative employees and paraprofessionals. A minimum of 20 percent of these  
9 funds shall be used for reimbursement to paraprofessionals. If at the end of the fiscal  
10 year districts are unable to spend this minimum requirement on paraprofessionals, the  
11 remaining funds may be used towards certificated non-administrative employees. No  
12 payment shall be made unless the course taken relates to the employee's job assignment  
13 and is taken with the prior approval of the employing district board, superintendent or  
14 state agency. Local school district boards of education are required to prioritize the  
15 allocation of the funds they receive to support the educational advancement efforts of  
16 regular education teachers taking special education and/or mainstreaming related courses  
17 and other educational priorities established by the local boards of education based on  
18 staff development goals or to ameliorate identified deficiencies. This allocation may be  
19 used by local school districts to defray the costs for teachers seeking application for  
20 National Board Certification from the National Board for Professional Teaching  
21 Standards, and to defray the cost of the Para Pro-assessment for paraprofessionals and  
22 Praxis II exam for teachers.

23 Reimbursement for tuition may be made for courses taken during summer  
24 school or during the academic year for which a passing grade of B or better is obtained.  
25 No reimbursement shall be in excess of the tuition charged a Delaware resident taking a  
26 course with an equal number of credit hours at the University of Delaware. Of the total  
27 allocation made by Department of Education, a minimum of .75 percent shall be  
28 allocated to state agencies and the balance shall be allocated to school districts in

1 amounts equal to each school district's proportion of Division I units to the total number  
2 of Division I units statewide on September 30, 2008. Any funds not expended by a  
3 school district or a state agency shall be transferred to other districts or agencies. In the  
4 event that any district's allocation is not sufficient to provide total reimbursement to all  
5 eligible employees, the district shall pro-rate the funds so that each eligible employee  
6 receives a share of the total district allocation equal to the individual employee's  
7 reimbursable expenditure divided by the total reimbursable expenditure of all employees  
8 in the district multiplied by the district allocation. Funding for each school district shall  
9 be divided into two equal parts. The first one-half shall be prorated as described above  
10 among eligible employees who complete their courses prior to February 1, 2009. The  
11 second one-half shall be prorated as described above among eligible employees who  
12 complete their courses prior to June 15, 2009. In the event that funds remain in either  
13 half year, the district shall be authorized to reallocate those funds to reimburse eligible  
14 employees in the other portion of the year who did not receive full reimbursement. This  
15 section shall supersede collective bargaining agreements to the contrary.

16 (6) \$628.4 for the Teacher to Teacher Instructional Cadre which provides for the purchase of  
17 release time of exemplary teachers in the content areas in which the Department of  
18 Education has adopted content standards, who will provide assistance to districts on a  
19 statewide basis in designing, demonstrating and implementing best teaching practices in  
20 the development of curriculum to meet the established standards. The Department of  
21 Education is authorized to transfer 50 percent of the estimated district grant amount by  
22 July 30 of the fiscal year. The remaining 50 percent shall be transferred within 30 days  
23 of the final approval of the district application for funding.

24 (7) \$759.4 for the Summer School for Teachers Program. Of this appropriation, \$590.3  
25 will be allocated to the University of Delaware and \$169.1 to Delaware State  
26 University to fund summer programs for the professional development of teachers. It is  
27 intended that curriculum of the summer classes offered through this program, to  
28 teachers and aides, be consistent with the curriculum standards which are currently

1 under development or have previously been adopted by the Department of Education.  
2 Both the University of Delaware and Delaware State University shall incorporate into  
3 their Summer School for Teachers course structure, the appropriate and necessary  
4 elements that will enable participants to develop relevant classroom curriculum as well  
5 as to gain additional exposure to best teaching practices in the standardized content  
6 areas. The Department of Education shall continue to make staff available to assist each  
7 institution in the preparation of the summer coursework. Future budget requests for  
8 this program will be made by the Department of Education in their annual budget  
9 request, following consultation with the University of Delaware and Delaware State  
10 University.

11 (8) \$150.0 for the Delaware Center for Teacher Education to support professional and  
12 curriculum development activities in the content areas of reading and social studies.  
13 The Department of Education shall determine, in coordination with the agency (or  
14 agencies) performing such activities, the training goals and objectives, including how  
15 the objectives of Standards and Assessment will be furthered. The Department of  
16 Education, Controller General and Director of the Office of Management and Budget  
17 shall ensure that the proposed development activities are cost efficient and meet the  
18 objectives outlined in this section before agreeing to transfer the appropriation from the  
19 Department of Education to the operating agency.

20 (9) \$150.0 for Delaware Academy of School Leadership activities. The Department of  
21 Education shall determine, in coordination with the agency (or agencies) operating this  
22 program, the goals and objectives of this program, including how it will further the  
23 objectives of Standards and Assessment. The Department of Education, Controller  
24 General and Director of the Office of Management and Budget shall ensure that the  
25 proposed program is cost efficient and meets the objectives outlined in this section  
26 before agreeing to transfer the appropriation from the Department of Education to the  
27 operating agency.

1 (10) \$1,002.5 for Reading Cadre. This appropriation will provide each local school  
2 district, excluding charter schools, with the state share of salaries in accordance with 14  
3 Del. C. § 1305 and the state share of the Division III Equalization Unit amount as  
4 defined in 14 Del. C. § 1707 for one 11-month Reading Specialist. The purpose of this  
5 Specialist will be the creation of a Reading to Reading Cadre which will provide  
6 assistance to districts in designing, demonstrating and implementing best practices in  
7 reading instruction. Such position shall be responsible for curriculum alignment and  
8 professional development in reading for district educators.

9 (11) \$20.8 for National Teacher Certification Program. This appropriation is to be used by  
10 the Department of Education for administrative costs during the coordination of  
11 teachers seeking national certification from the National Board for Professional  
12 Teaching Standards (NBPTS).

13 (12) \$50.0 for Paraprofessional Training. Such funds shall be utilized by the Department of  
14 Education to implement a program for a career pathway for school district  
15 paraprofessionals at Delaware Technical and Community College.

16 (13) \$75.0 for Models of Excellence. These funds shall be used to identify the  
17 achievements of Delaware schools, to learn from program success in improving student  
18 achievement and to recognize and share best practices among districts.

19 (b) Any funds remaining subsequent to these allocations may be disbursed at the discretion of the  
20 Department of Education for professional accountability and instructional advancement  
21 activities.

22 Section 333. Section 1 of this Act makes an appropriation to Public Education, Block Grant and  
23 Pass Through Programs, Academic Excellence Block Grant (95-03-10). Of the amount appropriated,  
24 \$33,584.4 shall be used to fund units for academic excellence in the school districts in accordance with 14  
25 Del. C. § 1716. The balance of \$4,595.7 shall be allocated to school districts in proportion to the number  
26 of Division I Units each district enrolls on the last school day in September. School districts may use the  
27 funds to: purchase computer hardware, software or services; calculators; library resources; fund  
28 homebound instruction costs; provide substitute teachers; provide additional nurses so long as the district



1 is entitled to less than one nurse per school; provide a student work-study program; provide conflict  
2 resolution training; provide extended day or extended year programs for students performing below the  
3 standard level; and provide stipends for professionals engaged in curriculum or professional development  
4 activities sponsored by a local school district or the Department of Education, outside of the regular  
5 school day. School districts may form consortia, utilizing homebound funds, to purchase or provide  
6 services. No homebound funds may be spent to provide services to students who have been suspended or  
7 expelled from school, except for special education students. The Department of Education shall provide  
8 an annual summary of school district plans for use of Academic Excellence funds to the Director of the  
9 Office of Management and Budget and the Controller General no later than December 1 of each year.

