



SPONSORS:            Sen. DeLuca            Rep. Gilligan  
                                 Blevins                 Schwartzkopf  
                                 Henry                     Longhurst  
                                 Cook                      D. P. Williams

DELAWARE STATE SENATE

145th GENERAL ASSEMBLY

SENATE BILL NO. 196

JANUARY 28, 2010

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2011; 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, 2011, 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 2011, 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, 2011

## (01-00-00) LEGISLATIVE

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
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**(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**

		17.0
		17.0

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

	1,232.5
	18.3
	261.4
	119.7
	30.0
	38.5
	7.5
	55.0
	1,762.9

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

	1.0	14.0
	1.0	14.0

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Family Law Commission Expenses  
Contingencies:  
    Legislative Council  
    University of Delaware Senior Center Formula Update  
    Clean Air Policy Committee  
    JFC/CIP Contingency  
    Internship Contingency  
    Security  
TOTAL -- Office of the Controller General

97.6	1,365.4
	7.2
	494.1
	70.0
	27.0
	8.3
	25.0
	25.0
	10.0
	15.0
	5.0
	30.0
97.6	2,082.0

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

Travel  
Contractual Services  
Supplies and Materials  
TOTAL -- Code Revisors

	1.1
	170.8
	0.5
	172.4

**(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	31.0
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**TOTAL -- Legislative Council**

97.6	4,056.9
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	1.0	83.0
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**TOTAL -- LEGISLATIVE**

97.6	13,841.6
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**(02-00-00) JUDICIAL**

	<b>Personnel</b>				<b>\$ Program</b>		<b>\$ Line Item</b>	
	NSF	ASF	GF		ASF	GF	ASF	GF
5				<b>(02-01-00) Supreme Court</b>				
6	11.3		27.0	Personnel Costs			9.3	2,915.6
7				Travel			6.8	15.8
8				Contractual Services			121.4	169.6
9				Energy				7.5
10				Supplies and Materials			5.0	36.4
11				Capital Outlay			6.7	
12	11.3		27.0	<b>TOTAL -- Supreme Court</b>			149.2	3,144.9
13								
14			27.0	(-10) Supreme Court	149.2	3,144.9		
15	11.3			(-40) Regulatory Arms of the Court				
16	11.3		27.0	<b>TOTAL -- Internal Program Units</b>	149.2	3,144.9		
17								
18				<b>(02-02-00) Court of Chancery</b>				
19		23.1	28.9	Personnel Costs			1,130.7	2,921.6
20				Travel			5.5	10.3
21				Contractual Services			992.1	62.7
22				Supplies and Materials			37.5	26.0
23				Capital Outlay			35.0	
24		23.1	28.9	<b>TOTAL -- Court of Chancery</b>			2,200.8	3,020.6
25								
26		23.1	28.9	(-10) Court of Chancery	2,200.8	3,020.6		
27		23.1	28.9	<b>TOTAL -- Internal Program Unit</b>	2,200.8	3,020.6		
28								
29				<b>(02-03-00) Superior Court</b>				
30			313.5	Personnel Costs				20,032.8
31				Travel				64.1
32				Contractual Services				293.7
33				Supplies and Materials				227.0
34				Capital Outlay				46.0
35				Jury Expenses				612.8
36			313.5	<b>TOTAL -- Superior Court</b>				21,276.4
37								
38			313.5	(-10) Superior Court		21,276.4		
39			313.5	<b>TOTAL -- Internal Program Unit</b>		21,276.4		
40								
41				<b>(02-06-00) Court of Common Pleas</b>				
42		4.0	130.0	Personnel Costs			245.4	8,640.1
43				Travel				13.7
44				Contractual Services				266.0
45				Supplies and Materials				90.6
46				Capital Outlay			4.0	14.6
47		4.0	130.0	<b>TOTAL -- Court of Common Pleas</b>			249.4	9,025.0
48								
49		4.0	130.0	(-10) Court of Common Pleas	249.4	9,025.0		
50		4.0	130.0	<b>TOTAL -- Internal Program Unit</b>	249.4	9,025.0		



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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

5.0	67.7	270.3
5.0	67.7	270.3

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

3,737.9	18,211.2
12.3	29.8
289.6	329.6
81.8	106.2
48.0	
113.3	
4,282.9	18,676.8

**TOTAL -- Family Court**

5.0	67.7	270.3
5.0	67.7	270.3

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

4,282.9	18,676.8
4,282.9	18,676.8

**(02-13-00) Justice of the Peace Court**

		247.5
		247.5

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

	15,002.9
	5.3
	1,446.2
	105.8
	136.7
	7.5
	0.3
	16,704.7

**TOTAL -- Justice of the Peace Court**

		247.5
		247.5

(-10) Justice of the Peace Court  
TOTAL -- Internal Program Unit

	16,704.7
	16,704.7

**(02-15-00) COTS/Security Central Account**

	9.0	
	9.0	

Personnel  
Contractual Services  
Supplies and Materials  
Capital Outlay

457.2	
909.6	
281.5	
548.0	
2,196.3	

**TOTAL -- COTS/Security Central Account**

	9.0	
	9.0	

(-10) COTS/Security Central Account  
TOTAL -- Internal Program Unit

2,196.3	
2,196.3	

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

		78.5
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Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
COTS Maintenance Agreements  
Retired Judges  
Continuing Judicial Education  
Victim Offender Mediation Program  
Conflict Attorneys  
CASA Attorneys  
Family Court Civil Attorney

	5,663.1
	33.4
	1,172.9
	3.1
	355.1
	240.9
	739.8
	60.0
	58.3
	361.1
	2,351.4
	258.3
	529.0

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

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Personnel		
NSF	ASF	GF
		78.5

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF
	409.1
	177.6
33.4	361.4
33.4	12,774.5

Interpreters  
Court Appointed Attorneys/Involuntary  
Commitment  
New Castle County Courthouse  
**TOTAL -- Administrative Office of the Courts -  
Court Services**

		33.0
		8.0
		34.0
		3.5
		78.5

33.4	7,576.1
	541.1
	4,204.5
	452.8
33.4	12,774.5

(-01) Office of the State  
Court Administrator  
(-03) Office of State Court  
Collections Enforcement  
(-04) Judicial Information Center  
(-05) Law Libraries  
**TOTAL -- Internal Program Units**

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

		28.5
		28.5

	1,952.8
	31.8
	190.3
	4.3
	28.3
	0.2
	0.5
	50.0
	2,258.2

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
Special Needs Fund  
Ivy Davis Scholarship Fund  
**TOTAL -- Administrative Office of the Courts -  
Non-Judicial Services**

		7.0
		7.5
		7.0
		6.0
		1.0
		28.5

	482.2
	494.2
	831.3
	395.4
	55.1
	2,258.2

(-01) Office of the Public Guardian  
Board  
(-03) Child Placement Review Board  
(-05) Office of the Child Advocate  
(-06) Child Death, Near Death and  
Still Birth Commission  
(-07) Nursing Home Residents Quality  
Assurance Commission  
**TOTAL -- Internal Program Units**

16.3	103.8	1,124.2
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**TOTAL -- JUDICIAL**

9,112.0	86,881.1
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**(10-00-00) EXECUTIVE**

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Personnel		
NSF	ASF	GF
	1.0	23.0
	1.0	23.0

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

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Other Items:  
Woodburn Expenses  
**TOTAL -- Office of the Governor**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		76.6	2,265.2
			8.9
		167.7	157.6
			22.3
			70.1
		244.3	2,524.1

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

31.1	155.5	217.2
	40.0	10.0

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Statistical Analysis Center Other Items:  
    Juvenile Youth Rehabilitative Services  
Budget Administration Other Items:  
    Budget Automation - Operations  
    Trans and Invest  
Contingencies and One-Time Items:  
    One-Time  
    Prior Years' Obligations  
    Self Insurance  
    Legal Fees  
    Personnel Costs - Salary Shortage  
    Appropriated Special Funds  
    Salary/OEC Contingency  
    Judicial Nominating Committee  
    Institutional Evaluation  
    Elder Tax Relief and Education Expense Fund  
    Civil Indigent Services  
    Local Law Enforcement Education  
    Tobacco Fund: 2 Year Nursing Expansion  
    Tobacco Fund: 4 Year Nursing Expansion  
    ERP Operational Funds  
    Lottery Games Enhancement  
Human Resource Operations Other Items:  
    Agency Aide  
Staff Development and Training Other Items:  
    Blue Collar  
    Retiree Conference  
Statewide Benefits Other Items:  
    Flexible Benefits Administration  
Insurance Coverage Office Other Items:  
    Workers' Compensation  
Pensions Other Items:  
    Other Items  
    Health Insurance - Retirees in Closed  
        State Police Plan  
    Pensions - Paraplegic Veterans  
Fleet Management Other Items:  
    Cars and Wagons  
Food Distribution Other Items:  
    Food Processing

10,230.2	15,749.2
72.8	20.2
10,347.5	12,953.1
679.8	5,845.1
3,964.3	1,148.1
664.1	50.3
61.6	
	35.0
500.0	
	3,089.1
	450.0
	6,250.0
	4,750.0
	400.0
27,000.0	
	30,117.5
	8.0
	500.0
	17,224.6
	275.0
	50.0
1,037.9	
500.0	
	5,900.0
3,500.0	
	372.9
180.0	
18.0	
	128.1
31,871.0	
300.0	
	4,652.3
	51.0
5,506.0	
700.0	

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

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Personnel		
NSF	ASF	GF
	2.0	
31.1	197.5	227.2

\$ Program	
ASF	GF
Facilities Management Other Items: Absalom Jones Building Debt Service	
<b>TOTAL -- Office of Management and Budget</b>	

\$ Line Item	
ASF	GF
364.7	13,677.2
97,497.9	123,696.7

5.5	6.5	15.0	(-02) PHRST <i>Administration</i>	516.3	2,069.0
1.0	0.5	7.5	(-05) Administration		1,308.3
1.9		5.9	(-08) Statistical Analysis Center <i>Budget Development, Planning and Administration</i>	61.6	570.0
2.7	15.5	35.8	(-10) Budget Administration	2,236.0	3,180.7
	40.0		(-11) Contingencies and One-Time Items <i>Statewide Human Resources Management</i>	32,037.9	69,014.2
	16.0	40.0	(-20) Human Resource Operations	1,522.1	2,965.6
	5.0	4.0	(-21) Staff Development and Training <i>Benefits and Insurance Administration</i>	645.1	261.1
17.0			(-30) Statewide Benefits		128.1
	6.0		(-31) Insurance Coverage Office	31,871.0	2,399.7
1.0	56.0		(-32) Pensions <i>Government Support Services</i>	5,905.2	4,703.3
		8.0	(-40) Mail/Courier Services	2,196.0	542.0
	14.0		(-41) Printing and Publishing	2,990.4	
	27.0		(-42) Fleet Management	13,863.8	
		6.0	(-43) Service and Information Guide		412.4
		12.0	(-44) Contracting		998.3
	4.0		(-45) Delaware Surplus Services	398.5	
2.0	4.0	4.0	(-46) Food Distribution <i>Facilities Management</i>	952.5	314.7
	3.0	89.0	(-50) Facilities Management	2,301.5	34,829.3
31.1	197.5	227.2	<b>TOTAL -- Internal Program Units</b>	97,497.9	123,696.7

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(10-03-00) Delaware Economic Development Office**

**(10-03-01) Office of the Director**

		9.0
		9.0

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Welfare Reform  
Workplace Literacy  
Debt Service  
TOTAL--Office of the Director

	839.5
	2.0
102.3	
12.7	3.3
10.0	
	5.0
	5.0
	5.0
125.0	859.8

**(10-03-02) Delaware Tourism Office**

	9.0	
	9.0	

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
Main Street  
Tourism Marketing  
TOTAL -- Delaware Tourism Office

636.1	
20.2	
660.5	
8.5	
10.0	
37.5	
200.0	
1,572.8	

**(10-03-03) Delaware Economic Development Authority**

	5.0	19.0
	5.0	19.0

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
Blue Collar  
DEDO General Operating  
Delaware Business Marketing Program  
Debt Service  
TOTAL -- Delaware Economic Development Authority

293.7	1,594.2
20.0	2.3
317.3	
1.5	
10.0	12.4
30.0	10.0
1,700.0	
320.9	
300.0	
	554.1
2,993.4	2,173.0

	14.0	28.0
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**TOTAL -- Delaware Economic Development Office**

4,691.2	3,032.8
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**(10-00-00) EXECUTIVE**

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Personnel		
NSF	ASF	GF

14.0		8.0
14.0		8.0

1.0		12.0
1.0		12.0

15.0		20.0
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5.0	17.0	
5.0	17.0	

51.1	229.5	298.2
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\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(10-07-01) Criminal Justice Council**

Personnel Costs  
 Contractual Services  
 Supplies and Materials  
 Other Items:  
     SENTAC  
     Videophone Fund  
     Domestic Violence Coordinating  
     Council  
     Other Grants  
 TOTAL -- Criminal Justice Council

	885.7
	13.2
	2.8
	1.9
212.5	8.3
	117.2
212.5	1,029.1

**(10-07-02) Delaware Justice Information System**

Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 Capital Outlay  
 TOTAL -- Delaware Justice Information System

	909.6
1.0	2.6
174.0	313.6
17.6	12.9
67.4	
260.0	1,238.7

**TOTAL -- Criminal Justice**

472.5	2,267.8
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**(10-08-01) Delaware State Housing Authority**

Personnel Costs  
 Travel  
 Contractual Services  
 Energy  
 Supplies and Materials  
 Other Items:  
     Huling Cove  
     Housing Development Fund  
     Public Housing  
     Home Improvement Insurance  
     Debt Service  
 TOTAL -- Delaware State Housing Authority

1,344.1	
101.6	
892.3	
85.0	
104.8	
292.5	
28,800.0	4,070.0
540.5	
1,665.0	
	825.3
33,825.8	4,895.3

**TOTAL -- EXECUTIVE**

136,731.7	136,416.7
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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>			
		2.0				519.6
						0.5
						91.0
						0.3
						34.4
						20.0
		2.0				665.8
			<b>TOTAL -- Office of the Chief Information Officer</b>			
		2.0		665.8		
		2.0		665.8		
			<b>(11-02-00) Security Office</b>			
	2.0	10.0			171.2	586.5
					25.0	1.3
					1,100.0	9.4
					48.5	2.3
						35.0
	2.0	10.0			1,344.7	634.5
			<b>TOTAL -- Security Office</b>			
	2.0	10.0	1,344.7	634.5		
	2.0	10.0	1,344.7	634.5		
			<b>(11-03-00) Operations Office</b>			
	8.0	79.0			492.2	7,320.3
					104.7	14.0
					14,481.8	806.7
						652.6
					92.0	213.5
					138.6	9.3
					8,909.5	12,564.7
						215.0
	8.0	79.0			24,218.8	21,796.1
			<b>TOTAL -- Operations Office</b>			
		4.0	10,521.0	344.9		
	3.0	3.0	823.0	1,769.8		
	3.0	45.0	8,043.9	15,652.2		
	2.0	27.0	4,830.9	4,029.2		
	8.0	79.0	24,218.8	21,796.1		
			<b>TOTAL -- Internal Program Units</b>			

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(11-04-00) Technology Office**

	6.5	99.5
	6.5	99.5

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Rental

605.4	8,885.8
70.0	1.9
3,200.0	306.8
10.0	5.2
	1.0
140.0	154.8
4,025.4	9,355.5

**TOTAL -- Technology Office**

	1.0	4.0
	1.0	35.0
		8.0
	2.0	27.0
	2.5	25.5
	6.5	99.5

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

44.5	722.1
108.2	2,912.1
	357.0
2,671.5	3,401.9
1,201.2	1,962.4
4,025.4	9,355.5

**(11-05-00) Customer Office**

		22.0
		22.0

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Rental

	1,598.5
	0.7
	70.0
	1.2
	55.0
	1,725.4

**TOTAL -- Customer Office**

		1.0
		7.0
		14.0
		22.0

(-01) Chief Customer Officer  
(-02) Customer Care Center  
(-03) DTI Service Desk  
TOTAL -- Internal Program Units

	128.2
	668.1
	929.1
	1,725.4

	16.5	212.5
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**TOTAL -- DEPARTMENT OF TECHNOLOGY AND INFORMATION**

29,588.9	34,177.3
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**(12-00-00) OTHER ELECTIVE**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(12-01-01) Lieutenant Governor</b>			
		6.0				521.1
						1.4
						24.9
						2.3
						7.7
		6.0				557.4
			<b>(12-02-01) Auditor of Accounts</b>			
	7.0	19.0			486.2	1,961.7
					5.0	1.0
					460.8	607.0
					8.4	10.4
					5.4	31.9
	7.0	19.0			965.8	2,612.0
			<b>(12-03-00) Insurance Commissioner</b>			
			<b>(12-03-01) Regulatory Activities</b>			
	25.0				1,927.7	
					4.9	
					196.1	
					4.5	
					25.4	
					10.5	
	25.0				2,169.1	
			<b>(12-03-02) Bureau of Examination, Rehabilitation and Guaranty</b>			
2.0	52.0				3,016.3	
					50.5	
					1,416.9	
					29.7	
					167.1	
					940.6	
					36.5	
					16,000.0	
					50.0	
2.0	52.0				21,707.6	
			<b>TOTAL -- Insurance Commissioner</b>			
2.0	77.0				23,876.7	

**(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**

	10.5	12.5
	10.5	12.5

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
    403B Plans  
    Data Processing  
    Banking Services  
    Electronic Data Interchange  
TOTAL -- Administration

766.7	892.8
2.3	
133.5	60.8
9.4	8.9
25.5	
	75.0
50.0	
2,483.3	
70.0	
3,540.7	1,037.5

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

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

	53,347.3
	4,381.3
	354.1
	130.0
34,990.8	
34,990.8	58,212.7

	10.5	12.5
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**TOTAL -- State Treasurer**

38,531.5	59,250.2
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2.0	94.5	37.5
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**TOTAL -- OTHER ELECTIVE**

63,374.0	62,419.6
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**(15-00-00) LEGAL**

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Personnel		
NSF	ASF	GF
48.2	71.8	291.1
	2.0	
48.2	73.8	291.1

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

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			1,736.4	25,248.0
Travel			24.1	3.5
Contractual Services			2,786.2	798.6
Energy				50.3
Supplies and Materials			20.3	61.4
Capital Outlay			81.1	17.0
Other Items:				
Extradition				60.0
Victims Rights			464.6	
Medicaid Fraud Program			30.6	
Securities Administration			861.8	
Child Support			1,646.2	
Consumer Protection			1,324.1	
AG Opinion Fund			15.0	
Tobacco Fund:				
Personnel Costs			362.1	
<b>TOTAL -- Office of Attorney General</b>			<b>9,352.5</b>	<b>26,238.8</b>

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

			\$ Line Item	
NSF	ASF	GF	ASF	GF
5.0		136.0		13,773.5
				784.7
				60.8
				3.8
5.0		136.0		<b>14,622.8</b>
<b>TOTAL -- Public Defender</b>				

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

			\$ Line Item	
NSF	ASF	GF	ASF	GF
		6.0		470.7
				4.8
				19.8
				5.9
		6.0		<b>501.2</b>
<b>TOTAL -- Board of Parole</b>				

**TOTAL -- LEGAL**

<b>53.2</b>	<b>73.8</b>	<b>433.1</b>	<b>9,352.5</b>	<b>41,362.8</b>
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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>			
	10.5	38.5			825.2	2,824.8
					44.1	14.5
					1,903.9	327.9
						54.4
					108.3	74.6
					168.0	2.3
						192.5
						40.0
	10.5	38.5	<b>TOTAL -- Office of the Secretary</b>		3,049.5	3,531.0
	7.0	8.0	2,342.5	1,095.8		
		22.0	86.0	1,499.2		
	3.5	1.5	621.0	114.2		
		2.0		178.9		
		5.0		642.9		
	10.5	38.5	3,049.5	3,531.0		
			<b>(20-02-00) Human Relations/Commission for Women</b>			
1.0		8.0				647.5
						6.6
						73.0
						8.8
						2.0
					10.0	
					3.0	
1.0		8.0	<b>TOTAL -- Human Relations/Commission for Women</b>		13.0	737.9
1.0		8.0	13.0	737.9		
1.0		8.0	<b>TOTAL -- Internal Program Unit</b>		13.0	737.9
			<b>(20-03-00) Delaware Public Archives</b>			
	15.0	15.0			807.3	829.0
					3.8	
					209.0	
					47.4	
					31.0	
						32.0
					10.0	
					15.0	
	15.0	15.0	<b>TOTAL -- Delaware Public Archives</b>		1,123.5	861.0
	15.0	15.0	1,123.5	861.0		
	15.0	15.0	<b>TOTAL -- Internal Program Unit</b>		1,123.5	861.0

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(20-04-00) Regulation and Licensing</b>			
	70.0				5,315.3	
					151.4	
					3,222.6	
					67.9	
					160.4	
					10.0	
					54.5	
					15.0	
	70.0				8,997.1	
			<b>TOTAL -- Regulation and Licensing</b>			
	34.0		3,948.8			
	31.0		4,264.3			
	5.0		784.0			
	70.0		8,997.1			
			<b>TOTAL -- Internal Program Units</b>			
			<b>(20-05-00) Corporations</b>			
	112.0				6,838.0	
					27.0	
					2,150.5	
					75.2	
					505.0	
					800.0	
					5,687.0	
	112.0				16,082.7	
			<b>TOTAL -- Corporations</b>			
	112.0		16,082.7			
	112.0		16,082.7			
			<b>TOTAL -- Internal Program Unit</b>			
			<b>(20-06-00) Historical and Cultural Affairs</b>			
5.4	13.1	27.5			841.7	1,472.1
					3.2	1.3
					200.8	83.1
					226.4	313.3
					14.1	39.6
					0.2	3.0
					29.6	24.0
						9.5
					32.1	
					12.6	30.0
						139.3
5.4	13.1	27.5			1,360.7	2,115.2
			<b>TOTAL -- Historical and Cultural Affairs</b>			
5.4	13.1	27.5	1,360.7	2,115.2		
5.4	13.1	27.5	1,360.7	2,115.2		
			<b>TOTAL -- Internal Program Units</b>			

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(20-07-00) Arts</b>			
3.0	2.0	3.0	Personnel Costs		155.9	222.0
			Travel			0.9
			Contractual Services			66.8
			Supplies and Materials			3.0
			Other Items:			
			Art for the Disadvantaged			10.0
			Delaware Art		600.0	626.1
3.0	2.0	3.0	<b>TOTAL -- Arts</b>		755.9	928.8
3.0	2.0	3.0	(-01) Office of the Director		755.9	928.8
3.0	2.0	3.0	TOTAL -- Internal Program Unit		755.9	928.8
			<b>(20-08-00) Libraries</b>			
7.0	4.0	6.0	Personnel Costs		244.6	322.1
			Travel			0.5
			Contractual Services			62.4
			Supplies and Materials			19.6
			Capital Outlay			7.0
			Other Items:			
			Library Standards		1,760.8	2,608.7
			Delaware Electronic Library		350.0	
			DELNET- Statewide		50.0	585.0
			Public Education Project		50.0	
			Debt Service			1,809.9
7.0	4.0	6.0	<b>TOTAL -- Libraries</b>		2,455.4	5,415.2
7.0	4.0	6.0	(-01) Libraries		2,455.4	5,415.2
7.0	4.0	6.0	TOTAL -- Internal Program Unit		2,455.4	5,415.2
			<b>(20-09-00) Veterans Home</b>			
		207.0	Personnel Costs			10,327.6
			Travel			3.4
			Contractual Services			1,763.3
			Energy			551.3
			Supplies and Materials			1,404.7
			Capital Outlay			115.0
		207.0	<b>TOTAL -- Veterans Home</b>			14,165.3
		207.0	(-01) Veterans Home			14,165.3
		207.0	TOTAL -- Internal Program Unit			14,165.3

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

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Personnel		
NSF	ASF	GF

	38.0	
	38.0	

	38.0	
	38.0	

16.4	264.6	305.0
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**(20-15-00) State Banking Commission**

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay

**TOTAL -- State Banking Commission**

(-01) State Banking Commission

TOTAL -- Internal Program Unit

\$ Program	
ASF	GF

3,708.9	
3,708.9	

\$ Line Item	
ASF	GF

2,887.5	
80.0	
653.9	
20.0	
67.5	
3,708.9	

37,546.7	27,754.4
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**TOTAL -- DEPARTMENT OF STATE**

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

<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>(25-01-00) Office of the Secretary</b>			
		17.0				1,871.4
						2.5
						119.7
						3.7
	19.0				2,791.0	
	19.0				2,578.0	
						1,593.6
	38.0	17.0	<b>TOTAL -- Office of the Secretary</b>		5,369.0	3,590.9
	38.0	17.0	<b>(-01) Office of the Secretary</b>		5,369.0	3,590.9
	38.0	17.0	<b>TOTAL -- Internal Program Unit</b>		5,369.0	3,590.9
			<b>(25-05-00) Accounting</b>			
	5.0	40.0			443.2	2,591.5
					12.0	1.5
					12.0	344.8
					1.5	10.3
					5.0	42.8
	5.0	40.0	<b>TOTAL -- Accounting</b>		473.7	2,990.9
	5.0	40.0	<b>(-01) Accounting</b>		473.7	2,990.9
	5.0	40.0	<b>TOTAL -- Internal Program Unit</b>		473.7	2,990.9
			<b>(25-06-00) Revenue</b>			
		92.0				7,371.0
						2.9
						1,113.9
						8.4
						96.4
						60.5
	43.0				4,259.7	
	1.0					
	44.0	92.0	<b>TOTAL -- Revenue</b>		4,259.7	8,653.1
	44.0	92.0	<b>(-01) Revenue</b>		4,259.7	8,653.1
	44.0	92.0	<b>TOTAL -- Internal Program Unit</b>		4,259.7	8,653.1



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

	<b>Personnel</b>				<b>\$ Program</b>		<b>\$ Line Item</b>	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
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14								
15								
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17								

  

		26.0			<b>(25-07-00) State Lottery Office</b>			
					Personnel Costs		1,977.9	
					Travel		50.0	
					Contractual Services		52,353.6	
					Supplies and Materials		47.9	
					Capital Outlay		217.0	
		26.0			<b>TOTAL -- State Lottery Office</b>		54,646.4	
		26.0			(-01) State Lottery Office		54,646.4	
		26.0			<b>TOTAL -- Internal Program Unit</b>		54,646.4	
		113.0	149.0		<b>TOTAL -- DEPARTMENT OF FINANCE</b>		64,748.8	15,234.9

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

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Personnel		
NSF	ASF	GF
62.5	33.5	435.1
62.5	33.5	435.1

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

Personnel Costs  
 Travel  
 Contractual Services  
 Energy  
 Supplies and Materials  
 Capital Outlay  
 Tobacco Fund:  
     Personnel Costs  
     Uninsured Action Plan  
 Other Items:  
     Uninsured Action Plan  
     DIMER Operations  
     DIDER Operations  
     Revenue Management  
     Program Integrity  
     Nurse Recruitment  
     Birth to Three Program  
     EBT  
     Operations  
     DHSS/IRM  
     TANF General Fund  
     IRM License and Maintenance

**TOTAL -- Administration**

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

1,820.9	22,746.9
15.5	
1,070.6	5,276.3
212.5	2.0
134.7	818.0
85.0	1.2
57.1	
996.9	
	225.0
	2,130.0
	540.5
269.2	
232.8	
	15.0
400.0	2,858.9
	466.8
1,400.0	
2,650.0	
	1,115.0
	64.0
9,345.2	36,259.6

	1.0	14.0
62.5	32.5	143.1
		278.0
62.5	33.5	435.1

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

1,216.7	3,561.8
6,728.5	16,345.0
1,400.0	16,352.8
9,345.2	36,259.6

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

Personnel Costs  
 Travel  
 Contractual Services  
 Energy  
 Supplies and Materials  
 Capital Outlay  
 Tobacco Fund:  
     Prescription Drug Program  
     Medical Assistance Transition  
     Medicaid  
     Medicaid for Workers with Disabilities  
     Money Follows the Person  
     Delaware Health Children Program  
     Legal Non-Citizen Health Care  
     Cancer Council Recommendations:  
         Breast and Cervical Cancer Treatment  
 Other Items:  
     Medicaid  
     Medicaid for Workers with Disabilities  
     Medicaid/NonState  
     DOC Medicaid  
     Medicaid Other  
     DPH Fees  
     School Based Health Centers  
     Delaware Healthy Children Program

	4,426.0
	0.1
	3,841.1
	30.1
	32.7
	6.6
4,420.0	
3,054.8	
650.0	
698.8	
499.5	
4,392.1	
1,570.0	
600.0	
17,000.0	515,279.8
47.5	
100.0	
2,300.0	
1,046.7	
800.0	
600.0	
500.0	

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					600.0	
					585.2	
					275.1	
						634.0
						350.0
99.1	0.5	72.3	<b>TOTAL -- Medicaid and Medical Assistance</b>		39,739.7	524,600.4
99.1	0.5	72.3	(-01) Medicaid and Medical Assistance	39,739.7	524,600.4	
99.1	0.5	72.3	TOTAL -- Internal Program Unit		39,739.7	524,600.4
			<b>(35-04-00) Medical Examiner</b>			
		50.0	Personnel Costs			3,461.2
			Travel			0.3
			Contractual Services			245.5
			Energy			102.3
			Supplies and Materials			494.1
			Capital Outlay			38.6
			Debt Service			12.1
		50.0	<b>TOTAL -- Medical Examiner</b>			4,354.1
		50.0	(-01) Medical Examiner	4,354.1		
		50.0	TOTAL -- Internal Program Unit		4,354.1	
			<b>(35-05-00) Public Health</b>			
238.7	55.0	1,104.2	Personnel Costs		808.6	62,135.5
			Travel			4.0
			Contractual Services		582.2	7,040.8
			Energy		25.0	2,488.6
			Supplies and Materials		60.0	3,700.7
			Capital Outlay			119.1
			Tobacco Fund:			
			Personnel Costs		653.7	
			Contractual Services		1,052.6	
			Diabetes		450.0	
			New Nurse Development		2,317.5	
			Public Access Defibrillation Initiative		200.0	
			Cancer Council Recommendations		12,446.2	
			Infant Mortality Task Force		3,551.9	
			School Based Health Centers		2,345.6	
			Other Items:			
			Long-Term Care Prospective Payment		114.0	
			Rodent Control			50.0
			Tuberculosis		115.0	
			Sexually Transmitted Diseases		105.0	
			Child Development Watch		687.7	
			Preschool Diagnosis and Treatment		100.0	78.0
			Home Visits		20.0	
			Immunizations			236.5
			School Based Health Centers		102.0	2,978.2
			Hepatitis B			40.0
			AIDS Needle Exchange Pilot Program			230.5
			Rabies Control			222.0
			Vanity Birth Certificates		14.7	
			Public Water		60.0	
			Medicaid Enhancements		205.0	
			Infant Mortality		150.0	
			Medicaid AIDS Waiver		1,500.0	
			Medicare Part D		1,109.8	
	1.0					

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

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
5				Children with Special Needs			45.0	
6				Family Planning			325.0	
7				Newborn			1,600.0	
8				Indirect Costs			431.4	
9				Child Health			1,437.3	
10				Food Inspection			21.0	
11				Food Permits			575.0	
12				Medicaid Contractors/Lab Testing and Analysis			900.0	
13				Water Operator Certification			22.0	
14				IV Therapy			559.0	
15				Health Statistics			1,200.0	
16				Infant Mortality Task Force				27.0
17				J-1 VISA			13.5	
18				HFLC			30.0	
19				Cancer Council				662.5
20				Hospice			25.0	
21				Health Disparities				50.6
22				Debt Service				9.6
23	238.7	56.0	1,104.2	<b>TOTAL -- Public Health</b>			35,960.7	80,073.6
25	4.0	7.0	49.0	(-10) Director's Office/Support Services	1,601.6	3,294.6		
26	233.7	48.0	263.3	(-20) Community Health	32,326.3	26,195.2		
27	1.0		8.0	(-30) Emergency Medical Services	200.0	1,203.3		
28		1.0	498.1	(-40) Delaware Hospital for the	1,663.4	30,645.8		
29				Chronically Ill				
30			154.8	(-50) Emily Bissell	144.4	10,429.3		
31			131.0	(-60) Governor Bacon	25.0	8,305.4		
32	238.7	56.0	1,104.2	<b>TOTAL -- Internal Program Units</b>	35,960.7	80,073.6		
35	4.8	1.0	688.4	<b>(35-06-00) Substance Abuse and Mental Health</b>			299.0	45,876.1
36				Personnel Costs				6.9
37				Travel			1,569.9	28,465.9
38				Contractual Services				1,695.9
39				Energy			300.6	4,187.7
40				Supplies and Materials			9.0	184.0
41				Capital Outlay				
42				Tobacco Fund:				
43				Contractual Services			142.2	
44				Transitional Housing for Detoxification			177.1	
45				Heroin Residential Program			412.0	
46				Delaware School Study			28.7	
47				Limen House			60.3	
48		1.0		Other Items:				
49				Medicare Part D			1,119.0	
50				TEFRA			100.0	
51				DPC Disproportionate Share			1,050.0	
52				DPC Industries				38.1
53				DOC Assessments			655.0	
54				Clinical Care				277.5
55				Kent/Sussex Detox Center			300.0	
56				CMH Group Homes				6,901.3
57	4.8	2.0	688.4	Debt Service				19.8
				<b>TOTAL -- Substance Abuse and Mental Health</b>			6,222.8	87,653.2

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

Personnel		
NSF	ASF	GF
3.0		62.0
1.0		96.0
0.8	1.0	504.4
	1.0	26.0
4.8	2.0	688.4

(-10) Administration  
 (-20) Community Mental Health  
 (-30) Delaware Psychiatric Center  
 (-40) Substance Abuse  
**TOTAL -- Internal Program Units**

\$ Program	
ASF	GF
60.0	3,834.4
1,605.0	32,100.7
2,196.6	40,616.4
2,361.2	11,101.7
6,222.8	87,653.2

\$ Line Item	
ASF	GF

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

199.5		192.2
199.5		192.2

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  
     TANF General Fund  
     Child Care  
     Emergency Assistance  
     Employment and Training  
**TOTAL -- Social Services**

	10,595.5
	0.9
	2,245.5
	86.8
	88.5
	51.3
1,240.4	
75.1	
	4,547.5
	10,187.5
1,200.0	
	5,347.5
	10,629.4
	1,078.9
	2,499.8
2,515.5	47,359.1

199.5		192.2
199.5		192.2

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

2,515.5	47,359.1
2,515.5	47,359.1

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

32,291.0

**(35-08-00) Visually Impaired**

25.2	3.0	36.8
25.2	3.0	36.8

Personnel Costs  
 Travel  
 Contractual Services  
 Energy  
 Supplies and Materials  
 Capital Outlay  
 Other Items:  
     BEP Unassigned Vending  
     BEP Independence  
     BEP Vending  
**TOTAL -- Visually Impaired**

105.9	2,627.2
	1.5
1.5	405.2
	81.1
	67.0
4.0	39.1
175.0	
450.0	
425.0	
1,161.4	3,221.1

25.2	3.0	36.8
25.2	3.0	36.8

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

1,161.4	3,221.1
1,161.4	3,221.1

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

16.2		36.8
16.2		36.8

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

	2,283.0
	0.3
	122.4
	9.1
	5.9
	16.3
	2,437.0

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

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Personnel		
NSF	ASF	GF
16.2		36.8
16.2		36.8

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

\$ Program	
ASF	GF
	2,437.0
	2,437.0

\$ Line Item	
ASF	GF

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

123.2	3.3	62.6
	23.0	
123.2	26.3	62.6

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Incentive Reinvestment  
    Recoupment  
TOTAL -- Child Support Enforcement

182.5	3,514.8
9.6	
793.5	589.9
30.0	13.3
23.0	
162.9	
1,200.0	
25.0	
2,426.5	4,118.0

123.2	26.3	62.6
123.2	26.3	62.6

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

2,426.5	4,118.0
2,426.5	4,118.0

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

3.0	1.0	572.0
3.0	1.0	572.0

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Tobacco Fund:  
    Family Support  
Other Items:  
    Music Stipends  
    Assisted Living  
    Purchase of Care  
    Purchase of Community Services  
    Stockley Transition Plan  
Debt Service  
TOTAL -- Developmental Disabilities Services

40.0	31,630.6
	1.3
2,342.0	2,763.7
	1,042.1
	886.7
	15.0
70.0	
	1.1
300.0	
2,094.0	22,199.6
	7,521.2
	526.2
	4.6
4,846.0	66,592.1

3.0	1.0	69.0
		277.0
		226.0
3.0	1.0	572.0

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

40.0	4,162.0
300.0	20,860.8
4,506.0	41,569.3
4,846.0	66,592.1

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

22.5		103.0
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Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Family Support  
    Community Food Program  
    Emergency Assistance

	5,519.4
7.8	0.1
319.7	1,406.5
231.3	891.9
64.1	80.6
39.8	17.3
	386.3
	129.8
	1,596.9

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

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Personnel		
NSF	ASF	GF
22.5		103.0

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF
	70.0
	50.3
	200.0
	12.5
662.7	10,361.6

Kinship Care  
Hispanic Affairs  
Energy Assistance  
Debt Service  
**TOTAL -- State Service Centers**

		11.0
17.0		75.5
5.5		16.5
22.5		103.0

662.7	1,733.9
	6,952.8
	1,674.9
662.7	10,361.6

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

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

53.7		63.0
	1.5	
53.7	1.5	63.0

	3,634.5
	1.8
	4,827.9
	12.9
	53.8
	6.8
760.0	
178.1	
43.2	
90.3	
500.0	3.0
	789.9
	249.1
	110.0
1,571.6	9,689.7

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

53.7	1.5	63.0
53.7	1.5	63.0

1,571.6	9,689.7
1,571.6	9,689.7

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

**TOTAL -- DEPARTMENT OF HEALTH  
AND SOCIAL SERVICES**

848.4	123.8	3,416.4
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104,452.1	876,719.5
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**(37-00-00) DEPARTMENT OF SERVICES FOR CHILDREN,  
YOUTH AND THEIR FAMILIES**

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Personnel		
NSF	ASF	GF
18.6	26.1	150.9
18.6	26.1	150.9

\$ Program	
ASF	GF
<b>(37-01-00) Management Support Services</b>	
Personnel Costs	
Travel	
Contractual Services	
Supplies and Materials	
Capital Outlay	
Other Items:	
MIS Development	
Agency Operations	
Services Integration	
Maintenance and Restoration	
<b>TOTAL -- Management Support Services</b>	

\$ Line Item	
ASF	GF
1,723.9	12,479.5
17.7	2.6
306.8	2,677.9
66.9	250.5
27.0	19.8
	646.6
187.0	
102.1	
100.0	
2,531.4	16,076.9

6.0	4.0	18.0
	1.0	3.0
10.2	10.6	20.5
		17.0
	2.0	10.0
	6.0	65.0
2.4	2.5	17.4
18.6	26.1	150.9

(-10) Office of the Secretary	
(-15) Office of the Director	
(-20) Fiscal Services	
(-25) Facilities Management	
(-30) Human Resources	
(-40) Education Services	
(-50) Management Information Systems	
<b>TOTAL -- Internal Program Units</b>	

403.7	1,753.9
134.7	401.6
603.1	1,496.5
232.0	2,726.2
142.7	855.2
465.9	6,116.1
549.3	2,727.4
2,531.4	16,076.9

<b>(37-04-00) Prevention and Behavioral Health Services</b>	
Personnel Costs	
Travel	
Contractual Services	
Energy	
Supplies and Materials	
Capital Outlay	
Tobacco Fund:	
Prevention Programs for Youth	
Other Items:	
MIS Maintenance	
<b>TOTAL -- Prevention and Behavioral Health Services</b>	

1,888.6	14,676.5
9.6	5.8
10,295.6	12,772.1
	129.0
26.5	285.0
	7.7
59.3	
16.0	
12,295.6	27,876.1

1.0	20.5	88.6
61.0	6.0	10.0
		32.5
		65.7
62.0	26.5	196.8

(-10) Managed Care Organization	
(-20) Prevention/Early Intervention	
(-30) Periodic Treatment	
(-40) 24 Hour Treatment	
<b>TOTAL -- Internal Program Units</b>	

1,756.1	8,486.3
617.4	1,181.4
3,709.3	9,885.3
6,212.8	8,323.1
12,295.6	27,876.1



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

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Personnel		
NSF	ASF	GF

2.0	22.0	353.6
2.0	22.0	353.6

2.0	2.0	11.1
2.0	5.0	81.5
2.0	15.0	261.0
2.0	22.0	353.6

32.1	23.9	288.3
32.1	23.9	288.3

21.7	2.4	50.5
1.0	13.0	98.4
9.4	8.5	139.4
32.1	23.9	288.3

114.7	98.5	989.6
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**(37-05-00) Youth Rehabilitative Services**