10 Section 334. For the fiscal year beginning July 1, 2008, any local school district that has had two  
11 consecutive failed current expense tax referendums during the time period July 1, 2006 to January 1,  
12 2009, is authorized to exercise the cash option on Academic Excellence units up to the total number of  
13 units provided under that program. This provision will apply for Fiscal Year 2009 only. In addition,  
14 districts meeting this criteria are authorized to utilize funds derived from this cash option to pay local  
15 salary supplements. Any district that has had a successful current expense tax referendum subsequent to  
16 two consecutive failed current expense tax referendums is ineligible for the provisions of this section.

17 Section 335. Section 1 of this Act makes an ASF appropriation to Public Education, Block  
18 Grants and Pass Through Programs, Special Needs Programs (95-03-20) for the Children's Services  
19 Cost Recovery Project (CSCR). All local school districts shall fully participate in the implementation  
20 and operation of the project for the fiscal year ending June 30. Local school district participation shall  
21 be on a district-wide basis.

22 The following resources are appropriated to operate the Children's Services Cost Recovery  
23 Project during the fiscal year ending June 30. No appropriation is made for the purchase of additional  
24 state-owned vehicles pursuant to this section. The appropriated funds for supplies and in-state travel  
25 which, pursuant to this section, are passed through to the local school district shall be dedicated to  
26 implementing the Children's Services Cost Recovery Project.

27 In addition, 14.0 FTEs staff positions are appropriated to support this project: 3.0 FTEs shall be  
28 located at the Department of Education. The Department of Education is hereby permitted to authorize

1 the hiring of up to 11.0 FTEs in the local school districts for the sole purpose of implementing this  
2 section. The 11.0 FTEs in the local school districts shall be paid in accordance with the Financial  
3 Secretary Salary Schedules 1308 and 1309 including the local salary supplement in place at the  
4 employing school districts. At the discretion of the Department of Education, 1.0 FTE may be paid in  
5 accordance with the Administrative Secretary Salary Schedules as defined in 14 Del. C. § 1308 and  
6 § 1309, including the local salary supplement in place at the employing local school district.

7 When it is deemed in the best interest of the program to have positions transferred between school  
8 districts, the employees in those positions will be compensated in accordance with the local salary  
9 supplement in place at the new district. The employees may elect to have their sick and annual leave  
10 balances transfer with them between districts.

11 When any of the 11.0 positions authorized to the local school districts become vacant, the  
12 position shall be re-assigned to the Department of Education and compensated in accordance with the  
13 Department of Education compensation plan.

14 All revenue generated through the cost recovery project from local school district sources will,  
15 after the deduction of all operational project costs, be divided between the State General Fund and the  
16 local school district's operating funds in a proportion that equals the original sharing of expenses. Any  
17 funds returned to a local school district that were generated through recovery on non-transportation  
18 services provided by a tuition-based special school must be made available to the special school for  
19 expenditure at the special school.

20 Audit exceptions, including any penalties and fees, will be covered from drawdowns on future  
21 recoveries on a similar basis as indicated above.

22 Section 336. For the purpose of participating in the Children's Services Cost Recovery Project,  
23 provisions of the Delaware Code to the contrary notwithstanding, school psychologists certified or  
24 otherwise licensed by the Department of Education in accordance with the provisions 14 Del. C.  
25 § 1092, shall be considered in compliance with qualification standards equivalent to state licensure to  
26 practice psychology as set forth in 24 Del. C. § 3508. Such equivalent state licensure status shall be  
27 limited to the delivery of services related to the Department of Education or local school district  
28 approved school programs conducted within the course of the regular school day at a Department of

1 Education or local school district approved school site or least restrictive environment location. The  
2 provisions of this section shall in no way be construed as entitling a person not otherwise qualified to do  
3 so to represent himself to the public by any title or description of services incorporating the words  
4 "psychology," "psychological," and/or "psychologist" within the meaning of 24 Del. C. § 3502, except  
5 as may be herein specifically provided.

6 Section 337. The Interagency Resource Management Committee (IRMC) fosters an interagency  
7 approach in coordinating the delivery of early care and education services in Delaware, and the  
8 establishment and operation of the Office of Early Childhood.

9 The IRMC will coordinate the implementation of the recommendations of the October 1999  
10 report: "Early Success: Creating a Quality Early Care and Education System for Delaware's Children",  
11 where feasible, and, if applicable, subject to an annual appropriation. The IRMC shall report to the  
12 Governor, President Pro-Tempore of the Senate, and the Speaker of the House on April 15 of each fiscal  
13 year. Each report shall include:

- 14 1. A summary of IRMC experiences in attempting to accomplish its purposes as stated above; and,
- 15 2. A recommendation of the IRMC whether and how to institutionalize its activities and functions.

16 The IRMC may, at its discretion, apply for grant funds that will further any of the purposes of this  
17 section.

18 The Director of the Office of Management and Budget and the Controller General are hereby  
19 authorized to transfer funds among the budgets of the departments represented on the IRMC if there is  
20 prior agreement by the secretary of the department, as the case may be, to which the funds were  
21 previously allocated. Such transfers shall be intended to further the purposes of this section. The IRMC  
22 shall be staffed by the Office of Early Childhood in the Department of Education. Such Office shall be  
23 composed of a director, an assistant director and a clerical support position. Funding shall be provided by  
24 the Department of Health and Social Services and the Department of Services for Children, Youth and  
25 Their Families no later than July of each fiscal year to support the operational costs associated with the  
26 assistant director and clerical support positions. Funds allocated in this section are to be used to support  
27 the work of the Office and to continue the interagency evaluation process for Delaware's early childhood  
28 programs.

1           Section 338. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
2 Pass Through Programs, Special Needs Programs (95-03-20) for the Student Discipline Program.

3           (a) A total of \$4,000.2 is allocated for the statewide implementation of programs for severe  
4 discipline cases. Of that amount, a total of \$2,400.0 will be allocated to the three counties in the  
5 following manner: 50 percent to New Castle County, 25 percent to Kent County and 25 percent to Sussex  
6 County. Of the \$2,400.0, \$150.0 in New Castle County and \$75.0 in both Kent and Sussex counties must  
7 be utilized for transitional services. A total of \$1,020.0 will be disbursed on a competitive basis among  
8 the existing school district consortiums or to individual school districts. Of the \$1,020.0, \$820.0 will be  
9 utilized for improvement of academic programs and \$200.0 will be utilized for extended year  
10 opportunities. A total of \$580.2 is allocated to increase resources for programs in Kent and Sussex  
11 Counties and shall be equally divided between the two programs as follows: \$330.2 in Kent and \$250.0  
12 in Sussex. If funds are used for personnel costs, they may only be used for the state share in accordance  
13 with the schedules contained in 14 Del. C. Chapter 13.

14           Programs receiving funds under this section may utilize no more than \$300.0 in total from Pupil  
15 Transportation (95-04-01) for transportation expenses.

16           (b) A total of \$8,385.0 is authorized for disruptive students at the school and district levels. The  
17 base incentive grants shall be provided to all school districts in the State as follows:

18           Schools grades K-6:	\$30.0
19           Schools grades 7-12:	\$40.0

20           If funds are used for personnel costs, they may only be used for the state share in accordance with  
21 the schedules contained in 14 Del. C. c. 13.

22           Under 14 Del. C. § 16, local school districts are eligible to receive a supplemental grant, equal to  
23 double the base award, for grades 7, 8, 9 and 10, upon approval of the Department of Education and  
24 certification in the district's grant application that the school is in compliance with the provisions of the  
25 Delaware Code requiring the establishment of school site-based committees to govern discipline matters.

26           Each school shall receive no less than the amount received in the previous fiscal year. In order to  
27 provide districts with grants in a timely manner, all applications for base grants must be submitted for  
28 review by the Department of Education no later than November 15 of each year.

1 (c) For the purpose of facilitating the continuation of services, districts receiving an allocation  
2 under the provisions of subsections (a) and (b) of this section, may receive 50 percent of the prior year's  
3 base grant allocation at the outset of each fiscal year. These districts are required to present program  
4 proposals to the Department of Education no later than November 15 each year. Upon Department of  
5 Education approval, adjustments to program allocations will be made.

6 (d) The Department of Education shall determine common data definitions and data collection  
7 methodologies for each program in this section. Districts shall use such definitions and methodologies  
8 and shall provide information as requested by the Department of Education. This information shall  
9 include but not be limited to the following: the number of students served, reasons for service, measures  
10 of behavioral improvement, measures of academic improvement as appropriate, rates of recidivism within  
11 programs, and number and types of referrals for additional services. The Department of Education shall  
12 prepare a statewide management report to identify needs for program improvement and best practice.

13 (e) A total of \$4,186.1 is authorized for prevention components administered by the Department  
14 of Education and the Department of Services for Children, Youth and Their Families. Funding shall be  
15 provided as follows:

16 (i) \$4,186.1 to provide early intervention services through the Department of Services for  
17 Children, Youth and Their Families, Family Crisis Therapist Program. Services are  
18 intended for grades K-5 and shall address but not be limited to, problems such as Early  
19 Onset Conduct Disorder. The Department of Services for Children, Youth and Their  
20 Families may enter into contractual agreements, may employ casual/seasonal personnel, or  
21 may create the necessary positions with the approval of the Delaware State Clearinghouse  
22 Committee and maintain an ASF or NSF account with sufficient spending authority to  
23 operate the program.

24 (ii) For purposes of implementing (i) above, the Department of Education and the Department  
25 of Services for Children, Youth and Their Families shall administer a competitive  
26 Request for Proposal (RFP) process to determine grant awards to local districts. Grant  
27 awards shall be for a period of 12 months. Factors that may be utilized in the evaluation  
28 of proposals can be, but are not limited to, the following: links to Part II discipline

1 funding or other district resources; the use of collaborative partnerships; the relative need  
2 of the local school district community; and the recognition within a proposal of the need  
3 to provide services to meet the presenting problems of both the child and the family. To  
4 the extent possible, the Department of Services for Children, Youth and Their Families is  
5 authorized to pursue Medicaid cost recovery for eligible services provided to Medicaid  
6 eligible children. Funds resulting from these efforts may be used to expand these  
7 services with prior approval of the Director of the Office of Management and Budget and  
8 the Controller General.

9 (f) Based on the recommendations that resulted from House Joint Resolution 25 of the 139<sup>th</sup>  
10 General Assembly, a total of \$1,325.0 shall be allocated for the continued operation of the alternative  
11 school program. The program shall be developed utilizing research based best-practice models as  
12 described in “Comprehensive Programs Which Improve Student Discipline, Final Report, April 1999”.  
13 The program shall provide year-round services to no more than 100 students. This program shall be  
14 considered a special school for the purposes of charging tuition payments to be made by school districts  
15 of residence under the statutory provisions of 14 Del. C. c. 6, such that the districts shall fund at least 30  
16 percent of the total cost of the program. The New Castle County Consortium and the Department of  
17 Education shall oversee administration of the program, and may enter into contractual arrangements to  
18 operate the program. Such oversight shall include an annual evaluation of the program to be submitted to  
19 the Department of Education.

20 Section 339. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
21 and Pass Through Programs, Special Needs Programs, Unique Alternatives (95-03-20). Funds may only  
22 be allocated to the Sussex ICT to provide direct services and supports to interagency students that would  
23 be referred to the ICT. The local share of payment shall continue to be subject to the same criteria as all  
24 other ICT decisions. This authorization is based on the signed Memorandum of Agreement between the  
25 school districts and other ICT agencies.

26 Section 340. Amend 14 Del. C. § 3124 (b)(6) by adding the following after the second sentence:  
27 “Cases involving individuals who are wards of the State shall be fully funded from Unique  
28 Alternatives funding.”

1           Section 341. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
2 and Pass Through Programs, Special Needs Programs (95-03-20) for Exceptional Student Unit -  
3 Vocational. This appropriation shall be used to continue the program of vocational education for  
4 handicapped students. The funds appropriated shall provide for Divisions I, II, and III funding for a  
5 maximum of six units, prior to application of the vocational deduct, units in a single program. The unit  
6 shall be based upon 13,500 pupil minutes per week of instruction or major fraction thereof after the first  
7 full unit and shall be in addition to the funding otherwise provided under 14 Del. C. § 1703(d).

8           Section 342. (a) Section 1 of this Act provides an appropriation to Public Education, Block  
9 Grant and Pass Through Programs, Special Needs Program (95-03-20) for Extra Time for Students in  
10 Grades K-12. This allocation shall be used exclusively to provide extra instructional time for low  
11 achieving students in order that they may improve their academic performance in the four primary content  
12 areas (Mathematics, Science, English Language Arts, and Social Studies) as measured against the state  
13 standards of such subjects. The only exceptions to this requirement are that up to 15 percent of a district's  
14 allocation may be used for Extended School Year (ESY) requirements, pursuant to the Administrative  
15 Manual for Special Education Services (AMSES) and up to 10 percent of a district's allocation may be  
16 used to provide services to Limited English Proficient (LEP) students. Of the amount set aside for LEP  
17 services, up to 50 percent may be used within the normal school day provided the services are in the form  
18 of specialized instruction designed to help LEP students succeed in regular classroom settings. Of the  
19 amount appropriated, \$400.0 may be used for the Early Intervention Reading Program as specified in this  
20 section. The Department of Education is authorized to transfer 50 percent of the estimated district grant  
21 amount by July 30. The remaining amount shall be transferred within 30 days of the final approval of the  
22 district application for funding.

23           (b) The following criteria shall apply to each of the components of the Extra Time for Students  
24 Program.

- 25           (1) In order to qualify for an allocation, each district shall submit an application to the  
26 Department of Education as part of the districts' consolidated application. The  
27 application must show evidence of building level staff involvement in the development of  
28 the district proposal.