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

**TOTAL -- Youth Rehabilitative Services**

(-10) Office of the Director  
(-30) Community Services  
(-50) Secure Care  
TOTAL -- Internal Program Units

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

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Child Welfare/Contractual Services  
Other Items:  
Emergency Material Assistance  
DFS Decentralization

**TOTAL -- Family Services**

(-10) Office of the Director  
(-30) Intake/Investigation  
(-40) Intervention/Treatment  
TOTAL -- Internal Program Units

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

\$ Program	
ASF	GF

132.3	891.3
559.0	19,418.3
1,274.0	19,534.1
1,965.3	39,843.7

389.1	4,851.5
966.9	6,739.0
1,203.2	30,639.9
2,559.2	42,230.4

\$ Line Item	
ASF	GF

1,229.1	21,914.7
10.5	9.6
641.7	15,194.6
	937.2
84.0	1,355.4
	7.4
	424.8
1,965.3	39,843.7

1,753.7	18,292.5
24.9	2.5
636.6	2,175.9
	5.2
24.7	72.3
6.0	9.3
	21,641.7
	31.0
113.3	
2,559.2	42,230.4

19,351.5	126,027.1
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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>					
		301.0	Personnel Costs				19,291.6	
			Travel				3.0	
			Contractual Services				1,882.9	
			Energy				183.8	
			Supplies and Materials				8,110.9	
			Capital Outlay				78.5	
			Other Items:					
			Contingency - Shakedowns				15.4	
			Information Technology				1,310.5	
			Emergency Preparedness				48.6	
			Drug Testing				52.3	
			Warehouse				95.0	
		301.0	<b>TOTAL -- Administration</b>				31,072.5	
			<b>(38-01-00) Internal Program Units</b>					
		20.0	(-01) Office of the Commissioner		1,882.1			
		49.0	(-02) Human Resources/Employee Development Center		3,683.6			
		18.0	(-10) Management Services		2,577.8			
		36.0	(-12) Central Offender Records		1,705.0			
		14.0	(-14) Information Technology		2,268.4			
		88.0	(-20) Food Services		14,100.9			
			Services					
		76.0	(-40) Facilities Maintenance		4,854.7			
		301.0	<b>TOTAL -- Internal Program Units</b>		31,072.5			
			<b>(38-02-00) Correctional Healthcare Services</b>					
		12.0	Personnel Costs				1,067.8	
			Medical Services				41,891.4	
			AIDS Education and Counseling				72.0	
			Drug and Alcohol Treatment				4,381.0	
		12.0	<b>TOTAL--Correctional Healthcare Services</b>				47,412.2	
			<b>(38-02-00) Internal Program Unit</b>					
		12.0	(-01) Medical Treatment and Services		47,412.2			
		12.0	<b>TOTAL -- Internal Program Unit</b>		47,412.2			
			<b>(38-04-00) Prisons</b>					
	8.0	1,632.7	Personnel Costs			735.3	103,176.2	
			Travel			19.0	14.8	
			Contractual Services			879.8	3,373.9	
			Energy			25.3	7,698.6	
			Supplies and Materials			1,495.5	3,197.7	
			Capital Outlay			182.0	30.9	
			Other Items:					
			Gate Money				19.0	
			Prison Arts				82.5	
			DCC Fence				23.0	
			Debt Service				2,143.9	
	8.0	1,632.7	<b>TOTAL -- Prisons</b>			3,336.9	119,760.5	

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

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Personnel		
NSF	ASF	GF
		7.0
		703.0
		389.0
		98.0
		356.0
		53.0
	8.0	18.0
		8.7
	8.0	1,632.7

(-01) Bureau Chief - Prisons  
 (-03) James T. Vaughn 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**

\$ Program	
ASF	GF
	1,104.4
	50,442.6
	26,772.1
	8,015.5
	24,842.0
	6,059.7
3,336.9	1,331.2
	1,193.0
3,336.9	119,760.5

\$ Line Item	
ASF	GF

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

1.0		609.0
1.0		609.0

Personnel Costs  
 Travel  
 Contractual Services  
 Energy  
 Supplies and Materials  
 Capital Outlay

0.5	39,207.0
	10.2
478.1	4,829.5
50.0	875.3
301.9	634.1
75.0	26.4
905.5	45,582.5

**TOTAL -- Community Corrections**

		5.0
1.0		310.0
		39.0
		99.0
		79.0
		77.0
1.0		609.0

(-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**

	1,293.3
403.1	21,686.7
	3,777.2
	7,273.0
502.4	6,095.8
	5,456.5
905.5	45,582.5

1.0	8.0	2,554.7
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**TOTAL -- DEPARTMENT OF CORRECTION**

4,242.4	243,827.7
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**(40-00-00) DEPARTMENT OF NATURAL RESOURCES  
AND ENVIRONMENTAL CONTROL**

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Personnel		
NSF	ASF	GF
40.1	59.7	51.2
40.1	59.7	51.2

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

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Non-Game Habitat  
    Coastal Zone Management  
    Special Projects/Other Items  
    Outdoor Delaware  
    Whole basin Management-TMDL  
    Green Energy Fund  
    RGGI CO2 Emissions  
    RGGI Administration  
    RGGI Reduction Project  
    SRF Future Administration  
    HSCA - Recovered Administration  
    Other Items  
Debt Service

**TOTAL -- Office of the Secretary**

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

2,656.8	4,352.2
22.9	6.6
652.3	97.2
64.5	644.9
105.8	60.2
7.2	
20.0	
15.0	
15.0	
105.0	
314.7	652.8
850.0	
12,000.0	
1,200.0	
1,200.0	
750.0	
161.2	
70.0	
	36.3
20,210.4	5,850.2

1.0	18.8	20.2
14.0	4.0	7.0
5.0	3.0	
1.0	8.5	11.5
19.1	25.4	12.5
40.1	59.7	51.2

(-01) Office of the Secretary  
(-02) Climate Change and Coastal Programs  
(-04) Energy Policy and Programs  
(-05) Information Technology  
(-06) Financial Services  
TOTAL -- Internal Program Units

1,842.0	3,413.5
373.1	623.4
15,522.4	6.6
618.2	838.5
1,854.7	968.2
20,210.4	5,850.2

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

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Personnel		
NSF	ASF	GF
52.6	96.1	194.3
52.6	96.1	194.3

**(40-03-00) Natural Resources**

- 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
  - Junior Duck Stamp
  - Trout Stamp
  - Finfish Development
  - Fisheries Restoration
  - Northern Delaware Wetlands
  - Revenue Refund
  - Annex
  - Biden Center
  - New Castle County Dredge
  - Beach Erosion Control Program
  - Sand Bypass System
  - Tax Ditches\*
  - Other Items
- Debt Service

**TOTAL -- Natural Resources**

- (-02) Parks and Recreation
- (-03) Fish and Wildlife
- (-04) Watershed Management
- TOTAL -- Internal Program Units

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		8,438.4	14,319.5
		65.8	0.2
		4,274.8	2,768.0
		69.2	907.2
		1,438.7	689.7
		1,474.9	2.0
			597.8
		10.0	
		40.0	
		50.0	
		19.0	197.0
		32.4	
		180.0	
		5.0	
		50.0	
		130.0	
		600.0	
		277.5	
		38.0	
		500.0	
		90.0	
			225.0
		8,000.0	
			80.0
			225.0
		739.6	
			1,691.0
		26,523.3	21,702.4

10,939.5	9,160.4
6,024.2	5,038.1
9,559.6	7,503.9
26,523.3	21,702.4

\*Pursuant to 7 Del. C. § 3921

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

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Personnel		
NSF	ASF	GF
71.2	148.6	77.2
71.2	148.6	77.2

**(40-04-00) Environmental Protection**

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  
    Cost Recovery  
    Tire Administration  
    Tire Clean-up  
    Board of Certification  
    Other Items  
Debt Service

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

7,633.7	6,359.0
110.0	
2,255.5	617.1
29.5	99.9
556.5	121.8
483.0	19.9
300.0	
225.0	
25,310.5	
2,236.8	
30.0	14.4
350.0	
100.0	
75.0	
180.9	
525.8	
164.8	
241.2	
50.0	
	50.0
20.0	
500.0	
1,500.0	
14.0	
854.9	
	362.0
43,747.1	7,644.1

**TOTAL - Environmental Protection**

3.0	15.8	8.2
16.4	42.6	10.0
12.8	48.2	35.0
39.0	42.0	24.0
71.2	148.6	77.2

(-01) Community Services  
(-02) Air Quality  
(-03) Water  
(-04) Waste Management  
TOTAL -- Internal Program Units

1,403.0	740.1
4,640.2	1,044.2
4,289.6	3,711.4
33,414.3	2,148.4
43,747.1	7,644.1

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

163.9	304.4	322.7
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90,480.8	35,196.7
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**(45-00-00) DEPARTMENT OF SAFETY AND HOMELAND SECURITY**

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Personnel		
NSF	ASF	GF
40.4	3.5	50.1
40.4	3.5	50.1

**(45-01-00) Office of the Secretary**  
 Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 Capital Outlay  
 Other Items:  
     Police Training Council  
     Real Time Crime Reporting  
     Local Emergency Planning Councils  
     ITC Funds  
     System Support  
     Hazardous Waste Cleanup  
     Resale - Communication Parts  
     Other Items  
 Debt Service  
**TOTAL -- Office of the Secretary**

\$ Program	
ASF	GF
133.0	1,511.5
1,629.8	1,754.8
	716.7
	153.1
	20.0
	131.1
1,762.8	4,287.2

\$ Line Item	
ASF	GF
158.4	3,590.4
4.0	2.9
643.7	492.9
10.0	48.0
10.0	0.1
	13.1
	72.1
	50.0
	15.0
500.0	
100.0	
336.0	
0.7	
	2.7
1,762.8	4,287.2

		16.0
	3.5	22.5
31.8		8.2
4.6		2.4
4.0		
		1.0
40.4	3.5	50.1

(-01) Administration  
 (-20) Communication  
 (-30) Delaware Emergency Management Agency  
 (-40) Highway Safety  
 (-50) Developmental Disabilities Council  
 (-60) State Council for Persons with Disabilities  
**TOTAL -- Internal Program Units**

133.0	1,511.5
1,629.8	1,754.8
	716.7
	153.1
	20.0
	131.1
1,762.8	4,287.2

**(45-02-00) Capitol Police**  
 Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 Capital Outlay  
 Special Duty  
**TOTAL -- Capitol Police**

		68.0
		68.0

	3,366.3
	0.5
	339.2
	40.8
	30.9
36.0	
36.0	3,777.7

		68.0
		68.0

(-10) Capitol Police  
**TOTAL -- Internal Program Unit**

36.0	3,777.7
36.0	3,777.7

**(45-03-00) Office of the Alcoholic Beverage Control Commissioner**  
 Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
**TOTAL -- Office of the Alcoholic Beverage Control Commissioner**

		6.0
		6.0

	451.5
2.0	0.5
46.6	7.0
2.0	2.2
50.6	461.2

		6.0
		6.0

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

50.6	461.2
50.6	461.2

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

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

	3.0	11.0
	4.0	
	7.0	11.0

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

156.2	701.5
2.8	
36.6	108.1
10.0	10.0
1.0	3.0
235.0	
20.0	
150.0	
89.0	
30.0	
10.0	
740.6	822.6

	7.0	11.0
	7.0	11.0

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

740.6	822.6
740.6	822.6

**(45-06-00) State Police**

55.2	57.0	806.8
55.2	57.0	806.8

Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 Capital Outlay  
 Other Items:  
     Other Items  
     Pension - 20 Year Retirees  
     Crime Reduction Fund  
     Handicapped/Fire Lane Enforcement  
     Special Duty Fund  
     Debt Service  
**TOTAL -- State Police**

4,170.8	80,073.0
66.8	
812.9	4,556.4
1,204.9	4,515.7
321.9	606.8
112.5	
	23,367.0
	110.0
	90.0
3,182.1	
	336.9
9,871.9	113,655.8

1.0		62.0
		7.0
	20.0	359.0
46.0	1.0	144.0
	7.0	41.0
		24.0
6.2	9.0	9.8
1.0	16.0	39.0
		12.0
1.0	4.0	84.0
		13.0
		12.0
55.2	57.0	806.8

(-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**

611.7	30,109.8
	805.6
3,853.0	38,301.4
903.8	17,150.9
1,081.7	5,758.6
	3,710.4
874.1	928.9
1,308.1	2,916.9
304.6	1,815.8
332.7	6,746.1
533.6	4,537.8
68.6	873.6
9,871.9	113,655.8

**TOTAL -- DEPARTMENT OF**

95.6	67.5	941.9
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**SAFETY AND HOMELAND SECURITY**

12,461.9	123,004.5
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**(55-00-00) DEPARTMENT OF TRANSPORTATION**

Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			<b>(55-01-00) Office of the Secretary</b>	
			<b>(55-01-01) Office of the Secretary</b>	
	9.0		Personnel Costs	882.3
			Travel	9.0
			Contractual Services	7.7
			Supplies and Materials	3.0
			Salary Contingency	366.8
	9.0		<b>TOTAL -- Office of the Secretary</b>	<b>1,268.8</b>
			<b>(55-01-02) Finance</b>	
1.0	35.0		Personnel Costs	2,238.6
			Travel	5.0
			Contractual Services	1,220.5
			Supplies and Materials	8.0
1.0	35.0		<b>TOTAL -- Finance</b>	<b>3,472.1</b>
			<b>(55-01-03) Public Relations</b>	
	14.0		Personnel Costs	1,044.7
			Travel	6.5
			Contractual Services	34.2
			Supplies and Materials	66.8
			Capital Outlay	2.6
	14.0		<b>TOTAL -- Public Relations</b>	<b>1,154.8</b>
			<b>(55-01-04) Human Resources</b>	
	26.0		Personnel Costs	1,640.4
			Travel	77.7
			Contractual Services	499.5
			Supplies and Materials	96.9
	26.0		<b>TOTAL -- Human Resources</b>	<b>2,314.5</b>
1.0	84.0		<b>TOTAL -- Office of the Secretary</b>	<b>8,210.2</b>
			<b>(55-02-01) Technology and Support Services</b>	
	90.0		Personnel Costs	6,674.6
			Travel	26.0
			Contractual Services	10,057.6
			Energy	1,468.6
			Supplies and Materials	651.0
			Capital Outlay	361.9
	90.0		<b>TOTAL -- Technology and Support Services</b>	<b>19,239.7</b>
			<b>(55-03-01) Planning</b>	
	61.0	26.0	Personnel Costs	4,720.8
			Travel	60.4
			Contractual Services	1,287.1
			Energy	31.0
			Supplies and Materials	177.0
			Capital Outlay	28.0
	61.0	26.0	<b>TOTAL -- Planning</b>	<b>6,304.3</b>

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

Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			<b>(55-04-00) Maintenance and Operations</b>	
			<b>(55-04-01) Office of the Director</b>	
	19.0	3.0	Personnel Costs	1,166.3
			Travel	16.9
			Contractual Services	13.3
			Supplies and Materials	39.8
			Capital Outlay	14.6
	19.0	3.0	TOTAL -- Office of the Director	1,250.9
			<b>(55-04-70) Maintenance Districts</b>	
	715.0	38.0	Personnel Costs	38,289.1
			Contractual Services	7,892.2
			Energy	2,289.5
			Supplies and Materials	8,753.8
			Capital Outlay	229.9
			Snow/Storm Contingency	3,277.4
	715.0	38.0	TOTAL -- Maintenance Districts	60,731.9
	734.0	41.0	<b>TOTAL -- Maintenance and Operations</b>	<b>61,982.8</b>
			<b>(55-06-01) Delaware Transportation Authority</b>	
			Delaware Transit Corporation	
	1.0		Transit Operations	71,844.2
			Taxi Services Support "E & H"	148.5
			Newark Transportation	139.2
			Kent and Sussex Transportation "E & H"	1,394.3
			TOTAL -- Delaware Transit Corporation	73,526.2
			DTA Indebtedness	
			Debt Service	
			Transportation Trust Fund	128,387.4
			General Obligation	719.6
			TOTAL -- DTA Indebtedness	129,107.0
	1.0		<b>TOTAL -- Delaware Transportation Authority*</b>	<b>202,633.2</b>
* Delaware Transportation Authority, 2 Del. C. c. 13				
These funds, except the Regulatory Revolving Funds, are not deposited with the State Treasurer.				
			<b>(55-08-00) Transportation Solutions</b>	
			<b>(55-08-10) Project Teams</b>	
	17.0	113.0	Personnel Costs	896.9
	17.0	113.0	TOTAL -- Project Teams	896.9
			<b>(55-08-20) Design/Quality</b>	
	6.0	40.0	Personnel Costs	670.3
	6.0	40.0	TOTAL -- Design/Quality	670.3
			<b>(55-08-30) Engineering Support</b>	
	24.0	88.0	Personnel Costs	2,083.7
			Travel	14.5
			Contractual Services	121.5
			Energy	6.9
			Supplies and Materials	165.6
			Capital Outlay	60.1
	24.0	88.0	TOTAL -- Engineering Support	2,452.3

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

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Personnel				\$ Line Item
NSF	TFO	TFC		TFO
	81.0	1.0	<b>(55-08-40) Traffic</b>	
			Personnel Costs	5,400.4
			Contractual Services	770.8
			Energy	552.3
			Supplies and Materials	266.7
			Capital Outlay	22.7
	81.0	1.0	TOTAL -- Traffic	7,012.9
	128.0	242.0	<b>TOTAL -- Transportation Solutions</b>	11,032.4
	18.0		<b>(55-11-00) Motor Vehicles</b>	
			<b>(55-11-10) Administration</b>	
			Personnel Costs	1,467.2
			Travel	6.1
			Contractual Services	563.5
			Supplies and Materials	19.4
			Capital Outlay	118.1
			Motorcycle Safety	154.0
	18.0		TOTAL -- Administration	2,328.3
	83.0		<b>(55-11-20) Driver Services</b>	
			Personnel Costs	3,858.0
			Contractual Services	166.9
			Supplies and Materials	36.3
			CDL Fees	207.3
	83.0		TOTAL -- Driver Services	4,268.5
	165.0		<b>(55-11-30) Vehicle Services</b>	
			Personnel Costs	7,295.7
			Contractual Services	779.5
			Supplies and Materials	1,040.9
			Capital Outlay	25.0
			Odometer Forms	6.0
			Special License Plates	25.0
			DMVT	150.0
	165.0		TOTAL -- Vehicle Services	9,322.1
1.0	22.0		<b>(55-11-50) Transportation Services</b>	
			Personnel Costs	1,367.6
			Travel	32.0
			Contractual Services	265.2
			Supplies and Materials	23.1
1.0	22.0		TOTAL -- Transportation Services	1,687.9

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

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Personnel				\$ Line Item
NSF	TFO	TFC		TFO
	123.0		<b>(55-11-60) Toll Administration</b>	
			Personnel Costs	6,475.8
			Travel	6.0
			Contractual Services	1,926.9
			Energy	531.3
			Supplies and Materials	401.6
			Capital Outlay	41.0
			Contractual - EZPass Operations	7,890.8
	123.0		<b>TOTAL -- Toll Administration</b>	<b>17,273.4</b>
1.0	411.0		<b>TOTAL -- Motor Vehicles</b>	<b>34,880.2</b>
			<b>TOTAL -- DEPARTMENT OF</b>	
2.0	1,509.0	309.0	<b>TRANSPORTATION</b>	<b>344,282.8</b>

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

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Personnel		
NSF	ASF	GF

13.0	28.7	1.3
13.0	28.7	1.3

13.0	10.7	1.3
13.0	18.0	
13.0	28.7	1.3

130.0	4.0	
130.0	4.0	

130.0	4.0	
130.0	4.0	

8.0	55.0	7.0
8.0	55.0	7.0

6.0	39.0	
2.0	16.0	7.0
8.0	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

1,175.3	390.6
1,883.6	
3,058.9	390.6

470.6	
470.6	

10,080.1	
1,417.6	450.8
11,497.7	450.8

\$ Line Item	
ASF	GF

1,810.2	183.4
13.0	
1,089.2	190.5
86.0	15.0
60.5	
3,058.9	390.6

182.0	
0.1	
242.4	
1.0	
1.0	
2.2	
41.9	
470.6	

4,055.5	381.1
33.8	
1,069.8	63.9
	5.8
45.0	
43.6	
6,250.0	
11,497.7	450.8

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(60-08-00) Vocational Rehabilitation</b>			
129.4	5.6	2.0	Personnel Costs		393.4	114.6
			Travel			0.5
			Contractual Services		404.8	2,495.8
			Supplies and Materials		75.0	76.9
			Other Items:			
			Sheltered Workshop			260.7
129.4	5.6	2.0	<b>TOTAL -- Vocational Rehabilitation</b>		873.2	2,948.5
80.4	5.6	2.0	(-10) Vocational Rehabilitation Services		873.2	2,948.5
49.0			(-20) Disability Determination Services			
129.4	5.6	2.0	<b>TOTAL -- Internal Program Units</b>		873.2	2,948.5
			<b>(60-09-00) Employment and Training</b>			
71.6	4.0	19.4	Personnel Costs		224.6	1,061.2
			Travel		5.0	1.4
			Contractual Services		99.1	316.5
			Energy			0.9
			Supplies and Materials		7.0	11.4
			Capital Outlay		15.2	
			Other Items:			
			Summer Youth Program			425.0
			Welfare Reform			959.0
			Blue Collar Skills		2,258.3	
71.6	4.0	19.4	<b>TOTAL -- Employment and Training</b>		2,609.2	2,775.4
71.6	4.0	19.4	(-20) Employment and Training Services		2,609.2	2,775.4
71.6	4.0	19.4	<b>TOTAL -- Internal Program Unit</b>		2,609.2	2,775.4
			<b>TOTAL -- DEPARTMENT OF LABOR</b>		<b>18,509.6</b>	<b>6,565.3</b>

**(65-00-00) DEPARTMENT OF AGRICULTURE**

<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>(65-01-00) Agriculture</b>			
15.2	44.0	82.8			4,136.7	5,846.5
					120.0	3.5
					1,554.6	516.0
					16.1	18.7
					215.2	118.2
					308.5	26.0
						172.5
						411.8
					246.0	
						25.0
						17.7
						15.0
						10.0
					15.0	
					7.7	
					76.0	
					75.5	
					1,225.0	
					3.0	
					75.0	
						164.0
15.2	44.0	82.8	<b>TOTAL -- Agriculture</b>		8,074.3	7,344.9
	2.0	13.0			314.2	1,434.7
		7.0				483.4
4.0	2.5	16.5			654.5	1,172.5
1.0	10.0				2,477.5	
2.0	6.0				523.6	
0.5		6.5				528.7
1.0	0.5	11.5			122.3	886.2
6.2	12.0	11.8			1,497.8	970.0
	9.0				1,665.6	
		9.0				588.0
0.5		1.5			246.0	847.1
	2.0				497.8	
		6.0			75.0	434.3
15.2	44.0	82.8	<b>TOTAL -- Internal Program Units</b>		8,074.3	7,344.9
15.2	44.0	82.8	<b>TOTAL -- DEPARTMENT OF AGRICULTURE</b>		8,074.3	7,344.9

**(70-00-00) DEPARTMENT OF ELECTIONS**

	<b>Personnel</b>				<b>\$ Program</b>		<b>\$ Line Item</b>	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5								
6				<b>(70-01-01) Commissioner of Elections</b>				
7				Personnel Costs				674.4
8				Contractual Services				142.2
9				Supplies and Materials				13.4
10				Capital Outlay				0.8
11				Other Items:				
12				Voter Purging				15.0
13				Technology Development				20.0
14				Voting Machines				115.0
15				<b>TOTAL -- Commissioner of Elections</b>				<b>980.8</b>
16								
17				<b>(70-02-01) New Castle County Department of Elections</b>				
18				Personnel Costs				966.8
19				Travel				10.3
20				Contractual Services				196.7
21				Energy				22.3
22				Supplies and Materials				7.7
23				Other Items:				
24				Mobile Registration				3.5
25				School Elections				158.4
26				<b>TOTAL -- New Castle County Department of Elections</b>				<b>1,365.7</b>
27								
28				<b>(70-03-01) Kent County Department of Elections</b>				
29				Personnel Costs				529.3
30				Contractual Services				161.7
31				Energy				12.0
32				Supplies and Materials				5.0
33				Other Items:				
34				Mobile Registration				3.0
35				School Elections				45.8
36				<b>TOTAL -- Kent County Department of Elections</b>				<b>756.8</b>
37								
38				<b>(70-04-01) Sussex County Department of Elections</b>				
39				Personnel Costs				541.0
40				Travel				2.2
41				Contractual Services				32.0
42				Supplies and Materials				14.7
43				Capital Outlay				2.0
44				Other Items:				
45				Mobile Registration				2.1
46				School Elections				45.8
47				<b>TOTAL -- Sussex County Department of Elections</b>				<b>639.8</b>
48								
49				<b>TOTAL -- DEPARTMENT OF ELECTIONS</b>				<b>3,743.1</b>



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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(75-01-01) Office of the State Fire Marshal</b>			
	31.2	23.8			1,898.8	1,821.9
					34.0	
					365.3	103.3
						71.8
					81.0	23.4
					311.0	
						2.0
					1.5	
	31.2	23.8	<b>TOTAL -- Office of the State Fire Marshal</b>		2,691.6	2,022.4
			<b>(75-02-01) State Fire School</b>			
0.5		18.5				1,581.7
						183.0
						232.5
						35.0
						4.6
						70.0
					50.0	
						2.0
0.5		18.5	<b>TOTAL -- State Fire School</b>		50.0	2,108.8
			<b>(75-03-01) State Fire Prevention Commission</b>			
		1.0				73.3
						14.5
						84.3
						15.1
					7.0	4.7
					4.0	
		1.0	<b>TOTAL -- State Fire Prevention Commission</b>		11.0	191.9
<b>0.5</b>	<b>31.2</b>	<b>43.3</b>	<b>TOTAL -- FIRE PREVENTION COMMISSION</b>		<b>2,752.6</b>	<b>4,323.1</b>

**(76-00-00) DELAWARE NATIONAL GUARD**

<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>(76-01-01) Delaware National Guard</b>	
80.0		29.0				2,790.4
						5.0
						278.1
						641.7
						152.0
						3.0
						12.2
						340.0
						2.0
<b>80.0</b>		<b>29.0</b>	<b>TOTAL -- DELAWARE NATIONAL GUARD</b>			<b>4,224.4</b>

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(77-01-01) Advisory Council For  
Exceptional Citizens**

		3.0
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Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials

	146.4
	4.5
	12.7
	3.6

**TOTAL -- ADVISORY COUNCIL FOR  
EXCEPTIONAL CITIZENS**

		3.0
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	167.2
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**(90-00-00) HIGHER EDUCATION**

	Personnel			\$ Program		\$ Line Item	
	NSF	ASF	GF	ASF	GF	ASF	GF
1							
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43	18.0		49.0				
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48							
49	18.0		49.0				

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

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Personnel		
NSF	ASF	GF
61.0	14.0	201.0
61.0	14.0	201.0

**(90-04-02) Owens Campus**  
 Personnel Costs  
 Grants  
 Aid to Needy Students  
 Work Study  
 Day Care Training  
 Para-educator Technology Program  
 Debt Service  
 TOTAL -- Owens Campus

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF
	16,467.4
	48.2
	244.8
	31.2
	16.8
	123.5
	434.2
	17,366.1

55.0		159.0
55.0		159.0

**(90-04-04) Wilmington Campus**  
 Personnel Costs  
 Aid to Needy Students  
 Grants  
 Work Study  
 Dental Program  
 Day Care Training  
 Debt Service  
 TOTAL -- Wilmington Campus

	12,857.1
	199.8
	32.5
	40.1
	78.8
	17.3
	799.0
	14,024.6

61.0	9.0	192.0
61.0	9.0	192.0

**(90-04-05) Stanton Campus**  
 Personnel Costs  
 Aid to Needy Students  
 Grants  
 Work Study  
 Debt Service  
 TOTAL -- Stanton Campus

	15,138.4
	184.8
	27.5
	41.1
	5.1
	15,396.9

81.3	13.0	136.0
81.3	13.0	136.0

**(90-04-06) Terry Campus**  
 Personnel Costs  
 Aid to Needy Students  
 Work Study  
 Grants  
 Day Care Training  
 Debt Service  
 TOTAL -- Terry Campus

	10,451.0
	218.3
	21.7
	21.0
	6.0
	277.9
	10,995.9

276.3	36.0	737.0
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**TOTAL -- Delaware Technical and  
 Community College**

	66,123.9
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**(90-07-01) Delaware Institute of Veterinary  
 Medical Education**  
 Tuition Assistance  
**TOTAL -- Delaware Institute of Veterinary  
 Medical Education**

	314.6
	314.6

276.3	36.0	737.0
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**TOTAL -- HIGHER EDUCATION**

	217,997.8
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**(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>			
42.3	3.0	126.7				15,181.1
						18.3
						741.4
						41.7
						37.6
		1.0				230.4
						51.0
						600.0
						1,342.9
						1,073.5
						2.0
						20.0
						1.0
						58.6
						510.7
					215.0	160.8
		1.0				166.0
						100.0
						4,050.1
						329.5
					100.0	20.0
						27.5
						15.0
	2.0					775.0
		7.0				1,010.3
						1,121.6
42.3	5.0	135.7	<b>TOTAL -- Department of Education</b>		2,608.5	26,868.5
42.3	5.0	135.7	(-01) Department of Education		2,608.5	26,868.5
42.3	5.0	135.7	<b>TOTAL -- Internal Program Unit</b>		2,608.5	26,868.5
			<b>(95-02-00) School District Operations</b>			
		13,307.4				453,473.8
						12,894.9
						208,622.9
						27,845.1
						22,948.0
						78,990.1
						8,849.0
						1,000.0
						511.8
						2,886.1
						184.1
						6,800.0
						15,430.8

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

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Personnel		
NSF	ASF	GF
		13,307.4
		13,307.4

Debt Service:  
School Districts  
**TOTAL -- School District Operations**

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF
	87,290.5
	927,727.1

		13,307.4
		13,307.4

(-01) Division Funding  
(-02) Other Items  
(-03) Debt Service  
**TOTAL -- Internal Program Units**

	804,774.8
	35,661.8
	87,290.5
	927,727.1

**(95-03-00) Block Grants and Other Programs**

	1.0	
	2.0	
		37.7
	1.0	12.0
	4.0	49.7

Education Block Grants:  
Adult Education and Work Force Training Grant  
Professional Accountability and Instructional  
Advancement Fund  
Academic Excellence Block Grant  
Special Needs Programs:  
Early Childhood Assistance  
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  
Student Discipline Program  
Early Childhood Initiatives  
Driver Training:  
Driver's Education

	8,624.7
	3,546.7
	33,584.7
	5,727.8
890.7	9,872.0
	469.9
	2,870.7
	36.0
1,149.8	40.0
	480.1
	314.5
	3,490.7
	9,523.7
	300.0
584.1	1,334.5
2,624.6	80,216.0

**TOTAL -- Block Grants and Other Programs**

	3.0	37.7
	1.0	12.0
	4.0	49.7

(-10) Education Block Grants  
(-20) Special Needs Programs  
(-30) Driver Training  
**TOTAL -- Internal Program Units**

	45,756.1
2,040.5	33,125.4
584.1	1,334.5
2,624.6	80,216.0

**(95-04-00) Pupil Transportation**

Public School Transportation  
**TOTAL -- Pupil Transportation**

	61,165.3
	61,165.3

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

	61,165.3
	61,165.3

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

	Personnel			\$ Program		\$ Line Item	
	NSF	ASF	GF	ASF	GF	ASF	GF
1							
2							
3							
4							
5							
6							
7	<b>(95-07-00) Delaware Center for Educational</b>						
8	<b>Technology</b>						
9			7.0				646.1
10							148.4
11			7.0				794.5
12							
13			7.0		794.5		
14	(-01) Delaware Center for Educational						
15	Technology						
16			7.0		794.5		
17							
18	<b>(95-08-00) Delaware Higher Education Commission</b>						
19	1.0		6.0				544.5
20							301.1
21							3,080.8
22							300.0
23							3,074.0
24	1.0		6.0				7,300.4
25							
26	1.0		6.0		7,300.4		
27	(-01) Delaware Higher Education						
28	Commission						
29	1.0		6.0		7,300.4		
30							
31	43.3	9.0	13,505.8	<b>TOTAL -- DEPARTMENT OF EDUCATION</b>		5,233.1	1,104,071.8



<b>Personnel</b>				
<b>TFO</b>	<b>TFC</b>	<b>NSF</b>	<b>ASF</b>	<b>GF</b>
1,509.0	309.0	1,812.3	1,671.4	11,098.6
		276.3	36.0	737.0
		43.3	9.0	13,505.8
<b>1,509.0</b>	<b>309.0</b>	<b>2,131.9</b>	<b>1,716.4</b>	<b>25,341.4</b>

**TOTALS**

**TOTAL - DEPARTMENTS**

**TOTAL - HIGHER EDUCATION**

**TOTAL - PUBLIC EDUCATION**

**GRAND TOTAL**

<b>\$</b>		
<b>TFO</b>	<b>ASF</b>	<b>GF</b>
344,282.8	610,877.4	1,849,231.9
		217,997.8
	5,233.1	1,104,071.8
<b>344,282.8</b>	<b>616,110.5</b>	<b>3,171,301.5</b>

# 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 2011, 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 2011, the payroll recovery rate for the Worker's Compensation Program shall  
23 be 1.95 percent unless a separate memorandum of agreement exists.

24       (d) Notwithstanding 29 Del. C. c. 60A or any other provision of the Delaware Code or this Act to  
25 the contrary, the employer contribution from state agencies and non-state entities to qualified participants  
26 of the Deferred Compensation Program shall be suspended beginning July 1, 2008. It is the intent of the  
27 General Assembly that this program be reinstated when funding becomes available.

1 (e) Section 1 of this Act provides funding for a state employee pension rate of 17.00 percent.  
2 The components of the rate are 8.10 percent for the pension liability, 8.09 percent for retiree health  
3 insurance costs and 0.81 percent for the Post-retirement Increase Fund.

4 (f) Section 1 of this Act provides funding for a judicial pension rate of 31.38 percent.

5 (g) Section 1 of this Act provides funding for a new State Police pension rate of 17.27 percent.

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

8 GF – General Fund

9 ASF – Appropriated Special Funds

10 NSF – Non-appropriated Special Funds

11 TFO – Trust Fund Operations

12 TFC – Trust Fund Capital

13 FTE – Full-time Equivalent

14 All Merit Rules referenced in this Act refer to the Merit Rules in effect June 30, 2010.

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

16 (a) All provisions of Subsections (a)(i), (b), (c), and (i) through (l) of this Section shall not apply  
17 to those Merit System employees who are covered by a final collective bargaining agreement under 19  
18 Del. C. § 1311A. The effective dates of agreements pursuant to 19 Del. C. § 1311A shall occur  
19 simultaneously with the fiscal year following final agreement between the State of Delaware and  
20 ratification of that agreement by the respective certified bargaining unit provided funds are appropriated  
21 in Section 1 of this Act for said agreements. Section 1 of this Act makes no appropriation, and no  
22 subsequent appropriation shall be made during the fiscal year, for any compensation items as defined in  
23 19 Del. C. § 1311A reached as a result of negotiations, mediation or interest arbitration. Should a  
24 bargaining agreement not be finalized by December 1 of each fiscal year, employees represented by the  
25 bargaining unit negotiating said agreement shall receive compensation pursuant to the provisions of this  
26 Section until such time as an agreement takes effect. A final bargaining agreement shall be defined as an  
27 agreement between the State of Delaware and a certified bargaining unit which is not retroactive and in

1 which the agreements completion is achieved through ratification by the respective bargaining unit,  
2 mediation or binding interest arbitration.

3 (1) Effective July 1, 2010, the following pay plans are established for state merit system  
4 employees:

5 **Annual Salary**

6 **STATE OF DELAWARE PAY PLAN\***

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

8	<b>PAY</b>	<b>80% of</b>	<b>100% of</b>	<b>120% of</b>
9	<b>GRADE</b>	<b>Midpoint</b>	<b>Midpoint</b>	<b>Midpoint</b>
10	<b>1</b>	<b>17,082**</b>	<b>20,229</b>	<b>24,275</b>
11	<b>2</b>	<b>17,316</b>	<b>21,645</b>	<b>25,974</b>
12	<b>3</b>	<b>18,533</b>	<b>23,166</b>	<b>27,799</b>
13	<b>4</b>	<b>19,826</b>	<b>24,782</b>	<b>29,738</b>
14	<b>5</b>	<b>21,217</b>	<b>26,521</b>	<b>31,825</b>
15	<b>6</b>	<b>22,701</b>	<b>28,376</b>	<b>34,051</b>
16	<b>7</b>	<b>24,288</b>	<b>30,360</b>	<b>36,432</b>
17	<b>8</b>	<b>25,987</b>	<b>32,484</b>	<b>38,981</b>
18	<b>9</b>	<b>27,810</b>	<b>34,762</b>	<b>41,714</b>
19	<b>10</b>	<b>29,755</b>	<b>37,194</b>	<b>44,633</b>
20	<b>11</b>	<b>31,836</b>	<b>39,795</b>	<b>47,754</b>
21	<b>12</b>	<b>34,066</b>	<b>42,582</b>	<b>51,098</b>
22	<b>13</b>	<b>36,451</b>	<b>45,564</b>	<b>54,677</b>
23	<b>14</b>	<b>38,998</b>	<b>48,747</b>	<b>58,496</b>
24	<b>15</b>	<b>41,730</b>	<b>52,163</b>	<b>62,596</b>
25	<b>16</b>	<b>44,656</b>	<b>55,820</b>	<b>66,984</b>
26	<b>17</b>	<b>47,780</b>	<b>59,725</b>	<b>71,670</b>
27	<b>18</b>	<b>51,122</b>	<b>63,902</b>	<b>76,682</b>
28	<b>19</b>	<b>54,702</b>	<b>68,377</b>	<b>82,052</b>
29	<b>20</b>	<b>58,534</b>	<b>73,168</b>	<b>87,802</b>
30	<b>21</b>	<b>62,630</b>	<b>78,287</b>	<b>93,944</b>
31	<b>22</b>	<b>67,014</b>	<b>83,767</b>	<b>100,520</b>
32	<b>23</b>	<b>71,706</b>	<b>89,633</b>	<b>107,560</b>
33	<b>24</b>	<b>76,729</b>	<b>95,911</b>	<b>115,093</b>
34	<b>25</b>	<b>82,097</b>	<b>102,621</b>	<b>123,145</b>
35	<b>26</b>	<b>87,842</b>	<b>109,803</b>	<b>131,764</b>

36 \* - Annual Salary in Whole Dollars.

37 \*\* - Minimum State Salary.

1 STATE OF DELAWARE PAY PLAN\*

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

3	PAY	80% of	100% of	120% of
4	GRADE	Midpoint	Midpoint	Midpoint
5	1	17,262	21,577	25,892
6	2	18,470	23,088	27,706
7	3	19,765	24,706	29,647
8	4	21,146	26,433	31,720
9	5	22,630	28,288	33,946
10	6	24,213	30,266	36,319
11	7	25,908	32,385	38,862
12	8	27,722	34,652	41,582
13	9	29,662	37,078	44,494
14	10	31,738	39,673	47,608
15	11	33,958	42,447	50,936
16	12	36,337	45,421	54,505
17	13	38,879	48,599	58,319
18	14	41,603	52,004	62,405
19	15	44,514	55,643	66,772
20	16	47,632	59,540	71,448
21	17	50,964	63,705	76,446
22	18	54,531	68,164	81,797
23	19	58,350	72,937	87,524
24	20	62,437	78,046	93,655
25	21	66,806	83,508	100,210
26	22	71,484	89,355	107,226
27	23	76,485	95,606	114,727
28	24	81,840	102,300	122,760
29	25	87,568	109,460	131,352
30	26	93,698	117,123	140,548

31 \* - Annual Salary in Whole Dollars.

32 (2) 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 and Budget and  
 34 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 Correctional Food Services Administrator

40 Director of Probation and Parole

41 Pre-trial Presentence Manager

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

1 TMC EPS Technician

2 TMC Planner IV

3 (3) During the fiscal year ending June 30, 2011, the Director of the Office of Management  
4 and Budget and the Controller General may designate other appropriate classes or groups of employees to  
5 work and be paid according to a standard work week of 40 hours. Such designation shall be based upon  
6 the operational necessity of agencies to require employees to regularly and consistently work in excess of  
7 37.5 hours per week and upon the availability of any required funding.