- 1 (2) The application provided to the Department of Education shall indicate the student  
2 populations to be served, the type of program(s) proposed, the levels of academic  
3 improvement the additional services are intended to achieve, and the measurement and/or  
4 evaluation process the district will use to determine program effectiveness. Associated  
5 transportation costs shall also be included in the district application.
- 6 (3) Funding for this component shall only be used for academic instruction or remediation  
7 programs that are offered to a targeted population of low achieving students. Should  
8 funds be used during the regularly scheduled six and one half hour school day, said funds  
9 must be used to hire additional instructional staff to provide additional instruction or  
10 remediation to the targeted population in one of the four core curriculum areas. Prior to  
11 the expenditure of funds during the regular school day, districts must obtain the approval  
12 of the Secretary of Education, Director of the Office of Management and Budget and  
13 Controller General and must certify to the Secretary of Education, Director of the Office  
14 of Management and Budget and Controller General that sufficient resources remain to  
15 operate the mandated summer school program. The Department of Education shall  
16 promote the use of “Best Practices” in this area through all available means.
- 17 (4) Funds appropriated pursuant to this section may not be used for curriculum development  
18 or staff training functions, but may be used for the purchase of supplies and materials  
19 necessary to operate extra time programs. To the extent that these funds are used to pay  
20 salary expenses, they may only be used for the state share in accordance with the  
21 schedules contained in 14 Del. C. c. 13.
- 22 (5) In order to maximize resources provided under this program, local school districts are  
23 encouraged to match their allocation, on a 70/30 state/local basis pursuant to the  
24 provisions of 14 Del C. § 1902(b).
- 25 (6) Local school districts may use funds appropriated pursuant to this section to contract with  
26 private or non-profit instruction or tutoring services provided that there is evidence of  
27 building level conversations regarding contracted services.



1 (7) If, after the applications are received by the Department of Education, a local district  
2 does not choose to utilize the full amount to which they are entitled, the Department of  
3 Education may allocate any remaining amount through a competitive RFP process.

4 (c) The following criteria shall apply to the component of the program that serves students in any  
5 grade levels:

6 (1) Allocations for this component shall be provided in proportion to the total Division I  
7 units in each school district, multiplied by the state portion of the average teacher salary  
8 in the district in the immediately preceding fiscal year.

9 (d) The following criteria shall apply to the Early Intervention Reading Program for which  
10 \$400.0 is to be utilized.

11 (1) Allocations for this component shall be provided in proportion to the regular K-3  
12 Division I units in each school district, multiplied by the state portion of the average  
13 teacher salary in the district in the immediately preceding fiscal year.

14 (2) This funding shall serve students in kindergarten through third grade who are identified  
15 during their kindergarten and first grade years as being inadequately prepared to succeed  
16 in reading or are performing below grade level.

17 (3) This funding shall be utilized exclusively to provide supplemental services or teaching  
18 methods designed to improve the reading abilities of students with the goal being that  
19 they achieve and maintain their appropriate grade level reading ability. These services  
20 shall utilize intensive systematic multi-sensory phonics as the instructional methodology.  
21 The school districts are strongly encouraged to use programs including, but not limited  
22 to, Reading Assist and other research based multi-sensory programs.

23 (4) The funding for this component may provide services outside of the normal school  
24 operation timeframe or may be used during the regular school day, provided however that  
25 the services being offered are supplemental to the reading instruction the student would  
26 otherwise normally receive.

27 (e) The Department of Education shall determine common data definitions and data collection  
28 methodologies for each program in this section. Districts shall use such definitions and methodologies

1 and shall provide information as requested by the Department of Education. This information shall  
2 include but not be limited to the following: state identification number for each student served, total  
3 number of program contact hours per student, content area(s) addressed, and evidence of academic  
4 improvement. The Department of Education shall prepare a statewide management report to identify  
5 needs for program improvement and best practice.

6 Section 343. Section 1 of this Act appropriates 36.7 FTEs, of which up to 4.0 shall be authorized  
7 as teachers/supervisors, 28.7 authorized as teachers, 3.0 authorized as secretaries for the Department of  
8 Education, and 1.0 education associate to operate the Prison Education Program. The qualification of  
9 employees for the prison education program shall be the same as the qualification for employees in the  
10 public high schools. Teachers/supervisors shall have teaching responsibilities as defined by job  
11 responsibilities and duties developed by the Department of Education.

12 Salary for employees in the prison education program when paid from funds of this State, shall be  
13 in accordance with the regularly adopted salary schedules set forth in 14 Del. C. c. 13. The salary so  
14 computed shall be divided by .7 for ten months employment. If employed on an 11 or 12 month basis, the  
15 ten month amount shall be multiplied by 1.1 or 1.2 respectively. In addition to the above calculation,  
16 teachers and administrators qualifying for professional development clusters in accordance with 14 Del.  
17 C. § 1305(l) shall receive an additional amount equal to the approved cluster percentage multiplied by the  
18 base salary amount defined in 14 Del. C. § 1305(b). This calculation shall not be increased for 11 or 12  
19 month employment. The percentage shall only be applied to the base 10 month salary for 10, 11 and 12  
20 month employees. In accordance with 14 Del. C. § 1305(p), the cluster percentage is capped at 15  
21 percent. Employees whose primary job location is onsite within the institution shall also receive  
22 hazardous duty supplements as provided in the Merit System. Teachers/supervisors shall receive an  
23 administrative supplement of four to eight percent to be determined by the Department of Education with  
24 the approval of the co-chairs of the Joint Finance Committee.

25 Students served under this program shall not be included in the calculation for unit count  
26 purposes as defined in 14 Del. C. c. 17. The Director of the Office of Management and Budget and  
27 Controller General may transfer funds between lines and departments to pay for this program.

1           Section 344. Any provisions of the Delaware Code to the contrary notwithstanding, the  
2 Department of Education with the approval of the Director of the Office of Management and Budget and  
3 Control General is authorized and directed to provide aides for the purpose of providing mainstreaming  
4 services to deaf students.

5           Section 345. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
6 Pass Through Programs, Special Needs Programs (95-03-20), for Tech Prep 2+2. A Delaware Tech Prep  
7 Consortium is formed to provide for overall program development and management, coordination and  
8 technical assistance. The Consortium will review and provide technical assistance and in-service training  
9 for each proposal submitted to the Department of Education by any partnership initiating or operating a  
10 Tech Prep Program. The Consortium will adopt rules and regulations consistent with state regulations  
11 and federal legislation.

12           The Consortium Board of Directors shall include: the President or designee of the Delaware  
13 Technical and Community College; the Superintendents of New Castle County Vocational-Technical  
14 School District, Polytech School District and the Sussex County Technical School District; the State  
15 Director of Vocational Education, Department of Education, (Ex-Officio); the Executive Director of  
16 Delaware Advisory Council on Career and Vocational Education; President or designee, Delaware  
17 State University and Wilmington University and one representative of business and industry. The  
18 superintendent or designee of two comprehensive local school districts will also be appointed  
19 consistent with the rules and regulations of the Consortium. Programs will be conducted in all three  
20 counties, on all campuses of Delaware Technical and Community College and other postsecondary  
21 institutions as specified by the Consortium consistent with federal legislation. All secondary schools  
22 are eligible.

23           Polytech School District will act as financial agent for the Consortium and an annual financial  
24 and program report will be submitted to the co-chairs of the Joint Finance Committee.

25           The Consortium may select another member to serve as the financial agent in a subsequent year  
26 consistent with the rules and procedures it adopts.

1           Section 346. Section 1 of this Act appropriates \$200.0 to Public Education, Block Grants and  
2 Pass Through Programs, Special Needs Programs (95-03-20) for Innovative After School Initiatives.  
3 Such funds shall be utilized to develop innovative after school programs to provide additional academic  
4 support and enrichment for students. Funding shall provide approximately six to ten pilot programs  
5 statewide, targeting grades five through ten and are encouraged to be delivered in partnership with private  
6 businesses. The Department of Education shall administer a competitive grant process focused on the  
7 following: tutoring academic areas of need for students at-risk of failing and/or not meeting the Delaware  
8 content standards; enrichment programs incorporating both traditional and non-traditional approaches;  
9 and outreach to parents, especially those who are reluctant to interact with schools.

10           Section 347. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
11 Pass Through Programs, Special Needs Program (95-03-20). Of the amount appropriated, \$1,750.0 shall  
12 be used to provide services to Limited English Proficient (LEP) students.

13           The Department of Education shall administer an application process to determine grant awards  
14 to local districts.

15           To the extent that these funds are used to pay salary expenses, they may only be used for the state  
16 share in accordance with the schedules contained in 14 Del. C. c. 13.

17           Section 348. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
18 and Pass Through Programs, Special Needs Programs for Reading Resource Teachers. This funding shall  
19 provide one Reading Resource Teacher in each school, excluding state approved special schools, as long  
20 as it maintains a grade configuration including any combination of grades Kindergarten through Fifth.  
21 Reading Resource Teachers shall provide direct reading instruction to students which must include  
22 explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading  
23 fluency and reading comprehension strategies. Reading Resource Teachers shall work with the Reading  
24 Cadre to ensure that appropriate reading activities and support are embedded in all curricular areas.  
25 Reading Resource Teachers shall meet the requirements for the Standard Certification Reading Specialist.

26           This appropriation will provide districts and charter schools with the state share of salaries in  
27 accordance with 14 Del. C. § 1305 for 10-month Reading Resource Teachers, as well as the appropriate  
28 per unit amount of Division III funding. In order to maximize resources provided under this program

1 local school districts are encouraged to match this funding on a 70/30 state/local basis pursuant to the  
2 provisions of 14 Del. C. § 1902(b).

3 The Department of Education will study and collect information from each school district  
4 regarding the utilization of these educators, achievements and anticipated outcomes. The Department will  
5 report this information to the Joint Finance Committee co-chairs, Director of the Office of Management  
6 and Budget and Controller General no later than December 31 of each fiscal year.

7 Section 349. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
8 and Pass Through Programs, Special Needs Programs for Mathematics Resource Teachers/Specialists.  
9 This funding shall provide one Mathematics Resource Teacher/Specialist to all schools with a grade  
10 configuration containing both seventh and eighth grades.

11 Mathematics Resource Teachers/Specialists shall be utilized during the regular school day with  
12 students who need additional support and instruction in standards based mathematics with the intent that  
13 the students will be taught the skills they need to meet the Delaware mathematics standards as assessed by  
14 the DSTP. Specifically these Teachers/Specialists will examine DSTP and other standards based  
15 assessment data to determine students' progress toward meeting grade level expectations in Mathematics,  
16 and will instruct students individually or in small groups to teach specific skills and concepts in which  
17 students are deficient.

18 This appropriation will provide schools within districts and charter schools with the state share of  
19 salaries in accordance with 14 Del. C. § 1305 for 10-month Mathematics Resource Teachers/Specialists,  
20 as well as the appropriate per unit amount of Division III funding. In order to maximize resources  
21 provided under this program local school districts are encouraged to match this funding on a 70/30  
22 state/local basis pursuant to the provisions of 14 Del. C. § 1902(b).

23 The Department of Education will collect and study information from each school district  
24 regarding the use of these educators, achievements and anticipated outcomes. The Department shall  
25 report this information to the Joint Finance Committee co-chairs, the Director of Office of Management  
26 and Budget and Controller General no later than February 1 of each fiscal year.

27 Section 350. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
28 Pass Through Programs, Special Needs Programs (95-03-20) for Early Childhood Initiatives. These

1 funds are to be used to support the T.E.A.C.H. program and the Early Childhood Apprenticeship program  
2 to support career training and education for early childhood workers. Additionally, the Department of  
3 Education may develop an implementation plan for creation of a Leadership Academy for Early  
4 Childhood workers and a program to train child care workers who are English Language Learners or have  
5 low literacy levels, as outlined in Early Success, for approval by the Director of the Office of  
6 Management and Budget and the Controller General prior to implementation.

7 Section 351. (a) Section 1 of this Act provides an appropriation of \$3,000.0 to Public Education,  
8 Pupil Transportation (95-04-01) for Non-Public School Transportation Reimbursements. This  
9 appropriation shall be allocated for qualifying non-public, non-profit schools, based on the procedure  
10 adopted by the Joint Finance Committee on April 16, 1981. The Public School Transportation  
11 Committee, consisting of representatives from the Department of Education, Controller General's Office,  
12 Office of Management and Budget and representatives for bus contractors and school district  
13 transportation supervisors shall make recommendations to the Director of Office of Management and  
14 Budget and Controller General for revisions to components of the transportation formula no later than  
15 April 1, 2009.

16 (b) Transportation funds for public school districts during the fiscal year ending June 30, 2009,  
17 shall be allocated and shall not exceed \$85,611.3 (of which \$7,311.1 is designated as a transportation  
18 contingency for the Charter and Choice initiatives), according to bus contract or district transportation  
19 formula, as adopted by the State Board of Education on July 23, 1987, subject to the following  
20 amendments and procedural modifications:

- 21 (1) The per gallon price used to calculate the fuel allowance shall be based on the state  
22 contract bid price for fuel plus \$.07 per gallon for districts and plus \$.31 per gallon for  
23 contractors. For districts and contractors north of the Chesapeake and Delaware Canal,  
24 the per gallon price shall be based on delivery to a large-sized tank (5,000 or more  
25 gallons). In the case of contractors located south of the Chesapeake and Delaware Canal,  
26 the per gallon price shall be based on delivery to a small-sized tank (275 - 1,900 gallons).  
27 Upon determination by the Department of Education that a contractor located North of  
28 the Chesapeake and Delaware Canal and operating five or fewer buses does not have

1 existing storage capacity in the large tank range, the per gallon price shall be based on the  
2 smaller tank size.

3 The initial fuel rates shall be based on the state contract bid price as of June 1 of the  
4 preceding fiscal year. Funding adjustment will be made when the annual average price  
5 increases or decreases by at least five cents per gallon. The first review will be based on  
6 the annual averages through December 31 of each year and additional reviews will be  
7 conducted each month thereafter until April 30. Reviews may also be conducted at any  
8 time upon the request of the Director of Office of Management and Budget and  
9 Controller General.

10 (2) For this Fiscal Year, the operating allowance will be adjusted for inflation by a rate of  
11 one percent.

12 (3) For the fiscal year ending June 30, 2009, the allowable cost of a new unused bus that was  
13 purchased by a contractor and put on contract and that was produced between January 1,  
14 2008 and December 31, 2008 (as noted on the school bus identification plate) shall begin  
15 its seven-year capital allowance schedule using the 2008 state bid price for new school  
16 buses, minus two percent for salvage value, plus eleven percent to account for dealer  
17 charges and profits not reflected in the state bid price due to the higher number of buses  
18 being purchased and the lag time between ordering and delivery. Any bus produced and  
19 placed in service after January 1, 2009 the current fiscal year shall be entitled to an  
20 allowance based on the 2009 state bid price.