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

11 **(b) SELECTIVE MARKET VARIATIONS.**

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

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

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

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

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

1 2010, 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, 2011.  
5 An appointing authority may apply for selective market variation for January 1, 2011, 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, midpoint 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, 2010, whose salary in effect as of June 30, 2010, 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.

26 (ii) The salary of employees in positions added to the Selective Market Variation  
27 Program before June 30, 2010, whose salary in effect as of June 30, 2010, is below  
28 the adjusted minimum salary for the assigned job classification shall be increased to



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

4 (8) All classes shall remain on Selective Market until the selective market ranges meet the  
5 merit pay plan ranges or until such time as the classes become covered by a collective  
6 bargaining agreement pursuant to the provisions of 19 Del. C. § 1311A.

7 (9) Effective July 1, 2010, the shift differential rates paid to registered nurses in accordance  
8 with the provisions of Merit Rule 4.15 shall reflect the salary scale in effect for the  
9 current fiscal year or that which is superseded by a collective bargaining agreement  
10 pursuant to the provisions of 19 Del. C. § 1311A.

11 **(c) SALARIES FOR FISCAL YEAR 2011.**

12 The amount appropriated for salaries in Section 1 of this Act reflects the same temporary  
13 reduction from the Fiscal Year 2009 salary scale that was implemented in Fiscal Year 2010 and provides  
14 increases for:

- 15 (1) Statutory step increases for Department of Education and Delaware Technical and  
16 Community College plans A and D, as provided in Title 14;
- 17 (2) Negotiated, collective bargaining increases for Uniformed members of the Delaware  
18 State Police and full-time and regular part-time non-merit Telecommunications  
19 Specialists, Senior Telecommunications Specialists, Telecommunication Shift  
20 Supervisors, Telecommunication Central Control Specialists, Senior Telecommunications  
21 Central Control Specialists and Telecommunications Central Control Shift Supervisors  
22 employed in the Communications Section of the Division of State Police in the  
23 Department of Safety and Homeland Security, and non-uniformed support staff within  
24 the Delaware State Police covered under the Communication Workers of America;
- 25 (3) Delaware National Guard employees will be paid consistent with the federal salary plan;
- 26 (4) In Fiscal Year 2011, the Department of Natural Resources and Environmental Control  
27 Enforcement competency-based salary matrix amounts will remain the same as Fiscal  
28 Year 2010. Salary matrix increases within pay grades will not continue and career ladder

1 movement between pay grades will revert to the regular career ladder process for Fiscal  
2 Year 2011; and

3 (5) In Fiscal Year 2011, the Office of the Attorney General and the Public Defender's Office  
4 salary matrix amounts will remain the same as Fiscal Year 2010. Salary matrix increases  
5 within the same pay grade are only permissible for internal competitive promotions or for  
6 an appointed division head for specific identified positions. Career ladder movement  
7 between pay grades will revert to the regular career ladder process.

8 **(d) MAINTENANCE REVIEWS.**

9 (1) Any such reclassifications/regrades that the Director of the Office of Management and  
10 Budget determines to be warranted as a result of the classification maintenance reviews  
11 regularly scheduled by the Office of Management and Budget shall be designated to  
12 become effective July 1, 2010, provided that such reclassifications/regrades have been  
13 processed as part of the regular budgetary process and the funds for such  
14 reclassifications/regrades have been appropriated. Maintenance review classification  
15 determinations may be appealed to the Merit Employee Relations Board in accordance  
16 with 29 Del. C. § 5915. Pay grade determinations shall not be appealed.

17 (2) Any such title changes that the Director of the Office of Management and Budget  
18 determines to be warranted as a result of a consolidation review shall be implemented as  
19 they are completed with the concurrence of the Controller General. A consolidation  
20 review is for the specific purpose of combining current class titles and class  
21 specifications that are in the same occupational area and require sufficiently similar  
22 knowledge, skills, abilities and minimum qualifications. A consolidation review will not  
23 impact the current levels of work and corresponding pay grades in a class series. It will  
24 only affect the current title assigned to positions; the corresponding class specification,  
25 levels of work and minimum qualifications will be written general in nature rather than  
26 agency or program specific.

1           **(e) CRITICAL RECLASSIFICATIONS.**

2           The classification of any position whose salary is covered by the appropriations in Section 1 of  
3 this Act may be changed to be effective January 1, 2011 or July 1, 2011 if the requested change is  
4 certified critical by the appointing authority and is approved by the Director of the Office of Management  
5 and Budget and the Controller General prior to the effective date. Critical reclassification requests and  
6 pay grade determinations shall not be appealed to the Merit Employee Relations Board.

7           **(f) OTHER RECLASSIFICATIONS.**

8           Other than those reclassifications/regrades approved in accordance with Section 8(d) or 8(e), no  
9 position shall be reclassified or regraded during the fiscal year ending June 30, 2011.

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

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

24          **(h) ADMINISTRATIVE REGULATIONS.**

- 25           (1) The administrative regulations and procedures necessary to implement this Section shall  
26                 be promulgated by the Director of the Office of Management and Budget and the  
27                 Controller General.

1 (2) Consistent with Chapter 13 of the Merit Rules, all state agencies shall implement the  
2 performance review prescribed by the Office of Management and Budget after applicable  
3 training by the Office of Management and Budget. A performance review shall be  
4 completed for employees between January 1 and December 31, 2011.

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

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

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

18 **(j) OVERTIME.**

19 (1) Merit Rule Chapter 4 notwithstanding, overtime at the rate of time and one-half will  
20 commence after the employee has accrued 40 compensable hours that week. This Act makes  
21 no appropriation, nor shall any subsequent appropriation or payment be made during the  
22 fiscal year, for overtime compensation based on hours worked during Fiscal Year 2010 that  
23 did not comply with Section 8(j) of the Fiscal Year 2010 Appropriations Act.

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

27 (i) Department of Transportation personnel responding to weather-related emergencies  
28 and who are not subject to the Fair Labor Standards Act shall be entitled to receive

1 compensation at one-and-one-half times their normal rate of pay for all overtime  
2 services performed beyond 40 hours per week. This shall apply to employees  
3 classified through the Area Supervisor level. All additional personnel assigned to  
4 assist the area yards during weather-related emergencies and who are above the level  
5 of Area Supervisor shall be entitled to receive compensation at their straight time rate  
6 of pay for all overtime services performed beyond the normal work week.

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

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

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

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

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

27 Merit Rule 4.17 notwithstanding, employees designated as Highway Emergency Response Team  
28 members shall be eligible for standby pay regardless of their classification. To the extent or where an

1 employee is covered by a collective bargaining agreement pursuant to 19 Del. C. § 1311A, the terms and  
2 conditions in said agreement shall supersede this Subsection.

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

4 Salary schedules and staffing formulas contained in 14 Del. C. c. 13, shall be revised as  
5 specified in this Subsection.

6 (1) Amend 14 Del. C. § 1308(a), by striking the salary schedule contained in said subsection in its  
7 entirety and by substituting in lieu thereof the following:

8	<b>"Years of</b>					
9	<b>Experience</b>	<b>Clerk*</b>	<b>Secretary*</b>	<b>Senior Secretary*</b>	<b>Financial Secretary*</b>	<b>Administrative Secretary*</b>
10	0	14,824	16,309	17,116	17,562	18,302
11	1	15,367	16,852	17,617	18,066	18,812
12	2	15,908	17,351	18,119	18,571	19,324
13	3	16,452	17,851	18,621	19,074	19,833
14	4	16,960	18,350	19,123	19,578	20,404
15	5	17,441	18,851	19,625	20,107	20,980
16	6	17,920	19,350	20,156	20,677	21,558
17	7	18,399	19,847	20,724	21,245	22,133
18	8	18,880	20,407	21,289	21,815	22,712
19	9	19,360	20,971	21,856	22,383	23,287
20	10	19,839	21,534	22,420	22,954	23,864
21	11	20,377	22,097	22,986	23,523	24,440
22	12	20,918	22,660	23,553	24,090	25,018
23	13	21,460	23,225	24,120	24,661	25,594
24	14	22,002	23,788	24,684	25,231	26,169
25	15	22,544	24,353	25,251	25,798	26,749
26	16	23,085	24,914	25,817	26,366	27,325
27	17	23,629	25,479	26,384	26,936	27,901
28	18	24,169	26,042	26,950	27,504	28,478
29	19	24,711	26,607	27,515	28,076	29,055
30	20	25,252	27,169	28,081	28,645	29,630
31	21	25,806	27,746	28,659	29,226	30,220
32	22	26,375	28,335	29,251	29,819	30,823
33	23	26,957	28,937	29,855	30,426	31,438
34	24	27,552	29,551	30,473	31,045	32,067

35 \* - Annual Salary in Whole Dollars.”

1 (2) Amend 14 Del. C. § 1311(a), by striking the salary schedule contained in said subsection in its  
 2 entirety and by substituting in lieu thereof the following:

3				Chief	Chief		
4	“Years of	Custodian	Custodian	Custodian	Custodian	Maintenance	Skilled
5	Exp.	Custodian*	Firefighter*	5 or Fewer*	6 or More*	Mechanic*	Craftsperson*
6							
7	0	17,746	18,249	18,505	19,516	19,985	20,430
8	1	18,125	18,629	18,885	19,896	20,459	21,003
9	2	18,505	19,009	19,264	20,291	20,960	21,572
10	3	18,884	19,389	19,642	20,717	21,453	22,141
11	4	19,264	19,767	20,025	21,147	21,886	22,713
12	5	19,642	20,144	20,432	21,576	22,445	23,282
13	6	20,025	20,576	20,862	22,000	22,943	23,851
14	7	20,432	21,005	21,287	22,426	23,439	24,422
15	8	20,862	21,431	21,716	22,855	23,936	24,992
16	9	21,287	21,859	22,141	23,282	24,430	25,564
17	10	21,716	22,286	22,570	23,710	24,929	26,132
18	11	22,141	22,716	22,999	24,135	25,424	26,703
19	12	22,578	23,156	23,438	24,568	25,932	27,288
20	13	23,024	23,606	23,888	25,011	26,450	27,887
21	14	23,478	24,065	24,350	25,462	26,979	28,500
22	15	23,943	24,532	24,818	25,920	27,518	29,126

23 \* - Annual Salary in Whole Dollars.”

(3) Amend 14 Del. C. § 1322(a), by striking the salary schedule contained in said subsection in its entirety and by substituting in lieu thereof the following:

**“SCHOOL FOOD SERVICE MANAGERS\*  
Number of Pupils in School Served by Cafeteria**

<b>Years of Exp.</b>	<b>Below 351</b>	<b>351-500</b>	<b>501-800</b>	<b>801-1200</b>	<b>1201-1600</b>	<b>1601-2000</b>	<b>2000+</b>
0	16,485	17,410	18,332	19,252	20,160	21,278	21,833
1	16,946	17,867	18,793	19,715	20,576	21,415	22,252
2	17,410	18,332	19,252	20,160	20,995	21,833	22,671
3	17,867	18,793	19,715	20,576	21,415	22,252	23,089
4	18,332	19,252	20,160	20,995	21,833	22,671	23,508
5	18,793	19,715	20,576	21,415	22,252	23,089	23,927
6	19,252	20,160	20,995	21,833	22,671	23,508	24,382
7	19,715	20,576	21,415	22,252	23,089	23,927	24,844
8	20,160	20,995	21,833	22,671	23,508	24,382	25,308
9	20,576	21,415	22,252	23,089	23,927	24,844	25,769
10	20,995	21,833	22,671	23,508	24,382	25,308	26,228
11	21,415	22,252	23,089	23,927	24,844	25,769	26,690
12	21,833	22,671	23,508	24,382	25,308	26,228	27,154
13	22,252	23,089	23,927	24,844	25,769	26,690	27,614
14	22,671	23,508	24,382	25,308	26,228	27,154	28,080
15	23,089	23,927	24,844	25,769	26,690	27,614	28,543
16	23,520	24,397	25,316	26,240	27,162	28,084	29,015
17	23,960	24,882	25,799	26,720	27,644	28,562	29,497
18	24,409	25,377	26,291	27,209	28,136	29,048	29,986
19	24,865	25,883	26,791	27,708	28,636	29,543	30,483

\* - Annual Salary in Whole Dollars.”



1 (4) Amend 14 Del. C. § 1322(c), by striking the salary schedule contained in said subsection in its  
2 entirety and by substituting in lieu thereof the following:

3 **“SCHOOL LUNCH COOKS AND GENERAL WORKERS**

4	<b>Years of</b>		
5	<b>Experience</b>	<b>General Worker</b>	<b>Cook/Baker</b>
6	0	10.35	11.15
7	1	10.48	11.27
8	2	10.64	11.40
9	3	10.73	11.50
10	4	10.84	11.63
11	5	11.01	11.81
12	6	11.14	11.90
13	7	11.24	11.98
14	8	11.32	12.08
15	9	11.42	12.21
16	10	11.52	12.35
17	11	11.72	12.47
18	12	11.84	12.61
19	13	11.95	12.73
20	14	12.08	12.83
21	15	12.21	12.98
22	16	12.36	13.13
23	17	12.49	13.23
24	18	12.64	13.32
25	19	12.79	13.43
26	20	12.93	13.52
27	21	13.07	13.63”

1 (5) Amend 14 Del. C. § 1324(b), by striking the salary schedule contained in said subsection in its  
2 entirety and by substituting in lieu thereof the following:

3	<b>“Years of Experience</b>	<b>Service Aides*</b>	<b>Instructional Aides*</b>
4	0	14,645	17,228
5	1	15,210	17,628
6	2	15,538	18,030
7	3	15,866	18,431
8	4	16,199	18,835
9	5	16,526	19,236
10	6	16,854	19,640
11	7	17,182	20,042
12	8	17,512	20,445
13	9	17,841	20,845
14	10	18,171	21,247
15	11	18,499	21,648
16	12	18,825	22,016
17	13	19,157	22,380
18	14	19,484	22,747
19	15	19,812	23,109
20	16	20,142	23,479
21	17	20,471	23,843
22	18	20,800	24,209
23	19	21,128	24,573
24	20	21,456	24,940
25	21	21,754	25,305
26	22	22,059	25,679
27	23	22,371	26,097
28	24	22,688	26,522
29	25	23,009	26,955

30 \* - Annual Salary in Whole Dollars.”

31 (6) Each school district shall continue to use salary schedules not less than those in 14 Del. C. §  
32 1322, for all school lunch employees.

33 (7) Effective July 1, 2006, the State shall pay 73.0 percent of the annual salary rate for school  
34 lunch employees as set forth in the salary schedules in 14 Del. C. § 1322(a)(b), and 62.0  
35 percent of salary rate for school lunch employees as set forth in the salary schedule 14 Del. C.  
36 § 1322(c). The remaining percentage of the hourly salary rate for school lunch employees  
37 shall be paid from local funds. The State shall pay other employment costs for school lunch  
38 employees at the ratio of state supported salaries to total salaries, provided for by this Section,  
39 for school lunch employees.

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

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

14 **(n) LEAVE PLANS.**

15 For Fiscal Year 2011, the Legislature, the Judiciary, Delaware Technical and Community  
16 College, school districts, charter schools, and state agencies excluding Delaware State University and  
17 the University of Delaware shall follow the same leave plans approved during Fiscal Year 2010 by the  
18 Director of the Office of Management and Budget, with the concurrence of the Controller General,  
19 pursuant to House Bill 290 of the 145<sup>th</sup> General Assembly.

20 (1) For the Legislature, the Judiciary, Delaware Technical and Community College, and all  
21 state agencies excluding school districts and charter schools, the respective Cabinet  
22 Secretary, Agency Head, Elected Official, or other administrative authority shall adhere  
23 to the approved plans for Fiscal Year 2010 that provide for five (5) days of leave for all  
24 employees not currently covered by a collective bargaining agreement, subject to the  
25 same criteria outlined in House Bill 290 of the 145<sup>th</sup> General Assembly.

26 (2) Certified bargaining representatives for employees currently covered by and/or  
27 negotiating a collective bargaining agreement, other than those representing employees  
28 covered by paragraph (3) below, shall adhere to the approved plans for Fiscal Year 2010

1 that provide for five (5) days of leave for all such employees, subject to the same criteria  
2 outlined in House Bill 290 of the 145<sup>th</sup> General Assembly.

3 (3) For school district employees compensated under 14 Del. C. § 1305, § 1308(a), §  
4 1311(a), § 1322(a), § 1322(c), and § 1324(b), and any other pertinent employees  
5 compensated with state funding, the Superintendent of each respective school district  
6 shall be required to, in concurrence with certified bargaining representatives for school  
7 district employees currently covered by and or negotiating a collective bargaining unit,  
8 adhere to the plans that have been approved by the Secretary of Education, Director of  
9 Office of Management and Budget and the Controller General for the 2009-2010 school  
10 year for implementation during the 2010-2011 school year. Said plans shall be subject to  
11 the same criteria outlined in House Bill 290 of the 145<sup>th</sup> General Assembly, and shall not  
12 reduce the number of hours and days of instructional time that were provided by each  
13 school district during the 2009-2010 school year. For purposes of implementation of  
14 district plans, the Secretary of Education, Director of the Office of Management and  
15 Budget and the Controller General may, by unanimous agreement, waive provisions of  
16 the Delaware Code, other than those relating to instruction time, necessary to implement  
17 said plans.

18 (4) Upon elimination of leave plans approved pursuant to this Section, the pay scales for all  
19 employees shall be restored to their Fiscal Year 2009 pay levels.

20 Section 9. Salaries and wage rates for state employees who are not covered by the provisions of  
21 14 Del. C. c. 13, 19 Del. C. § 1311A, or by the Merit System, excluding employees of the General  
22 Assembly-House or the General Assembly-Senate, Uniformed State Police, all full-time and regular part-  
23 time non-Merit Telecommunications Specialists, Senior Telecommunications Specialists,  
24 Telecommunication Shift Supervisors, Telecommunications Central Control Specialists, Senior  
25 Telecommunications Central Control Specialists and Telecommunications Central Control Shift  
26 Supervisors employed in the Communications Section of the Department of Safety and Homeland  
27 Security, Delaware State Police, employees of the University of Delaware, employees of Delaware State  
28 University, employees of Delaware Technical and Community College who are paid on the

1 Administrative Salary Plan or Faculty Plan, Plans D and A, respectively, Executive Director of the  
2 Delaware Center for Educational Technology, members and employees of the Delaware National Guard  
3 and employees whose salaries are governed by Section 10 of this Act, shall have the following:

4 (a) The salary of employees shall be comparable to salaries and wage rates paid from funds  
5 appropriated by the State to employees with similar training and experience who serve in similar positions  
6 in the Merit System. In the event that there are no similar positions in the Merit System, the Director of  
7 the Office of Management and Budget shall establish an exempt position classification only for the  
8 purpose of assigning a salary or wage rate to said position. On or before August 15, 2010, the Director of  
9 the Office of Management and Budget shall publish a list of exempt positions and the comparable Merit  
10 System class and/or pay grade for each position. In addition, such listing shall show the name of the  
11 incumbent, if the position is filled, and shall show the statutory citation that authorizes the establishment  
12 of the exempt position(s). The Director of the Office of Management and Budget shall provide copies of  
13 such listing to members of the Joint Finance Committee and the Controller General. No exempt  
14 employee shall be hired until an approved comparability has been assigned to the position. No  
15 reclassification/regarding, change in pay grade comparability of a filled or vacant exempt position, or  
16 change of a Merit System position to an exempt position otherwise permitted under Delaware Law shall  
17 become effective unless approved by the Director of the Office of Management and Budget and the  
18 Controller General. In order to permit the development of the comparability list, state agencies shall  
19 provide to the Director of the Office of Management and Budget job descriptions of all exempt positions  
20 and position classification questionnaires describing the duties and responsibilities of each of the  
21 positions. The certification of comparability by the Director of the Office of Management and Budget  
22 shall not be withheld unreasonably. Those positions assigned on a list of comparability that are assigned  
23 a comparable class and/or pay grade in the Merit System shall be paid in accordance with Sections 8(b)  
24 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  
25 given to such employees unless specifically authorized in this Act.

26 (b) The salary of employees whose salary in effect as of June 30, 2010, is below the minimum  
27 salary of the assigned pay grade of the pay plan shall be raised to the minimum salary.

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

Section 10. (a) For the fiscal year ending June 30, 2011, the salaries displayed below represent the salary effective on July 1, 2010.

<u>Budget Unit</u>	<u>Line Item</u>	<u>General Funds</u>	<u>All Other Funds</u>
(01-01-01)	Representative	\$ 41,680	
(01-02-01)	Senator	41,680	
(02-00-00)	Judicial Secretaries	46,655	
(02-00-00)	Judicial Secretaries to Presiding Judges	48,800	
(02-01-00)	Chief Justice - Supreme Court	194,750	
(02-01-00)	Justice - Supreme Court	185,050	
(02-01-00)	Judicial Secretary to the Chief Justice	49,385	
(02-01-00)	Supreme Court Judicial Secretary	48,800	
(02-02-00)	Chancellor - Court of Chancery	185,750	
(02-02-00)	Vice Chancellor - Court of Chancery	174,950	
(02-03-00)	President Judge - Superior Court	183,650	
(02-03-00)	Associate Judge - Superior Court	168,850	
(02-03-00)	Commissioner - Superior Court	104,250	
(02-03-00)	New Castle County Prothonotary	63,910	
(02-03-00)	Kent County Prothonotary	57,085	
(02-03-00)	Sussex County Prothonotary	57,085	
(02-06-00)	Chief Judge - Court of Common Pleas	183,650	
(02-06-00)	Judge - Court of Common Pleas	168,850	
(02-06-00)	Commissioner - Court of Common Pleas	104,250	
(02-08-00)	Chief Judge - Family Court	183,650	
(02-08-00)	Associate Judge - Family Court	168,850	

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(02-08-00)	Commissioner - Family Court	104,250	
4	(02-13-00)	Chief Magistrate - Justices of the Peace Courts	121,750	
5	(02-13-00)	Magistrate - Justices of the Peace Courts - 1st Term	70,750	
6	(02-13-00)	Magistrate - Justices of the Peace Courts - 2nd Term	73,250	
7	(02-13-00)	Magistrate - Justices of the Peace Courts - 3rd Term	75,550	
8	(02-13-00)	Judicial Secretary to the Chief Magistrate	46,655	
9	(02-17-00)	State Court Administrator - Office of the State Court		
10		Administrator	123,385	
11	(02-17-00)	Judicial Secretary to the State Court Administrator	48,800	
12	(02-18-00)	Public Guardian	67,030	
13	(02-18-00)	Executive Director - Child Placement Review Board	60,985	
14	(10-01-01)	Governor	171,000	
15	(10-02-00)	Director - Office of Management and Budget	139,475	
16	(10-02-08)	Director - SAC	87,215	
17	(10-02-50)	Executive Secretary - Architectural Accessibility Board	49,190	
18	(10-03-01)	Director - Delaware Economic Development Office	120,755	
19	(10-07-01)	Executive Director - CJC	88,775	
20	(10-07-01)	Director - Domestic Violence Coordinating Council	66,055	
21	(10-07-02)	Executive Director - DELJIS	81,265	
22	(10-08-01)	Director - Delaware State Housing Authority		112,660
23	(11-00-00)	Chief Information Officer	151,565	
24	(12-01-01)	Lieutenant Governor	74,345	
25	(12-02-01)	Auditor	102,715	
26	(12-03-01)	Insurance Commissioner		102,715
27	(12-05-01)	State Treasurer	107,300	
28	(15-01-01)	Attorney General	137,425	

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(15-01-01)	Chief Deputy Attorney General	120,950	
4	(15-01-01)	Executive Director -Victims' Compensation Assistance		
5		Program		59,230
6	(15-02-01)	Public Defender	132,650	
7	(15-02-01)	Chief Deputy Public Defender	120,950	
8	(15-03-01)	Parole Board Chairman	74,930	
9	(20-01-00)	Secretary - State	120,755	
10	(20-01-00)	Executive Director - Employment Relations Boards	85,315	
11	(20-02-00)	Director - Human Relations/Commission for Women	75,000	
12	(20-03-00)	Director - Division of Archives	76,295	
13	(20-04-00)	Public Advocate		80,780
14	(20-04-00)	Director - Public Service Commission		90,920
15	(20-04-00)	Director - Professional Regulation		92,480
16	(20-05-00)	Director - Corporations		107,980
17	(20-06-00)	Director - Historical and Cultural Affairs	88,970	
18	(20-07-00)	Director - Arts	77,075	
19	(20-08-00)	State Librarian	79,315	
20	(20-15-00)	State Banking Commissioner		105,445
21	(25-01-00)	Secretary - Finance	139,475	
22	(25-05-00)	Director - Accounting	101,255	
23	(25-06-00)	Director - Revenue	117,925	
24	(25-07-00)	Director - State Lottery		99,695
25	(35-01-00)	Secretary - Health and Social Services	139,475	
26	(35-01-00)	Director - Management Services	97,800	10,865
27	(35-02-00)	Director - Medicaid and Medical Assistance	54,430	54,430
28	(35-04-00)	Chief Medical Examiner	187,885	



			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(35-05-00)	Director - Public Health	160,875	
4	(35-06-00)	Director - Substance Abuse and Mental Health	136,015	
5	(35-07-00)	Director - Division of Social Services	54,430	54,430
6	(35-08-00)	Director - Visually Impaired	83,605	
7	(35-09-00)	Director - Long-term Care Residents Protection	87,700	
8	(35-10-00)	Director - Child Support Enforcement	28,910	58,695
9	(35-11-00)	Director - Developmental Disabilities Services	108,760	
10	(35-12-00)	Director - State Service Centers	87,700	
11	(35-14-00)	Director - Services for Aging and Adults		
12		with Physical Disabilities	87,700	
13	(37-01-00)	Secretary - Services for Children,		
14		Youth and Their Families	125,630	
15	(37-01-00)	Director - Management Services	99,110	
16	(37-04-00)	Director - Child Mental Health Services	99,110	
17	(37-05-00)	Director - Youth Rehabilitative Services	99,110	
18	(37-06-00)	Director - Family Services	99,110	
19	(38-01-00)	Commissioner - Correction	139,475	
20	(38-01-00)	Bureau Chief - Management Services	97,060	
21	(38-02-00)	Bureau Chief - Correctional Healthcare Services	103,690	
22	(38-04-00)	Bureau Chief - Prisons	108,760	
23	(38-06-00)	Bureau Chief - Community Corrections	103,690	
24	(40-01-00)	Secretary - Natural Resources and		
25		Environmental Control	120,755	
26	(40-01-00)	Deputy Secretary - Natural Resources		
27		and Environmental Control	101,350	
28	(45-01-00)	Secretary - Safety and Homeland Security	125,630	

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(45-01-00)	Director - Del. Emergency Management Agency	39,025	39,025
4	(45-03-00)	Commissioner - Alcoholic Beverage Control	108,470	
5	(45-04-00)	Director - Alcohol and Tobacco Enforcement	76,930	
6	(45-06-00)	Superintendent - State Police	138,695	
7	(45-06-00)	Assistant Superintendent - State Police	123,228	
8	(55-01-01)	Secretary - Transportation		130,600
9	(55-01-02)	Director - Finance		109,835
10	(55-02-01)	Director - Technology and Support Services		110,320
11	(55-03-01)	Director - Planning		110,320
12	(55-04-01)	Director - Maintenance and Operations		110,320
13	(55-06-01)	Director - Delaware Transit Corporation		110,320
14	(55-08-30)	Chief Engineer		116,075
15	(55-11-10)	Director - Motor Vehicles		110,320
16	(60-01-00)	Secretary - Labor	11,265	101,395
17	(60-06-00)	Director - Unemployment Insurance		93,355
18	(60-07-00)	Director - Industrial Affairs		90,920
19	(60-08-00)	Director - Vocational Rehabilitation		90,920
20	(60-09-00)	Director - Employment and Training		90,920
21	(65-01-00)	Secretary - Agriculture	112,660	
22	(65-01-00)	Deputy Secretary - Agriculture	81,560	
23	(70-01-01)	Commissioner - Elections	76,780	
24	(70-02-01)	Administrative Director - New Castle County Elections	72,685	
25	(70-02-01)	Deputy Administrative Director - New Castle		
26		County Elections	71,225	
27	(70-03-01)	Administrative Director - Kent County Elections	72,685	

	<u>Budget Unit</u>	<u>Line Item</u>	<u>General Funds</u>	<u>All Other Funds</u>
3	(70-03-01)	Deputy Administrative Director - Kent County		
4		Elections	71,225	
5	(70-04-01)	Administrative Director - Sussex County Elections	72,685	
6	(70-04-01)	Deputy Administrative Director - Sussex County		
7		Elections	71,225	
8	(75-01-01)	State Fire Marshal	54,862	25,818
9	(75-02-01)	Director - State Fire School	80,680	
10	(76-01-01)	Adjutant General	115,295	
11	(95-01-00)	Secretary of Education	151,565	
12	(95-01-00)	Deputy Secretary of Education	124,070	

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

16 (ii) If a position in Section 10(a) becomes vacant during the fiscal year, the appointing  
17 authority shall submit a request with appropriate justification to the Director of the Office  
18 of Management and Budget to establish the salary commensurate with the qualifications  
19 of the proposed incumbent and within the position's evaluated pay range. In reviewing  
20 requests made pursuant to this paragraph, the Director of the Office of Management and  
21 Budget shall provide an analysis of the request and shall solicit the advice and written  
22 consent of the Controller General in the event the salary is higher than the amount listed  
23 in Section 10(a).

24 (iii) Regardless of the provisions of this Act, any state employee who is offered a promotional  
25 opportunity to become a division level manager shall be eligible for a five percent  
26 promotional salary increase. This eligibility shall be conditioned on a determination that  
27 the duties and responsibilities of the division level manager position are at least one pay  
28 grade higher than the position proposed to be vacated based on a comparison of  
29 equivalent value. For the purpose of this subsection, the equivalent value of one pay

1 grade is defined as seven percent difference in the constant fiscal year dollar value of the  
2 evaluated pay range midpoint of the division level manager position compared to the  
3 position that the employee is vacating. The appointing authority may request a  
4 promotional increase in excess of five percent based upon the qualifications of the  
5 selected candidate. The request and appropriate justification shall be submitted to the  
6 Director of the Office of Management and Budget. In reviewing requests made pursuant  
7 to this paragraph, the Director of the Office of Management and Budget shall provide an  
8 analysis of the request, and shall solicit the advice and written consent of the Controller  
9 General.

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

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

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

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

(vii) The salary for the Superintendent and Assistant Superintendent of the State Police shall remain as listed in Section 10 of this Act during the fiscal year. Upon vacancy of the Superintendent or Assistant Superintendent, the salary in Section 10 shall be calculated in accordance with 11 Del. C. § 8303. No changes shall be made to the salaries of any incumbent Superintendent or Assistant Superintendent of the State Police during the fiscal year; and necessary adjustments shall be made through the normal budgetary process.

(c) Effective May 1, 2011, the Office of Management and Budget shall submit to the Joint Finance Committee a listing of employees designated in Section 10(a). The listing shall indicate for each position the number of Hay points applicable for Fiscal Year 2011 and the number of Hay points of any recommended changes for any position for Fiscal Year 2012.

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

		<u>July 1, 2010</u>	
<u>Budget Unit</u>	<u>Line Item</u>	<u>General Funds</u>	<u>All Other Funds</u>
(10-02-32)	Board Members - Pensions		15.0
(10-02-50)	Board Members - Architectural Accessibility Board	2.3	
(15-01-01)	Board Members - Consumer Protection	3.5	
(15-03-01)	Board Members - Parole	46.1	
(20-01-00)	Board Members - Public Employment Relations Board	7.4	
(20-01-00)	Board Members - Merit Employee Relations Board	20.0	

1	(20-02-00)	Board Members - Human Relations	2.5	
2	(20-04-00)	Board Members - Professional Regulation		71.5
3	(20-04-00)	Board Members - Public Service Commission		155.0
4	(25-01-00)	Board Members - Revenue	33.0	
5	(38-04-00)	Board Members - Institutional Classification	12.0	
6	(45-04-00)	Board Members - Alcoholic Beverage Control Commission	8.6	
7	(60-07-00)	Board Members - Industrial Accident Board		230.0
8	(65-01-05)	Harness Racing Commission		13.6
9	(65-01-10)	Thoroughbred Racing Commission		13.6
10	(65-01-12)	Nutrient Management Commission	22.4	
11	(70-02-01)	Board Members - New Castle County Elections	21.5	
12	(70-03-01)	Board Members - Kent County Elections	13.0	
13	(70-04-01)	Board Members - Sussex County Elections	13.0	
14	(95-01-01)	Board Members - State Board of Education	16.8	
15	(95-08-01)	Higher Education Commissioners	2.4	

16           Section 11. Merit Rule 4.13.7 notwithstanding, merit compensatory time will not be forfeited if  
17 not used within 180 calendar days of accrual.

18           Section 12. With the exception of the custodial work associated with Legislative Hall and the  
19 Governor's Office, the Office of Management and Budget may not hire any permanent, full-time custodial  
20 employees in any fiscal year without the concurrence of the Controller General.

21           Section 13. Chapters 4.0 and 5.0 of the Merit Rules notwithstanding, the Director of the Office of  
22 Management and Budget and the Controller General shall have the authority to designate and approve  
23 pilot projects within specified agencies. Such pilot projects shall accrue to the mutual benefit of the State  
24 as an employer and its affected employees in the Department of Health and Social Services, the  
25 Department of Services for Children, Youth and Their Families, the Department of Correction, and the  
26 Department of Transportation. These pilot projects may include employee incentives which have the  
27 impact of reducing overtime usage in these departments, and are designed to achieve a net reduction in  
28 costs to the State. Such projects may include elimination of pre-employment testing for certain

1 classifications, eliminating the cap on vacation carryover, gain sharing, and the substitution of certain  
2 fixed state holidays by floating holidays. Such pilot projects shall not exceed a period of two years  
3 duration, subject to renewal on a six-month basis, and shall include a written assessment to the Director of  
4 the Office of Management and Budget and the Controller General of their effectiveness at the end of each  
5 period. To the extent or where employees participating in pilot projects pursuant to this section are  
6 covered by a collective bargaining agreement pursuant to 19 Del. C. § 1311A, any such pilot project shall  
7 not include employee incentives or compensation contrary to that provided in the negotiated collective  
8 bargaining agreement.

9 Section 14. Amend 29 Del. C. § 6502 (a) by deleting the language, “except public school  
10 districts whose budget request form shall be submitted on or before October 30<sup>th</sup>,” as it appears in said  
11 subsection.

12 Section 15. All agencies receiving an Energy appropriation in Section 1 of this Act must work  
13 through Department of Natural Resources and Environmental Control and the Office of Management and  
14 Budget to attain any contract(s) dealing with the retail wheeling of natural gas or electricity. This  
15 includes agencies 01 through 95 with the exception of the University of Delaware.

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

20 Any internal program unit/budget unit having energy funding (electricity, natural or propane gas  
21 and heating oils) for the purpose of reimbursing a host internal program unit/budget unit must release the  
22 remaining sums to the host internal program unit/budget unit in the event that the tenant internal program  
23 unit/budget unit vacates the premises. It is the responsibility of the host internal program unit/budget unit  
24 to initiate the transfer request. Those agencies which are budgeted energy as a result of occupying a  
25 portion of a host facility’s property, and do not directly pay energy bills, may not transfer energy funds  
26 other than to the host agency.

27 Section 16. (a) Agencies with videophones obtained through the Videophone Committee of the  
28 Criminal Justice Council shall submit to the Director of the Office of Management and Budget and the

1 Controller General a report on their use of their videophone(s) by December 1 of each year. This report  
2 shall be based on a period from July 1 through June 30 and shall contain information such as, but not  
3 limited to, 1) the number of videophones used; 2) the types of activities for which the videophone(s) is/are  
4 used; 3) the number of times the videophone(s) was/were used for each activity; 4) any savings or  
5 deferred costs resulting from the use of the videophone(s); 5) any costs directly associated with the use of  
6 the videophone(s); and 6) future plans for the use of the videophone(s).

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

12 Section 17. Notwithstanding any other provision of the Delaware Code or this Act to the  
13 contrary, the Office of Management and Budget, subject to the approval of the Controller General, is  
14 authorized to make technical adjustments to the personnel complement of any agency as appropriated in  
15 Section 1 of this Act in those situations where, due to the rounding of split-funded positions, such an  
16 adjustment is necessary so that an agency may establish its authorized complement.

17 Section 18. Notwithstanding Merit Rules 4.4.2 and 4.4.3, an agency that requests approval of a  
18 starting rate higher than 85 percent of the midpoint, or that requests that incumbents be leveled up to a  
19 newly-hired employee, shall provide documentation showing that sufficient funds exist within the  
20 agency's base budget to fund such actions. An agency that requests approval of a starting rate higher than  
21 85 percent of midpoint shall also indicate if the approval of such starting rate will result in a request to  
22 level up the salary of the existing employees, and shall indicate if sufficient funds exist within the  
23 agency's base budget to fund such a leveling-up action. Notwithstanding any provisions of this Act or the  
24 Delaware Code to the contrary, no provision of Chapter 4.0 of the Merit Rules shall be considered  
25 compensation for the purposes of collective bargaining and leveling up can only occur with the  
26 concurrence of the Director of the Office of Management and Budget and the Controller General. The  
27 Director of the Office of Management and Budget and Controller General, with the concurrence of the co-  
28 chairs of the Joint Finance Committee shall promulgate policies and procedures to implement this section.



1           Section 19. The State Employee Benefits Committee shall have the authority to transfer  
2 Medicare Part D Retiree Drug subsidy from the Employees' Health Insurance Fund to the Other Post  
3 Employment Benefits Fund to provide a source for future payment of retiree health benefits.

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

10          Section 21. In accordance with the provisions of 29 Del. C. § 5106, effective for all fiscal years  
11 commencing after June 30, 2003, exceptions to the standard practice of paycheck deductions shall be  
12 made for employees paying dues to the Delaware State Education Association (DSEA). For all  
13 employees designating that DSEA membership dues be deducted from their bi-weekly paycheck shall  
14 have those dues deducted from the 22 pay periods occurring within the 10 month school year. This  
15 change will facilitate the maintenance of the state payroll system as well as establish a consistent process  
16 for managing the collection of dues from members of the Delaware State Education Association.

17          Section 22. Notwithstanding Chapter 10.0 and Chapter 19.0 of the Merit Rules, upon approval by  
18 the Director of the Office of Management and Budget and the Controller General, temporary appointees  
19 may be assigned to the same position as that already assigned to a permanent employee in order to  
20 complete a special project.

21          Section 23. Employees of the State of Delaware who are enrolled in a health insurance benefit  
22 plan must re-enroll in a plan of their choice during the open enrollment period as determined by the State  
23 Employee Benefits Committee. Should such employee(s) neglect to re-enroll in the allotted time, said  
24 employee(s) and any spouse or dependents shall be automatically re-enrolled in their previous plan as  
25 long as verification of employment is provided by the employee and the Office of Management and  
26 Budget.

27          Section 24. Notwithstanding any provision of the Delaware Code to the contrary, 29 Del. C.  
28 § 5207 shall not apply to individuals employed in accordance with 29 Del. C. § 5903(17).

1           Section 25. Notwithstanding the provisions of any other law, any non-state organizations  
2 identified in 29 Del. C. § 5209 and not participating in the State Group Health Insurance Program as of  
3 June 30, 2010, shall be prohibited from participation for the fiscal year ending June 30, 2011.

4           Section 26. Notwithstanding any provision in the Delaware Code to the contrary, for the  
5 purposes of developing and implementing the Enterprise Resource Planning (ERP) Financial  
6 Reengineering Project's PeopleSoft Financials application, necessary adjustments to existing state  
7 accounting, budgeting and financial reporting processes and practices may be implemented during Fiscal  
8 Year 2011 with the written approval of the Director of the Office of Management and Budget, Controller  
9 General, Secretary of Finance and Chief Information Officer.

10          Section 27. The responsibilities and authorities established by 75 Del. Laws, c. 243 shall remain  
11 in effect through Fiscal Year 2011 or until a bill codifying energy procurement is signed into law. The  
12 following provisions shall apply:

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

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

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

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

1           Section 28. Notwithstanding the provisions of the Administrative Procedures Act, 29 Del. C. c.  
2 101 or any other laws to the contrary, the State Employee Benefits Committee is authorized to amend the  
3 rules for Employees Eligible to Participate in the State Group Health Insurance Program and the State  
4 Disability Insurance Program by approving such amendments and causing the amendments to be  
5 published in the Register of Regulations with such amendments to be effective as of the date of such  
6 publication unless otherwise specified by the State Employee Benefits Committee.

7           Section 29. (a) The Office of Management and Budget, with the concurrence of the Controller  
8 General and co-chairs of the Joint Finance Committee, is authorized to continue the pilot web-based  
9 procurement program in the Department of Health and Social Services; Department of Natural Resources  
10 and Environmental Control, Parks and Recreation; Department of Technology and Information; and  
11 Department of Safety and Homeland Security, Delaware Emergency Management Agency and expand  
12 such program in up to four additional state agencies during Fiscal Year 2011. In addition, upon  
13 recommendation of the Secretary of Education, said pilot procurement program may be expanded to  
14 include up to 10 school districts and charter schools. To ensure efficiencies in statewide procurement  
15 activities, the pilot programs shall include, but not be limited to, placing legal notices in statewide  
16 publications of record directing interested bidders to the pilot agencies' websites for detailed information  
17 on procurement opportunities. For purposes of this pilot program, said publication of legal notices shall  
18 fulfill the advertising requirement of 29 Del. C. c. 69. Agencies including the Department of Education  
19 on behalf of school districts and charter schools, participating in the pilot program shall report on the  
20 outcomes of this initiative to the co-chairs of Joint Finance Committee, Controller General, and Director  
21 of Office of Management and Budget by May 15, 2011.

22           (b) The Secretary of Education, in coordination with the Office of Management and Budget and  
23 the Controller General, may implement a pilot consolidated purchasing program to include up to 10  
24 school districts and charter schools. Said program may include, but not be limited to purchases,  
25 regardless of source of payment, related to office equipment, custodial supplies, office furniture, audio  
26 visual equipment, alarm and signal systems, office supplies, computers and other technology related  
27 items, recreational facility purchases and laboratory purchases. For purposes of implementing this  
28 subsection, the Department of Education shall comply with any and all provisions of 29 Del. C. c. 69.

1 The Department of Education shall report on the outcomes of this initiative to the Governor and co-chairs  
2 of the Joint Finance Committee no later than August 15<sup>th</sup> following the close of each fiscal year.

3 Section 30. All agency heads shall assure that state employees, where feasible, make use of  
4 teleconferencing and video conferencing solutions available for meetings in lieu of the use of state-owned  
5 vehicles.

6 Section 31. (a) For the fiscal year ending June 30, 2010, any sums in the following accounts  
7 shall remain as continuing appropriations and shall not be subject to a reversion until June 30, 2011. Any  
8 appropriation listed below that has a balance of zero on June 30, 2010 shall not continue:

<u>Fiscal Year</u>	<u>Account</u>	<u>Codes</u>	<u>Remarks</u>
2009		01-01-01-0140	Travel
2009		01-01-01-0141	Leg-Mileage
2009		01-01-01-0160	Supplies
2008		01-01-01-0170	Capital
2009		01-01-01-0181	Committee Expenses
2007/08/09		01-02-01-0140	Travel
2008/09		01-02-01-0141	Leg-Mileage
2008/09		01-02-01-0150	Contractual
2008/09		01-02-01-0160	Supplies
2008/09		01-02-01-0170	Capital
2009		01-02-01-0181	Committee Expenses
2008		01-02-01-0182	Ad Substance Abuse
2008/09		01-05-01-0141	Leg Travel
2008/09		01-05-01-0150	Contractual
2008/09		01-05-01-0151	State Governments
2009		01-05-01-0160	Supplies
2006/07/08/09		01-08-01-0151	Print Laws
2009		01-08-01-0170	Capital
2009		01-08-02-0140	Travel

1	2007/08/09	01-08-02-0150	Contractual
2	2008/09	01-08-02-0160	Supplies
3	2009	01-08-02-0170	Capital
4	2007/08/09	01-08-02-0181	Contingency - Legislative
5	2008/09	01-08-02-0182	Family Law Commission
6	2009	01-08-02-0186	Juvenile Detention Oversight Committee
7	2009	01-08-02-0190	Neighborhood Schools
8	2008/09	01-08-02-0191	Clean Air
9	2008/09	01-08-02-0193	JFC/CIP Contingency
10	2008/09	01-08-02-0197	Contingency - Intern
11	2009	01-08-02-0200	Alternate Energy
12	2007	01-08-02-0198	One Time Revolutionary War Monument
13	2006	01-08-02-0200	TriCent Committee
14	2009	01-08-02-0201	Security
15	2006	01-08-02-0879	BioTech Engineer
16	2006	01-08-02-0891	Legislative Hall Improvements
17	2002	01-08-02-0985	Senior Center Projects
18	2008	01-08-02-0988	JFC CIP Contract
19	2006	01-08-02-0989	Senior Center Fund
20	2009	01-08-03-0150	Contractual
21	2009	01-08-06-0140	Travel
22	2009	01-08-06-0150	Contractual
23	2008	02-01-10-0180	Court on the Judiciary
24	2010	02-03-10-0180	Jury Expenses
25	2010	02-17-01-0180	Retired Judges
26	2009/10	02-17-01-0184	Conflict Attorneys
27	2010	02-17-01-0185	CASA Attorneys
28	2010	02-17-01-0186	Civil Attorneys

1	2009/10	02-17-01-0188	Court Appointed Attorneys
2	2010	02-17-01-0189	Interpreters
3	2009/10	02-17-01-0190	New Castle County Courthouse
4	2004	02-17-01-0192	COTS Support
5	2010	02-18-01-0180	Special Needs
6	2010	02-18-03-0180	Ivy Davis
7	2009	10-02-05-0202	Evaluation Project
8	2009/10	10-02-06-0196	Contingency Fund
9	2008/09	10-02-10-0185	Data Development
10	2010	10-02-11-0185	Legal Fees
11	2009/10	10-02-11-0189	Salary/OEC
12	2009/10	10-02-11-0218	Judicial Nominating Committee
13	2008	10-02-11-0198	One Time
14	2007	10-02-20-0274	Recruit and Retention
15	2010	10-02-31-0150	Contractual
16	2010	10-02-31-0183	Self Insurance
17	2009	10-05-01-0181	Education
18	2006	10-05-01-0185	Universal Health Insurance Study
19	2009	10-05-02-0180	Operations
20	2008/09	10-05-03-0180	Operations
21	2010	10-07-01-0297	Local Law Enforcement Education Fund
22	2010	20-03-01-0183	DE Heritage
23	2009	35-01-20-0198	One Time
24	2008	35-02-01-0190	SBHC Audit
25	2009	35-02-01-0193	Family Planning Audit
26	2010	35-05-20-0182	Immunization
27	2010	35-05-20-0183	Hepatitis B
28	2010	35-05-30-0977	Paramedic

1	2008/09/10	35-06-10-0187	Clinical Care
2	2010	35-06-20-0181	Group Homes
3	2010	35-07-01-0185	Child Care
4	2010	35-11-30-0180	Community Services
5	2010	35-11-30-0181	Purchase of Care
6	2006	37-01-20-0180	CAP Phase 2
7	2010	37-01-50-0181	MIS Development
8	2010	37-06-40-0187	Child Welfare
9	2006/08	38-01-01-0184	Sustainability Contingency
10	2010	38-01-01-0186	Emergency Preparedness
11	2010	38-01-10-0186	Warehouse
12	2010	38-01-14-0199	Info Technology
13	2010	38-02-01-0180	Medical Services
14	2010	38-02-01-0182	Drug Treatment
15	2009	38-02-01-0184	Maintenance and Restoration
16	2008	38-02-01-0197	Data Development
17	2008	38-06-02-0198	One Time
18	2008	40-01-01-0195	First Quality
19	1986	45-01-01-0381	Hazardous Waste Revolving Fund
20	2009	45-01-30-0201	Emergency Management Fund
21	2009	45-06-01-0201	DSP Recruitment
22	2007/08	70-01-01-0184	HAVA Repayment
23	2010	70-02-01-0181	School Elections
24	2009	70-02-01-0201	Technology Development
25	2009/10	95-01-01-0131	Parents as Teachers
26	2008/09/10	95-01-01-0200	Standards and Assessment
27	2009/10	95-01-01-0202	DSTP
28	2009/10	95-01-01-0203	Pupil Accounting

1	2009/10	95-01-01-0210	DE Science Coalition
2	2009/10	95-01-01-0229	Infrastructure Capacity
3	2009/10	95-01-01-0230	Educator Accountability
4	2007/10	95-02-02-0204	School Improvement
5	2007/08/09/10	95-03-10-0191	Professional Development
6	2009/10	95-03-20-0181	Unique Alternatives
7	2010	95-03-20-0190	Prison Education
8	2008/10	95-04-01-0190	Pupil Transportation
9	2009/10	95-07-01-0180	Operations
10	2009/10	95-08-01-0183	Scholarships
11	2008/09/10	95-08-01-0185	Ferguson DSTP Scholarship
12	2007	95-08-01-0188	Physician Loan
13	2008	95-08-01-0189	Legislative Essay
14	2010	95-08-01-0191	SEED

15           (b) Funds appropriated for the Professional and Curriculum Development (appropriation 0205)  
16 programs shall be appropriated on a 15 month basis and not be subject to reversion until September 30,  
17 2011. Program expenses may not be incurred subsequent to the start of the regular 2011-2012 school  
18 year.

19           (c) For the fiscal year ending June 30, 2010, any sums in Fiscal Year 2010 Charter School  
20 Operations (appropriation 0213) for Public Education, shall remain as continuing and not be subject to  
21 reversion until June 30, 2011.

22           (d) For the fiscal year ending June 30, 2010, any sums for Fiscal Year 2010 Division II - All  
23 Other Costs (appropriation 0165), Division II - All Other Costs for Vocational Education (appropriation  
24 0265), Division II - Energy (appropriation 0159), and Division III - Equalization (appropriation 0186)  
25 shall become a continuing appropriation in each local school district for the period of one fiscal year.

26           (e) For the fiscal year ending June 30, 2010, any fiscal year 2008, 2009 or 2010 School  
27 Improvement Funds (appropriation 0244) shall become a continuing appropriation in each local school  
28 district for the period of one fiscal year.



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

4 (g) The Department of Transportation shall promulgate and carry out the policies and procedures  
5 necessary to deauthorize any unexpended, unencumbered or unprogrammed operating appropriations  
6 remaining at the end of the fiscal year.

7 (h) The Department of Transportation shall provide a list of operating appropriations to be  
8 continued into the next fiscal year to include the following: 1) unprogrammed appropriations from prior  
9 years, and 2) unencumbered or unprogrammed appropriations from the immediately preceding fiscal year.  
10 The list shall be comprised of the accounting code, fiscal year and program description for each  
11 appropriation to be continued. The department may request additional authority, on a project by project  
12 basis, during the fiscal year. Such requests shall be submitted to the Director of the Office of  
13 Management and Budget and Controller General for approval.

14 (i) For the fiscal year ending June 30, 2010, any authorizations in the following accounts shall  
15 remain as continuing appropriations and shall not be subject to deauthorization until June 30, 2011.

<b>Fiscal Year</b>	<b>Account</b>	<b>Remarks</b>
<b><u>Appropriation</u></b>	<b><u>Codes</u></b>	
18 2010	55-01-01-6801	Travel
19 2010	55-01-01-6805	Salary Contingency
20 2010	55-01-01-6807	Contractual Services
21 2010	55-01-01-6808	Supplies and Materials
22 2010	55-01-01-6815	Personnel Costs
23 2010	55-01-02-6801	Travel
24 2010	55-01-02-6807	Contractual Services
25 2010	55-01-02-6808	Supplies and Materials
26 2003	55-01-02-6809	Prior Year Operations
27 2010	55-01-02-6815	Personnel Costs
28 2010	55-01-03-6801	Travel
29 2010	55-01-03-6804	Capital Outlay

1	2010	55-01-03-6807	Contractual Services
2	2010	55-01-03-6808	Supplies and Materials
3	2010	55-01-03-6815	Personnel Costs
4	2010	55-01-04-6801	Travel
5	2010	55-01-04-6807	Contractual Services
6	2010	55-01-04-6808	Supplies and Materials
7	2010	55-01-04-6815	Personnel Costs
8	2010	55-02-01-6801	Travel
9	2010	55-02-01-6803	Energy
10	2010	55-02-01-6804	Capital Outlay
11	2010	55-02-01-6807	Contractual Services
12	2010	55-02-01-6808	Supplies and Materials
13	2010	55-02-01-6815	Personnel Costs
14	2010	55-03-01-6801	Travel
15	2010	55-03-01-6803	Energy
16	2010	55-03-01-6804	Capital Outlay
17	2010	55-03-01-6807	Contractual Services
18	2010	55-03-01-6808	Supplies and Materials
19	2010	55-03-01-6815	Personnel Costs
20	2010	55-04-01-6801	Travel
21	2010	55-04-01-6804	Capital Outlay
22	2010	55-04-01-6807	Contractual Services
23	2010	55-04-01-6808	Supplies and Materials
24	2010	55-04-01-6815	Personnel Costs
25	2010	55-04-70-6803	Energy
26	2010	55-04-70-6804	Capital Outlay
27	2010	55-04-70-6805	Storm Contingency
28	2010	55-04-70-6807	Contractual Services

1	2010	55-04-70-6808	Supplies and Materials
2	2010	55-04-70-6815	Personnel Costs
3	2010	55-04-90-6801	Travel
4	2010	55-04-90-6803	Energy
5	2010	55-04-90-6804	Capital Outlay
6	2010	55-04-90-6805	E-ZPass Operations
7	2010	55-04-90-6807	Contractual Services
8	2010	55-04-90-6808	Supplies and Materials
9	2010	55-04-90-6815	Personnel Costs
10	2010	55-06-01-8572	Transit Operations
11	2010	55-06-01-8581	Newark Transportation
12	2010	55-06-01-8583	Kent and Sussex
13	2010	55-06-01-8589	Taxi Service
14	2010	55-08-10-6815	Personnel Costs
15	2010	55-08-20-6815	Personnel Costs
16	2010	55-08-30-6801	Travel
17	2010	55-08-30-6803	Energy
18	2010	55-08-30-6804	Capital Outlay
19	2010	55-08-30-6807	Contractual Services
20	2010	55-08-30-6808	Supplies and Materials
21	2010	55-08-30-6815	Personnel Costs
22	2010	55-08-40-6803	Energy
23	2010	55-08-40-6804	Capital Outlay
24	2010	55-08-40-6807	Contractual Services
25	2010	55-08-40-6808	Supplies and Materials
26	2010	55-08-40-6815	Personnel Costs
27	2010	55-11-10-6801	Travel
28	2010	55-11-10-6804	Capital Outlay

1	2010	55-11-10-6807	Contractual Services
2	2010	55-11-10-6808	Supplies and Materials
3	2010	55-11-10-6815	Personnel Costs
4	2010	55-11-10-6820	Motorcycle Safety
5	2010	55-11-20-6804	Capital Outlay
6	2010	55-11-20-6807	Contractual Services
7	2010	55-11-20-6808	Supplies and Materials
8	2010	55-11-20-6815	Personnel Costs
9	2010	55-11-20-6822	CDL Fees
10	2010	55-11-30-6801	Travel
11	2010	55-11-30-6804	Capital Outlay
12	2010	55-11-30-6807	Contractual Services
13	2010	55-11-30-6808	Supplies and Materials
14	2010	55-11-30-6815	Personnel Costs
15	2010	55-11-30-6823	Odometer Forms
16	2010	55-11-30-6824	Special License Plates
17	2010	55-11-30-6825	DMVT
18	2010	55-11-50-6801	Travel
19	2010	55-11-50-6804	Capital Outlay
20	2010	55-11-50-6807	Contractual Services
21	2010	55-11-50-6808	Supplies and Materials
22	2010	55-11-50-6815	Personnel Costs

# 1 TOBACCO – MASTER SETTLEMENT AGREEMENT

2 Section 32. (a) Section 1 of this Act includes Appropriated Special Funds of \$45,642.3 from  
3 funds received as a result of the Master Settlement Agreement on tobacco funds. These funds are  
4 allocated as follows:

5 (10-02-11) Office of Management and Budget - Contingencies and One-Time Items

6 \$1,037.9 2 Year Nursing Expansion

7 \$ 500.0 4 Year Nursing Expansion

8 (15-01-01) Attorney General

9 \$ 362.1 2.0 ASF FTEs - legal matters relating to tobacco laws and regulations

10 (35-01-10) Health and Social Services - Office of the Secretary

11 \$ 996.9 Uninsured Action Plan

12 \$ 48.1 1.0 ASF FTE - Assistance to the Commission on health issues

13 \$ 9.0 Casual and Seasonal assistance

14 (35-02-01) Health and Social Services - Medicaid and Medical Assistance

15 \$4,420.0 Delaware Prescription Assistance Program

16 \$3,054.8 Medical Assistance Transition (MAT) Program

17 \$ 650.0 Increase Medicaid eligibility for pregnant women/infants to 200 percent of  
18 poverty

19 \$ 698.8 Medicaid for Workers with Disabilities

20 \$ 499.5 Money Follows the Person

21 \$ 4,392.1 Delaware Healthy Children Program

22 \$ 1,570.0 Legal Non-Citizen Health Care

23 (35-05-20) Health and Social Services - Community Health

24 \$ 450.0 Diabetes

25 \$2,189.8 New Nurse Development Program at Delaware Technical and Community  
26 College

27 \$ 127.7 Delaware State University Nursing Program

28 \$ 653.7 Personnel Costs associated with Tobacco Control Programs

1           \$3,551.9        Infant Mortality Task Force

2           \$2,345.6        School Based Health Centers

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

5           \$ 276.3        Wesley College Nursing Program

6           \$ 110.1        Polytech Adult Education Nursing Program

7           \$ 125.2        Delaware Hospice

8           \$ 115.3        Planned Parenthood of Delaware

9           \$ 100.2        St. Francis Hospital

10          \$ 52.4         American Lung Association - Asthma Project

11          \$ 201.3        Child and Families First - Resource Mothers Program

12          \$ 37.6         Kelly Heinz - Grundner Brain Tumor Foundation - Awareness Program

13          \$ 24.2         Neonatal Intensive Care Unit Family Support Project - March of Dimes

14          \$ 10.0         AIDS Delaware

15       Also appropriated in this Act is \$13,046.2 for Cancer Council Recommendations. Of this amount,  
16       funding is included for the following agencies:

17          \$ 80.5         Delaware Breast Cancer Coalition

18          \$ 600.0       Breast and Cervical Cancer Treatment (35-02-01)

19          \$ 120.8        Cancer Care Connection

20          \$ 161.0        The Wellness Community

21       (35-05-30) Health and Social Services - Emergency Medical Services

22          \$ 200.0        Public Access Defibrillation initiative

23       (35-06-40) Health and Social Services - Substance Abuse and Mental Health

24          \$ 60.3         Limen House

25          \$ 177.1        Transitional housing for persons completing detoxification

26          \$ 412.0        Heroin Residential Program

27          \$ 28.7         University of Delaware - Delaware School Survey

28          \$ 142.2        Brandywine Counseling

1 (35-07-01) Health and Social Services - Social Services

2 \$1,240.4 SSI Supplement

3 (35-11-30) Health and Social Service - Community Services

4 \$ 70.0 Family Support Services

5 (35-14-01) Health and Social Services - Services for Aging and Adults with Physical Disabilities

6 \$ 760.0 Attendant Care

7 \$ 178.1 Caregiver Support

8 \$ 90.3 Money Follows the Person

9 \$ 43.2 Easter Seals - Respite Care Services

10 (37-04-02) Services for Children, Youth and Their Families - Prevention and Behavioral Health Services

11 \$ 59.3 Tobacco Prevention Programs for Youth

12 (45-04-10) Safety and Homeland Security - Alcoholic Beverage Control and Tobacco Enforcement

13 \$ 524.0 Enhanced Enforcement and 3.0 FTE Agents and 1.0 FTE Clerical

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

18 (b) For Fiscal Year 2011, effective June 25, 2011, all remaining unallocated funds for Fiscal  
19 Year 2011 shall be invested by the Cash Management Policy Board and any interest accrued shall be  
20 deposited to the credit of the funds of the Master Settlement Agreement. All funds from the above  
21 allocations left unexpended or unencumbered shall be transferred back to the Delaware Health Fund.

22 (c) These funds shall be available for Fiscal Year 2011 only.

23 Section 33. Section 1 of this Act makes an ASF appropriation to the Department of Health and  
24 Social Services, Division of Medicaid and Medical Assistance (35-02-00) for the Prescription Assistance  
25 Program and other programs funded with Tobacco Settlement funds. These funds may be used for both  
26 the client services and administrative costs of the programs.

27 Section 34. The Delaware Health Fund Advisory Committee is directed to submit their proposed  
28 recommendations each fiscal year to the Office of Management and Budget no later than November 15<sup>th</sup>

1 per Senate Bill 8 as amended of the 140<sup>th</sup> General Assembly. It is the intent of the General Assembly that  
2 the Delaware Health Fund Advisory Committee will present their proposed recommendations before the  
3 Joint Finance Committee in a public budget hearing.



# STATE FISCAL STABILIZATION FUND

Section 35. Title XIV of the American Recovery and Reinvestment Act (ARRA) of 2009 enacted by the federal government creates a State Fiscal Stabilization Fund (SFSF). This Act provides funding from the SFSF for a Flexibility Block Grant in the amount of \$13,121.1. These funds shall be allocated to schools based upon the September 30, 2009 Unit Count. These funds are provided in an effort to allow districts the flexibility to achieve savings in areas that do not negatively impact the classroom or cause a decrease in the number of classroom teachers beyond what would normally be associated with a reduction in force.

Each school district and charter school has the ability to use their SFSF allocation as they deem appropriate within the federal guidelines; however, districts are strongly encouraged to utilize these resources to preserve jobs and advance educational reforms such as increasing teacher effectiveness and providing targeted, intensive support and interventions for struggling schools. School districts and charter schools must submit an application in order to receive the SFSF allocation in accordance with the federal guidance on the State Fiscal Stabilization Funds. The Delaware Department of Education and Office of Management and Budget will issue guidance on the submission of this application by July 15, 2010.

Institutes of higher education will also receive a SFSF allocation and are encouraged to utilize these resources to mitigate the need for increases in tuition and fees paid by in-state students.

Additionally, all funds allocated through the State Fiscal Stabilization Fund program are subject to the transparency and reporting requirements of the ARRA. School Districts, Charter Schools and Institutes of Higher Education must ensure that they are spending and reporting these funds in accordance with the required provisions. In addition, schools shall submit to the Secretary of Education, the Director of the Office of Management and Budget and the Controller General a report of all expenditures associated with this block grant by May 1<sup>st</sup> of each fiscal year.

# LEGISLATIVE

1  
2        Section 36. 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 37. 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 38. 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 39. 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).

# JUDICIAL

1  
2        Section 40. This Act appropriates Appropriated Special Funds to the Court of Chancery (02-02-  
3 00) and to the Court of Common Pleas (02-06-00). Notwithstanding other statutes to the contrary, the  
4 Court of Chancery is authorized to retain a portion of the fees, costs and interest it will collect in an  
5 amount sufficient to cover the personnel and operating costs of the statewide Register in Chancery office.  
6 Notwithstanding other statutes to the contrary, the Court of Common Pleas is authorized to retain a  
7 portion of the fines and fees it will collect in an amount sufficient to cover the personnel and operating  
8 costs of three Judicial Case Processors and one Controller. Adjustments to the Appropriated Special  
9 Fund spending authority for these courts may be made upon the concurrence and approval of the Director  
10 of the Office of Management and Budget and the Controller General.

11        Section 41. The positions of Master in Chancery/Chief Staff Attorney (BP#s 56683 and 100226),  
12 as well as any additional Master in Chancery/Chief Staff Attorney position(s) that may be established in  
13 the future for the Court of Chancery (02-02-10), shall receive the same salary as Commissioner in the  
14 Superior Court.

15        Section 42. Section 1 of this Act appropriates \$56.4 in Contractual Services to Justice of the  
16 Peace Court (02-13-10) to support lease obligations associated with the Justice of the Peace Court 1  
17 facility located in the Town of Frankford.

18        Section 43. Upon the approval of a plan submitted to the Director of the Office of Management  
19 and Budget, Controller General and the co-chairs of the Joint Finance Committee, the Chief Justice shall  
20 have the flexibility to transfer positions from individual courts to the Administrative Office of the Courts  
21 for the purpose of further centralizing personnel, finance, collections and filing/records management  
22 functions therein. Notwithstanding any other provisions of this Act or the Delaware Code to the contrary,  
23 positions and related operating funds may be transferred from Supreme Court (02-01-00), Court of  
24 Chancery (02-02-00), Superior Court (02-03-00), Court of Common Pleas (02-06-00), Family Court (02-  
25 08-00) and Justice of the Peace Court (02-13-00) to the Administrative Office of the Courts, Office of the  
26 State Court Administrator (02-17-01), the Administrative Office of the Courts, Office of State Court  
27 Collections Enforcement (02-17-03) or the Administrative Office of the Courts, Judicial Information  
28 Center (02-17-04). Only positions from the courts or other judicial positions located in New Castle

1 County may be considered for transfer under this section. In the cases where Merit System positions are  
2 transferred, the incumbents shall retain their Merit System status.

3 Section 44. Section 1 of this Act appropriates \$275.0 to the Office of Management and Budget,  
4 Contingencies and One-Time Items (10-02-11) for the purpose of providing civil legal services to the  
5 indigent. Upon the concurrence and approval of the Director of the Office of Management and Budget  
6 and the Controller General, this amount shall be used by the Administrative Office of the Courts, Office  
7 of the State Court Administrator (02-17-01) exclusively for civil legal services to the indigent with the  
8 guidance of the Delaware Bar Foundation.

9 Section 45. The Administrative Office of the Courts (AOC) shall coordinate with the Department  
10 of Technology and Information to develop electronic document systems projects for the Courts, subject to  
11 review and approval by the Technology Investment Council (TIC); provided however, that such review  
12 and approval by the TIC shall not apply to existing licensing agreements, contracts or projects related to  
13 electronic document systems entered into or approved by the AOC on or prior to June 30, 2006.

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

22 Section 46. Section 1 of this Act provides an appropriation to the Administrative Office of the  
23 Courts, Non-Judicial Services, Child Death, Near Death and Stillbirth Commission (02-18-06) for the  
24 Fetal Infant Mortality Review. Included in this appropriation are funds for 3.0 FTEs and associated  
25 operating costs.

26 Section 47. Section 1 of this Act makes an appropriation to the Administrative Office of the  
27 Courts, Non-Judicial Services, Delaware Nursing Home Residents Quality Assurance Commission (02-

1 18-07) to fund an Administrative Specialist III. This position shall provide clerical support for the  
2 Commission. The position shall be hired by and report to the Commission.

3 Section 48. Section 1 of this Act includes appropriations to the Administrative Office of the  
4 Courts, Office of the State Court Administrator (02-17-01) for Conflict Attorneys, Court Appointed  
5 Special Advocate (CASA) Attorneys, Family Court Attorneys, and Court Appointed Attorneys. Upon  
6 approval by the Director of the Office of Management and Budget and the Controller General, the Chief  
7 Justice may use said appropriations, as well as any carryover funding in said appropriations, to address  
8 recruitment and retention of contract attorneys under these programs. The Chief Justice may decide upon,  
9 but is not limited to, the following options: implement new contract rates, including setting regional or  
10 market-based contract rate structures; increase the number of contracts; or split full-time contracts into  
11 part-time contracts. The Chief Justice may implement any combination of these or other reasonable  
12 options in an effort to maximize the recruitment and retention of qualified attorneys to serve these  
13 programs.

# EXECUTIVE

Section 49. Section 1 of this Act includes a reduction of \$9,316.0 in the Salary/OEC Contingency as a result of a concerted effort between the Administration and the General Assembly to reduce the state government workforce through attrition. The Director of the Office of Management and Budget, upon the concurrence of the Controller General, shall de-authorize positions as they become vacant throughout the fiscal year. Further, notwithstanding any other provision of law to the contrary, the Director of the Office of Management and Budget shall, upon concurrence of the Controller General, have the authority to reallocate personnel costs as well as positions throughout and among respective state agencies, including the Judiciary and Other Elective offices in order to meet critical workforce needs.

Section 50. Notwithstanding the provisions of 29 Del. C. § 6102(a), for the fiscal year ending June 30, 2011, with respect to revenues collected under 12 Del. C. c. 11, the Secretary of Finance shall transfer up to \$10,000.0 of receipts received in excess of \$380,000.0 to the Other Post-Employment Benefits Fund as established by 29 Del. C. § 5281. Should such deposits into the Other Post-Employment Benefits Fund reach \$10,000.0, any remaining receipts received by the State under 12 Del. C. c. 11 shall be deposited to the General Fund.

Section 51. Section 1 of this Act appropriates \$50.0 in Local Law Enforcement Education to the Office of Management and Budget, Contingencies and One-Time Items (10-02-11) for educational reimbursement as provided for in subsection (a).

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

(1) The officer must make application for tuition reimbursement in accordance with rules and regulations promulgated by the Director of the Criminal Justice Council or the Director's designee.

(2) Education benefits authorized by this Section may be used only at a college or university within the State.

- 1 (3) An officer may not attend a class or course of instruction during scheduled work hours  
2 unless the officer uses his or her earned leave or earned compensation time.
- 3 (4) An officer may be reimbursed under this program for only two classes or courses of  
4 instruction for undergraduate study or one class or course for graduate study each  
5 grading period. The classes will be reimbursed at 100 percent of the tuition paid  
6 following the completion of the course with a grade of 'C' or better at a college or  
7 university within the State for classes related to Corrections, Public Safety, Criminal  
8 Justice, Computer Science, Psychology, Sociology, Education and related fields.  
9 Related fields shall include any courses necessary to complete a degree program in  
10 Criminal Justice, Corrections, Public Safety, Computer Science, Psychology,  
11 Sociology, and Education.
- 12 (5) A class or course of instruction taken under this Section must:
- 13 (i) improve an officer's competence and capacity in employment;  
14 (ii) have direct value to the State; and  
15 (iii) provide knowledge or skills that are not available through in-service or other  
16 professional training.
- 17 (6) In order to receive tuition reimbursement for a post-secondary class or course of  
18 instruction authorized by this Section, an officer must:
- 19 (i) Earn a grade no lower than a 2.0 on a 4.0 scale, or its equivalent, for each class or  
20 course of instruction for which the tuition reimbursement is granted. In any class or  
21 course of instruction for which a specific grade is not issued, the officer must show  
22 documentation to verify satisfactory completion; and
- 23 (ii) Submit to the Director of the Criminal Justice Council or the Director's designee  
24 within 30 days after completing a class or course of instruction proof of:
- 25 (1) the course title and grade received;  
26 (2) the amount of tuition paid for the course; and  
27 (3) the name of the post-secondary institution where the course was taken.

- 1 (7) The Director of the Criminal Justice Council or the designee shall adopt rules and  
2 regulations as deemed necessary and proper for the efficient administration of this  
3 Section. The rules and regulations must contain appeal procedures.
- 4 (8) An officer who receives tuition reimbursement pursuant to this Section but is  
5 terminated from law enforcement employment for cause or who otherwise fails to  
6 comply with any requirement of this Section shall immediately become ineligible to  
7 receive education benefits pursuant to this Section and shall repay all tuition  
8 reimbursement previously extended to the employee, including interest on a pro rata  
9 basis from the time of termination or noncompliance. The Director of the Criminal  
10 Justice Council or the Director's designee shall determine the amount of repayment due  
11 by the employee pursuant to this Subsection. If law enforcement employment is  
12 terminated for other than just cause, the officer will not be required to repay previously  
13 reimbursed tuition.
- 14 (9) Nothing in this section is intended to inhibit or deny officer promotion or transfer to  
15 other law enforcement agencies within this State.
- 16 (10) The Director of the Criminal Justice Council shall include in the agency's annual  
17 report:
- 18 (i) the number of officers who participated at each post-secondary educational  
19 institution during the year;
- 20 (ii) the total amount of tuition expenditures made pursuant to this Section during the  
21 year not to exceed \$50,000; and
- 22 (iii) the total amount required to be repaid to the State by defaulting officers during the  
23 year; and Intergovernmental Voucher the total amount actually repaid by defaulting  
24 officers during the year.

25 Section 52. Effective July 1, 2006, BP #879 shall receive compensation at a rate of a tier 3 level  
26 Cabinet position as determined by the Compensation Committee.



1           Section 53. The Director of the Office of Management and Budget, upon concurrence of the  
2 Controller General and the Co-Chairs of the Joint Finance Committee, may restructure internal program  
3 units to create greater efficiencies within the Office of Management and Budget.

4           Section 54. (a) Section 1 of this Act appropriates \$1,037.9 ASF to the Office of Management and  
5 Budget, Contingencies and One-Time Items (10-02-11) from Tobacco Settlement Funds for Two Year  
6 Nursing Expansion Initiative. Said funds shall be used to address Delaware Technical and Community  
7 College's (DTCC) recommendations to mitigate the shortage in the nursing and allied healthcare fields.  
8 Said funds maybe used to hire up to 36 faculty and staff FTEs relevant to meeting said nursing shortage  
9 and shall be transferred to DTCC upon approval of the Director of the Office of Management and Budget,  
10 Controller General and Co-Chairs of the Joint Finance Committee.

11           (b) Section 1 of this Act appropriates funding in the amount of \$2,189.8 ASF for the New Nurse  
12 Development Program at Delaware Technical and Community College in addition to the \$1,037.9 ASF  
13 for the Two Year Nursing Expansion. It is intended that in Fiscal Year 2011, Delaware Technical and  
14 Community College shall use their Fiscal Year 2011 American Recovery and Reinvestment Act (ARRA)  
15 funding to restore funding of the Two Year Nursing Expansion to the Fiscal Year 2010 level.

16           Section 55. Section 1 of this Act appropriates \$500.0 ASF to the Office of the Management and  
17 Budget, Contingencies and One-Time Items (10-02-11) from Tobacco Settlement Funds for Four Year  
18 Nursing Expansion Initiative. Of the amount appropriated, \$250.0 shall be allocated to the University of  
19 Delaware and \$250.0 shall be allocated to Delaware State University to expand their nursing programs.  
20 Both universities shall provide a detailed expansion plan to the Director of the Office of Management and  
21 Budget and Controller General no later than July 31, 2010. Said funds shall be transferred to the  
22 University of Delaware and Delaware State University upon approval of the Director of the Office of  
23 Management and Budget, Controller General and the Co-Chairs of the Joint Finance Committee.

1           Section 56. Section 1 of this Act appropriates \$3,500.0 ASF and 40.0 ASF FTEs to the Office of  
2 Management and Budget, Contingencies and One-Time Items (10-02-11) for Lottery Games  
3 Enhancement. The expenditure of these funds and authorization of these positions is contingent upon the  
4 enactment of legislation during the second session of the 145<sup>th</sup> General Assembly authorizing the  
5 establishment of table games.

6           Section 57. Notwithstanding any other provision of the Delaware Code or this Act to the  
7 contrary, the Office of Management and Budget is authorized to contract with the University of Delaware  
8 for statistical analysis of data, for state operated programs, services, policies and/or procedures.

9           Section 58. The General Assembly finds that the establishment of the federal Temporary Aid to  
10 Needy Families (TANF) block grant has left the state vulnerable to deficits from caseload increases  
11 attributable to an economic downturn. In order to minimize such exposure, the funds within the Reserve  
12 Account for Children's Services Cost Recovery Program (CSCR) Disallowances (10-02-05-80-50) shall  
13 be available to mitigate to the extent possible, projected deficits in TANF supported programs within the  
14 Department of Health and Social Services. The use of such funds for such purposes shall require the  
15 approval of the Director of the Office of Management and Budget and Controller General.

16           Section 59. The amount appropriated to the Office of Management and Budget, Contingencies  
17 and One-Time Items, Prior Years' Obligations, shall be used to pay Personnel Costs, reimbursement of  
18 overpayment of fringe benefits, and other obligations except coding errors by a school district which  
19 requires adjustment of the State's accounts. Any use of the Prior Years' Obligations account by any  
20 agency receiving funds in Section 1 of this Act, in excess of the amount reverted from the applicable line  
21 code on June 30 of the fiscal year in which the expense was incurred, will require the requesting agency  
22 or school district to reimburse the Prior Years' Obligations account by the amount equal to the excess  
23 requested. A line code reversion sum does not negate the necessity of encumbering sufficient funds to  
24 cover known expenses, proof of circumstances beyond an agency's ability to encumber must be  
25 documented on the request for transfer to be excluded from the reimbursement clause. All requests for  
26 prior year funds to complete the payment of one-time items will require a reimbursement to the Prior  
27 Years' Obligations account by the requesting agency from any appropriation other than personnel costs.  
28 The reimbursement can be removed from the current fiscal year's budget. The reimbursement clause shall

1 not apply to legal judgments against the agency or school district. A reimbursement under this Section  
2 shall not be deemed to be prohibited by 10 Del. C. § 8111.

3 Section 60. (a) For Fiscal Year 2011, 29 Del. C. § 6529 is interpreted to include the ability to  
4 implement a hiring review process. All State agencies with the exception of Legislative, Judicial, Higher  
5 Education and school districts shall be subject to the provisions of 29 Del. C. § 6529 as interpreted by this  
6 section. Implementation of a hiring review process shall require all positions to be reviewed and approved  
7 by the Director of the Office of Management and Budget prior to filling. All non-cabinet agency hiring  
8 requests shall also require the review and approval of the Controller General prior to filling.

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

15 Section 61. For Fiscal Year 2011, the Director of the Office of Management and Budget,  
16 pursuant to 29 Del. C. § 6529, may implement an overtime management practices review process for all  
17 state agencies with the exception of Legislative, Judicial, Higher Education and school districts. Said  
18 review shall include, but not be limited to, operational guidelines, guidelines to prohibit excessive  
19 utilization, staffing ratios, and standard work week schedules for employees. The Director of the Office  
20 of Management and Budget shall report to the Governor and the Co-Chairs of the Joint Finance  
21 Committee no later than May 1 of each fiscal year on the status of any review process implemented  
22 pursuant to this Section.

23 Section 62. The appropriation in Section 1 of this Act to the Office of Management and Budget,  
24 Contingencies and One-Time Items (10-02-11) for Contingency, Appropriated Special Funds for  
25 \$27,000.0 shall be used to make adjustments in the amount of state special fund appropriations in the  
26 event additional state special funds are received which were not previously anticipated. Such adjustments  
27 shall be made in accordance with the approval of the Director of the Office of Management and Budget  
28 and the Controller General.

1           Section 63. Notwithstanding 29 Del. C. c. 60B or any other provision of the Delaware Code or  
2 this Act to the contrary, the First State Quality Improvement Fund shall be suspended beginning July 1,  
3 2009. It is the intent of the General Assembly that this program be reinstated when funding becomes  
4 available.

5           Section 64. The Director of the Office of Management and Budget is authorized to create a State  
6 of Delaware Merit Employee Mediation 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 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 Mediation program. With the consent of the employee and employing agency, participation in the  
12 Mediation program will be offered as a voluntary alternative to the ordinary grievance procedure. All  
13 mediation proceedings shall be deemed confidential. If a grievance is subjected to mediation pursuant to  
14 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 program is not intended to limit other  
20 dispute resolution procedures available to an agency or an employee or to deny a person a right granted  
21 under federal or other state law, including the right to administrative or judicial hearing.

22           Section 65. 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 \$3,089.1 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 Controller General approvals. Any one-time

1 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 part of the budget request for the Fiscal Year 2012  
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)	Board of Canvass	\$ 25.0
11	(02-03-10)	Equipment Kent County Courthouse	40.1
12	(02-06-10)	Equipment Kent County Courthouse	67.3
13	(02-17-03)	Equipment Kent County Courthouse	3.8
14	(70-01-01)	Primary and General Elections	204.7
15	(70-02-01)	Primary and General Elections	1,699.8
16	(70-03-01)	Primary and General Elections	567.5
17	(70-04-01)	Primary and General Elections	480.9

18 Section 66. The Director of the Office of Management and Budget shall continue to assume the  
19 central leadership role for the Executive branch over all matters relating to Senate Bill 36, of the 144<sup>th</sup>  
20 General Assembly, and any other personnel and labor relations matters affecting the Executive branch  
21 and its departments and agencies, including collective bargaining negotiations with employee  
22 organizations, labor arbitration, Public Employment Relations Board, Department of Labor, Equal  
23 Employment Opportunity Commission, and other administrative proceedings. The Director of the Office  
24 of Management and Budget shall also, on behalf of the State, approve and sign all collective bargaining  
25 agreements and any other agreement or arrangements made involving employee organizations that  
26 represent employees subject to Executive branch authority.

27 Section 67. In recognition of the cost efficiency opportunities identified by the Leadership for  
28 Education Achievement in Delaware (LEAD), beginning in Fiscal Year 2010, the Office of Management

1 and Budget is authorized to establish and implement a pilot centralized procurement program for local  
2 school districts, vocational-technical school districts and charter schools. Said pilot program may include,  
3 but not be limited to, centralized purchasing of supplies, commodities and non-professional services. The  
4 provisions of 29 Del. C. c. 69 shall apply to this pilot procurement program as the Office of Management  
5 and Budget, in its sole discretion, may deem appropriate.