21 A used bus placed in service shall utilize the allowance schedule which would have been  
22 allowed had the bus been placed in service when new based on its production date. The  
23 bus shall receive the remaining years of capital allowance. The Department of Education  
24 shall continue to utilize the procedures developed in Fiscal Year 1989 for determining the  
25 allowable cost for any size bus that it did not bid in Fiscal Year 2008. In addition to the  
26 procedure for establishing the allowable cost of a new bus specified above, the  
27 Department of Education is requested to structure its bids for buses in the fiscal year  
28 ending June 30, 2009, in such a manner that public school bus contractors will be

1 permitted to purchase buses from the successful lower bidder at the same price as the  
2 State of Delaware. If a contractor elects to purchase a bus at the bid price, the lowest  
3 base bid of an awarded contract minus two percent for salvage value will be the  
4 allowable cost in subsequent reimbursements to the contractor.

5 (4) In Fiscal Year 2009, the school bus contractor insurance allowance shall be increased  
6 by five percent.

7 (c) Except as specified in this section, or for changes in the price of fuel, or for the adjustments  
8 of those items changed by state or federal laws, the Department of Education shall not change the  
9 transportation formula unless the change has been authorized by the General Assembly and an  
10 appropriation therefore has been made by the General Assembly.

11 (d) Of the appropriation allocated for public school districts, \$96.0 is allocated to purchase a  
12 maximum of twelve air conditioned buses to transport special need students. The Department of  
13 Education is authorized to amend its formula to allow the purchase of air conditioned buses which may be  
14 required to transport special education students that have a medical need for air conditioning (specified by  
15 a physician), and that go to a special education school.

16 Section 352. Amend 14 Del. C. § 511 (b) by adding the following to the end of the existing  
17 section: “Modifications associated with the provision of student transportation services as a result of  
18 changes to the Annual Appropriations Act to § 508 of this chapter shall be considered a minor  
19 modification.”

20 Section 353. Notwithstanding any other provisions of the Delaware Code or this Act to the  
21 contrary, the Department of Education is authorized to approve and provide funding for additional  
22 transportation routes necessary to support the Seaford School District’s pilot implementation of a  
23 balanced calendar schedule, beginning in Fiscal Year 2003.

24 Section 354. (a) During the fiscal year, the Department of Education is hereby directed to  
25 provide bus transportation of public school students previously declared ineligible by the Unique Hazards  
26 Committee, including the following:

27 (1) Students attending the Stanton Middle School who are now forced to walk along  
28 Telegraph Road with a constant threat of injury.



- 1 (2) Students attending Mt. Pleasant High School who are now forced to walk along Marsh  
2 Road with a constant threat of injury.
- 3 (3) Students in the town of Seaford, living west of Conrail and north of the Nanticoke River,  
4 who attend the Seaford schools, grades K-6.
- 5 (4) Students attending Seaford Central Elementary who live in the area east of Conrail, north  
6 of the Nanticoke River, and west of Williams Pond, within the Seaford city limits.
- 7 (5) Students attending the Cab Calloway School of the Arts and Wilmington Charter School  
8 on Lancaster Avenue to Delaware Avenue in the north-south grid and on Jackson Street  
9 to duPont Street on the east-west grid.
- 10 (6) Students attending Newark High School who live in Windy Hills and are forced to walk  
11 along Kirkwood Highway with a constant threat of injury.
- 12 (7) Students attending schools in Laurel living in the areas of Lakeside Manor, Route 24 east  
13 of Laurel town limits, Route 13A South of Laurel town limits and Dogwood Acres.
- 14 (8) Students attending Delcastle Technical High School who live in Newport and are forced  
15 to walk along Centerville Road (Rt. 141) with a constant threat of injury.
- 16 (9) Students attending Woodbridge Junior-Senior High School who must travel along Route  
17 13A south of Bridgeville, and students living west of Bridgeville who must travel along  
18 Route 404 or Route 18.
- 19 (10) Students attending Smyrna Middle School who reside in the Sunnyside Acres area  
20 between Sunnyside Road and U.S. 13 and who would otherwise be required to walk  
21 along U.S. 13 in order to reach school.
- 22 (11) Students attending the Concord High School who live south of Naamans Road in the  
23 Talleybrook-Chalfonte, Brandywood, Brandon and Beacon Hill areas who must walk  
24 along Grubb and/or Naamans Road with a constant threat of injury.
- 25 (12) Students attending the Laurel Elementary Schools in Grades K-6 who live in the Town of  
26 Laurel and the surrounding areas.
- 27 (13) Students attending Dover High School who live in Old Sherwood, south of Waples  
28 Avenue.

- 1 (14) Students attending the Mt. Pleasant Elementary School, who would be forced to walk  
2 along Bellevue Road.
- 3 (15) Students attending the Mt. Pleasant Elementary School, who would be forced to cross  
4 over and/or walk along River Road between Lore and Bellevue.
- 5 (16) Students attending the Douglas Kindergarten Center, who would be forced to walk along  
6 Route 2 (Union Street) or through Canby Park via the paths, with a constant threat of  
7 injury.
- 8 (17) K-3 - New Todd Estates Development to Jeannie Smith Elementary School - because of  
9 hazards of Route 4 at Pierson Drive intersection.
- 10 (18) Children living in West Wilmington Manor who walk to Wilmington Manor Elementary  
11 School.
- 12 (19) Woodbridge Elementary School students living in the town of Greenwood, west of the  
13 railroad tracks.
- 14 (20) Woodbridge Jr./Sr. High School students living on Route 13A from Route 13 north of  
15 Bridgeville to Bridgeville north of town limits including streets with access to that part of  
16 Route 13A.
- 17 (21) Talley Jr. High School students who reside in the Ashbourne Hills, Greentree, Stoney  
18 Brook areas, students who reside in the Woodacre Apartments and students who live  
19 along Peachtree Road.
- 20 (22) Springer Middle School students residing in Eden Ridge III, Tavistock, Sharpley and  
21 Eden Ridge who must cross Concord Pike.
- 22 (23) Sussex Central High School and Georgetown Elementary School students who live east  
23 of Bedford Street.
- 24 (24) Lombardy Elementary School students who must cross Foulk Road.
- 25 (25) Central Middle School students who reside in the vicinity of 1508 Dinahs Corner Road.
- 26 (26) Students attending the Colwyck Elementary School who live in the Landers Park and  
27 Swanwyck Gardens residential areas.

- 1 (27) Students attending Central Middle School, living in the area south of Kent General  
2 Hospital, to include students living along and south of Westview Terrace, Dover Street,  
3 Hope Street and Sackarackin Avenue.
- 4 (28) Students of the Appoquinimink School District who reside in Odessa Heights.
- 5 (29) Students attending Brandywine High School who live in Concord Manor and are forced  
6 to walk along Shellpot Drive and Windley Hill.
- 7 (30) Students attending Clayton Elementary, North Elementary or the Bassett Middle School  
8 in the Smyrna School District who live on Buresch Drive.
- 9 (31) Notwithstanding the construction of any sidewalk or footpath along Grubb Road between  
10 Naamans Road and Marsh Road, any child currently receiving bus transportation by the  
11 Brandywine School district who lives along Grubb Road (between Naamans Road and  
12 Marsh Road) or lives in a neighborhood which enters directly onto Grubb Road (between  
13 Naamans Road and Marsh Road) shall continue to receive bus transportation to and from  
14 school.
- 15 (32) Students residing in Brookview Apartments and lower Ashbourne Hills who attend  
16 Darley Road Elementary School.
- 17 (33) Stanton Middle School students residing in Kiamensi Gardens, Kiamensi Heights and  
18 Westfield who must cross Limestone Road.
- 19 (34) Students attending Warner Elementary or Warner Kindergarten who also attend the  
20 Brandywine Day Care or the Strawberry Patch Neighborhood Centers.
- 21 (35) Students attending Brandywine Springs Elementary School who live along Newport Gap  
22 Pike.
- 23 (36) Students attending Mt. Pleasant High School who reside in the vicinity of Rysing Drive  
24 in Edgemoor Gardens, in the vicinity of Rysing Drive in the Village of Woods Edge, and  
25 in the vicinity of Edgemoor Road in Edgemoor Terrace, and the Village of Fox Point on  
26 The Governor Printz Boulevard.