6 Section 68. For Fiscal Year 2011, funding appropriated for 16 Del. C. c. 102 shall be suspended.  
7 If non-state funding sources become available during the fiscal year, the program shall be reinstated with  
8 the approval of the Director of the Office of Management and Budget and the Controller General.

9 Section 69. Notwithstanding any provision of the Delaware Code to the contrary, the Office of  
10 Management and Budget is authorized to analyze and implement the most appropriate mechanism to  
11 cover any liabilities as a result of Senate Bill 29 of the 144<sup>th</sup> General Assembly. Such mechanism may  
12 include but not be limited to self-insurance, a fully insured proposal, or some other means to insure  
13 against any potential liability.

14 Section 70. Section 1 of this Act includes 1.0 FTE in the Executive Department, Office of  
15 Management and Budget, Statistical Analysis Center (10-02-08) for the Director of the Statistical  
16 Analysis Center. This position shall be exempt from the Merit System until such time as the current  
17 incumbent vacates the position, at which time the position shall be classified by the Director of the Office  
18 of Management and Budget in accordance with the Merit System and 29 Del. C. c. 59.

19 Section 71. The Statistical Analysis Center (10-02-08) shall submit by July 15 an annual project  
20 schedule for the fiscal year that details the staff workload and time allocation. Requests for (special)  
21 projects to be included in this schedule should be made in advance to the Statistical Analysis Center. This  
22 schedule shall be reviewed by the Criminal Justice Council and approved by the Director of the Office of  
23 Management and Budget and the Controller General. No changes shall be made to the annual project  
24 schedule without the approval of the Director of the Office of Management and Budget. After July 15, all  
25 ad hoc requests for projects seeking completion during the fiscal year shall be reviewed by the Director of  
26 the Office of Management and Budget. Work shall not commence on these projects without the approval  
27 of the Director of the Office of Management and Budget.

1           Section 72. Any other statutory provision notwithstanding, any change to the Merit Rules  
2 required by an Act of Legislature, shall be codified in the Merit Rules by the Office of Management and  
3 Budget.

4           Section 73. Notwithstanding any provision to the contrary, for the purposes of developing and  
5 implementing PHRST Time & Labor and other PeopleSoft modules, necessary adjustments to existing  
6 state human resource procedures shall be implemented during Fiscal Year 2011 with the written approval  
7 of the co-chairs of the Joint Finance Committee, the Director of the Office of Management and Budget  
8 and the Controller General.

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

11           Section 74. Whenever the annual valuation of the market value of the assets of the Special  
12 Pension Fund exceeds the actuarial value of benefits available to persons entitled to receive special  
13 pensions by a factor of at least 20 percent, the Board of Pension Trustees may transfer the excess over 20  
14 percent or any part of it to the State Employees Pension Fund for the benefit of that Fund.

15           Section 75. The Board of Pension Trustees may allocate the pension/health insurance monies  
16 received from the State during any month to ensure that funds are available to pay health insurance  
17 premiums for retirees in each month.

18           Section 76. During the fiscal year, the Office of Management and Budget Management, Facilities  
19 Management (10-02-50), shall retain rental fees as Appropriated Special Funds. The retained portion  
20 must be deposited as per state laws and shall be disbursed per Section 1 of this Act.

21           Section 77. Section 1 of this Act makes an appropriation of \$75.0 ASF in Personnel, \$795.2 ASF  
22 in Contractual Services, \$71.1 ASF in Supplies and Materials and \$624.7 ASF in Energy to the Office of  
23 Management and Budget, Facilities Management (10-02-50) for maintenance costs associated with the  
24 state-wide operations of Division of Motor Vehicles, the Transportation Mobile Center and the DelDOT  
25 Administration Building. The Department of Transportation shall remit \$783.0 to the Office of  
26 Management and Budget on July 15<sup>th</sup> and January 15<sup>th</sup> of each fiscal year to cover the operational costs  
27 associated with maintaining these facilities. In addition, the Office of Management and Budget shall be  
28 responsible for the reconciliation of the account with the Department of Transportation.

1           Section 78. For energy backcharge purposes, the Office of Management and Budget, Facilities  
2 Management (host department) current fiscal year Energy Budget assumes that Motor Fuel Tax uses ten  
3 percent of the Public Safety Building, for which energy payment is the responsibility of the host  
4 department. The Department of Transportation is responsible for paying the Motor Fuel Tax portion of  
5 the energy bills upon request for payment by the host department.

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

10          Section 80. The Office of State Planning Coordination, while remaining in the Office of  
11 Management and Budget for structural and budgetary purposes, shall report directly to the Office of the  
12 Governor. This reporting structure shall permit the Governor to directly and actively manage all statutory  
13 and functional operations of the Office of State Planning Coordination. The mission of the Office of State  
14 Planning Coordination shall remain the continuous improvement of the coordination and effectiveness of  
15 land use decisions made by state, county and municipal governments, while building and maintaining a  
16 high quality of life in the State of Delaware.

17          Section 81. The Delaware Economic Development Office, Economic Development Authority  
18 (10-03-03) will continue to use revenue from the Blue Collar Training Fund for the Workforce  
19 Development Grant. Funding for this grant shall be maintained at current levels.

20          Section 82. Section 1 of this Act appropriates \$1,572.8 ASF to the Delaware Tourism Office. Of  
21 this amount, \$237.5 shall be allocated to "Other Items" as designated in Section 1 of this Act and payable  
22 by the Delaware Tourism Office in quarterly allotments. The first installment shall be paid by September  
23 30 of each fiscal year or as otherwise approved by the Director of the Office of Management and Budget  
24 and the Controller General.

25          Section 83. Notwithstanding the provisions of any other law, for the fiscal year ending June 30,  
26 2011, interest earnings of the Delaware Strategic Fund as provided for in 29 Del. C. § 5027 shall to the  
27 extent of such interest earnings, be used in the following order and manner, not to exceed the amounts so  
28 noted:



1 (a) The first \$445.9 shall be used for the general operating expenses of the Delaware Economic  
2 Development Office, as determined by the Director of the Delaware Economic  
3 Development Office. Should interest earnings not be available by September 1, funding  
4 shall be made available directly from the Strategic Fund.

5 (b) The second \$300.0 shall be used to continue the Delaware Business Marketing Program  
6 within the Delaware Economic Development Authority (10-03-03). Should interest  
7 earnings not be available by September 1, funding shall be made directly from the Strategic  
8 Fund. It is the intent of the General Assembly that these funds shall be used for business  
9 marketing and recruitment. These funds may be used together with non-state contributions  
10 to the Delaware Business Marketing Program. However, in the event that non-state  
11 contributions are not available, or in the event such contributions are insufficient to fully  
12 access the resources of the Delaware Business Marketing Program, it is the intent of the  
13 General Assembly that the Delaware Business Marketing Program shall continue to fully  
14 operate using only the interest earnings on the Delaware Strategic Fund as provided for in  
15 29 Del. C. § 5027.

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

21 When non-state contributions are used, expenditures of the program shall be  
22 divided between non-state contributions and state funds for any fiscal year's appropriations  
23 such that non-state contributions are not less than fifty percent of total expenditures. Of the  
24 fifty percent non-state contributions, up to twenty-five percent shall be cash contributions,  
25 and up to twenty-five percent shall be in-kind contributions. These funds shall not be used  
26 for hiring full-time employees. Allocations shall be made by the Director of the Delaware  
27 Economic Development Office with the approval of the Director of the Office of  
28 Management and Budget and the Controller General.

1                   On or before April 1, 2011, the Director of the Delaware Economic Development  
2                   Office shall provide to the Director of the Office of Management and Budget and the  
3                   Controller General a report on the Delaware Business Marketing Program. The report shall  
4                   include an itemized list of all non-state cash and in-kind contributions received, total  
5                   expenditures and an assessment of the program to date.

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

7                   Section 84. Notwithstanding the provisions of 29 Del. C. § 6102, any Public Accommodations  
8                   Tax revenue collected in Fiscal Year 2011 in excess of the \$1,572.8 ASF appropriated in Section 1 of this  
9                   Act to the Delaware Tourism Office (10-03-02) shall be deposited to the General Fund.

10                  Section 85. Section 1 of this Act authorizes ASF positions and funding to the Delaware Tourism  
11                  Office (10-03-02). Should said ASF authorization prove inadequate to support the authorized positions as  
12                  contained in Section 1 at any time during Fiscal Year 2011, the Director of the Office of Management and  
13                  Budget and Controller General are hereby authorized to transfer sufficient funding from any other source  
14                  to Tourism's Personnel Cost line.

15                  Section 86. Section 1 of this Act appropriates funding for a 1.0 FTE Senior Secretary in Criminal  
16                  Justice Council (10-07-01) to be used as dedicated secretarial support for the Executive Director of the  
17                  Domestic Violence Coordinating Council. This position shall be an exempt position and shall be  
18                  excluded from classified service as defined under 29 Del. C. § 5903.

19                  Section 87. (a) Section 1 of this Act includes non-appropriated special fund positions funded  
20                  through grants administered by the Criminal Justice Council (10-07-01). Further, the Delaware State  
21                  Clearinghouse Committee may, during the fiscal year, approve additional non-appropriated special fund  
22                  positions supported by Criminal Justice Council administered grants. By virtue of said positions being  
23                  included in the Annual Appropriations Act and/or approved by the Clearinghouse Committee does not  
24                  guarantee future state funding upon expiration of federal grants supporting the positions. Any requests  
25                  for state funding for said positions shall be prioritized by the affected department in its budget request for  
26                  Fiscal Year 2012.

27                  (b) The Criminal Justice Council shall submit a report to the Director of the Office of  
28                  Management and Budget and the Controller General on May 1 of each year. This report shall forecast to

1 the extent possible the number of federal grants and position requests that may be presented as requests to  
2 the Delaware State Clearinghouse Committee during the course of the upcoming fiscal year.

3 Section 88. Section 1 of this Act authorizes the Delaware Justice Information System (10-07-02)  
4 to spend up to \$260.0 in Appropriated Special Funds. Notwithstanding any provision of the Delaware  
5 Code or this Act to the contrary, DELJIS is authorized to utilize these funds to undertake expenditures  
6 relating to operational costs.

7 Section 89. (a) Section 1 of this Act includes an Appropriated Special Fund appropriation within  
8 Delaware State Housing Authority (10-08-01). Of these funds, up to \$25.0 ASF shall be used to extend  
9 the contractual administration for the Neighborhood Assistance Tax Credit Act (Senate Bill 248) of the  
10 140<sup>th</sup> General Assembly through the fiscal year ending June 30, 2011. The Neighborhood Assistance Tax  
11 Credit Program is intended to foster business investment in low-income communities through financial  
12 support to neighborhoods as well as job training, education, crime prevention and community services.

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

# TECHNOLOGY AND INFORMATION

Section 90. 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 91. Section 1 of this Act includes 12.0 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 92. 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 93. (a) 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 calculation as described above. Further, in no case shall individually awarded amounts be given retroactively.

(b) Pursuant to Section 8, this Act does not restore the temporary pay cut of Fiscal Year 2010 and as such, subsection (a) of this section shall remain null and void.

1            Section 94. The Department of Technology and Information shall provide the Director of the  
2 Office of Management and Budget and the Controller General a complete accounting of all direct and  
3 indirect charges to state agencies and total revenue derived for the prior fiscal year by September 15<sup>th</sup>. No  
4 direct or indirect rates may be increased nor may additional charges be levied on a state agency without  
5 prior approval by the Office of Management and Budget and the Controller General.

## OTHER ELECTIVE

1  
2        Section 95. Section 1 of this Act reflects for the Auditor of Accounts (12-02-01) sufficient state-  
3 match funding for federally-mandated audit services. If, during the first three months of any fiscal year,  
4 the State Auditor should experience a cash flow deficit in fulfillment of federal audit responsibilities, the  
5 Director of the Office of Management and Budget, upon the request of the State Auditor, shall attempt to  
6 advance sufficient funding from the Indirect Cost Account.

7        Section 96. For the purpose of the audits contracted by the Auditor of Accounts, agencies will be  
8 responsible for the cost of the audit written into the signed contract, if the agency was consulted and  
9 agreed to the costs prior to the contract being signed. Any overages billed by the contracted audit will be  
10 the responsibility of the Auditor of Accounts office unless the agency was made aware of the additional  
11 time needed for the audit and approved the time and the additional costs.

12        Section 97. Section 1 of this Act contains ASF position authorizations and associated  
13 appropriations for the Bureau of Examination, Rehabilitation and Guaranty, Insurance Commissioner (12-  
14 03-02). Said authorizations and appropriations include an authorization for 1.0 Director of  
15 Administration and 1.0 Arbitration Secretary, both of which shall be exempt.

16        Section 98. Section 1 of this Act provides \$3,540.7 ASF to the State Treasurer, Administration  
17 (12-05-01), Cash Management Policy Board, authorized by 29 Del. C. c. 27, for the purpose of providing  
18 staff support and operational expenses, including payment of fees for banking services. The \$3,540.7 in  
19 interest income on bank deposits shall be coded as special fund revenue to provide funds for operation of  
20 the Cash Management Policy Board.

21        Section 99. Section 1 of this Act establishes a special fund appropriation entitled Electronic Data  
22 Interchange, State Treasurer, Administration (12-05-01) Cash Management Policy Board to support the  
23 Electronic Data Interchange/Electronic Funds Transfer initiative. Use of these funds shall be coordinated  
24 with and approved by the Chief Information Officer of the Department of Technology and Information  
25 and the Secretary of Finance.

26        Section 100. The State Treasurer's Office shall develop a rate for the purpose of recovering costs  
27 associated with the state's acceptance of funds through the use of credit, debit and purchasing cards. Cost  
28 recoverable activities shall include online transactions as well as traditional card transactions. The initial

1 rate and periodic necessary adjustments to the rate shall be approved by the Office of Management and  
2 Budget. The Treasurer’s Office may initiate an automated revenue reduction process, equal to the  
3 approved rate, for all cash receipts received by the aforementioned methods. The Treasurer’s Office shall  
4 provide the agency with a statement of total revenue or payment, less transaction costs and net revenue.  
5 In lieu of an automated revenue reduction process the Treasurer’s Office may invoice a state agency for  
6 necessary reimbursement. The use of these recovered funds shall be for the sole purpose of payment of  
7 Merchant Services fees.

8 Section 101. The State Treasurer’s Office, with the assistance of the Department of Technology  
9 and Information and the Delaware Government Information Center, where appropriate, shall evaluate and  
10 approve the payment component of all new web-based technology initiatives involving the electronic  
11 remittance of funds to the state. Specifically, those projects promoting the use of online credit card  
12 payment, online debit card payment, Automated Clearing House payments, “e-checks” and other forms of  
13 electronic funds transfer shall be subject to this joint review and approval process. For those agencies that  
14 already use online credit card payment, online debit card payment, Automated Clearing House payment,  
15 “e-check” or other forms of electronic funds transfer, those agencies shall be exempt from this  
16 requirement unless and until such time as their current electronic payment component must undergo any  
17 type of upgrade or the contract is due to expire at which point the agency shall investigate the feasibility  
18 of implementing the state’s designated payment component. A standard evaluation form will be designed  
19 by the State Treasurer’s Office with the assistance of the Department of Technology and Information and  
20 the Government Information Center, where appropriate, and approved by the Office of Management and  
21 Budget.

# LEGAL

1  
2        Section 102. Of the total Deputy Attorneys General authorized in Section 1 of this Act to the  
3 Office of Attorney General (15-01-01):

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

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

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

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

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

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

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

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

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

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



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

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

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

13 (n) 1.0 FTE support staff position shall be assigned to the Family Division in Kent and Sussex  
14 counties to expedite casing processing in Family Court;

15 (o) 4.0 split-funded (1.0 and 3.0 NSF) FTEs, 1.0 Deputy Attorney General, 2.0 Investigators and  
16 1.0 Secretary shall be assigned to the Medicaid Fraud Unit to be used for investigating incidents of abuse  
17 and neglect in Delaware nursing homes;

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

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

26 (r) 1.0 FTE Deputy Attorney General shall be assigned to the Delaware State Police;

27 (s) Section 1 of this Act appropriates 2.0 ASF positions (one Deputy Attorney General and one  
28 Paralegal) relating to the tobacco settlement in an effort to supplement and enhance the ongoing

1 aggressive enforcement efforts of the Office of the Attorney General of Delaware's tobacco laws  
2 pertaining to youth access and to enforce the Master Settlement Agreement in an effort to prevent the loss  
3 of settlement dollars; and

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

8 Section 103. Section 1 of this Act appropriates Personnel Costs and 22.0 split-funded FTEs (66  
9 percent ASF and 34 percent GF) to the Office of the Attorney General (15-01-01) to support the Child  
10 Support Enforcement function. The Child Support Enforcement function in the Attorney General's Office  
11 will operate on a reimbursement basis, wherein the State makes the initial expenditures and is reimbursed  
12 from federal funds controlled by the Department of Health and Social Services. The reimbursement rate  
13 for operations will be 66 percent of total direct costs; the reimbursement rate for indirect costs will be  
14 39.57 percent of federal dollars spent on direct salary costs.

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

19 The Attorney General's Office shall also be allowed to retain up to a maximum of \$30.0 of the  
20 departmental portion of indirect cost recoveries for this function to support the agency's overhead and  
21 \$16.3 to be applied to the state's share for four clerical positions. The statewide portion of indirect cost  
22 recoveries will be deposited into the indirect cost account in the Office of Management and Budget. The  
23 remainder of the indirect cost recoveries and any unused portion of indirect cost funds in the Attorney  
24 General's Office will be deposited into a separate account and retained to support the General Fund  
25 portion of the budget for this function in subsequent years.

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

1           Section 104. Section 1 of this Act includes Personnel Costs and 1.0 ASF FTE Administrative  
2 Specialist II (BP #8131) in the Office of the Attorney General (15-01-01). In order to provide funding for  
3 this position, the Department of Natural Resources and Environmental Control (40-00-00) shall allocate  
4 monies to the Office of the Attorney General by July 15 of each fiscal year.

5           Section 105. Section 1 of this Act includes Personnel Costs in Consumer Protection and 3.0 ASF  
6 FTEs in the Office of the Attorney General (15-01-01) for activities associated with the regulation of  
7 credit counseling and debt management companies as authorized in 6 Del. C. c. 24A, the Delaware  
8 Uniform Debt-Management Services Act.

9           Section 106. Section 1 of this Act appropriates Personnel Costs and 1.0 ASF FTE to the Office of  
10 Attorney General (15-01-01) to support the Delaware Drug Nuisance and Social Vices Abatement Act.  
11 Implementation of this section is contingent upon the passage of legislation to establish a Civil  
12 Enforcement Fund.

13           Section 107. Section 1 of this Act appropriates Personnel Costs and 0.5 ASF FTE State Detective  
14 (BP# 1247) to support the issuance of licenses to carry a concealed deadly weapon. Implementation of  
15 this section is contingent upon the passage of House Bill 258 or similar legislation to increase application  
16 fees to carry a concealed deadly weapon.

17           Section 108. Victims' Compensation Assistance Program will transfer 8.0 ASF FTEs from  
18 Judicial, Violent Crimes Compensation Board (02-18-02) to the Office of the Attorney General (15-01-  
19 01) in Fiscal Year 2011. Incumbents of the 8.0 ASF FTEs will remain merit employees until the  
20 transferred positions are vacated. Once a position has been vacated, the position will change from merit  
21 to exempt at the same comparable pay grade as the merit classification. If the Office of the Attorney  
22 General plans to assign the vacant position new or additional responsibilities, then a list of duties will be  
23 submitted to Office of Management and Budget for review and approval of a new comparable class/pay  
24 grade prior to recruiting and hiring an exempt employee.

25           Section 109. (a) Notwithstanding any other provisions of the Delaware Code to the contrary,  
26 \$655.0 ASF shall be transferred from the Victims' Compensation Fund for the following purposes:  
27 \$230.2 ASF shall be transferred to Contractual Services in the Office of the Attorney General (15-01-01)  
28 to fund family violence services in Kent and Sussex counties; \$273.8 ASF Victims Rights in the Office of

1 the Attorney General; and \$151.0 ASF Contractual Services in the Department of Correction, Community  
2 Corrections, Probation and Parole (38-06-02) to support a community restorative justice program in New  
3 Castle County.

4 (b) It is the intent of the General Assembly and the Administration that the funds identified in  
5 subsection (a) shall be established in the base budget appropriations within the respective departments in  
6 the Fiscal Year 2012 budget.

# STATE

1  
2       Section 110. (a) Section 1 of this Act provides appropriations to the Department of State,  
3 Administration (20-01-01) to support the International Development Group which shall be the primary  
4 entity for the State related to all international trade matters including: export and import assistance to  
5 Delaware citizens and businesses; international trade missions; coordination with other state agencies,  
6 departments, international organizations, international commissions and councils.

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

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

13       Section 111. Section 1 of this Act appropriates \$15.0 ASF in the line item Historical Marker  
14 Maintenance to the Department of State, Delaware Public Archives (20-03-01) for replacement, repair  
15 and refurbishing of historical markers.

16       Section 112. (a) Section 1 of this Act includes a special fund appropriation entitled Technology  
17 Infrastructure Fund, in the Division of Corporations (20-05-01). All revenues derived as a result of 8 Del.  
18 C. § 391(h)(1), 6 Del. C. § 15-1207(b)(1), 6 Del. C. § 17-1107(b)(1), 6 Del. C. § 18-1105(b)(1), and 12  
19 Del. C § 3813(b)(1) will be deposited into this fund to be used for technological and infrastructure  
20 enhancements, ongoing maintenance, operational expenses for Corporations, and up to \$1,800.0 ASF for  
21 electronic government information projects, and library initiatives. Quarterly reports regarding the status  
22 of this fund shall be made by the Department of State to the Director of the Office of Management and  
23 Budget and the Controller General.

24       (b) Of the amount appropriated in Section 1 of this Act, up to \$500.0 may be allocated for  
25 matching grants pursuant to the Delaware Public Library Technology Assistance Act (29 Del. C. c. 66B)  
26 for the purposes of implementing a 3-year replacement cycle for public access hardware and software in  
27 Delaware's public libraries or, if funds are remaining, for other hardware, peripherals and software used

1 to support local library services. An additional \$100.0 may be provided to the Division of Libraries for  
2 other library technology initiatives.

3 Section 113. Section 1 of this Act provides an appropriation to the Department of State,  
4 Delaware Public Archives (20-03-01) for the Delaware Heritage Office. Of that amount, \$15.0 shall be  
5 used at the discretion of the Delaware Heritage Office for scholar awards, challenge grants and  
6 publications.

7 Section 114. Section 1 of this Act contains an ASF authorization for Contractual Services in the  
8 Division of Corporations (20-05-01). Of this amount, up to \$200.0 may be transferred to a captive  
9 insurance regulatory and supervisory fund in the Insurance Commissioner's Office.

10 Section 115. The Delaware Heritage Office shall investigate which out of print books and  
11 writings on Delaware history should be considered for republication. Further, the Delaware Heritage  
12 Office shall investigate which writings in these categories would be valuable for republication. A report  
13 shall be made to the Controller General and Director of the Office of Management and Budget by  
14 December 1 of each fiscal year.

15 Section 116. Notwithstanding the provisions of 29 Del. C. § 6102(a) and 5 Del. C. § 1106, the  
16 Office of the State Banking Commissioner is authorized to retain \$150.0 of the Bank Franchise Tax for  
17 costs associated with the collection and administration of the Bank Franchise Tax. Also, an additional  
18 \$75.0 of the Bank Franchise Tax shall be used for costs associated with consumer education and  
19 information programs.

20 Section 117. Section 1 of this Act makes an appropriation to Libraries (20-08-01) in the amount  
21 of \$2,608.7 and \$1,760.8 ASF for Library Standards. Of that amount, Libraries may reserve up to \$436.9  
22 for planning and evaluation grants to determine each library's attainment of state and federal library  
23 standards. The remaining funds shall be paid to libraries in two installments equal to 50 percent of the  
24 total amount allocated to that library, one installment upon signature of the contract and the second  
25 installment in January of the fiscal year. Funds granted to any library under the provisions of 29 Del. C.  
26 c. 66, if unspent at the end of the fiscal year shall not revert to the General Fund, but instead shall be held  
27 in an account for the benefit of the library from which the unspent funds came. These funds may be spent

1 in subsequent years for purposes described in 29 Del. C. c. 66. The use of such carryover funds shall not  
2 be used as part of any subsequent years' formula payment.

3 Section 118. The Department of State shall establish the shift differential for Licensed Practical  
4 Nurses employed at the Delaware Veterans Home at 10 percent for 3-11 shifts on weekdays and 7-3 shifts  
5 on weekends. The shift differential shall be established at 15 percent for 11-7 shifts on weekdays and 3-11  
6 shifts on weekends. The shift differential for the 11-7 weekend shifts shall be established at 20 percent.  
7 To the extent or where an employee is covered by a collective bargaining agreement pursuant to 19 Del.  
8 C. § 1311A, the terms and conditions of said agreement shall apply.

9 Section 119. The Department of State shall have the authority to fill vacant positions at the  
10 Delaware Veterans Home with qualified applicants for the Nursing Assistant, Certified Nursing Assistant,  
11 Active Treatment Facilitator, Licensed Practical Nurse, Registered Nurse, Physician, Dentist, and  
12 Psychiatrist classifications by agency recruitment efforts unless an eligibility list is required by federal  
13 law for that position.

14 Section 120. Any temporary shortfall in ASF revenue in implementing the Delaware Cultural  
15 Access Fund referenced in House Bill No. 262 may be supplemented by funds received by the Secretary  
16 of State through 29 Del. C. § 2311.

# FINANCE

1  
2        Section 121. 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 \$2,791.0. 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 122. 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 and personal taxables under the direct supervision of Revenue management;  
15 and/or 3) audit of physical inventory of alcoholic beverage wholesalers. Deposits to the special fund shall  
16 be from the collection of delinquent taxes. A detailed report on all expenditures from and collections to  
17 this special fund shall be sent annually to the Director of the Office of Management and Budget and the  
18 Controller General. Unencumbered balances on June 30 in excess of \$275.0 shall revert to the General  
19 Fund.

20        Section 123. The Director of Revenue shall have the authority to accept, on whatever terms and  
21 conditions he/she may establish, payment by credit card of taxes, fees and other obligations that Revenue  
22 has undertaken to collect. The Director is authorized to enter into contracts for the processing of credit  
23 card payments and fees associated with such contracts. Up to \$200.0 of the delinquent collections in the  
24 Appropriated Special Fund line may be used to pay for fees and expenses associated with the collection of  
25 taxes by credit cards.

26        Section 124. Notwithstanding the provisions of any other law, the Director of Revenue shall have  
27 the authority to enter into agreements according to which contingency and other fees are provided to  
28 finders of property to be escheated to the State or to other persons identifying abandoned property by



1 means of audit or otherwise. Notwithstanding the provisions of any other law, when the Director deems it  
2 to be appropriate, he/she may enter into escrow custodian or similar agreements for the purpose of  
3 protecting the state's interest in property to be escheated or fees payable pursuant to the aforesaid  
4 agreements. The Director may direct that payment for said fees or other costs incident to escheat of  
5 property under the aforesaid agreements, including litigation expenses incident to escheat administration,  
6 be made out of such money held in the escrow, custodian or other account established under this  
7 paragraph. Section 1 of this Act includes an Appropriated Special Fund account, Escheat, from which  
8 charges relating to receiving and processing remittances and reports by holders, and claims by owners of  
9 abandoned property, as well as advertising and travel fees and associated costs may be paid and into  
10 which abandoned property remittances may, at the discretion of the Director, be deposited.  
11 Unencumbered balances on June 30 in excess of \$275.0 shall revert to the General Fund. A semi-annual  
12 report of amounts in escrow or in custodian accounts shall be furnished to the Director of the Office of  
13 Management and Budget and the Controller General.

14 Section 125. There shall be established a special fund for the purpose of receiving the proceeds  
15 of liquidating stock acquired pursuant to 12 Del. C. c. 11 or liquidating investments described in this  
16 section. Such proceeds may at his discretion be invested and reinvested by the Secretary of Finance in  
17 issues of the United States Treasury or investments of comparable risk. The Secretary may at his/her  
18 discretion cause amounts in such special fund to be remitted to the General Fund of the State.

19 Section 126. (a) In the event that the State Lottery's amount of Contractual Services shall exceed  
20 the amount in Section 1 of this Act due to increased lottery ticket sales, the Appropriated Special Fund  
21 Budget in Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and  
22 the Director of the Office of Management and Budget, provided that the total operating budget for this  
23 fiscal year shall not exceed 20 percent of gross sales as limited by 29 Del. C. § 4815(a).

24 (b) In the event that the State Lottery's amount of Contractual Services shall exceed the amount  
25 in Section 1 of this Act due to increased video lottery net proceeds, the Appropriated Special Funds in  
26 Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and the  
27 Director of the Office of Management and Budget, subject to the limitations outlined in 29 Del. C.  
28 § 4815(b).

1           Section 127. 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 128. 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 129. 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 130. 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 131. 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 pharmaceuticals associated with Hospice services being provided.

Section 132. (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 133. Section 1 of this Act appropriates \$225.0 to the Department of Health and Social Services, Office of the Secretary, Delaware Health Care Commission (35-01-10) for the Uninsured Action Plan. It is the intent of the Administration and the General Assembly that these funds shall be used for the continuation of the services provided under the plan after all other available funds for this purpose have been exhausted. The Commission shall submit a report to the Director of the Office of

1 Management and Budget and the Controller General no later than October 15 of each fiscal year detailing  
2 the plan for the expenditure of these funds.

3 Section 134. (a) Section 1 of this Act appropriates \$540.5 to the Department of Health and  
4 Social Services, Office of the Secretary, Delaware Institute of Dental Education and Research (DIDER)  
5 (35-01-10). This amount shall be allocated as follows:

6	Temple University School of Dentistry	\$275.0
7	Temple University School of Dentistry-Financial Assistance	27.5
8	General Practice Residents Support	148.0
9	Loan Repayment Program	90.0

10 (b) In accordance with 16 Del. C. c. 99, the appropriation shall provide partial financial support  
11 for salaries and benefits for three general practice dental residents. The residents shall continue serving  
12 vulnerable populations at sites approved by the Delaware Health Care Commission and resume serving  
13 patients at the Delaware Psychiatric Center at such time as program requirements for residency training  
14 are met. The Commission shall submit a report to the Director of the Office and Management and Budget  
15 and Controller General by May 1 of each fiscal year outlining the expenditure of these funds.

16 (c) Of the allocation identified above, \$90.0 shall be used to recruit and retain dentists and other  
17 practitioners eligible under the loan repayment program.

18 (d) \$27.5 of the allocation identified above shall be used to provide financial assistance for the  
19 students attending the Temple University School of Dentistry.

20 (e) \$275.0 of the allocation identified above shall be used to support twenty-two dental slots at  
21 the Temple University School of Dentistry.

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

1           Section 135. Section 1 of this Act appropriates \$2,130.0 to the Department of Health and Social  
2 Services, Office of the Secretary, Delaware Institute of Medical Education and Research (DIMER) (35-  
3 01-10). This amount shall be allocated as follows:

4           Jefferson Medical College	\$1,000.0
5           Philadelphia School of Osteopathic Medicine	250.0
6           University of Delaware	50.0
7           Christiana Care Health System	200.0
8           Scholarships/Loans	480.0
9           Loan Repayment	150.0

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

12           Of the Scholarship/Loans allocation identified above, \$400.0 is to be used to provide financial  
13 assistance for students attending the Jefferson Medical College and \$80.0 is to be used for students  
14 attending Philadelphia College of Osteopathic Medicine. Any loan or scholarship program developed by  
15 the DIMER Board will be repaid under terms and conditions that will be coordinated with the Delaware  
16 Higher Education Commission, who shall be responsible for monitoring and enforcement. In designing  
17 either a scholarship or loan program, the DIMER Board will consider the need to assure that there is a  
18 continuing supply of physicians for Delaware. The loan repayment allocation of \$150.0 shall be used to  
19 recruit physicians or other practitioners eligible under the loan repayment program and to recruit and  
20 retain practitioners in underserved areas of Delaware. Recruitment tools include, but are not limited to,  
21 loan repayment programs. Scholarships, loans and loan repayment programs will be approved by the  
22 Delaware Health Care Commission, the Director of the Office of Management and Budget and the  
23 Controller General.

24           Section 136. (a) Section 1 of this Act appropriates \$2,858.9 in the Department of Health and  
25 Social Services, Management Services (35-01-20) under Early Intervention for the Part C Birth to Three  
26 Program. The Interagency Resource Management Committee (IRMC) shall consult and advise the lead  
27 agency in setting program eligibility standards and shall have the authority to allocate such funds, and may  
28 advise on the use of other funds specifically designated for this project. The IRMC shall also have the

1 authority to maintain up to 37.5 FTEs and establish or contract for an additional 2.0 FTEs needed to  
2 provide appropriate services for Children Birth to Three, selected through the early intervention process  
3 and to ensure coordination with the Program for Children with Disabilities. In addition, the IRMC may  
4 recommend the transfer of General Fund positions and/or General Fund dollars from the Department of  
5 Health and Social Services as 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 137. 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 138. 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 139. (a) The amount appropriated by Section 1 of this Act to the Department of Health  
23 and Social Services for Title XIX Federal Programs Medicaid shall be expended solely in accordance  
24 with the following conditions and limitations:

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

1 (2) The State Plan of medical care to be carried out by the Department of Health and Social  
2 Services shall meet the requirement for Federal Financial Participation under the  
3 aforementioned Title XIX.

4 (b) Funds appropriated by Section 1 of this Act for Title XIX Medicaid may be expended by the  
5 Department of Health and Social Services for covered direct client services as well as transportation and  
6 disease management. Funds may be expended for other administrative costs involved in carrying out the  
7 purpose of this Section if approved by the Director of the Office of Management and Budget.

8 (c) The funds hereby appropriated for Medicaid shall be expended only on condition that the  
9 program is approved and federal matching funds are provided by the appropriate federal agency except  
10 that funds may be expended to cover certain mental health services received by Medicaid eligible clients  
11 even though the federal government has terminated matching funds.

12 (d) The Department of Health and Social Services shall file a report to the Director of the Office of  
13 Management and Budget and Controller General of all services provided by the Medicaid appropriation.  
14 The report shall clearly identify any services that were changed, added or deleted during the current fiscal  
15 year. This report is due by May 15 of each fiscal year.

16 Section 140. Section 1 of this Act makes appropriations to the Department of Health and Social  
17 Services, Medicaid and Medical Assistance (35-02-01), for various programs that pay for health care. In  
18 the Medicaid program, federal regulations mandate that drug companies must provide rebates in order to  
19 participate in the program. The Division of Medicaid and Medical Assistance shall establish a drug  
20 rebate process for any prescription benefits provided to clients enrolled in the following non-Medicaid  
21 programs administered by the Department of Health and Social Services including but not limited to: the  
22 Delaware Healthy Children program, the Renal Disease program, the Cancer Treatment program, the  
23 Delaware Prescription Assistance program and the Legal Non-Citizen Health Care program. The division  
24 shall establish a rebate process that it determines is in the best interests of the citizens who are being  
25 served. The rebate amount shall be calculated using the full methodology prescribed by the federal  
26 government for the Medicaid program. In addition, the division is authorized to negotiate rebates with  
27 drug companies for both Medicaid and other programs. Notwithstanding any provisions of the Delaware  
28 Code to the contrary, the division shall deposit any drug rebate funds received as well as third party

1 insurance collections (minus retention amounts) and other collections into the appropriate Medicaid and  
2 Medical Assistance program account and use them to meet program costs.

3 Section 1 of this Act also makes appropriations to other agencies of state government for health  
4 care programs that purchase drugs. The Division of Medicaid and Medical Assistance shall work with  
5 other state agencies to develop a drug rebate process for these programs.

6 The Director of the Office of Management and Budget and the Secretary of Health and Social  
7 Services shall continue to analyze cost containment initiatives in the area of additional drug rebates for  
8 prescription drugs. The Director of the Office of Management and Budget and the Secretary of Health  
9 and Social Services shall confer with the Controller General and the Co-chairs of the Joint Finance  
10 Committee.

11 Section 141. The Office of Management and Budget shall review the resources, staffing and  
12 classifications in the Office of the Chief Medical Examiner. Recommendations, with the concurrence of  
13 the Controller General, may be implemented during the fiscal year.

14 Section 142. The Department of Health and Social Services is authorized to contract for the  
15 procurement of managed care services for the Delaware Medical Assistance Program. The provisions of  
16 29 Del. C. c. 69 shall not apply to such contracts.

17 Section 143. Section 1 of this Act provides an appropriation to the Department of Health and  
18 Social Services, Medicaid and Medical Assistance (35-02-01) for Renal Disease.

19 Public Health (35-05-00) will provide the following support for the Chronic Renal Disease  
20 Program: 1) provide staff support for the Chronic Renal Disease Advisory Committee, including the  
21 maintenance of the committee membership and appointment system; 2) assist in developing programs and  
22 other public health initiatives designed to prevent chronic renal disease; and, 3) carry out educational  
23 programs for health professionals and the public to increase general knowledge of the prevention and  
24 treatment of chronic renal disease.

25 Medicaid and Medical Assistance will provide the following support for the Chronic Renal  
26 Disease Program: 1) develop standards for determining eligibility for services provided by the program,  
27 with the advice of the Advisory Committee; 2) extend assistance to persons suffering from chronic renal  
28 disease who meet eligibility criteria; 3) periodically provide information to the Advisory Committee on



1 services provided and expenditures for these services; and 4) coordinate benefits with the Medicare Part  
2 D program for non-state employee clients. Those clients not Medicaid eligible will receive the same level  
3 of services as in previous years.

4 Section 144. Section 1 of this Act includes 2.0 NSF FTEs in the Department of Health and Social  
5 Services, Social Services (35-07-01). These Medicaid Eligibility Specialist positions will be funded  
6 through voluntary contributions from medical facilities and from federal matching funds. These positions  
7 will expedite the Medicaid Eligibility application process for Medicaid clients, and will ensure that these  
8 clients apply for services through Medicaid, if appropriate, thereby maximizing federal revenues for the  
9 State of Delaware. Other medical facilities throughout the state may participate in this program.

10 Section 145. Notwithstanding any other provisions of the Delaware Code, the merit position  
11 Nursing Home Director I, Governor Bacon Health Center (BP #4554) shall become exempt at such time  
12 as the current incumbent vacates such position.

13 When this position becomes vacant, the Director of the Office of Management and Budget shall  
14 take the appropriate steps to carry out the provisions of this section.

15 Section 146. Section 1 of this Act provides an appropriation to the Department of Health and  
16 Social Services, Public Health, Community Health (35-05-20), for Contractual Services. Of that amount,  
17 \$77.3 shall be available for medicine, equipment and part time nursing services for a community-based  
18 adult health services clinic serving the Claymont area of New Castle County.

19 Section 147. Section 1 of this Act provides an appropriation for the Department of Health and  
20 Social Services, Public Health, Community Health (35-05-20) to provide Hepatitis B and other necessary  
21 childhood vaccinations for children between infancy and young adulthood who are uninsured, are not  
22 eligible for any Federal program providing the vaccination, and are otherwise medically indigent.

23 Section 148. The State desires to establish a permanent funding program for rodent control  
24 activities at the local level by providing the City of Wilmington \$15.0; New Castle County \$15.0; Kent  
25 County \$10.0; and Sussex County \$10.0. The Department of Health and Social Services, Public Health,  
26 Community Health (35-05-20) shall dispense these funds to local governments in lump sum payments to  
27 be made no later than September 1 of each fiscal year; establish program objectives and spending

1 guidelines; require regular expenditure reporting to the State; and allow unexpended funds to carry over at  
2 the local level into the next fiscal year.

3 Section 149. The Department of Health and Social Services, Public Health, Community Health  
4 (35-05-20) will receive a portion of the Federal Medicaid reimbursement for services to Medicaid eligible  
5 students in School Based Health Centers. The division shall be allowed to collect and deposit up to  
6 \$102.0 of the revenue into an ASF account entitled School Based Health Centers to support the cost of  
7 this initiative. Up to \$600.0 of the remaining revenue will be deposited into an ASF account in Medicaid  
8 and Medical Assistance (35-02-01) and used for expenses associated with the normal operations of the  
9 Medicaid program. This amount may be increased subject to approval from the Director of the Office of  
10 Management and Budget and Controller General.

11 Section 150. Section 1 of this Act makes an appropriation to the Department of Health and Social  
12 Services, Public Health, Community Health (35-05-20) for supplies and materials. Of that appropriation,  
13 \$10.0 is to be used to purchase chemical reference materials for the Office of Environmental Health  
14 Evaluation.

15 Section 151. (a) Section 1 of this Act provides funding for the Department of Health and Social  
16 Services, Public Health, Community Health, Office of Drinking Water (35-05-20) to administer the  
17 Drinking Water State Revolving Fund (DWSRF). This Fund consists of funding from the State Twenty  
18 First Century Fund and United States Environmental Protection Agency and includes appropriations for  
19 technical assistance and water operator training for drinking water systems in the State. The  
20 Environmental Training Center at the Delaware Technical and Community College and the Delaware  
21 Rural Water Association are the current providers of water operator training and drinking water system  
22 technical assistance in Delaware. Therefore, available funding through the DWSRF for training and  
23 technical assistance shall be distributed appropriately to these agencies.

24 (b) Notwithstanding the provisions of this section, upon approval of the Director of the Office of  
25 Management and Budget and the Controller General, the Office of Drinking Water may administer a  
26 competitive Request for Proposal (RFP) process for drinking water system technical assistance, if other  
27 providers are available and cost savings exist.

1           Section 152. Section 1 of this Act appropriates funds to the Department of Health and Social  
2 Services, Public Health, Community Health (35-05-20) and to the Administrative Office of the Courts,  
3 Non-Judicial Services, Child Death, Near Death and Stillbirth Commission (02-18-06) for infant  
4 mortality. More specifically, the funds are to implement recommendations of the Infant Mortality Task  
5 Force. Included are \$27.0 in the Infant Mortality Task Force and 3.0 FTEs in Community Health (35-05-  
6 20) and funding for Personnel Costs in the Infant Mortality Task Force in Child Death, Near Death and  
7 Stillbirth Commission (02-18-06). The Department of Health and Social Services shall submit an update  
8 on the spending plan for these funds to the Director of the Office of Management and Budget and  
9 Controller General no later than November 1 of each fiscal year.

10           Section 153. (a) The Department of Health and Social Services operates five (5) residential  
11 facilities, three of which are located in the Division of Public Health (35-05-00) and are long-term care  
12 facilities, the majority of whose clients are elderly, or will likely be in care through their elder ages.  
13 These facilities are: Delaware Hospital for the Chronically Ill (35-05-40), Emily P. Bissell Hospital (35-  
14 05-50), and Governor Bacon (35-05-60).

15           (b) To streamline and improve services for the clients in these long-term care facilities, and to  
16 provide services more efficiently, the Department of Health and Social Services will consolidate all of the  
17 services provided by these three long-term care facilities into the Division of Services for Aging and  
18 Adults with Physical Disabilities (35-14-00), given the similarities in clients' needs. These services will  
19 be conducted under a new budget unit within the Division of Services for Aging and Adults with Physical  
20 Disabilities.

21           Section 154. Of the funds derived from those State Lottery funds transferred to the Department  
22 of Health and Social Services, Substance Abuse and Mental Health Services pursuant to 29 Del. C. §  
23 4815 (b)(2), \$20.0 ASF shall be used by the division to create and/or continue an Addiction Prevention  
24 Program in all Delaware high schools on the subject of compulsive gambling. These funds shall  
25 provide, but not be limited to, the following:

- 26           1) a prevention education booklet to be given to every high school student in the State;
- 27           2) a teacher guideline instructional booklet to assist teachers to impart this information to
- 28           students; and

1           3) on-site training to teachers on appropriate teaching methods.

2           Section 155. The Department of Health and Social Services, Substance Abuse and Mental Health  
3 (35-06-00) is encouraged, where appropriate, to reallocate resources so as to create a balanced system of  
4 services and treatment among the Delaware Psychiatric Center (35-06-30), community hospitals, and  
5 community-based residential placements for persons with mental illness. Such reallocation initiatives  
6 must be made within the total division's appropriation limit with the approval of the Director of the  
7 Office of Management and Budget and the Controller General. These reallocation initiatives shall not  
8 compromise the standard of care of the remaining Delaware Psychiatric Center population.

9           Section 156. Section 1 of this Act provides an appropriation of \$100.0 ASF to the Department of  
10 Health and Social Services, Substance Abuse and Mental Health, Community Mental Health (35-06-20).  
11 Substance Abuse and Mental Health expects to generate additional retroactive revenue as a result of the  
12 Tax Equity and Fiscal Responsibility Act (TEFRA) rebasing of Medicare payment rates at Delaware  
13 Psychiatric Center. These funds shall be used to fund the rebasing project and support the Division of  
14 Substance Abuse and Mental Health programs, including but not limited to purchasing medicines for  
15 clients.

16           Section 157. The Merit Rules notwithstanding, Department of Health and Social Services  
17 employees designated as Psychiatrists, as well as the Chief Psychiatrist in the Delaware Psychiatric  
18 Center (35-06-30) shall be eligible for standby pay and call back pay.

19           Section 158. Section 1 of this Act provides an appropriation of \$1,200.0 ASF to the Department  
20 of Health and Social Services, Social Services (35-07-01) for TANF Cash Assistance Pass Through. The  
21 division shall be allowed to collect and deposit funds into this account as a result of child support  
22 payments collected by the Division of Child Support Enforcement on behalf of TANF clients. These  
23 funds will be used by the DSS to make supplemental payments to clients who are eligible to retain a  
24 portion of their child support under State and Federal TANF budgeting rules.

25           Section 159. Section 1 of this Act provides an appropriation to the Department of Health and  
26 Social Services, Substance Abuse and Mental Health, Delaware Psychiatric Center (35-06-30), for  
27 Contractual Services. Of that amount, \$41.2 shall be made available for a Direct Patient Care Intern  
28 Program to enable direct care professionals to take courses to increase their skills in specialty areas.

1 It is understood that participants in this program will provide clinical services with compensation  
2 to Delaware Psychiatric Center during the duration of their education. It is further understood that these  
3 individuals shall remain in the employ of Delaware Psychiatric Center for a minimum of one year after  
4 graduation or reimburse the State for any and all tuition received.

5 Section 160. Section 1 of this Act provides an appropriation to the Department of Health and  
6 Social Services, Social Services (35-07-00) for Contractual Services. Of that amount, \$750.0 is for DCIS  
7 II system maintenance. Social Services shall have the authority to contract for positions needed to  
8 provide system maintenance. The division shall also have the authority, with approval from the Director  
9 of the Office of Management and Budget and Controller General, to transfer a portion of these funds to  
10 Personnel Costs and establish up to 2.1 positions and 1.8 NSF positions in order to support DCIS II  
11 system maintenance.

12 Section 161. Notwithstanding any provisions of the Delaware Code to the contrary the  
13 Department of Health and Social Services, Social Services (35-07-01) is authorized to make such policy  
14 changes in the administration of the Temporary Assistance for Needy Families (TANF) and Child Care  
15 Development Block Grant programs as may be necessary to assure that Delaware will qualify for the full  
16 amount of its federal block grant entitlement and any American Recovery and Reinvestment Act (ARRA)  
17 funds. Any changes require the prior approval of the Director of the Office of Management and Budget  
18 and Controller General.

19 Section 162. Section 1 of this Act appropriates Personnel Costs and 36.8 FTEs to the Department  
20 of Health and Social Services, Visually Impaired (35-08-00). This section authorizes 1.0 FTE in addition  
21 to the 7.0 FTEs itinerant teachers available to meet caseload requirements for the Braille Literacy Act.  
22 This additional FTE may be filled if the current fiscal year September educational unit count indicates the  
23 number of teachers required to meet caseloads for visually impaired students is greater than the current  
24 fiscal year complement of teachers.

25 Section 163. 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, \$15.9 shall be  
27 used to compensate correctional inmates for the purpose of producing Braille materials for visually  
28 impaired school children.

1           Section 164. Section 1 of this Act provides an appropriation of \$2,426.5 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 26.3 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 165. Section 1 of this Act provides an appropriation to the Department of Health and  
7 Social Services, Child Support Enforcement (35-10-00) for Contractual Services. Of that amount, \$211.1  
8 is for programming costs for the DACSES Redevelopment Project. Child Support Enforcement shall  
9 have the authority to contract for IT resources needed to augment existing programming staff for the  
10 duration of this project. At the project's conclusion, the division shall have the authority, with approval  
11 from the Director of the Office of Management and Budget and Controller General, to transfer these  
12 funds to Personnel Costs and establish up to 3.0 positions and 5.0 NSF positions in order to support  
13 DACSES system maintenance.

14           Section 166. The Department of Health and Social Services, Developmental Disabilities Services  
15 (35-11-00) may rebase, once every one to three years, its Inventory for Client and Agency Planning  
16 (ICAP) based rate setting system. This rebasing will be predicated on raising the direct care staff wage  
17 and mirroring elements in the model to keep pace with changing economic conditions on regional and  
18 national level that will ensure a livable wage for workers and provide continuity of care to individuals  
19 with developmental disabilities.

20           Section 167. The Department of Health and Social Services, Developmental Disabilities Services  
21 (35-11-00) is encouraged, where appropriate, to reallocate resources so as to maximize community-based  
22 residential placements for persons with mental retardation. Such reallocation initiatives must be made  
23 within the total division's appropriation limit with the approval of the Director of the Office of  
24 Management and Budget and the Controller General. These reallocation initiatives shall not compromise  
25 the standard of care of the remaining Stockley Center population.

26           Section 168. Section 1 of this Act makes an appropriation to the Department of Health and Social  
27 Services, Developmental Disabilities (35-11-00) for Purchase of Care. Of that appropriation, \$50.0 is  
28 appropriated to support individuals receiving respite care services at the Fiscal Year 2005 contract levels.

1           Section 169. The Department of Health and Social Services, Developmental Disabilities  
2 Services, Community Services (35-11-30) receives Medicaid reimbursement for the provision of day  
3 rehabilitation services provided in state operated day centers. Notwithstanding the provisions of 29 Del.  
4 C. § 6102, the division shall be allowed to collect and deposit the Medicaid reimbursement in an  
5 Appropriated Special Fund. Receipts in the account may be used to fund community residential, day  
6 program, respite and other related contracts currently funded out of the Purchase of Care and Purchase of  
7 Community Services lines.

8           Section 170. Section 1 of this Act provides an appropriation of \$2,094.0 ASF to the Department  
9 of Health and Social Services, Developmental Disabilities Services, Community Services (35-11-30) for  
10 Purchase of Care. The division shall be allowed to collect and deposit funds into this account as a result  
11 of revenue from implementation of a sliding fee scale, Medicaid transportation reimbursements, patient  
12 payments and tenant fees and Medicaid receipts from state operated group homes and state operated  
13 apartments.

14           Section 171. Section 1 of this Act includes funding for Contractual Services for Department of  
15 Health and Social Services, State Service Centers, Community Services (35-12-30). Of this amount,  
16 \$10.0 shall be used for the Delaware Helpline. Available funds designated for the Delaware Helpline  
17 may be distributed annually in a lump sum at the beginning of the contract year.

18           Section 172. Section 1 of this Act appropriates \$3.0 in Contractual Services to the Department of  
19 Health and Social Services, State Service Centers, Community Services (35-12-30). These funds are to  
20 be used to reimburse emergency shelters for housing homeless women in Kent County during Code  
21 Purple conditions. Code Purple is defined as nights when the temperature is 25 degrees or below or in  
22 emergency weather conditions such as an ice storm or a blizzard.

23           Section 173. Department of Health and Social Services, Services for Aging and Adults with  
24 Physical Disabilities (35-14-00) will receive Medicaid reimbursement for the administration of  
25 community based services for the Aging and Adults with Physical Disabilities population.  
26 Notwithstanding the provisions of 29 Del. C. § 6102, the division shall be allowed to collect and deposit  
27 the Medicaid reimbursement in an Appropriated Special Fund account entitled "Community Based  
28 Services Reimbursement." Receipts in the account may be used to maintain existing services and provide

1 additional services for adults with physical disabilities. Such services are not to exceed the estimated  
2 annualized revenue, and are subject to initial and on-going review by the Director of the Office of  
3 Management and Budget and the Controller General.

4 Section 174. Section 1 of this Act makes an appropriation to the Department of Health and Social  
5 Services, Services for Aging and Adults with Physical Disabilities (35-14-00) for Respite Care. Of that  
6 appropriation, \$110.0 is appropriated to support families provided respite care services through the  
7 Caregiver Program.

8 Section 175. Recognizing Delaware has an obligation to establish a rational long term care  
9 system to prevent expensive and premature institutionalization and to insure Delaware's senior and  
10 disabled population who are able to remain in their homes and community should receive services needed  
11 to remain as independent as possible, it is the intent of the General Assembly that a Task Force shall be  
12 formed to develop the following:

- 13 (1) A summary analysis of all existing studies on the subject of long term care housing needs  
14 for Delaware's Aging and Disabled population;
- 15 (2) An analysis of programs and innovations in other states that have maximized consumer  
16 choice in the selection of a setting in which to receive long-term care services and  
17 supports and their ability to be replicated in Delaware;
- 18 (3) An analysis of service needs required for individuals to receive long term care in their  
19 homes and community, including an analysis of the supply of organizations providing  
20 services and existing or anticipated gaps in services required for home or community  
21 living;
- 22 (4) An analysis and recommended actions the State of Delaware should consider to increase  
23 consumer options and ability to choose and to support long term care housing needs for  
24 individuals, including affordable and accessible housing and home and community based  
25 service required by individuals who desire to receive long term care services in home and  
26 community;



- 1 (5) An analysis of publicly subsidized and other affordable housing options in Delaware and  
2 their role in providing home and community based services to older people and people  
3 with disabilities; and
- 4 (6) An analysis and recommended actions regarding projected demand for skilled nursing  
5 facility care.

6 The Task Force shall be chaired by the chair, vice-chair, or other committee member designated  
7 by the chair of the House Joint Finance Committee, and, in addition to its chair, that the chair appoint the  
8 following Task Force members:

- 9 (1) one member of the House Health and Human Development Committee;
- 10 (2) one member of the Housing and Community Affairs Committee;
- 11 (3) Delaware's Long Term Care Ombudsman;
- 12 (4) one representative of the American Hospital Association;
- 13 (5) one representative of the Delaware Healthcare Facilities Association;
- 14 (6) one representative of AARP;
- 15 (7) one representative of Delaware's physical disabilities community;
- 16 (8) one representative from Delaware Medicaid's Money Follows the Person leadership  
17 team;
- 18 (9) one representative from the Division of Aging and Adults with Physical Disabilities;
- 19 (10) one representative from the University of Delaware's Center for applied  
20 Demography and Survey Research;
- 21 (11) one professor of aging from an accredited Delaware University;
- 22 (12) one representative from a Delaware Home Health Agency;
- 23 (13) one representative from the Delaware Aging Network;
- 24 (14) one representative from the Delaware Nursing Home Quality Residents Assurance  
25 Commission;
- 26 (15) one member from the United Way of Delaware; and
- 27 (16) staff support will be available through AARP.

28 The Task Force will report on its findings to the General Assembly no later than March 15, 2011.

1           Section 176. Section 1 of this Act appropriates funding and 0.5 ASF and 0.5 NSF position to the  
2 Department of Health and Social Services, Aging and Adults with Physical Disabilities (35-14-01) for a  
3 Home and Community-Based Services Ombudsman (HCBSO). This position will report directly to the  
4 State Long-Term Care Ombudsman and will serve as a principal point of contact for adult home and  
5 community-based consumers. The HCBSO will function as a mediator and facilitate conflict resolution  
6 relative to services for adults residing in home and community-based settings and/or receiving services  
7 from providers licensed to provide home and community-based services in the State of Delaware. In  
8 addition, the HCBSO will contribute to the development of state long-term care policy by means of  
9 sharing data, information, and funding from an array of home and community-based service system  
10 monitoring and related activities.

# CHILDREN, YOUTH AND THEIR FAMILIES

Section 177. 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 Rehabilitative Services (YRS) (37-05-00) with access to all appropriate computer systems. After July 1, 2010, the Director of the Office of Management and Budget and the Controller General shall transfer \$88.4 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 178. 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 179. The Department of Services for Children, Youth and Their Families, Management Support Services (37-01-00) shall have 1.0 FTE exempt position in addition to those authorized by 29 Del. C. § 5903.

Section 180. Section 1 of this Act provides an appropriation of \$588.5 and \$284.3 ASF to the Department of Services for Children, Youth and Their Families, Prevention and Behavioral Health Services (37-04-00). These funds shall be used to operate a Drug Court Program with Family Court. In addition, recovered Medicaid funds will be directed towards the Drug Court Program. Said funds are intended to serve 140 youth during this fiscal year, with a maximum of 70 youth at any one time.

Section 181. Funds which are appropriated for foster care of children in Section 1 of this Act in the Department of Services for Children, Youth and Their Families, Family Services (37-06-00), are made available with the goal of limiting the number of children who remain in foster care for more than

1 two years to 270. The 1997 Adoption and Safe Families Act (ASFA) codified reasonable exceptions for  
2 cases where youth may need to remain in foster care for extended periods of time through proper  
3 planning. ASFA also allows for Alternative Planned Permanency Living Arrangement (APPLA)  
4 designation, which allows more youth to enter long-term foster care placements. The department shall  
5 file an annual report of the number of youth in foster care to the Office of Management and Budget and  
6 the Controller General by October 1<sup>st</sup> of each year.

7 Section 182. (a) As a means of monitoring and continuing to improve the expenditure of  
8 casual/seasonal and overtime in Youth Rehabilitative Services, Secure Care (37-05-50), the Secretary of  
9 the Department of Services for Children, Youth and Their Families shall file a quarterly report with the  
10 Director of the Office of Management and Budget and the Controller General on casual/seasonal and  
11 overtime expenditures. The report shall include, but not be limited to, sick leave usage, vacancy rates,  
12 training and transportation costs at the Ferris School, New Castle County Detention Center and Stevenson  
13 House. The report should reflect all actions (including disciplinary) being taken to expeditiously correct  
14 the noted problem areas.

15 (b) The Department of Services for Children, Youth and Their Families shall report on a  
16 quarterly basis to the Controller General and Director of the Office of Management and Budget the status  
17 of the Stevenson House Facility in Milford. This report shall include, but not be limited to, staffing  
18 vacancies, total budgetary expenditures vs. appropriations, overtime, casual/seasonal expenditures,  
19 population statistics, facility condition and capacities, and incident reports.

20 Section 183. Section 1 of this Act provides \$341.7 ASF to the Department of Services for  
21 Children, Youth and Their Families for the purpose of supporting the Young Criminal Offender Program  
22 located at the Department of Correction, Prisons, Howard R. Young Correctional Institution (38-04-06).

23 Section 184. Section 1 of this Act provides \$113.3 ASF to the Department of Services for  
24 Children, Youth and Their Families for the purpose of supporting a Family Court Commissioner to assist  
25 in the Child Protection Registry appeal process as required pursuant to 16 Del. C. c. 9.

26 Section 185. (a) In addition to the positions authorized in Section 1 of this Act for Family  
27 Services, Intake/Investigation (37-06-30) and Intervention/Treatment (37-06-40), the Director of the

1 Office of Management and Budget may authorize additional training positions for the purpose of training  
2 investigative and treatment workers.

3 (b) An additional 2.0 FTEs were authorized in Fiscal Year 2000 in Family Services, Office of the  
4 Director (37-06-10) for the purposes of training workers hired in accordance with 29 Del. C. § 9015 (d).

5 Section 186. If the quarterly average daily population at the New Castle County Detention Center  
6 is below 114, the Director of the Office of Management and Budget and the Controller General may  
7 reduce the number of casual seasonal or full time positions through attrition.

8 Section 187. Amend 29 Del. C. § 5916 (e) (3) by deleting the existing section and inserting in  
9 lieu thereof the following: “Employees, otherwise qualified, who are employed by the Department of  
10 Services for Children, Youth and Their Families and are assigned to work in the Division of Youth  
11 Rehabilitative Services facilities.”.

12 Section 188. As part of the department’s commitment to the Governor’s efforts to improve  
13 efficiencies and transform state government, during Fiscal Year 2011 the department shall prepare  
14 initiatives to consolidate the preparation, monitoring, and evaluation of contracts across the department,  
15 including contracts for services delivered to youth and their families, into the Division of Management  
16 Support Services and consolidate training functions within the Division of Management Support Services.

# CORRECTION

1  
2        Section 189. (a) Section 1 of this Act includes funding for relief positions in the Department of  
3 Correction, Administration, Human Resources/Employee Development Center (38-01-02). These  
4 positions shall be used primarily for training relief. The Department of Correction shall provide a  
5 quarterly report to the Director of the Office of Management and Budget and the Controller General  
6 detailing the non-training relief assignments of the staff training relief officers.

7        (b) In addition to the positions authorized in Section 1 of this Act for the Department of  
8 Correction, 20 additional positions are authorized in Human Resources/Employee Development Center  
9 (38-01-02) for the purposes of training classes. During the training sessions, up to 20 positions will be  
10 made available to accommodate the class being trained. The department will use salary savings realized  
11 throughout the year to fund these positions.

12        Section 190. Section 1 of this Act makes an appropriation to the Department of Correction,  
13 Correctional Healthcare Services, Medical Treatment and Services (38-02-01). Of the total appropriation,  
14 \$25.0 shall be used for the purpose of inmate hospice care.

15        Section 191. The Department of Correction is authorized to contract for the procurement of  
16 health care services to the Department's incarcerated population. For Fiscal Year 2011, the provisions of  
17 29 Del. C. c. 69 shall not apply to such contracts.

18        Section 192. The Department of Correction, Administration, Office of the Commissioner (38-01-  
19 01) shall provide a report to the members of the Joint Finance Committee, the Controller General and the  
20 Director of the Office of Management and Budget relating to bilingual medical services. For each  
21 institution, the report shall detail the number of bilingual staff maintained by the medical vendor and the  
22 number of inmates who require communication in another language or for whom English is a second  
23 language. The semi-annual reports shall be due by the end of October and March of each fiscal year.

24        Section 193. Section 1 of this Act appropriates \$40.0 in Personnel Costs to the Department of  
25 Correction, Community Corrections, New Castle County Community Corrections (38-06-06) for the  
26 purpose of maintenance overtime costs at Riverview Cemetery. Implementation shall not commence  
27 until the City of Wilmington agrees to be financially responsible for tipping or hauling expenses  
28 associated with Riverview Cemetery.

1           Section 194. Section 1 of this Act provides an appropriation for the Prison Arts Program funded  
2 in the Department of Correction, Prisons, Bureau Chief - Prisons (38-04-01). Included in this  
3 appropriation is 1.0 FTE Correctional Arts Program Coordinator and Personnel Costs, and \$23.5 for  
4 Operating Costs.

5           Section 195. Section 1 of this Act makes an appropriation to the Department of Correction,  
6 Prisons, Bureau Chief - Prisons (38-04-01), Contractual Services. Of this amount, \$20.0 shall be used for  
7 the purpose of collecting DNA samples.

8           Section 196. Section 1 of this Act provides an appropriation for Personnel Costs to the  
9 Department of Correction, Prisons, James T. Vaughn Correctional Center (38-04-03). Included in this  
10 appropriation is 1.0 FTE and Personnel Costs to allow the department to oversee a program to  
11 manufacture reading materials in Braille for the visually impaired.

12           Section 197. Section 1 of this Act appropriates funds to Department of Correction, Prisons,  
13 Delores J. Baylor Correctional Institution (38-04-05) in Contractual Services for a contract to provide a  
14 program for female offenders at Delores J. Baylor Correctional Institution to address anger and behavior  
15 issues from a feminine psychological perspective. The Warden of the facility will submit an annual  
16 report to the Joint Finance Committee, Director of the Office of Management and Budget, Controller  
17 General and Commissioner of Correction by June 1 of each fiscal year, which will include but not be  
18 limited to the mission of the organization, the statement of the problem, a synopsis of the program, the  
19 number of participants, statistics relating to recidivism rates of those participating in the program and an  
20 annual budget of the organization.

21           Section 198. (a) Section 1 of this Act makes an appropriation of \$4,381.0 to the Department of  
22 Correction, Correctional Healthcare Services, Medical Treatment and Services (38-02-01) for Drug and  
23 Alcohol Treatment Services; and \$282.0 to the Department of Correction, Community Corrections,  
24 Bureau Chief - Community Corrections (38-06-01). Funding in Department of Correction, Community  
25 Corrections, Probation and Parole (38-06-02) will be augmented by \$250.0 ASF from the Substance  
26 Abuse Rehabilitation, Treatment, Education and Prevention Fund. All funds described in this section are  
27 intended to support drug and alcohol treatment programs provided by the department to individuals in its

1 custody or under its supervision. The administration of these contracts shall be the responsibility of the  
2 Commissioner of Correction or his designee.

3 (b) On or before August 1 of each fiscal year, the department is to submit a plan on how these  
4 funds will be spent during the fiscal year. This plan shall be submitted for approval to the Director of the  
5 Office of Management and Budget and the Controller General.

6 (c) The Commissioner of Correction and the Secretary of Health and Social Services, or their  
7 designees, shall jointly participate in developing the appropriate requests for proposals (RFPs) for  
8 contract services to provide drug and alcohol treatment. All selected contract providers shall report on a  
9 regular basis to the Department of Correction on all follow-up regarding referrals and services provided to  
10 the offender population.

11 Section 199. Section 1 of this Act provides an appropriation to Department of Correction,  
12 Community Corrections, Probation and Parole (38-06-02). The department must submit a semi-annual  
13 report to the Director of the Office of Management and Budget and the Controller General that details the  
14 expenditure of these funds by SENTAC level (levels I, II and III) and the average personnel complement  
15 for each level. These reports are due on December 31 and June 30 of each fiscal year.

16 Section 200. (a) The Department of Correction shall have the authority, upon the concurrence  
17 and approval of the Director of the Office of Management and Budget and Controller General, to  
18 establish up to 6.0 ASF FTEs. The positions shall be Correctional Officers who will supervise inmate  
19 work crews assigned to the completion of projects requested by the Department of Transportation. Upon  
20 approval, 4.0 ASF FTEs shall be assigned to the Department of Correction, Community Corrections, New  
21 Castle County Community Corrections (38-06-06) and 2.0 ASF FTEs in Department of Correction,  
22 Community Corrections, Kent County Community Corrections (38-06-08). The source of funding shall  
23 be the Department of Transportation, Maintenance and Operations, Maintenance Districts (55-04-70).  
24 Adjustments to Appropriated Special Fund spending authority for this program can be made upon the  
25 concurrence and approval of the Director of the Office of Management and Budget and the Controller  
26 General.

27 (b) Of the total positions authorized in Section 1 of this Act for the Department of Correction, the  
28 following shall be used to continue the existing highway beautification projects: Community Corrections,



1 Kent County Community Corrections (38-06-08) - at least 5.0 positions, Community Corrections, Sussex  
2 County Community Corrections (38-06-07) - at least 3.0 positions and Community Corrections, New  
3 Castle County Community Corrections (38-06-06) - at least 2.0 positions.

4 (c) Section 1 of this Act also makes an appropriation for Contractual Services to Department of  
5 Correction, Community Corrections, Kent County Community Corrections (38-06-08).

6 Section 201. The Department of Correction, Administration, Office of the Commissioner (38-01-  
7 01) shall maintain an overtime expenditure report and shall provide such report quarterly to the Director  
8 of the Office of Management and Budget and Controller General. The report shall include the number of  
9 overtime hours worked and the amount of overtime salary expended by each agency within the  
10 Department, and shall include a breakdown of the reason for overtime.

11 Section 202. Prison education services shall be provided by utilizing existing teachers that are in  
12 the Department of Correction as well as authorized teaching positions in the Department of Education.  
13 The management of all educational positions shall be provided by the Department of Education.  
14 Department of Correction teachers shall have the opportunity each year to notify both agencies of their  
15 intent to transfer to the Department of Education. Such notification shall be made by April 15 of each  
16 year to become effective July 1 of that calendar year. Any position transfer made pursuant to this section  
17 shall be permanent.

18 If a remaining Department of Correction teacher applies for and is accepted into an authorized  
19 position in the Department of Education, the position and associated funding shall be transferred to the  
20 Department of Education for the operation of prison education services. If a remaining Department of  
21 Correction teacher position becomes otherwise vacant, the position and associated funding shall be  
22 transferred to the Department of Education for the operation of prison education services.

23 Section 203. The Department of Correction, Community Corrections, House Arrest (38-06-04)  
24 shall provide 24 hour, 7 day a week supervision of community correction's offenders. The department  
25 shall determine the number of employees needed on duty throughout each 24-hour period and arrange  
26 staff coverage accordingly. At no time shall the ratio of Probation Officers I's to other staff exceed 50  
27 percent during night time and weekend hours.

1           Section 204. The Merit Rules notwithstanding, Department of Correction employees  
2 designated as Correctional Emergency Response Team (CERT) members, as well as the Chief of  
3 Security and Inspections (BP #61023), in the Office of the Commissioner (38-01-01) and Treatment  
4 Administrators (BP #67423 and 99247) in Medical Treatment and Services (38-02-01) shall be  
5 eligible for standby pay regardless of their classification.

6           Section 205. The Department of Correction is hereby authorized to review the current security  
7 status classification of its facilities and submit a report, including but not limited to, any proposed security  
8 level changes deemed necessary and appropriate to accommodate the needs of the Department. Such  
9 report shall be submitted to the Director of the Office of Management and Budget and the Controller  
10 General no later than January 1 of each fiscal year. No change shall be made to the security status of the  
11 facility without the prior approval of the Director of the Office of Management and Budget and the  
12 Controller General.

13           Section 206. Section 1 of this Act appropriates \$47,412.2 to the Department of Correction,  
14 Correctional Healthcare Services, Medical Treatment and Services (38-02-01). The Department of  
15 Correction shall provide quarterly reports relating to medical vendor performance to the Chairs of the  
16 Joint Finance Committee, the Chairs of the House and Senate Correction Committees, the Controller  
17 General and the Director of the Office of Management and Budget. Reports shall include, but not be  
18 limited to, medical staffing levels, overall performance and plans for improvement.

19           Section 207. Section 1 of this Act currently provides 6.0 FTEs and \$501.2 in operating costs for  
20 the Board of Parole (15-03-01). To increase operational efficiency within the criminal justice system, as a  
21 result of a decreasing parole-eligible offender population, it is the intention of the Administration to  
22 eliminate the Board of Parole. Further, it is the intention of the Administration to move the function of  
23 granting parole releases into the Department of Correction and the function of parole revocation into the  
24 Judicial Branch.

25           To accomplish this government efficiency initiative, the following adjustments shall be  
26 recommended to the Joint Finance Committee for Fiscal Year 2011 Annual Appropriations Act: 5.0 FTEs  
27 reallocated to the Department of Correction and 1.0 FTE Deputy Principal Assistant (BP# 57938)  
28 reallocated to the Criminal Justice Council (10-07-01). Total budgeted positions for the Department of

1 Correction shall not increase as a result of this integration, offsetting complement reductions shall be  
2 made by the Department of Correction and the Office of Management and Budget.

3 The Department of Correction will ensure the following placements of currently filled positions:  
4 Appointed Officials (BP# 1397) in Bureau Chief-Community Corrections (38-06-01) to serve on the  
5 Institutional Release Classification Board and assist with offender re-entry; Management Analyst II (BP#  
6 1396) and Board of Parole Assistant (BP# 1398) in Bureau Chief-Prisons (38-04-01) to provide case  
7 management for parole eligible offenders and coordination of hearings; and Administrative Specialist I  
8 (BP# 1394) within the Bureau of Community Corrections (38-06-00) and Administrative Specialist II  
9 (BP# 1393) within the Bureau of Prisons (38-04-00) to provide necessary operational support. Any  
10 positions that become vacant prior to June 30, 2010, shall be deleted and shall not be transferred to the  
11 Department of Correction.

12 Section 208. Amend 11 Del. C. § 6532 (e) by deleting the phrase “8 hours in 1 day or” as it  
13 appears throughout said subsection.

# 1     **NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**

2           Section 209. Section 1 of this Act appropriates 1.0 ASF FTE Enforcement Coordinator position,  
3     which shall be exempt from the Merit System, to the Department of Natural Resources and  
4     Environmental Control, Division of Environmental Protection (40-04-00) to be funded through expenses  
5     incurred and recovered by the department, related to processing of administrative enforcement actions  
6     under 7 Del. C. c. 60. Violators shall be liable for the following expenses of the investigation incurred by  
7     the State after the notice of violation is issued: direct costs of the investigation; legal assistance including  
8     paralegal assistance; public hearings; all other costs expressly determined by the Secretary as reasonably  
9     related to the investigation of the incident; and the indirect costs related to all of the above.

10          Section 210. Section 1 of this Act appropriates Personnel Costs and 1.0 ASF FTE Green Energy  
11     Program Administrator, \$1.0 ASF in Travel, and \$5.0 ASF in Contractual Services from the Green  
12     Energy Fund to the Department of Natural Resources and Environmental Control, Office of the Secretary  
13     (40-01-00).

14          Section 211. The Division of Natural Resources is authorized to expend funds carried forward  
15     from the sale of boat registration fees, effective Fiscal Year 2000 and thereafter, for the purpose of  
16     supporting fisheries programs and marine enforcement.

17          Section 212. Notwithstanding the provisions of 7 Del. C. § 6042(c), Section 1 of this Act  
18     appropriates 0.5 ASF FTE Ombudsman to the Department of Natural Resources and Environmental  
19     Control, Division of Environmental Protection (40-04-00) to be funded through the Community  
20     Environmental Fund.

21          Section 213. Section 1 of this Act appropriates funding to the Division of Natural Resources (40-  
22     03-00) for the Deer Damage Assistance Program. This funding includes Personnel Costs and 1.0 FTE for  
23     an Environmental Scientist III and \$10.0 in Contractual Services for butchering fees.

24          Section 214. Section 1 of this Act authorizes Division of Natural Resources, Fish and Wildlife  
25     (40-03-03) to spend up to \$6,024.2 in Appropriated Special Funds. Within this amount, the division is  
26     authorized to undertake capital expenditures to maintain/develop fish and wildlife recreational areas.  
27     These expenditures should be in accordance with the Capital Development Plan for the division,  
28     submitted as an attachment to the department's Annual Fiscal Year Capital Improvement Program. Any

1 deviation from the listed projects must be approved by the Director of the Office of Management and  
2 Budget and the Controller General.

3 Section 215. Section 1 of this Act appropriates funds for Contractual Services in Division of  
4 Natural Resources (40-03-00). Of this amount, \$14.4 shall be used for the leasing of an enforcement  
5 vehicle and Interpretive Program vehicle at Killens Pond State Park.

6 Section 216. Section 1 of this Act makes an appropriation to the Department of Natural  
7 Resources, Division of Natural Resources (40-03-00). Of this amount, \$17.3 shall be used to fund  
8 casual/seasonal positions for Killens Pond Waterpark and \$8.5 shall be used for program services and  
9 contractual services at the Bellevue State Park system.

10 Section 217. Section 1 of this Act makes an appropriation to the Department of Natural  
11 Resources and Environmental Control, Division of Natural Resources (40-03-00). Of that appropriation  
12 \$10.1 is to be spent on promotion and programs for Trap Pond State Park as follows: \$5.0 for Contractual  
13 Services, \$5.0 for Supplies and Materials and \$0.1 for Travel.

14 Section 218. Section 1 of this Act makes an appropriation to the Division of Natural Resources  
15 (40-03-00). Of this amount, \$35.0 shall be used for monument and general maintenance within the parks,  
16 including the maintenance of war memorials and ball fields.

17 Section 219. Section 1 of this Act provides an appropriation and 1.0 FTE to the Division of  
18 Natural Resources (40-03-00) to fund a Park Technician II. This position shall be dedicated primarily to  
19 the South Park Drive area and the Brandywine Zoo with additional duties throughout Wilmington State  
20 Parks.

21 Section 220. Section 1 of this Act makes an appropriation to Division of Natural Resources (40-  
22 03-00) for Contractual Services. Of that amount, \$180.0 shall be used for additional field staff personnel  
23 for the preparation of nutrient management plans.

24 Section 221. Section 1 of this Act makes an appropriation to the Department of Natural  
25 Resources and Environmental Control, Division of Environmental Protection (40-04-00). Of that amount,  
26 \$1.0 shall be set aside for the Environmental Science Scholarship program.

27 Section 222. It is intent of the General Assembly that the Department of Natural Resources and  
28 Environmental Control shall be required, pending legal review, to post on its Internet website within three

1 working days, all unclassified misdemeanors issued by Division of Environmental Protection  
2 Enforcement Officers after such citations have been entered in the courts.

3 Section 223. Section 1 of this Act appropriates funds to support 2.0 FTEs within the Department  
4 of Natural Resources and Environmental Control, Division of Environmental Protection (40-04-00). One  
5 position is an Environmental Engineer II/IV assigned to the Delaware City Petro Chemical Complex. The  
6 second position is an Environmental Engineer II/IV assigned to Claymont/Edgemoor Industrial Complex.  
7 The incumbents shall each submit an annual report to the Joint Finance Committee on February 1 of each  
8 year, which summarizes the complaints and activities of the previous calendar year. These positions will  
9 respond to and provide follow-up on complaints from the community on the air quality throughout New  
10 Castle County.

11 Section 224. Section 1 of this Act appropriates funds to the Hazardous Substance Cleanup Act  
12 (HSCA) Cleanup Fund in Division of Environmental Protection (40-04-00). Funds to address orphan  
13 underground storage tank (UST) system removal and any remediation of any resulting contamination  
14 from UST systems will be established pursuant to the annual expenditure plan for the HSCA Cleanup  
15 Fund as required under 7 Del. C § 9104(c)(2). The term orphan UST system shall be defined by the  
16 Department's Fund for the Inability to Rehabilitate Storage Tanks (FIRST) Fund policy and include but  
17 not be limited to, situations where the tank owner or responsible party has shown to the satisfaction of the  
18 Department that they do not have the ability to pay for the necessary UST system removal and the  
19 remediation of any contamination. In such case, the Department shall not seek cost recovery of the funds  
20 expended under the HSCA fund.

21 Section 225. Division of Environmental Protection (40-04-00) shall have 1.0 FTE exempt  
22 position in addition to those authorized by 29 Del. C. § 5903. When position BP #09228 becomes vacant,  
23 it shall be classified by the Director of the Office of Management and Budget in accordance with the  
24 Merit System, 29 Del. C. c. 59.

25 Section 226. The General Assembly herein acknowledges that certain programs within the  
26 Department are funded all or in part by fee-based revenues. Every two years the Secretary shall perform  
27 a review of fees assessed and collected by the Department to determine the revenue sufficiency of the fees

1 and programs they support and submit a report to the Director of the Office of Management and Budget  
2 and the Controller General by October 1<sup>st</sup>.

3 The review shall identify program elements that are funded through fees and other sources and  
4 shall include an evaluation of effectiveness and efficiency. The review may include but is not limited to,  
5 identification of operational changes that improve efficiency and effectiveness of operations and reduce  
6 costs. The Secretary shall appoint a peer review team consisting of individuals familiar with the program  
7 under review and provide them an opportunity for comment on the Department's findings.

8 Any changes in fees that require the approval of the General Assembly shall be submitted by the  
9 Department as part of the annual budgetary process.

10 Section 227. Contingent upon passage of legislation to amend 29 Del. C c. § 8028, the Boiler  
11 Safety program and boiler safety inspections currently performed by the State will be eliminated.  
12 Inspections shall be conducted by private qualified inspectors in the future. The personnel assigned to  
13 this program shall be reassigned to other duties within the Department of Natural Resources and  
14 Environmental Control to meet critical workforce needs.

15 Section 228. The reorganization of the Department of Natural Resources and Environmental  
16 Control may not result in an increase in the number of exempt positions beyond those established in  
17 Fiscal Year 2010 complement.

# SAFETY AND HOMELAND SECURITY

Section 229. The Department of Safety and Homeland Security is hereby authorized to continue funding its share of the existing 40 patrol officers that have been established through agreements between State Police (45-06-00) and Sussex County Council through the end of Fiscal Year 2009.

The prescribed establishment of 4.0 patrol officers during Fiscal Year 2011 shall be delayed until financial conditions improve. State Police will be authorized to establish these patrol officers as well as all additional patrol officers that are called for through the terms of the agreement as funding becomes available through the normal budgetary process.

In Section 1 of this Act, ASF spending authority has been provided to State Police, Patrol (45-06-03) in order to accommodate the match requirements stipulated by these agreements. In the event that the aforementioned agreements between State Police and Sussex County Council are terminated, this authority shall be deauthorized.

Section 230. 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 231. 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 232. 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 233. The Department of Safety and Homeland Security, Office of the Secretary,  
5 Administration (45-01-01) shall maintain an overtime expenditure report tracking the overtime usage of  
6 Capitol Police (45-02-10). This report shall include the number of overtime hours worked as a result of  
7 normal operating demand, the number of overtime hours worked as a result of special events demand, the  
8 amount of overtime expenditures, and a detailed justification for the usage of the overtime hours. This  
9 report shall be submitted to the Director of the Office of Management and Budget and the Controller  
10 General on a quarterly basis.