1 (37) Students attending the Woodbridge School District, who live in the Canterbury  
2 Apartments in Bridgeville, will embark and disembark in the parking lot of the apartment  
3 complex in lieu of the bus stop area along the heavily traveled U.S. 13.

4 (38) Students attending McCullough Middle School living along and east of Route 9 from I-  
5 295 north to district boundary.

6 (39) Students attending Talley Middle School who can walk without hazard to the corner of  
7 Yardley Lane and Silverside Road.

8 (b) The transportation of the students specified herein shall continue until the funds requested are  
9 appropriated and construction is completed. Spur routes shall continue to be served as at present.

10 Section 355. Notwithstanding the provisions of any state law or regulation to the contrary, the  
11 Colonial School District is hereby directed to provide bus transportation for public school students who  
12 attend the Panda Early Education Center at 1169 South DuPont Highway in New Castle to and from  
13 Wrangle Hill Elementary School and Southern Elementary School. The Colonial School district is  
14 authorized to utilize state transportation dollars to fund the transportation of students as directed herein.

15 Section 356. Notwithstanding the provisions of any state law to the contrary, the Red Clay  
16 Consolidated School District is authorized to utilize state transportation dollars to fund students traveling  
17 from routes to and from the Cab Calloway School of the Arts and Brandywine Spring Elementary School  
18 and the Indian River School District is authorized to utilize state transportation dollars to fund students  
19 traveling from routes to and from the Southern Delaware School of the Arts.

20 Section 357. During the fiscal year, the Department of Education will continue and broaden  
21 implementation of the computerized routing system for school bus transportation. During this  
22 implementation, the Department is directed to continue to provide bus transportation services to any  
23 residential area which has received transportation services since October 1, 1977.

24 Section 358. Section 1 of this Act provides an appropriation to Department of Education, Pupil  
25 Transportation (95-04-00) for Public School Transportation. Notwithstanding the provisions of 21 Del.  
26 C. § 4366, the following reimbursement methodology is in effect:

27 (a) For those school districts or private contractors who are operating school buses equipped with  
28 cellular phone technology or have no radio or telephonic communication equipment, the Department of

1 Education is authorized to bring said districts and contractors under a State negotiated cellular phone  
2 contract such that the State shall pay one-half of the costs associated with the monthly connect charge,  
3 subject to the availability of funds.

4 (b) For those school districts or private contractors who are operating school buses equipped with  
5 radio equipment, the department is authorized to reimburse said districts or contractors one-half of the  
6 installation cost of the radio equipment on a one-time basis.

7 Section 359. Section 1 of this Act provides an appropriation to the Department of Education,  
8 Delaware Center for Educational Technology (DCET) for a Technology Block Grant. DCET shall  
9 administer a non-competitive application process to determine grant awards to local school districts and  
10 charter schools. Funds provided by this Act shall be used in the following priority order: (1) Supporting  
11 the maintenance of existing equipment in the schools either through the use of a full time technology  
12 position or contractually, (2) replacement of existing equipment, or (3) such other technology needs as  
13 may arise which could improve or enhance the technology capabilities of the district. To the extent that  
14 these funds are used to pay salary expenses, they may only be used for the state share in accordance with  
15 the schedules contained in 14 Del. C. c. 13. Funding will be distributed based on the formula developed  
16 and approved by the co-chairs of the Joint Finance Committee in Fiscal Year 2001. Local districts are  
17 encouraged to match their allocation pursuant to the provisions of 14 Del. C. § 1902(b), provided the local  
18 match does not exceed those established under 71 Del Laws c. 378. Beginning in Fiscal Year 2008, the  
19 matching provisions provided in this section shall not be interpreted to provide duplicative rate increases.  
20 It shall be the responsibility of the Department of Education to receive and disburse these funds. The  
21 department shall also be charged with the authority to verify the use of the funds and shall require each  
22 school district to annually report on expenditures of the funds.

23 Section 360. Section 1 of this Act provides an appropriation to the Department of Education,  
24 Delaware Center for Education Technology (DCET). It is the intent of the General Assembly that DCET  
25 be responsible for and engage in activities related to total project needs and budgets for statewide  
26 education technology projects, the establishment of cost-sharing policies, the initiation and delivery of  
27 instructional technology programs, implementation on an on-going basis of professional training  
28 programs related to statewide education technology and providing technical assistance to the Department

1 of Education for the initiation of system-wide applications including administrative and curriculum  
2 development.

3 The Department of Technology and Information shall support and enhance statewide education  
4 technology issues and network. In addition, DTI will collaborate with the Department of Education to  
5 provide professional training programs related to using technology in schools which promote and support  
6 Delaware's education standards initiative.

7 Section 361. Section 1 of this Act makes an appropriation to Public Education, Delaware Center  
8 for Educational Technology (95-07-01) for the Delaware Virtual School. These funds shall be used to  
9 support the development of the infrastructure needed to create and sustain a delivery system for Virtual  
10 school initiatives. Efforts should follow best practices and should be focused on creating new  
11 opportunities for students.

12 Section 362. The provisions of this Act to the contrary notwithstanding, consistent with the  
13 provisions of 14 Del. C. § 509(b), charter schools eligible to receive allocations from the Professional  
14 Accountability and Instructional Advancement fund, School-Based Student Discipline programs, Extra  
15 Time for Students, Limited English Proficient, Academic Excellence, Technology Block Grant and Minor  
16 Capital Improvements program will not be required to submit an application to the Department of  
17 Education. Any funds received as a result of the allocation of these programs may be used for current  
18 operations, Minor Capital Improvements, Debt Service payments or tuition payments.

19 Section 363. Section 1 of this Act makes an appropriation to the Department of Education,  
20 Delaware Higher Education Commission (95-08-01) for Scholarships and Grants. Of that amount, \$36.7  
21 shall be used for the Herman M. Holloway, Sr. Scholarship Program per the provisions of 14 Del. C. c.  
22 34; \$255.0 shall be used for the FAME Scholarship Program; \$30.0 shall be used for the MERIT  
23 Scholarship Program; \$275.0 shall be used for the Professional Librarian/Archives Incentive Program;  
24 \$64.2 for the Charles L. Hebner Scholarship; \$125.0 for Critical Teacher Scholarships; \$250.0 for  
25 Delaware Teacher Corps and \$40.0 for the Washington Center for Internships. Any Herman M.  
26 Holloway Sr. Scholarship Program funds remaining after payment of the Holloway Scholarships may be  
27 awarded to Delaware State University students with financial need who applied to the Scholarship  
28 Incentive Program.