11 Section 234. Section 1 of this Act appropriates Personnel Costs and 2.0 Traffic Light  
12 Enforcement FTEs in Safety and Homeland Security, State Police, Traffic (45-06-07). The source of the  
13 funding shall be from revenues generated as a result of the Red Light Enforcement Safety Program within  
14 the Department of Transportation.

15 Section 235. Section 1 of this Act appropriates \$20.0 in Contractual Services to Developmental  
16 Disabilities Council (45-01-50) for the Partners in Policymaking Program.

17 Section 236. Section 1 of this Act includes Personnel Costs and 6.0 ASF FTEs; \$58.6 ASF in  
18 Contractual Services; and \$148.2 ASF in Supplies and Materials in the Department of Safety and  
19 Homeland Security, State Police, Traffic (45-06-07) for the personnel and operating costs associated with  
20 the Truck Enforcement Unit (TEU) to be funded through the Department of Transportation. Any  
21 additional enhancements that are made to the TEU to remain in compliance with Title 23, Code of Federal  
22 Regulations Part 657, shall occur through the annual budgetary process.

23 Section 237. Notwithstanding the provisions of 16 Del. C. § 10104, the Department of Safety and  
24 Homeland Security shall disburse funds from the E-911 Emergency Reporting System Fund to cover rent  
25 obligations at statewide 911 answering points. An annual report on the E-911 Emergency Reporting  
26 System Fund shall be submitted to the Director of the Office of Management and Budget and Controller  
27 General no later than September 15<sup>th</sup> of each year identifying prior year revenue and expenditures, and  
28 forecasted revenue and expenditures for the current and upcoming three fiscal years.

1           Section 238. Section 1 of this Act includes \$40.0 ASF in Supplies and Materials in State Police,  
2 Training for the purpose of recovering costs associated with providing meals to recruits at the State Police  
3 Academy.

4           Section 239. Section 1 of this Act includes \$160.0 ASF in Personnel Costs in State Police, Patrol  
5 for the purpose of recovering costs associated with providing patrol services at the State Fair.

6           Section 240. (a) Section 1 of this Act includes Personnel Costs and 2.0 ASF FTEs Forensic  
7 Chemists in State Police, Criminal Investigation (45-06-04). These positions shall be funded using  
8 revenue generated by DUI conviction fees to pay for their Personnel Costs.

9           (b) Notwithstanding any provision of the Delaware Code to the contrary, the first \$159.1  
10 generated by the State for DUI fine revenue in accordance with 21 Del. C. c. 41 shall be deposited into an  
11 ASF account in State Police, Criminal Investigation and be used to pay for the Personnel Costs associated  
12 with the 2.0 ASF FTEs Forensic Chemists. Any additional DUI fine revenue generated shall be deposited  
13 to the General Fund.

14           Section 241. Section 1 of this Act includes Personnel Costs and 2.0 ASF FTEs Sex Offender  
15 Registry Agents in State Police, State Bureau of Identification (45-06-08). These positions shall be  
16 funded using revenue generated by a Sex Offender Registry Fee to pay for their Personnel Costs.

17           Section 242. Section 1 of this act appropriates 5.0 NSF FTEs in State Police, Criminal  
18 Investigation to implement a School Resource Agent (SRA) pilot program in order to provide law  
19 enforcement services to the school districts. The objective of this pilot program is to hire up to five  
20 civilian Council on Police Training (COPT) certified law enforcement officers to replace up to five  
21 Troopers that are currently assigned to the school districts. The SRA program will be under the direct  
22 supervision of the State Police for all functions including human resources, training and supervision.

# TRANSPORTATION

Section 243. The Delaware Transportation Authority budget, as set forth in memorandum form in Section 1 of this Act, shall be expended in accordance with the following limitations:

(a) Debt Service estimates are for current project financing as authorized by 2 Del. C. c. 13.

(b) Funds provided for Newark Transportation are intended to cover the expenses of the public transportation system operated by the City of Newark. The funds may be used to provide up to 100 percent of the total operating cost of the system during the year.

(c) Funds provided for Kent and Sussex Transportation “E&H” are intended for continuation of transportation service for the elderly and handicapped in Kent and Sussex counties. It is intended that management and direction of the service will reside with the Delaware Transit Corporation which may contract for services as they see fit, and that Kent County and Sussex County governments will review and approve allocation of the service levels within each county.

(d) Funds provided for Kent and Sussex Transportation “E&H” includes funding for the Sussex County Reimbursable Program. To improve the operation of this program, the following provisions shall be implemented:

1) Sussex County Council, on behalf of the eligible transportation providers, shall submit annual operating budget requests to the Delaware Transit Corporation by September 1 of each year; and

2) Delaware Transit Corporation shall by May 1 distribute proposed contracts to each of the eligible transportation providers for transportation services commencing the ensuing July 1. Said contracts shall be subject to an annual appropriation for such purpose.

(e) It is intended that funds for Taxi Services Support “E&H” will be maintained at least at the same service level as in the previous year. It is intended that management and direction of these services shall reside with the Delaware Transit Corporation who may contract for this service as required.

(f) Funds of the Delaware Transit Corporation may not be provided as aids to local governments for transportation systems which restrict passengers because of residential requirements. Nothing in this Section is meant to require that governments must operate these transportation systems outside their 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; and  
 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 244. Section 1 of this Act appropriates \$1,220.5 TFO to Finance (55-01-02) for  
 10 Contractual Services. Of this amount, \$100.00 shall be allocated to the Maritime Exchange for the  
 11 Delaware River and Bay.

12 Section 245. Section 1 of this Act makes an appropriation of \$1,287.1 TFO to Planning (55-03-  
 13 01) for Contractual Services. Notwithstanding any other provision of the Delaware Code or this Act to  
 14 the contrary, the Department of Transportation is authorized to contract with the University of Delaware's  
 15 Institute for Public Administration and Delaware Center for Transportation for research purposes.

16 Section 246. Section 1 of this Act makes an appropriation in the amount of \$60,731.9 TFO to  
 17 Maintenance and Operations, Maintenance Districts (55-04-70) and \$17,273.4 TFO to Motor Vehicles,  
 18 Toll Administration (55-11-60).

19 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	3,217.3	3,258.5	7,962.1		14,437.9
Travel	6.0				6.0
Contractual Services	1,322.7	604.2	520.6	7,890.8	10,337.0
Supplies and Materials	158.8	242.8	1,482.0		1,884.9
Energy	146.5	384.8	1,343.4		1,874.7
Capital Outlay	41.0		50.0		91.0
<b>TOTALS</b>	4,892.3	4,490.3	11,358.1	7,890.8	28,631.5
<b>FTEs</b>	59.0	64.0	151.0		274.0

20

1           Section 247. Section 1 of this Act provides an appropriation to Maintenance Districts (55-04-70)  
2 for Contractual Services. Of this appropriation, \$5.0 TFO shall be allocated to the Tina Fallon Ferry.

3           Section 248. The Department of Transportation and/or its E-ZPass contractor is prohibited from  
4 monitoring the speed of motor vehicles through E-ZPass toll booths for the purpose of issuing traffic  
5 citations or the suspension of E-ZPass privileges. Nothing in this section shall prohibit the State Police  
6 from enforcing traffic laws including speed enforcement at the toll booths.

7           Section 249. Section 1 of this Act makes an appropriation to Maintenance and Operations,  
8 Maintenance Districts (55-04-70) in the amount of \$3,277.4 TFO to establish a Special Line called  
9 Snow/Storm Contingency that will provide for the expenses of weather/emergency operations.  
10 Notwithstanding any other provision of the law to the contrary, any sums in this account not expended by  
11 the end of a fiscal year shall be carried over for use in future fiscal years, with appropriate transfers to  
12 current fiscal year accounts. The department shall be allowed to transfer funds from this account to  
13 divisions on an as-needed basis for expenditures incurred. The department may also transfer funds to  
14 municipalities and other qualified entities to reimburse them pursuant to contracts entered into by the  
15 department and the municipality to keep transit routes open during snow and storm emergencies. The  
16 transfer of funds from this account shall not require the approval of the Director of the Office of  
17 Management and Budget or the Controller General. The department shall provide quarterly reports each  
18 fiscal year to the Director of the Office of Management and Budget and the Controller General.

19           Section 250. In addition to the positions authorized in Section 1 of this Act for the Department of  
20 Transportation, Technology and Support Services (55-02-01), 1.0 TFO FTE is authorized in Delaware  
21 Transportation Authority (55-06-01) for the purpose of information technology support. As this position  
22 appropriated for the purpose of information technology support becomes vacant, the position and its  
23 associated funding from the Delaware Transportation Authority may be reallocated to continue the  
24 centralization of the information technology function within Technology and Support Services (55-02-  
25 01). The Director of the Office of Management and Budget and Controller General may authorize this  
26 reallocation accordingly.

27           Section 251. During the fiscal year, the Department of Transportation shall be prohibited from  
28 changing its departmental policy regarding access pipe installation on private homeowner entrances.

1 Specifically, the department shall not charge said homeowners for the labor costs associated with the  
2 installation of the access pipe.

3 Section 252. Notwithstanding any other provisions of the Delaware Code, the Department of  
4 Transportation, Motor Vehicles (55-11-00) shall have the authority to charge state agencies for state  
5 identification cards, not to exceed \$20 per card. The amount to be reimbursed shall be determined by  
6 Motor Vehicles and will be deposited into a holding account coded as special fund revenue and shall not  
7 be subject to General Fund deposit or Transportation Trust Fund deposit at any time.

8 Section 253. Section 1 of this Act appropriates \$200.0 TFO to the Department of Transportation,  
9 Motor Vehicles, Vehicle Services (55-11-30) for the purpose of replacing vehicle inspection equipment.

10 Section 254. Notwithstanding the provisions of 2 Del. C. § 1325 or 29 Del. C. § 7106(d) the  
11 employees in the Delaware Transit Corporation that are riders of the State van pool program known as  
12 Fleetlink, effective March 1, 2007 may remain in this program provided that they remain on a single van,  
13 that the necessary liability policy as defined by the Insurance Risk Office of the Office of Management  
14 and Budget is provided and maintained in good standing by the Delaware Transit Corporation, and that  
15 riders continue to pay the fees associated with participation in this program. Such eligibility shall be  
16 continuous for these individuals until and unless these conditions are not met.

17 Section 255. Notwithstanding 29 Del. C. § 5903, the position of Deputy Principal Assistant  
18 (BP# 9493) in the Department of Transportation shall remain as exempt until vacated. Once vacated, this  
19 position will be classified by the Director of the Office of Management and Budget and the Controller  
20 General in accordance with the Merit System and 29 Del. C. c. 59.

21 Section 256. The General Assembly directs the Department of Agriculture, the Department of  
22 Transportation and the Delaware Economic Development Office to promulgate regulations defining  
23 agritourism as a cultural and recreational interest for benefit of adoption into the Brown Sign Program.  
24 Final adoption of these regulations is contingent upon approval by the Federal Highway Administration  
25 (FHWA) under the Manual for Uniform Traffic Control Devices.

26 Section 257. Notwithstanding the provisions of 17 Del. C. or any regulation to the contrary, the  
27 Department of Transportation shall permit an existing church, school or fire department sign, located on  
28 the premises of such church, school or fire department, presently located within 25 feet of the right-of-

- 1 way line of any public highway to be replaced with a variable message sign or new fixed outdoor
- 2 advertising display, device or sign structure of equal or smaller dimension than the existing sign, sign
- 3 structure, display or device, relating to the activities conducted on such property.

# LABOR

Section 258. (a) Section 1 of this Act provides an appropriation of \$425.0 in Employment and Training, Employment and Training Services (60-09-20) for the Delaware State Summer Youth Employment Program to operate a program commencing July 1, 2010. The budget will take into consideration the funds required to commence the program at the end of Fiscal Year 2011, on or about June 15, 2011. This sum is to be allocated in the following manner:

New Castle County (outside the City of Wilmington)	\$ 69.7
City of Wilmington	256.7
Kent County	49.3
Sussex County	49.3
TOTAL	\$425.0

(b) In each of the political subdivisions wherein funds have been appropriated, no more than \$5.0 shall be expended for administrative purposes and no more than \$2.0 shall be expended for equipment, supplies and mileage. A record of all equipment and supplies purchased with funds herein appropriated shall be kept by the sponsoring agent, and at the conclusion of the ten-week program such supplies and equipment shall be reverted to the Department of Labor.

(c) The funds appropriated for the Delaware State Summer Youth Employment Program shall not be co-mingled with funds appropriated from any other source. The guidelines for youth employment and administrative costs for all persons employed in the State Summer Youth Employment Program shall be based in accordance with prior year's practice of payment for services.



# AGRICULTURE

Section 259. Section 1 of this Act makes an appropriation of \$497.8 ASF to the Department of Agriculture for the Delaware Agriculture Land Preservation Foundation pursuant to 29 Del. C. § 6102A(d)(3). The Foundation shall not operate any accounts outside of the State accounting system.

Section 260. The Delaware Department of Agriculture may use up to \$135.0 annually from State forest timber sales for the following programs:

(a) \$60.0 shall be used for marketing and promoting Delaware’s agricultural and forestry products and commodities.

(b) \$75.0 shall be used for forestry cost share programs. The allocation of these funds, and the determination of qualifying projects, shall be determined by the State Forester, provided the funds are allocated to supplement federal Rural Forestry Assistance and Urban Forestry Assistance programs.

Section 261. Section 1 of this Act makes an appropriation to the Harness Racing Commission (65-01-05) and the Thoroughbred Racing Commission (65-01-10) for fingerprinting. It is the intent of the General Assembly that the Commissions are required to use the State Bureau of Identification for all fingerprinting activities and background investigations per recommendation of the Joint Sunset Committee.

Section 262. Subject to the approval of the Director of the Office of Management and Budget and the Controller General, the State Lottery may:

(a) Deduct up to \$450.0 from the proceeds due to the video lottery agents licensed only to conduct thoroughbred racing in the current fiscal year to pay for expenses associated with conducting thoroughbred racing at their respective racetrack; and

(b) Deduct up to \$200.0 from the proceeds, which would otherwise fund purses for thoroughbred racing in the current fiscal year to pay for racing expenses.

Section 263. Subject to the approval of the Director of the Office of Management and Budget and the Controller General, the State Lottery may:

(a) Deduct up to \$1,035.2 from the proceeds due to the video lottery agents licensed only to conduct harness racing in the current fiscal year to pay for expenses associated with conducting harness racing at their respective racetrack; and

1 (b) Deduct up to \$178.4 from the proceeds, which would otherwise fund purses for harness  
2 racing in the current fiscal year to pay for racing expenses.

3 Section 264. The Department of Agriculture shall expend up to \$246.0 from the ASF holding  
4 account within Pesticides (65-01-06) to fund the activities of the Nutrient Management Poultry Litter  
5 Transport Program. The Poultry Litter Transportation Program reimburses transportation costs associated  
6 with exporting excess poultry litter for alternative uses or land that can demonstrate a need for the  
7 product.

8 Section 265. Section 1 of this Act appropriates \$50.0 ASF to the Department of Agriculture,  
9 Animal Health and Food Products Inspection (65-01-09) for the Spay/Neuter Program. Notwithstanding  
10 the Delaware Code or any other provision of this Act to the contrary, the Department of Agriculture is  
11 authorized to fund the Spay/Neuter Administrator from the special fund revenues received during the  
12 course of the fiscal year.

# ELECTIONS

1  
2        Section 266. 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 267. 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        The Department of Elections for the county responsible for conducting a public school election  
18 shall appoint, compensate and train an inspector and such election officers as it deems necessary to  
19 properly staff the polling places designated for use in a public school election. The respective  
20 Department of Elections shall also designate two of the other election officers to join with the inspector in  
21 deciding all questions regarding voter eligibility. All other questions concerning operation of the polling  
22 place shall be decided by the inspector.

23        The total statewide expenditures for school elections shall not exceed the amount appropriated in  
24 Section 1 of this Act or approved transfers for said purpose.

25        Section 268. Section 1 of this Act contains an appropriation for Commissioner of Elections, (70-  
26 01-01), Other Items: Voter Purging, for the purpose of assisting the Department of Elections with its  
27 statewide efforts to maintain the voter rolls in an orderly manner.

1           Section 269. For purposes of designating and procuring polling places for primary, general and  
2 special elections, the respective county department of elections shall pay a rental fee totaling \$300.00 for  
3 each facility used, no matter how many election districts are assigned to that facility.

4           Section 270. Any state agency, office or department is prohibited from publishing or funding the  
5 publication of voter guides.

6           Section 271. Based on findings of the 2001 Tax Compliance Audit, specifically those regarding  
7 poll worker compensation and deductions, all Department of Election poll workers shall be compensated  
8 through the Payroll/Human Resource Statewide Technology (PHRST) system if paid \$1,400.00 or more  
9 during a calendar year. In addition, all appropriate deductions shall be taken from such compensation.  
10 All Department of Election poll workers who are paid under \$1,400.00 may be paid through the First  
11 State Financials System.

# FIRE PREVENTION

1

2

Section 272. Amend Del. C. § 6712 by deleting section (e) in its entirety and substituting in lieu

3

thereof the following: “(e) Costs associated with obtaining criminal history information pursuant to this

4

section from the State Bureau of Identification and the Federal Bureau of Identification shall be borne by

5

the applicant.”.

6

Section 273. 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 274. 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.

6

Section 275. (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.

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.

10

11

Section 276. Section 1 of this Act appropriates \$2.0 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 277. 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).

Section 278. (a) Section 1 of this Act appropriates amounts for Agricultural Programs and Other Programs to the University of Delaware (90-01-01). Those amounts shall be allocated as follows:

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>
Total	\$ 4,931.9

Other Programs:

Sea Grant	\$ 559.0
Urban Agent Program	135.6
Public Service and Applied Research Projects	452.9
Diversity Enhancement	293.0
Local Government Research and Assistance	238.7
Graduate Education (Southern Delaware)	37.3
Library Automation	52.0
Nurse Practitioner	269.0
Science, Engineering and Technology Service Program	156.3

1	Molecular Biology/Biotechnology Program	499.2
2	Math/Science Education for DE Teachers	1,020.1
3	Center for Community Development and Family Policy	261.2
4	Training and Research (Educational Management)	466.7
5	Computer Aided Math Instruction	80.0
6	Delaware Center for Teacher Education	656.0
7	Research on School Finance Issues	90.5
8	Delaware Education Research and Development Center	235.1
9	Milford Professional Development School	117.2
10	Information Technology Partnership	2,541.3
11	Biotechnology	734.3
12	Computer Aided Instruction, Arts & Science	100.0
13	Clinical Instruction in Teacher Education	238.5
14	Early Childhood Education	114.2
15	Civics Education for Teachers	100.0
16	Biotechnology Institute	584.8
17	Software License Support	314.6
18	Associate in Arts Degree	170.1
19	Early Learning Center	423.4
20	Nursing Program Expansion	318.7
21	Improved Campus Security	101.6
22	Coastal Community Development	302.9
23	Center for Translational Research	365.3
24	Undergraduate Multimedia Instruction	202.3
25	Secondary Clinical Teacher Education	<u>127.1</u>
26	Total	\$12,358.9

27 (b) Subsection (a) of this section appropriates \$200.0 for the Governor's Scholars Program. Of  
28 said funds, \$100.0 shall be combined with University funds to honor commitments made to currently



1 enrolled eligible recipients prior to Fiscal Year 2011, until said completion. The remaining \$100.0 shall  
2 be used for new students in Fiscal Year 2011. Students that are pursuing educational or nursing degrees  
3 shall have priority in receiving a merit scholarship under this Program.

4 Section 279. Section 1 of this Act provides an appropriation to the University of Delaware (90-  
5 01-01) for Agricultural Programs. Within that appropriation are sufficient funds to fully fund 5.0 FTEs  
6 Agricultural Extension Agents in New Castle County, 3.0 FTEs Agents in Kent County, 2.5 FTEs Agents  
7 in Sussex County, and 1.0 FTE Agricultural Extension Engineer for the Agricultural Cooperative  
8 Extension Program.

9 Section 280. Section 1 of this Act provides an appropriation to the University of Delaware for the  
10 Milford Professional Development School. The University and the Milford School District shall submit  
11 to the Controller General and the Director of the Office of Management and Budget, by March 1, 2011, a  
12 joint report detailing the implementation status of this program as it relates to the appropriation herein.

13 Section 281. Section 1 of this Act makes an appropriation to Delaware State University,  
14 Operations (90-03-01), for General Scholarships. Of that amount, \$22.0 shall be for state scholarships for  
15 high ability students, \$20.0 shall be for departmental scholarships to attract high achievers into the  
16 sciences, \$200.0 shall be for scholarships to attract high ability students into the teaching program, and  
17 \$100.0 shall be for scholarships for female athletes.

18 Section 282. For the fiscal year covered by this Act, in order to continue the assessment of  
19 procedures implemented during Fiscal Year 1993 intended to reduce the administrative burden incurred  
20 as a result of processing accounting transaction data into two independent accounting systems, the  
21 Director of the Office of Management and Budget has authorized Delaware State University to:

22 (a) Discontinue detail data input to the First State Financials for encumbrance and vendor  
23 payment transactions related to General Fund, federal financial assistance and college funds;

24 (b) Effect vendor payment disbursements of the above identified funds on Delaware State  
25 University checks, generated through the University Accounting System and drawn on a University bank  
26 account; and

1 (c) Summarize General Fund and federal financial assistance fund disbursements on a weekly,  
2 post disbursement basis, and draw down the corresponding amounts through the standard First State  
3 Financials Payment Voucher process.

4 This authorization does not provide for any change to the processing of encumbrances and vendor  
5 payment transactions related to Bond/Capital funds; it does not affect payroll processing and does not  
6 relax or alter any control requirements prescribed by law or policy related to procurement, encumbrance  
7 and payment activity.

8 The University shall comply with specific procedures developed and prescribed by the Office of  
9 Management and Budget and the Department of Finance, Accounting. In addition, the University shall  
10 cooperate fully with the Office of Auditor of Accounts to aid in any review or examination of the  
11 University's accounting procedures, records and system.

12 Operations as enabled by this section shall be periodically reviewed and evaluated during the  
13 stated period by the Office of Management and Budget, the Department of Finance and the Office of  
14 Auditor of Accounts. Any procedural/control weaknesses identified shall be addressed and resolved, and  
15 this authority may be withdrawn for cause at any time during the stated period, with the allowance that  
16 Delaware State University will be provided reasonable time to revert to standard processes.

17 Section 283. Section 1 of this Act provides an appropriation to Delaware Technical and  
18 Community College, Office of the President (90-04-01), for Associate in Arts Program - Operation and  
19 Associate in Arts Program - Academic. This appropriation is to assist in the provision of the Delaware  
20 Technical/University of Delaware Associate in Arts Program which will be operated jointly by the two  
21 institutions under a contract initiated by Delaware Technical and Community College. Under this  
22 contract, the University of Delaware will teach students at Delaware Technical and Community College  
23 facilities. Future budget requests will be made jointly by Delaware Technical and Community College  
24 and the University of Delaware, and budget cuts, if necessary, will be shared on a pro rata basis.  
25 Approval of tuition and other fees will be made by the Board of Trustees of the institution that delivers  
26 the relevant service and after the institutions have reached an agreement for tuition sharing.  
27 Representatives from both institutions will meet at least once each semester to review program  
28 operations.

1           Section 284. Section 1 of this Act contains an appropriation of \$314.6 for the Delaware Institute  
2 of Veterinary Medical Education (DIVME), (90-07-01). Notwithstanding current Laws of Delaware  
3 relating to the DIVME Program, these funds shall be used to provide tuition support for six Delaware  
4 residents studying at the veterinary medicine program at the University of Georgia, three Delaware  
5 residents studying at the veterinary medicine program at Oklahoma State University, plus four additional  
6 students accepted to a veterinary medicine program for the coming year.

7           Section 285. All higher education institutions in Delaware who have not been contracted  
8 members of the National Student Clearinghouse for the past year shall be required to join and input data.  
9 Participation will allow the Department of Education to track Delaware's students as they enroll or  
10 transfer into Delaware higher education institutions or other member higher education institutions across  
11 the country. Membership requires higher education institutions to report data elements to the National  
12 Student Clearinghouse.

13           Section 286. Beginning in Fiscal Year 2011, the requirements of 14 Del. C. § 5302 and § 6511  
14 shall be waived until such time that State funding is appropriated for said program.

# EDUCATION

1  
2        Section 287. During the course of the fiscal year, the Department of Education is authorized to  
3 continue the work of the Public Education Compensation Committee to review and make  
4 recommendations to the Governor and Joint Finance Committee regarding the public education salary  
5 schedules authorized in 14 Del. C. c. 13. The committee shall consist of the following individuals or their  
6 designee: Controller General, Director of the Office of Management and Budget, Secretary of Education,  
7 Executive Director of the Delaware State Education Association (DSEA), one school business manager,  
8 and one school superintendent. The committee shall review comparability of salaries statewide, in  
9 addition to surrounding areas and alternative compensation models. A report of findings shall be  
10 submitted to the Governor and Co-chairs of the Joint Finance Committee no later than May 1, 2011.

11        Section 288. It is the goal of the General Assembly to implement by Fiscal Year 2012 the  
12 recommendations of the Public Education Compensation Committee with respect to Instructional and  
13 Service Aides contained in the report of said committee, dated May 15, 2007, as follows: (1) to ensure  
14 that the first Step of the salary schedule for Instructional Aides is equivalent to the U.S. Department of  
15 Commerce poverty income level for a family of four for the year 2011; the first Step 0 of the salary  
16 schedule for Service Aides to be equivalent to 85 percent of the first Step 0 for Instructional Aides; (2) to  
17 reduce the number of steps on the Instructional Aides and Service Aides salary schedules to ten; and (3)  
18 to ensure that the percentage difference between steps on the Instructional Aides and Service Aides salary  
19 schedules are equal percentage amounts as specified in the recommendation found in the aforementioned  
20 report.

21        Section 289. (a) Amend 14 Del. C. § 1305(m) by deleting the letters “(l)” and “(m)” and  
22 inserting in lieu thereof the letters “(k)” and “(l)”.

23        (b) Amend 14 Del. C. § 1305(n) by deleting the letters “(l)” and “(m)” and inserting in lieu  
24 thereof the letters “(k)” and “(l)”.

25        (c) Amend 14 Del. C. § 1305(o) by deleting the letters “(l)”, “(m)” and “(o)” and inserting in  
26 lieu thereof the letters “(k)”, “(l)” and “(n)”.

27        (d) Notwithstanding the provisions of 14 Del. C. § 1305(m), (o) and (p), for those employees  
28 who have achieved certification from the National Board for Professional Teaching Standards and serve

1 as teacher or lead mentors, the mentor stipend payment for such service will be excluded from the 15  
2 percent salary supplement limit only.

3 Section 290. (a) For this fiscal year, employees who have been issued an initial license and are  
4 in a third or fourth year extension due to failure to pass Praxis I shall receive a ten percent salary  
5 reduction. Employees currently on an emergency certificate as a result of being assigned to an area  
6 outside the area of certification shall not receive a ten percent salary reduction.

7 (b) Section 1 of this Act makes an appropriation of \$6,800.0 to Public Education, School District  
8 Operations, Other Items (95-02-02) for Skills, Knowledge and Responsibilities Pay Supplements. This  
9 appropriation provides funding for the supplements associated with professional development clusters,  
10 mentor stipends and National Board Certifications.

11 (c) Beginning May 21, 2008, and notwithstanding the provisions of 14 Del C. c. 13, a  
12 moratorium has been implemented for all new participation in professional development clusters, the  
13 National Board for Professional Teaching Standards (NBPTS) certification program and all national  
14 certification supplements. This moratorium is effective for any new cluster applications, replications and  
15 all previously approved cluster slots. Any employee completing a cluster that began before May 21,  
16 2008, or currently receiving a stipend will continue to receive payment of the appropriate amount for the  
17 appropriate duration. Teachers or specialists who obtained NBPTS or other national certification in  
18 another state prior to May 21, 2008, may receive the appropriate stipend upon beginning employment in a  
19 Delaware school district. Any teacher or specialist currently in the process of completing a NBPTS or  
20 other national certification as of May 21, 2008, will receive the appropriate supplement when the  
21 certification is awarded including certification renewals. If a participant chooses to pursue NBPTS  
22 certification independently during the moratorium period, they will not be eligible for retroactive  
23 payments should funding be restored during the certification period but they would be eligible for the  
24 supplement for the remainder of the certification. Any teacher or specialist currently receiving a stipend  
25 for a national certification under 14 Del. C. § 1305(l) shall continue to receive it as long as the  
26 certification is kept current through the appropriate national organization.

1 (d) NBPTS certification by individuals paid under 14 Del. C. § 1305 excludes superintendents,  
2 assistant superintendents, directors, and individuals employed in non-instructional areas detailed in  
3 Section 1312(c), and employees of the Department of Education.

4 (e) The funds received by charter schools through the Department of Education associated with  
5 staff members who qualify for the salary supplement described in subsection (c) shall be paid to said  
6 employees in accordance with subsection (c).

7 Section 291. Section 1 of this Act makes an appropriation of \$775.0 ASF and 2.0 ASF FTEs to  
8 the Department of Education (95-01-01) for the Delaware Interscholastic Athletic Fund. The Association  
9 shall not operate any accounts outside of the State accounting system and the Fund shall be interest  
10 bearing.

11 Funds shall be utilized to support the activities and operations of Delaware interscholastic  
12 athletics. During the fiscal year, the expenditure of funds from the Delaware Interscholastic Athletic  
13 Fund will be in accordance with the Division of Accounting budget and accounting procedures.

14 Section 292. For this fiscal year, the inflation factor for the local per pupil payments required  
15 under the state's Enrollment Choice Program, as specified in 14 Del. C. § 408(e), and for the local per  
16 pupil payments required under the state's Charter School Program, as specified in 14 Del. C. § 509(d),  
17 shall be zero.

18 Section 293. Section 1 of this Act makes several appropriations to the Department of Education  
19 (95-01-01) for Educator Certification and Development activities, Standards and Assessment,  
20 Infrastructure Capacity, and Educator Accountability. Based upon federal guidance related to the federal  
21 Race to the Top competitive grant program, as appropriated under the American Recovery Reinvestment  
22 Act of 2009, the State of Delaware stands to potentially receive between \$25,000.0 and \$75,000.0 for  
23 educational reform efforts. These reform areas include: (1) adopting standards and assessment that  
24 prepare students to succeed in college and the workplace and to compete in the global economy; (2)  
25 building data systems that measure student growth and success, and inform teachers and principal about  
26 how they can improve instruction; (3) recruiting, developing, retaining and rewarding effective teachers  
27 and principals; and (4) turning around low achieving schools. The Secretary of Education, upon approval  
28 of the Office of Management and Budget and the Controller General, may use said appropriations for

1 departmental initiatives and technology infrastructure to implement provisions of the Race to the Top  
2 application should the State of Delaware be awarded funding under the program. Otherwise, said funding  
3 shall be used for the following purposes:

4 (i) \$160.8 for Educator Certification and Development Activities. This appropriation is  
5 intended to offset expenditures in following areas: standard setting for PRAXIS II;  
6 teacher and administrator assessment procedures; revision and update of teacher and  
7 administrator evaluation procedures (DPAS II); diversity and educator recruitment;  
8 professional recertification and expanding the Alternative Routes to Teacher Certification  
9 program.

10 (ii) \$329.5 for Standards and Assessment. Part of the Standards and Assessment program  
11 agenda is to support the development and implementation of performance indicators.

12 (iii) \$600.0 for Infrastructure Capacity to support the development and implementation of  
13 automated systems to manage such activities as the licensure and certification process;  
14 the Delaware Performance Appraisal System; the tracking of skills and knowledge  
15 supplements; development of online standards-based units of instruction; and the  
16 accountability reporting system.

17 (iv) \$1,342.9 for Educator Accountability to support the design and implementation of DPAS  
18 II, teacher recruitment and retention programs; and modification of the licensure and  
19 certification system. Prior to expending any of these funds, an approved budget must be  
20 submitted by the Secretary of Education, after consultation with the Professional  
21 Standards Board, and approved by the Director of the Office of Management and Budget  
22 and Controller General.

23 Section 294. Section 1 of this Act makes an appropriation of \$51.0 to the Department of  
24 Education (95-01-01) for Odyssey of the Mind. This appropriation shall be made available to school  
25 students to assist in defraying out of state travel expenses associated with this program.

26 Section 295. Title 14, Del. C. § 122(e), requires the Department of Education to review all  
27 regulations to ensure that all regulations are current and not burdensome, and 14 Del. C. § 122(f) and (g)  
28 provide a means for districts to pursue waivers of state regulations. The Federal Education Flexibility

1 Partnership Act of 1999 allows districts to apply for waivers of federal regulation in states that have  
2 adopted challenging content and performance standards, have aligned assessments to those standards,  
3 have established a system of school and district accountability, and allow waiver of State statutory and  
4 regulatory requirements relating to education.

5         Given federal approval of the Department of Education’s application for Ed Flex, the Department  
6 may waive State statutory and regulatory requirements pursuant to the Federal Education Flexibility  
7 Partnership Act of 1999. Such waivers must be applied for according to procedures and policies  
8 determined by the Department of Education and must be related to Title I, Part B of Title II, Title IV,  
9 Title V, Title III, and the Carl D. Perkins Career and Technical Education Act of 2006. State programs  
10 for which waivers may be granted include, but are not limited to, Student Discipline, Academic  
11 Excellence, and Professional and Curriculum Development.

12         Section 296. Notwithstanding any law or regulation to the contrary, all consequences related to  
13 the Delaware State Testing Program (DSTP) for individual students including summer school, Individual  
14 Improvement Plans, retention, DSTP retakes, retests at high school grades and the related student  
15 consequences shall be eliminated until such time that the Delaware Comprehensive Assessment System is  
16 fully implemented for all Delaware students.

17         Section 297. During Fiscal Year 2011, the Department of Education shall continue the needs-  
18 based funding structure for all school districts and charter schools implemented during Fiscal Year 2010  
19 provided those districts and charter schools shall not realize an increase or decrease in the number of units  
20 earned which is greater than three units over the previous school year until a district or charter school is  
21 funded fully by the needs-based formula.

22         In addition, during Fiscal Year 2011, the Department of Education, in collaboration with the  
23 Governor’s Advisory Council for Exceptional Citizens, shall finalize the needs-based funding model for  
24 related services units and all other entitlement funding and provide the Office of Management and Budget  
25 and the Controller General’s Office with this model for approval. The Department shall also provide a  
26 cost analysis of the statewide implementation of the needs-based structure to the Office of Management  
27 and Budget and the Controller General’s Office for review.



1           Section 298. The Delaware Code notwithstanding, during this fiscal year, the Director of the  
2 Office of Management and Budget is authorized to continue funding for issues such as, but not limited to,  
3 the number of administrative positions and activity busing for which the State was required to provide  
4 funding as a result of a 1978 federal court order. This authorization, as it relates to administrative  
5 positions, shall apply only to positions filled for employment, and shall not be considered as authorization  
6 to fund any cash options pursuant to 14 Del. C. § 13. It is the intent of the General Assembly that  
7 beginning in Fiscal Year 2010, existing filled positions authorized pursuant to this section shall, upon  
8 vacancy, be permanently ineligible for the State share of salary pursuant to 14 Del. C. § 1305.

9           Section 299. General Fund appropriations to Public Education in appropriation units (95-03-00),  
10 (95-04-00) and the Delmar Tuition, General Contingency and Debt Service appropriations in  
11 appropriation units (95-01-00) and (95-02-00) shall not be subject to the limitations as defined for  
12 Division I and Division II in 14 Del. C. § 1706 and § 1709.

13           Section 300. Notwithstanding the provisions of 14 Del. C. § 1703, the First State School  
14 Program shall be guaranteed state funding based upon a minimum of two Division I units. In addition,  
15 Section 1 of this Act appropriates \$314.5 to Public Education, Block Grants and Other Programs, Special  
16 Needs Programs for the First State School.

17           The Department of Education, Children's Services Cost Recovery Project is authorized to pursue  
18 Medicaid cost recovery for eligible services provided to Medicaid eligible children at the First State  
19 School. Students in the program are considered eligible for special education services and have  
20 Individual Education Programs in addition to their medical treatment plans. Any funds recovered shall be  
21 utilized to offset the guaranteed 2.0 units and First State School operational costs.

22           The Department of Education is authorized to provide AI duPont Hospital an amount not to  
23 exceed \$50.0 for its program serving medically fragile students from funds appropriated in Section 1 of  
24 this Act to Public Education, School District Operations, Other Items (95-02-02).

25           Section 301. Section 1 of this Act provides certain appropriations to Public Education, School  
26 District Operations, Other Items and Debt Service. These amounts are not based on the unit system.  
27 Allocation of these funds shall conform to the following:

1 (a) Debt Service amounts are predicated upon the amortization schedule as provided by the State  
2 Treasurer.

3 (b) The line item Other Items in the internal program unit Other Items (95-02-02) shall be  
4 allocated as follows:

5	Caesar Rodney - Americanization	\$ 14.1
6	Red Clay - Americanization	113.6
7	Margaret S. Sterck:	
8	Residence - Other Costs	85.4
9	Consultant Services	11.0
10	Preschool Summer Program	6.9
11	Christina Autistic:	
12	Residence - Other Costs	206.5
13	Contractual Services	11.4
14	John G. Leach	50.0
15	Sussex Orthopedic School	<u>12.9</u>
16	Total	\$511.8

17 Section 302. Section 1 of this Act makes an appropriation to Public Education, School District  
18 Operations, Other Items (95-02-02) of \$1,000.0 for School Improvement Funds that shall be used to  
19 provide technical assistance and support to schools and districts rated as academic review, academic  
20 watch or academic progress.

21 Section 303. Amend 14 Del. C. § 1707(c) deleting the word “2010” as it appears in the last  
22 sentence and substituting in lieu thereof the word “2011”.

23 Section 304. For Fiscal Year 2011, all school districts shall receive Equalization funding based  
24 on the Fiscal Year 2009 average per unit amount for existing and new units.

25 Section 305. Section 1 of this Act makes an appropriation of \$15,430.8 to Public Education,  
26 School District Operations, Other Items (95-02-02) for Full-day Kindergarten Implementation to continue  
27 the phase-in of statewide full-day Kindergarten. This appropriation will provide funding to continue the

1 existing pilot program, as awarded by the Department of Education at the Fiscal Year 2008 funding level,  
 2 in the Indian River School District.

3 Notwithstanding 14 Del. C. § 1703, this appropriation also provides funding for the following  
 4 school districts/charter schools to generate Kindergarten units at a rate of 17.4: Academy of Dover, East  
 5 Side, Thomas Edison, Kuumba Academy, Laurel, MOT, Providence Creek, Odyssey, Seaford, Smyrna,  
 6 Woodbridge, Cape Henlopen, Appoquinimink, Capital, Caesar Rodney, Colonial, Newark, Brandywine,  
 7 Red Clay, Delaware College Preparatory Academy, and Lake Forest. Students in Delmar will attend  
 8 full-day Kindergarten through an agreement with Wicomico County, Maryland.

9 The intent of full-day Kindergarten is to offer voluntary comprehensive options to parents and  
 10 students. When a district and/or charter school fully implements full-day Kindergarten, school districts  
 11 will still have to make available a half-day option if parents request it. School districts shall have the  
 12 flexibility to locate such half-day options at designated schools to ensure the most efficient use of state  
 13 and local resources. Transportation shall be made available for half-day and full-day Kindergarten  
 14 programs.