1           Section 364. The Delaware Higher Education Commission (DHEC) in the initial award cycle of  
2 the SCIP Program shall not exceed 120 percent of the annual SCIP appropriation. Funds unused in any  
3 given fiscal year may be carried over into a reserve account to be utilized for SCIP awards in the  
4 subsequent year with approval of the Department of Education. In the event that actual awards exceed  
5 projected award amounts, spring awards may be reduced to cover the difference.

6           Section 365. Effective July 1, 2004, the Department of Education, in accordance with 14 Del. C.  
7 § 183, shall integrate at the level approved by the Joint Finance Committee on June 2, 2004.

8           Section 366. Section 1 of this Act makes an appropriation of \$100.0 to the Department of  
9 Education, Delaware Higher Education Commission (95-08-01) for the National Board Certification Loan  
10 Program. DHEC shall administer a non-competitive loan program for educators pursuing certification  
11 from National Board for Professional Teaching Standards. Loans shall be made to cover costs associated  
12 with the application fee and assessment process. If there are more individuals requesting funds than funds  
13 appropriated, DHEC shall prorate the loans provided. Loans shall be interest-free as long as funds are  
14 repaid within two years of achieving National Board Certification or within three years from the start of  
15 the program whether the borrower is successful or not. If the loan repayment is not fulfilled within the  
16 aforementioned terms, the borrower must repay all funds received with interest as determined by the  
17 Delaware Higher Education Commission. Funds in this account shall be interest bearing. Delaware  
18 Higher Education Commission is authorized to use up to \$10.0 annually from the Loan Program to offset  
19 operational costs.

20           Section 367. The Delaware Higher Education Commission is hereby authorized to use up to  
21 \$25.0 of the interest income from the Michael C. Ferguson Achievement Award to support the  
22 recognition of students who are awarded scholarships associated with that appropriation.

23           Section 368. During the fiscal year, the Department of Education, with the approval of the State  
24 Board of Education, is authorized to establish and maintain procedures, by regulation pursuant to 14 Del.  
25 C. 3110(c), for the conduct of expedited due process hearings which shall be available to children with  
26 disabilities and their parents where required by federal or state law, and/or departmental regulation. For  
27 the purposes of such expedited due process hearings, during each fiscal year the Department of Education

1 is authorized to engage the professional services of a cadre of single hearing officers to preside over such  
2 hearings.

3 Section 369. The Brandywine School District Board shall maintain as a stand alone program its  
4 Gifted and Talented Program (also known as the Odyssey Program, formally known as the Brandywine  
5 Academically Gifted Program) at least through the end of the 2010 - 2011 school year. The program shall  
6 be fully maintained at Mt. Pleasant Elementary School and Claymont Elementary School as presently  
7 configured. During this time, the District shall fully support the Odyssey Program in terms of outreach,  
8 recruitment, assessment of students for entry into the program, curriculum development, teacher  
9 assignment and other support elements as currently exist.

10 The Board shall make no decision on the future of the Gifted and Talented Program as it relates to  
11 its configuration as a stand alone program at its current locations prior to July 1, 2009.

12 Section 370. The Department of Education shall continue to work towards the collection of  
13 school-level financial data. To this end, when processing transactions in the Delaware Financial  
14 Management System (DFMS), local school districts shall use a standard set of program codes as  
15 established by the Department of Education effective July 1, 2003.

16 Section 371. Notwithstanding the provisions of 14 Del. C. § 203, § 604 or any sections of this  
17 Act to the contrary, the Christina School District is authorized to operate the Sarah Pyle Academy as a  
18 special program and charge tuition for the support of the Academy as provided in 14 Del. C. § 604 during  
19 the 2008-2009 school year. The Academy shall operate as an academic recovery, drop-out prevention  
20 pilot at no additional cost to the State. The students attending this program shall continue to be counted  
21 in the enrollment of their regular school, however, the state funding associated with these students as  
22 determined by the Secretary of Education shall be utilized by the Sarah Pyle Academy. This program  
23 shall be for the express purpose of providing educational services for students in high school who are no  
24 less than 16 years of age, who have less than five credits toward graduation, and have a documented  
25 family or personal situation that indicates traditional school enrollment is not feasible. This program shall  
26 not be a discipline program as defined or authorized by 14 Del. C. c. 16. An independent evaluation, with  
27 oversight by the Department of Education, shall be conducted at the expense of the Christina School  
28 District. A final report shall be provided to the Secretary of Education, the Director of the Office of



1 Management and Budget, the Controller General, and the Co-Chairs of the Joint Finance Committee by  
2 June 15 of each fiscal year.

3 Section 372. A school district operating a tuition eligible program or school may not reallocate  
4 state units earned for the special school or program, if such reallocation requires an increase in the tuition  
5 tax rate or tuition billing amount. If a reallocation of state units earned will not require such an increase,  
6 districts may reallocate positions as necessary to ensure the most efficient delivery of services, except for  
7 those instances currently prohibited by Delaware Code.

8 Additionally the Department of Education shall be authorized to promulgate rules and regulations  
9 pertaining to tuition billings and tuition payments to include, but not be limited to, procedures to  
10 implement a specific billing and payment schedule; procedures for justification accounting for any  
11 increases from estimated to actual per pupil amounts billed; and procedures for the review of included  
12 costs to ensure appropriateness as it relates to the ratio of state to local resources.

13 Section 373. In accordance with the Salary and Personnel Performance Audit completed  
14 February 16, 2007, and the successful appeal as approved by the Office of Management and Budget and  
15 the Controller General, the Christina School District shall repay the amount of \$1,190,247. These funds  
16 shall be repaid by withholding Division III Equalization funds in accordance with the following schedule:

17	Fiscal Year 2009	\$297,562
18	Fiscal Year 2010	\$297,562
19	Fiscal Year 2011	\$297,561

20 Section 374. (a) Section 1 of this Act makes an appropriation to the Department of Education,  
21 Delaware Higher Education Commission (95-08-01) for SEED (Student Excellence Equals Degree)  
22 Scholarship. This appropriation shall be used to award scholarships to graduates of Delaware public and  
23 nonpublic high schools who meet the eligibility criteria pursuant to the provisions of 14 Del. C. c. 34  
24 Subchapter XIV. Delaware Technical and Community College and the University of Delaware (The  
25 Institutions) have established regulations for the implementation and administration of the SEED  
26 Program. The Institutions are responsible for requesting a transfer of funds from the Department of  
27 Education based on the enrollment of students receiving the SEED Scholarship. Funds awarded under the

1 SEED program are portable in the event that an eligible student transfers between the two eligible  
2 institutions.

3 (b) Delaware Technical and Community College shall provide the Director of the Office of  
4 Management and Budget with quarterly reports on the status of the SEED program.

5 Section 375. Amend 14 Del. C. § 1507(a) by adding the following at the end of the fifth  
6 paragraph: “In addition, the district shall pay an amount to the State for interest defined as the average  
7 rate of return on state investments during the period of the loan.”

8 Section 376. Amend 14 Del. C. § 2736 by deleting the section in its entirety.

9 Section 377. Amend 29 Del. C. § 5903 by deleting section (12) in its entirety and substituting  
10 in lieu thereof the following: “All employees of each state school district, special school district and  
11 charter schools, all employees of the Department of Education and all employees who teach in state  
12 institutions pursuant to unit allocations as set forth in 14 Del. C. § 1703.”

### **SYNOPSIS**

This Bill is the Fiscal Year 2009 Appropriation Act.

Author: Office of Management and Budget