15 Section 306. Section 1 of this Act makes appropriations to the Department of Education, School  
 16 District Operations, Division Funding (95-02-01) for Division II - All Other Costs and Energy. A  
 17 Division II- Energy Unit shall be valued at \$2,435.00. A Division II - All Other Costs Unit shall be  
 18 valued at \$2,955.00

19 Section 307. Notwithstanding provisions of 29 Del. C. § 6102(r)(2) and § 6102(r)(3), for Fiscal  
 20 Year 2011, the sum authorized to the Education Expense and Property Tax Relief Fund shall be allocated  
 21 using State Fiscal Stabilization Funds and is to be allocated as follows. These funds are subject to the  
 22 guidelines and reporting requirements of the American Recovery and Reinvestment Act of 2009:

23	<b>District</b>	<b>Increase Support</b>	<b>Offset Local</b>	
24	<b>Allocation</b>	<b>for Education</b>	<b>Current Expense Taxes</b>	<b>Total</b>
25	Appoquinimink	\$ 0	\$ 523,260	\$ 523,260
26	Appoquinimink ILC	18,468	0	18,468
27	Brandywine	0	2,158,200	2,158,200
28	Bush	16,350	0	16,350
29	AI Institute	6,298	0	6,298
30	Brandywine ILC	75,210	0	75,210
31	Christina	0	3,691,830	3,691,830
32	Autistic Program	135,407	0	135,407
33	REACH	53,533	0	53,533

1	Sterck	85,023	0	85,023
2	Christina ILC	170,040	0	170,040
3	Colonial	0	2,001,240	2,001,240
4	Leach	75,576	0	75,576
5	Colonial ILC	42,510	0	42,510
6	Red Clay	0	2,897,220	2,897,220
7	Meadowood	75,576	0	75,576
8	Red Clay ILC	122,811	0	122,811
9	Caesar Rodney	0	567,840	567,840
10	Caesar Rodney ILC	9,204	0	9,204
11	Charlton	47,554	0	47,554
12	Capital	0	728,495	728,495
13	Capital ILC	4,820	0	4,820
14	Kent Orthopedic	16,874	0	16,874
15	Lake Forest	0	412,230	412,230
16	Milford	0	584,661	584,661
17	Milford ILC	5,062	0	5,062
18	Smyrna	0	520,000	520,000
19	Smyrna ILC	5,000	0	5,000
20	Cape Henlopen	0	24,174	24,174
21	Delmar	0	125,000	125,000
22	Delmar ILC	1,303	0	1,303
23	Indian River	0	592,680	592,680
24	Laurel	0	358,314	358,314
25	Laurel ILC	5,874	0	5,874
26	Seaford	0	263,895	263,895
27	Seaford ILC	6,025	0	6,025
28	Woodbridge	0	125,000	125,000
29	New Castle Vo-Tech	0	834,485	834,485
30	New Castle Vo-Tech ILC	25,192	0	25,192
31	Polytech	0	125,000	125,000
32	Polytech ILC	12,272	0	12,272
33	Sussex Technical	<u>0</u>	<u>0</u>	<u>0</u>
34	Total	\$1,015,982	\$16,533,524	\$17,549,506

35           Section 308. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
36 and Other Programs, Adult Education Work Force Training Block Grant (95-03-10). This appropriation  
37 shall be allocated by the Department of Education to the following programs/districts:

38	Adult Trade Extension/Apprentice Program (statewide)	\$1,720.7
39	James H. Groves High School (statewide)	3,522.8
40	Adult Basic Education (statewide)	451.3
41	New Castle County Learning Center (Christina School District)	221.0
42	Delaware Skills Center (N.C.C. Vo-Tech)	1,382.7
43	Alternative Secondary Education Program (statewide)	893.3
44	Marine Mechanics Apprentice Program (Sussex Vo-Tech)	21.0
45	Interagency Council on Adult Literacy	285.8

1	Diploma-at-a-Distance	<u>126.1</u>
2	TOTAL	\$8,624.7

3 Section 309. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
4 Other Programs, Professional Accountability and Instructional Advancement Fund (95-03-10).

5 (a) The following allocations shall be provided:

6 (1) \$275.0 for Alternative Routes programs. \$200.0 is provided for the Alternative Routes to  
7 Certification program, to include an expansion for Special Education. The remaining  
8 \$75.0 may be used for the Summer Institute program.

9 (2) \$1,566.5 shall be allocated by the Department of Education to districts for professional  
10 and curriculum development activities. Districts shall submit applications to the  
11 Department of Education detailing the district’s plan for the utilization of these funds.  
12 The Department of Education shall review and approve plans and allocate an amount not  
13 to exceed \$157.00 per certified employee, based on a district's personnel complement for  
14 the 2009-2010 school year. Grants are to be used for developing and implementing  
15 curriculum based on the content standards established by the Curriculum Frameworks  
16 Commission, as approved by the State Board of Education or for other professional  
17 development activities, including, but not limited to: Discipline, Special  
18 Education/Inclusion Collaboration/Consensus Building, Conflict Resolution, Shared  
19 Decision Making, local school board member training, and Educational Technology.  
20 Districts are encouraged to collaborate as a means of maximizing resources as well as  
21 focusing district activities on consistent principles. Grants may be utilized for training,  
22 planning, in-service programs and contractual services. The Department of Education is  
23 authorized to transfer 50 percent of the estimated district grant amount by July 30 of the  
24 fiscal year. The remaining 50 percent shall be transferred within 30 days of the final  
25 approval of the district application for funding.

26 In the application, districts shall detail the proposed utilization of funds as well as  
27 the incorporation of the following criteria:

1 (i) Integration of the proposal with existing resources and programs such as the  
2 Comprehensive Discipline Act, Delaware Principals Academy, Delaware Teachers  
3 Center, Drug Free Schools, Title I and II, Special Education and local funds  
4 dedicated to Standards and Assessment.

5 (ii) Inclusion of local staff in planning of the grant proposal, with representation from all  
6 involved in student learning, including all professional employees by category. The  
7 plan(s) should focus on overall improved student performance, with a built in level of  
8 accountability to determine effectiveness.

9 (3) \$300.0 for Professional Mentoring. The intent of this appropriation is for exemplary  
10 teachers to assist new teachers through leadership and guidance, and includes a training  
11 component in order for teachers to become better mentors. This funding level allows for  
12 a statewide program.

13 (4) \$150.0 for the Delaware Center for Teacher Education to support professional and  
14 curriculum development activities in the content areas of reading and social studies.  
15 The Department of Education shall determine, in coordination with the agency (or  
16 agencies) performing such activities, the training goals and objectives, including how  
17 the objectives of Standards and Assessment will be furthered. The Department of  
18 Education, Controller General and Director of the Office of Management and Budget  
19 shall ensure that the proposed development activities are cost efficient and meet the  
20 objectives outlined in this section before agreeing to transfer the appropriation from the  
21 Department of Education to the operating agency.

22 (5) \$898.5 for Reading Cadre. This appropriation will provide each local school district,  
23 excluding charter schools, with the state share of salaries in accordance with 14 Del. C.  
24 § 1305 and the state share of the Division III Equalization Unit amount as defined in 14  
25 Del. C. § 1707 for one 10-month Reading Specialist. The purpose of this Specialist  
26 will be the creation of a Reading to Reading Cadre which will provide assistance to  
27 districts in designing, demonstrating and implementing best practices in reading

1 instruction. Such position shall be responsible for curriculum alignment and  
2 professional development in reading for district educators.

3 (6) \$75.0 for Models of Excellence. These funds shall be used to identify the  
4 achievements of Delaware schools, to learn from program success in improving student  
5 achievement and to recognize and share best practices among districts.

6 (b) Any funds remaining subsequent to these allocations may be disbursed at the discretion of the  
7 Department of Education for professional accountability and instructional advancement activities.

8 Section 310. Section 1 of this Act makes an appropriation to Public Education, Block Grant and  
9 Other Programs, Academic Excellence Block Grant (95-03-10). Of the amount appropriated, \$33,584.7  
10 shall be used to fund units for academic excellence in the school districts in accordance with 14 Del. C. §  
11 1716.

12 Section 311. For the fiscal year beginning July 1, 2010, any local school district that has had two  
13 consecutive failed current expense tax referendums during the time period July 1, 2008 to January 1,  
14 2011, is authorized to exercise the cash option on Academic Excellence units up to the total number of  
15 units provided under that program. This provision will apply for Fiscal Year 2011 only. In addition,  
16 districts meeting this criteria are authorized to utilize funds derived from this cash option to pay local  
17 salary supplements. Any district that has had a successful current expense tax referendum subsequent to  
18 two consecutive failed current expense tax referendums is ineligible for the provisions of this section.

19 Section 312. Section 1 of this Act makes an ASF appropriation to Public Education, Block  
20 Grants and Other Programs, Special Needs Programs (95-03-20) for the Children's Services Cost  
21 Recovery Project (CSCR). All local school districts shall fully participate in the implementation and  
22 operation of the project for the fiscal year ending June 30. Local school district participation shall be  
23 on a district-wide basis.

24 The following resources are appropriated to operate the Children's Services Cost Recovery  
25 Project during the fiscal year ending June 30. No appropriation is made for the purchase of additional  
26 state-owned vehicles pursuant to this section. The appropriated funds for supplies and in-state travel  
27 which, pursuant to this section, are passed through to the local school district shall be dedicated to  
28 implementing the Children's Services Cost Recovery Project.

1           In addition, 13.0 FTEs staff positions are appropriated to support this project: 2.0 FTEs shall be  
2 located at the Department of Education. The Department of Education is hereby permitted to authorize  
3 the hiring of up to 11.0 FTEs in the local school districts for the sole purpose of implementing this  
4 section. The 11.0 FTEs in the local school districts shall be paid in accordance with the Financial  
5 Secretary Salary Schedules 1308 and 1309 including the local salary supplement in place at the  
6 employing school districts. At the discretion of the Department of Education, 1.0 FTE may be paid in  
7 accordance with the Administrative Secretary Salary Schedules as defined in 14 Del. C. § 1308 and  
8 § 1309, including the local salary supplement in place at the employing local school district.

9           When it is deemed in the best interest of the program to have positions transferred between school  
10 districts, the employees in those positions will be compensated in accordance with the local salary  
11 supplement in place at the new district. However, should the new district's local salary supplement be  
12 less than that of the transferring employee, the employee's local supplement will be frozen until the new  
13 district supplement meets or exceeds the amount of the original supplement. The employees may elect to  
14 have their sick and annual leave balances transfer with them between districts.

15           When any of the 11.0 positions authorized to the local school districts become vacant, the  
16 position shall be re-assigned to the Department of Education and compensated in accordance with the  
17 Department of Education compensation plan.

18           All revenue generated through the cost recovery project from local school district sources will,  
19 after the deduction of all operational project costs, be divided between the State General Fund and the  
20 local school district's operating funds in a proportion that equals the original sharing of expenses. Any  
21 funds returned to a local school district that were generated through recovery on non-transportation  
22 services provided by a tuition-based special school must be made available to the special school for  
23 expenditure at the special school.

24           Audit exceptions, including any penalties and fees, will be covered from drawdowns on future  
25 recoveries on a similar basis as indicated above.

26           Section 313. For the purpose of participating in the Children's Services Cost Recovery Project,  
27 provisions of the Delaware Code to the contrary notwithstanding, school psychologists certified or  
28 otherwise licensed by the Department of Education in accordance with the provisions 14 Del. C.



1 § 1092, shall be considered in compliance with qualification standards equivalent to state licensure to  
2 practice psychology as set forth in 24 Del. C. § 3508. Such equivalent state licensure status shall be  
3 limited to the delivery of services related to the Department of Education or local school district  
4 approved school programs conducted within the course of the regular school day at a Department of  
5 Education or local school district approved school site or least restrictive environment location. The  
6 provisions of this section shall in no way be construed as entitling a person not otherwise qualified to do  
7 so to represent himself to the public by any title or description of services incorporating the words  
8 "psychology," "psychological," and/or "psychologist" within the meaning of 24 Del. C. § 3502, except  
9 as may be herein specifically provided.

10 Section 314. The Interagency Resource Management Committee (IRMC) fosters an interagency  
11 approach in coordinating the delivery of early care and education services in Delaware, and the  
12 establishment and operation of the Office of Early Childhood.

13 The IRMC will coordinate the implementation of the recommendations of the October 1999  
14 report: "Early Success: Creating a Quality Early Care and Education System for Delaware's Children",  
15 where feasible, and, if applicable, subject to an annual appropriation. The IRMC shall report to the  
16 Governor, President Pro-Tempore of the Senate, and the Speaker of the House on April 15 of each fiscal  
17 year. Each report shall include:

- 18 (1) A summary of IRMC experiences in attempting to accomplish its purposes as stated above; and
- 19 (2) A recommendation of the IRMC whether and how to institutionalize its activities and functions.

20 The IRMC may, at its discretion, apply for grant funds that will further any of the purposes of this  
21 section.

22 The Director of the Office of Management and Budget and the Controller General are hereby  
23 authorized to transfer funds among the budgets of the departments represented on the IRMC if there is  
24 prior agreement by the secretary of the department, as the case may be, to which the funds were  
25 previously allocated. Such transfers shall be intended to further the purposes of this section. The IRMC  
26 shall be staffed by the Office of Early Childhood in the Department of Education. Such Office shall be  
27 composed of a director, an assistant director and a clerical support position. Funding shall be provided by  
28 the Department of Health and Social Services and the Department of Services for Children, Youth and

1 Their Families no later than July of each fiscal year to support the operational costs associated with the  
2 assistant director and clerical support positions. Funds allocated in this section are to be used to support  
3 the work of the Office and to continue the interagency evaluation process for Delaware's early childhood  
4 programs.

5 Section 315. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
6 Other Programs, Special Needs Programs (95-03-20) for the Student Discipline Program.

7 (a) A total of \$4,000.2 is allocated for the statewide implementation of programs for severe  
8 discipline cases. Of that amount, a total of \$2,400.0 will be allocated to the three counties in the  
9 following manner: 50 percent to New Castle County, 25 percent to Kent County and 25 percent to Sussex  
10 County. Of the \$2,400.0, \$150.0 in New Castle County and \$75.0 in both Kent and Sussex counties must  
11 be utilized for transitional services. A total of \$1,020.0 will be disbursed on a competitive basis among  
12 the existing school district consortiums or to individual school districts. Of the \$1,020.0, \$820.0 will be  
13 utilized for improvement of academic programs and \$200.0 will be utilized for extended year  
14 opportunities. A total of \$580.2 is allocated to increase resources for programs in Kent and Sussex  
15 counties and shall be divided between the two programs as follows: \$330.2 in Kent and \$250.0 in Sussex.  
16 If funds are used for personnel costs, they may only be used for the state share in accordance with the  
17 schedules contained in 14 Del. C. c. 13.

18 Programs receiving funds under this section may utilize no more than \$300.0 in total from Pupil  
19 Transportation (95-04-01) for transportation expenses.

20 (b) For the purpose of facilitating the continuation of services, districts receiving an allocation  
21 under the provisions of subsections (a) and (b) of this section, may receive 50 percent of the prior year's  
22 base grant allocation at the outset of each fiscal year. These districts are required to present program  
23 proposals to the Department of Education no later than November 15 each year. Upon Department of  
24 Education approval, adjustments to program allocations will be made.

25 (c) The Department of Education shall determine common data definitions and data collection  
26 methodologies for each program in this section. Districts shall use such definitions and methodologies  
27 and shall provide information as requested by the Department of Education. This information shall  
28 include but not be limited to the following: the number of students served, reasons for service, measures

1 of behavioral improvement, measures of academic improvement as appropriate, rates of recidivism within  
2 programs, and number and types of referrals for additional services. The Department of Education shall  
3 prepare a statewide management report to identify needs for program improvement and best practice.

4 (d) A total of \$4,186.1 is authorized for prevention components administered by the Department  
5 of Education and the Department of Services for Children, Youth and Their Families. Funding shall be  
6 provided as follows:

7 (1) \$4,186.1 to provide early intervention services through the Department of Services for  
8 Children, Youth and Their Families, Family Crisis Therapist Program. Services are  
9 intended for grades K-5 and shall address but not be limited to, problems such as Early  
10 Onset Conduct Disorder. The Department of Services for Children, Youth and Their  
11 Families may enter into contractual agreements, may employ casual/seasonal personnel, or  
12 may create the necessary positions with the approval of the Delaware State Clearinghouse  
13 Committee and maintain an ASF or NSF account with sufficient spending authority to  
14 operate the program.

15 (2) For purposes of implementing (1) above, the Department of Education and the  
16 Department of Services for Children, Youth and Their Families shall administer a  
17 competitive Request for Proposal (RFP) process to determine grant awards to local  
18 districts. Grant awards shall be for a period of 12 months. Factors that may be utilized in  
19 the evaluation of proposals can be, but are not limited to, the following: links to other  
20 district resources; the use of collaborative partnerships; the relative need of the local  
21 school district community; and the recognition within a proposal of the need to provide  
22 services to meet the presenting problems of both the child and the family. To the extent  
23 possible, the Department of Services for Children, Youth and Their Families is  
24 authorized to pursue Medicaid cost recovery for eligible services provided to Medicaid  
25 eligible children. Funds resulting from these efforts may be used to expand these  
26 services with prior approval of the Director of the Office of Management and Budget and  
27 the Controller General.

1 (e) Based on the recommendations that resulted from House Joint Resolution 25 of the 139<sup>th</sup>  
2 General Assembly, a total of \$1,325.0 shall be allocated for the continued operation of the alternative  
3 school program. The program shall be developed utilizing research based best-practice models. The  
4 program shall provide year-round services as deemed appropriate and determined by the consortium  
5 board and the Department of Education within the prescribed State appropriation. This program shall be  
6 considered a special school for the purposes of charging tuition payments to be made by school districts  
7 of residence under the statutory provisions of 14 Del. C. c. 6, such that the districts shall fund at least 30  
8 percent of the total cost of the program. The New Castle County Consortium and the Department of  
9 Education shall oversee administration of the program, and may enter into contractual arrangements to  
10 operate the program. Such oversight shall include an annual evaluation of the program to be submitted to  
11 the Department of Education.

12 Section 316. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
13 and Other Programs, Special Needs Programs (95-03-20) for Exceptional Student Unit - Vocational. This  
14 appropriation shall be used to continue the program of vocational education for handicapped students.  
15 The funds appropriated shall provide for Divisions I, II, and III funding for a maximum of six units, prior  
16 to application of the vocational deduct, units in a single program. The unit shall be based upon 13,500  
17 pupil minutes per week of instruction or major fraction thereof after the first full unit and shall be in  
18 addition to the funding otherwise provided under 14 Del. C. § 1703(d).

19 Section 317. Section 1 of this Act appropriates 37.7 FTEs, of which up to 4.0 shall be authorized  
20 as teachers/supervisors, 29.7 authorized as teachers, 3.0 authorized as secretaries for the Department of  
21 Education, and 1.0 education associate to operate the Prison Education Program. The qualification of  
22 employees for the prison education program shall be the same as the qualification for employees in the  
23 public high schools. Teachers/supervisors shall have teaching responsibilities as defined by job  
24 responsibilities and duties developed by the Department of Education.

25 Salary for employees in the prison education program when paid from funds of this State, shall be  
26 in accordance with the regularly adopted salary schedules set forth in 14 Del. C. c. 13. The salary so  
27 computed shall be divided by .7 for ten months employment. If employed on an 11 or 12 month basis, the  
28 ten month amount shall be multiplied by 1.1 or 1.2 respectively. In addition to the above calculation,

1 teachers and administrators qualifying for professional development clusters in accordance with 14 Del.  
2 C. § 1305(l) shall receive an additional amount equal to the approved cluster percentage multiplied by the  
3 base salary amount defined in 14 Del. C. § 1305(b). This calculation shall not be increased for 11 or 12  
4 month employment. The percentage shall only be applied to the base 10 month salary for 10, 11 and 12  
5 month employees. In accordance with 14 Del. C. § 1305(p), the cluster percentage is capped at 15  
6 percent. Employees whose primary job location is onsite within the institution shall also receive  
7 hazardous duty supplements as provided in the Merit System. Teachers/supervisors shall receive an  
8 administrative supplement of four to eight percent to be determined by the Department of Education with  
9 the approval of the Co-chairs of the Joint Finance Committee.

10 Students served under this program shall not be included in the calculation for unit count  
11 purposes as defined in 14 Del. C. c. 17. The Director of the Office of Management and Budget and  
12 Controller General may transfer funds between lines and departments to pay for this program.

13 Section 318. Any provisions of the Delaware Code to the contrary notwithstanding, the  
14 Department of Education with the approval of the Director of the Office of Management and Budget and  
15 Controller General is authorized and directed to provide aides for the purpose of providing mainstreaming  
16 services to deaf students.

17 Section 319. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
18 Other Programs, Special Needs Programs (95-03-20), for Tech Prep 2+2. A Delaware Tech Prep  
19 Consortium is formed to provide for overall program development and management, coordination and  
20 technical assistance. The Consortium will review and provide technical assistance and in-service training  
21 for each proposal submitted to the Department of Education by any partnership initiating or operating a  
22 Tech Prep Program. The Consortium will adopt rules and regulations consistent with state regulations  
23 and federal legislation.

24 The Consortium Board of Directors shall include: the President or designee of the Delaware  
25 Technical and Community College; the Superintendents of New Castle County Vocational-Technical  
26 School District, Polytech School District and the Sussex County Technical School District; the State  
27 Director of Vocational Education, Department of Education, (Ex-Officio); the Executive Director of  
28 Delaware Advisory Council on Career and Vocational Education; President or designee, Delaware

1 State University and Wilmington University and one representative of business and industry. The  
2 superintendent or designee of two comprehensive local school districts will also be appointed  
3 consistent with the rules and regulations of the Consortium. Programs will be conducted in all three  
4 counties, on all campuses of Delaware Technical and Community College and other postsecondary  
5 institutions as specified by the Consortium consistent with federal legislation. All secondary schools  
6 are eligible.

7 Polytech School District will act as financial agent for the Consortium and an annual financial  
8 and program report will be submitted to the Co-chairs of the Joint Finance Committee.

9 The Consortium may select another member to serve as the financial agent in a subsequent year  
10 consistent with the rules and procedures it adopts.

11 Section 320. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
12 Other Programs, Special Needs Programs (95-03-20) for Early Childhood Initiatives. These funds are to  
13 be used to support the T.E.A.C.H. program and the Early Childhood Apprenticeship program to support  
14 career training and education for early childhood workers. Additionally, the Department of Education  
15 may develop an implementation plan for creation of a Leadership Academy for Early Childhood workers  
16 and a program to train child care workers who are English Language Learners or have low literacy levels,  
17 as outlined in Early Success, for approval by the Director of the Office of Management and Budget and  
18 the Controller General prior to implementation.

19 Section 321. (a) The Public School Transportation Committee, consisting of representatives  
20 from the Department of Education, Controller General's Office, Office of Management and Budget and  
21 representatives for bus contractors and school district transportation supervisors shall make  
22 recommendations to the Director of Office of Management and Budget and Controller General for  
23 revisions to components of the transportation formula no later than April 1, 2011.

24 (b) Transportation funds for public school districts during the fiscal year ending June 30, 2011,  
25 shall be allocated and shall not exceed \$61,165.3 (of which \$6,724.6 is designated as a transportation  
26 contingency for Charter initiatives), according to bus contract or district transportation formula, as  
27 adopted by the State Board of Education on July 23, 1987, subject to the following amendments and  
28 procedural modifications:

1 (1) The per gallon price used to calculate the fuel allowance shall be based on the state  
2 contract bid price for fuel plus \$0.07 per gallon for districts and plus \$0.31 per gallon for  
3 contractors. For districts and contractors north of the Chesapeake and Delaware Canal,  
4 the per gallon price shall be based on delivery to a large-sized tank (5,000 or more  
5 gallons). In the case of contractors located south of the Chesapeake and Delaware Canal,  
6 the per gallon price shall be based on delivery to a small-sized tank (275 - 1,900 gallons).  
7 Upon determination by the Department of Education that a contractor located North of  
8 the Chesapeake and Delaware Canal and operating five or fewer buses does not have  
9 existing storage capacity in the large tank range, the per gallon price shall be based on the  
10 smaller tank size.

11 The initial fuel rates shall be based on the state contract bid price as of June 1 of the  
12 preceding fiscal year. Funding adjustment will be made when the annual average price  
13 increases or decreases by at least five cents per gallon. The first review will be based on  
14 the annual averages through December 31 of each year and additional reviews will be  
15 conducted each month thereafter until April 30. Reviews may also be conducted at any  
16 time upon the request of the Director of Office of Management and Budget and  
17 Controller General.

18 (2) For this Fiscal Year, the operating allowance shall remain at the Fiscal Year 2010 level.

19 (3) For the fiscal year ending June 30, 2011, the allowable cost of a new unused bus that was  
20 purchased by a contractor and put on contract and that was produced between January 1,  
21 2010 and December 31, 2010 (as noted on the school bus identification plate) shall begin  
22 its seven-year capital allowance schedule using the 2010 state bid price for new school  
23 buses, minus two percent for salvage value, plus eleven percent to account for dealer  
24 charges and profits not reflected in the state bid price due to the higher number of buses  
25 being purchased and the lag time between ordering and delivery. Any bus produced on  
26 or after January 1, 2010 must meet the 2010 Federal emissions requirements in order to  
27 receive a capital allowance. Any bus produced and placed in service after January 1,  
28 2010 shall be entitled to an allowance based on the 2010 state bid price.

1           A used bus placed in service shall utilize the allowance schedule which would have  
2           been allowed had the bus been placed in service when new based on its production date.  
3           The bus shall receive the remaining years of capital allowance. The Department of  
4           Education shall continue to utilize the procedures developed in Fiscal Year 1989 for  
5           determining the allowable cost for any size bus that it did not bid in Fiscal Year 2010. In  
6           addition to the procedure for establishing the allowable cost of a new bus specified  
7           above, the Department of Education is requested to structure its bids for buses in the  
8           fiscal year ending June 30, 2011, in such a manner that public school bus contractors will  
9           be permitted to purchase buses from the successful lower bidder at the same price as the  
10          State of Delaware. If a contractor elects to purchase a bus at the bid price, the lowest  
11          base bid of an awarded contract minus two percent for salvage value will be the  
12          allowable cost in subsequent reimbursements to the contractor.

13          (4) In Fiscal Year 2011, the school bus contractor insurance allowance shall remain at the  
14          Fiscal Year 2010 level.

15          (5) Beginning in Fiscal Year 2011, the maintenance allowance for routes exceeding 30  
16          miles shall be reduced by 50 percent from the Fiscal Year 2010 level.

17          (c) Except as specified in this section, or for changes in the price of fuel, or for the adjustments  
18          of those items changed by state or federal laws, the Department of Education shall not change the  
19          transportation formula unless the change has been authorized by the General Assembly and an  
20          appropriation therefore has been made by the General Assembly.

21          (d) Of the appropriation allocated for public school districts, \$96.0 is allocated to purchase a  
22          maximum of twelve air conditioned buses to transport special need students. The Department of  
23          Education is authorized to amend its formula to allow the purchase of air conditioned buses which may be  
24          required to transport special education students that have a medical need for air conditioning (specified by  
25          a physician), and that go to a special education school.

26          Section 322. In accordance with 14 Del. C. § 1902(b), school districts are hereby permitted to  
27          match the state's allocation on a 75/25 state/local basis for the purposes of funding pupil transportation.



1           Section 323. Notwithstanding any other provisions of the Delaware Code or this Act to the  
2 contrary, the Department of Education is authorized to approve and provide funding for additional  
3 transportation routes necessary to support the Seaford School District's pilot implementation of a  
4 balanced calendar schedule, beginning in Fiscal Year 2003.

5           Section 324. Notwithstanding the provisions of any state law or regulation to the contrary, the  
6 Colonial School District is hereby directed to provide bus transportation for public school students who  
7 attend the Panda Early Education Center at 1169 South DuPont Highway in New Castle to and from  
8 Kathleen H. Wilbur Elementary School and Southern Elementary School. The Colonial School district is  
9 authorized to utilize state transportation dollars to fund the transportation of students as directed herein.

10          Section 325. Notwithstanding the provisions of any state law to the contrary, the Red Clay  
11 Consolidated School District is authorized to utilize state transportation dollars to fund students traveling  
12 from routes to and from the Cab Calloway School of the Arts and Brandywine Spring Elementary School  
13 and the Indian River School District is authorized to utilize state transportation dollars to fund students  
14 traveling from routes to and from the Southern Delaware School of the Arts.

15          Section 326. During the fiscal year, the Department of Education will continue and broaden  
16 implementation of the computerized routing system for school bus transportation. During this  
17 implementation, the Department is directed to continue to provide bus transportation services to any  
18 residential area which has received transportation services since October 1, 1977.

19          Section 327. Section 1 of this Act provides an appropriation to Department of Education, Pupil  
20 Transportation (95-04-00) for Public School Transportation. Notwithstanding the provisions of 21 Del.  
21 C. § 4366, the following reimbursement methodology is in effect:

22           (a) For those school districts or private contractors who are operating school buses equipped with  
23 cellular phone technology or have no radio or telephonic communication equipment, the Department of  
24 Education is authorized to bring said districts and contractors under a State negotiated cellular phone  
25 contract such that the State shall pay one-half of the costs associated with the monthly connect charge,  
26 subject to the availability of funds.

1 (b) For those school districts or private contractors who are operating school buses equipped with  
2 radio equipment, the department is authorized to reimburse said districts or contractors one-half of the  
3 installation cost of the radio equipment on a one-time basis.

4 Section 328. Section 1 of this Act provides an appropriation to the Department of Education,  
5 Delaware Center for Education Technology (DCET). It is the intent of the General Assembly that DCET  
6 be responsible for and engage in activities related to total project needs and budgets for statewide  
7 education technology projects, the establishment of cost-sharing policies, the initiation and delivery of  
8 instructional technology programs, implementation on an on-going basis of professional training  
9 programs related to statewide education technology and providing technical assistance to the Department  
10 of Education for the initiation of system-wide applications including administrative and curriculum  
11 development.

12 The Department of Technology and Information shall support and enhance statewide education  
13 technology issues and network. In addition, DTI will collaborate with the Department of Education to  
14 provide professional training programs related to using technology in schools which promote and support  
15 Delaware's education standards initiative.

16 Section 329. The provisions of this Act to the contrary notwithstanding, consistent with the  
17 provisions of 14 Del. C. § 509(b), charter schools eligible to receive allocations from the Flexibility Block  
18 Grant, Professional Accountability and Instructional Advancement fund, Academic Excellence and Minor  
19 Capital Improvements program will not be required to submit an application to the Department of  
20 Education. Any funds received as a result of the allocation of these programs may be used for current  
21 operations, Minor Capital Improvements, Debt Service payments or tuition payments.

22 Section 330. Notwithstanding 14 Del. C. § 508 or any regulation to the contrary, a charter school  
23 may negotiate a contract (multiyear, if desired) for contractor payment for school transportation up to the  
24 maximum rate specified which is currently 75 percent of the average cost per student of transportation  
25 within the vocational district in which the charter school is located or the charter school may publicly bid  
26 the transportation routes. If the actual negotiated or bid costs are lower than the maximum rate specified  
27 above, the charter school may keep the difference. If the charter school includes a fuel adjustment

1 contract provision, the charter school shall be responsible for increased payments to the contractor or it  
2 may keep funds taken back from the contractor.

3 Section 331. Section 1 of this Act makes an appropriation to the Department of Education,  
4 Delaware Higher Education Commission (95-08-01) for Scholarships and Grants. Of that amount, \$36.7  
5 shall be used for the Herman M. Holloway, Sr. Scholarship Program per the provisions of 14 Del. C. c.  
6 34; \$255.0 shall be used for the FAME Scholarship Program; \$30.0 shall be used for the MERIT  
7 Scholarship Program; \$275.0 shall be used for the Professional Librarian/Archives Incentive Program;  
8 \$64.2 for the Charles L. Hebner Scholarship; \$125.0 for Critical Teacher Scholarships; \$250.0 for  
9 Delaware Teacher Corps and \$40.0 for the Washington Center for Internships. Any funds excluding the  
10 Herman Holloway Sr. Scholarship Program remaining after payment to the prescribed Scholarships and  
11 Grants provided in this appropriation may be awarded to students with financial need who applied to the  
12 Scholarship Incentive Program. Any Herman M. Holloway Sr. Scholarship Program funds remaining  
13 after payment of the Holloway Scholarships may be awarded to Delaware State University students with  
14 financial need who applied to the Scholarship Incentive Program.

15 Section 332. The Delaware Higher Education Commission (DHEC) in the initial award cycle of  
16 the SCIP shall not exceed 120 percent of the annual SCIP appropriation. Funds unused in any given  
17 fiscal year may be carried over into a reserve account to be utilized for SCIP awards in the subsequent  
18 year with approval of the Department of Education. In the event that actual awards exceed projected  
19 award amounts, spring awards may be reduced to cover the difference.

20 Section 333. During the fiscal year, the Department of Education, with the approval of the State  
21 Board of Education, is authorized to establish and maintain procedures, by regulation pursuant to 14 Del.  
22 C. 3110(c), for the conduct of expedited due process hearings which shall be available to children with  
23 disabilities and their parents where required by federal or state law, and/or departmental regulation. For  
24 the purposes of such expedited due process hearings, during each fiscal year the Department of Education  
25 is authorized to engage the professional services of a cadre of single hearing officers to preside over such  
26 hearings.

27 Section 334. The Brandywine School District Board shall maintain as a stand alone program its  
28 Gifted and Talented Program (also known as the Odyssey Program, formally known as the Brandywine

1 Academically Gifted Program) at least through the end of the 2012-2013 school year. The program shall  
2 be fully maintained at Mt. Pleasant Elementary School and Claymont Elementary School and expanded to  
3 PS DuPont Middle school in the 2010-2011 school year. During this time, the District shall fully support  
4 the Odyssey Program in terms of outreach, recruitment, assessment of students for entry into the program,  
5 curriculum development, teacher assignment and other support elements as currently exist.

6 Section 335. The Department of Education shall continue to work towards the collection of  
7 school-level financial data. To this end, when processing transactions in the First State Financials, local  
8 school districts shall use a standard set of program codes as established by the Department of Education  
9 effective July 1, 2003.

10 Section 336. Notwithstanding the provisions of 14 Del. C. § 203, § 604 or any sections of this  
11 Act to the contrary, the Christina School District is authorized to operate the Sarah Pyle Academy as a  
12 special program and charge tuition for the support of the Academy as provided in 14 Del. C. § 604 during  
13 the 2010-2011 school year. The Academy shall operate as an academic recovery, drop-out prevention  
14 pilot at no additional cost to the State. The students attending this program shall continue to be counted  
15 in the enrollment of their regular school, however, the state funding associated with these students as  
16 determined by the Secretary of Education shall be utilized by the Sarah Pyle Academy. This program  
17 shall be for the express purpose of providing educational services for students in high school who are no  
18 less than 16 years of age, who have less than five credits toward graduation, and have a documented  
19 family or personal situation that indicates traditional school enrollment is not feasible. This program shall  
20 not be a discipline program as defined or authorized by 14 Del. C. c. 16. An independent evaluation, with  
21 oversight by the Department of Education, shall be conducted at the expense of the Christina School  
22 District. A final report shall be provided to the Secretary of Education, the Director of the Office of  
23 Management and Budget, the Controller General, and the Co-Chairs of the Joint Finance Committee by  
24 June 15 of each fiscal year.

25 Section 337. A school district operating a tuition eligible program or school may not reallocate  
26 state units earned for the special school or program, if such reallocation requires an increase in the tuition  
27 tax rate or tuition billing amount. If a reallocation of state units earned will not require such an increase,

1 districts may reallocate positions as necessary to ensure the most efficient delivery of services, except for  
2 those instances currently prohibited by Delaware Code.

3 Additionally the Department of Education shall be authorized to promulgate rules and regulations  
4 pertaining to tuition billings and tuition payments to include, but not be limited to, procedures to  
5 implement a specific billing and payment schedule; procedures for justification accounting for any  
6 increases from estimated to actual per pupil amounts billed; and procedures for the review of included  
7 costs to ensure appropriateness as it relates to the ratio of state to local resources.

8 Section 338. In accordance with the Salary and Personnel Performance Audit completed  
9 February 16, 2007, and the successful appeal as approved by the Office of Management and Budget and  
10 the Controller General, the Christina School District shall repay the amount of \$1,190,247. These funds  
11 shall be repaid by withholding Division III Equalization funds in accordance with the following schedule:

12	Fiscal Year 2011	\$297,561
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13 Section 339. (a) Section 1 of this Act makes an appropriation to the Department of Education,  
14 Delaware Higher Education Commission (95-08-01) for SEED (Student Excellence Equals Degree)  
15 Scholarship. This appropriation shall be used to award scholarships to graduates of Delaware public and  
16 nonpublic high schools who meet the eligibility criteria pursuant to the provisions of 14 Del. C. c. 34  
17 Subchapter XIV. Delaware Technical and Community College and the University of Delaware (The  
18 Institutions) have established regulations for the implementation and administration of the SEED  
19 Program. The Institutions are responsible for requesting a transfer of funds from the Department of  
20 Education based on the enrollment of students receiving the SEED Scholarship. Funds awarded under the  
21 SEED program are portable in the event that an eligible student transfers between the two eligible  
22 institutions.

23 (b) Delaware Technical and Community College shall provide the Director of the Office of  
24 Management and Budget with quarterly reports on the status of the SEED program.

25 Section 340. The Department of Education is hereby directed to maintain the Sussex County  
26 Learning Center at its current location at the Delaware Technical and Community College Owens Campus  
27 in the amount of \$60.9 which includes one Resource Center Manager position.

1           Section 341. Beginning in Fiscal Year 2009, all school districts and charter schools shall access  
2 the data services and technical assistance of the New Castle County Data Service Center (DSC) for  
3 compliance with the provisions of 14 Del. C. § 122(11). Such access shall ensure that all financial reports  
4 remain available in the new financial system and are accessible by the Department of Education, Office of  
5 Management and Budget and Controller General’s Office. Services provided by the DSC, which is  
6 owned and operated by the Colonial and Red Clay Consolidated School Districts, for compliance with  
7 this section shall be provided through a contract with the State of Delaware.

8           Section 342. Notwithstanding the provisions of 14 Del C. c. 13, any reference to years of  
9 experience for the purpose of determining placement on a salary schedule will equate to steps in the new  
10 state payroll system, when it becomes operational, where zero years of experience will be the equivalent  
11 of step one, one year of experience will be the equivalent of step two and so forth to align with the current  
12 salary schedules. This change in language shall not be interpreted to increase the number of levels of  
13 compensation provided on any given salary schedule.

14           Section 343. The Department of Education is authorized to study the provisions of 14 DE  
15 Administrative Code 506 Policies for Dual Enrollment and Awarding Dual Credit and make  
16 recommendations to the Office of Management and Budget and Controller General’s Office on the  
17 development of a statewide policy to address the costs of said provision by December 1, 2010.

18           Section 344. For Fiscal Year 2011 only, for purposes of 14 Del. C. § 1049(1), a district calendar  
19 that has been adopted by April 30<sup>th</sup> may be amended related to professional development days without the  
20 required 30-day public notice.

21           Section 345. Beginning in Fiscal Year 2010, for purposes of 14 Del. C. § 1321(11), § 1321(12), §  
22 1716 and § 1716A, a school district electing to take a cash or contractual option shall submit the required  
23 application to the Department of Education no later than January 31<sup>st</sup> of the current fiscal year.

24           Section 346. For Fiscal Year 2011, notwithstanding any law, regulation or charter granted to a  
25 charter school by the approving authority pursuant to 14 Del. C. c. 5 to the contrary, a charter school may  
26 shorten the number of teacher days by the equivalent amount specified for other public school educators  
27 in this Act. The charter school shall only be required to provide a letter to the charter school’s approving  
28 authority by August 31, 2010 indicating the decision to shorten the number of teacher days. Upon receipt

1 of said letter, the charter school's charter shall be considered modified as it relates to the number of  
2 teacher days for Fiscal Year 2011, only.

3 Section 347. Amend 14 Del. C. § 1722(c) by deleting said subsection in its entirety.

4 Section 348. The Department of Education is authorized to develop and implement with the  
5 approval of the Office of Management and Budget and the Controller General, an optional flexible  
6 funding management plan, exclusive of the needs-based funding model, for utilization by up to eight  
7 school districts during Fiscal Year 2011. It is the intent for said flexible funding management plan to  
8 provide participating school districts with the ability to better coordinate resource allocation decisions  
9 with strategic planning and community input and to enable staffing decisions to occur at the earliest  
10 possible time. Said plan shall include, but not limited to, the following provisions:

- 11 (1) School districts participating in said plan shall continue to earn state appropriations  
12 supporting public education, including the funding earned to employ personnel, according to  
13 the provisions of 14 Del. C. c. 13 and c. 17 as well as any relevant sections in this Act.
- 14 (2) All relevant salary schedules and supplemental compensation as outlined in 14 Del. C. c. 13  
15 shall continue to be utilized to compensate employees.
- 16 (3) Participating school districts shall continue to be subject to the financial reporting and  
17 transparency requirements as provided for in 14 Del. C. § 1507 through § 1509 and as  
18 defined by Department of Education regulation. The Department of Education shall  
19 coordinate with participating school districts to revise its financial position report template  
20 for utilization with the Fiscal Year 2011 financial position report due on August 31<sup>st</sup>.
- 21 (4) The Department of Education shall establish an index value for each employee group earned  
22 according to 14 Del. C. c. 13 that is relative to that of a teaching unit. Said teaching unit shall  
23 have an index value of 1.0. Utilizing the index values, participating school districts may  
24 utilize positions among entitlement areas within their total earned units for a given school  
25 year.
- 26 (5) Notwithstanding any other provision of the Delaware Code, participating school districts are  
27 authorized to receive cash for any entitled position earned under 14 Del. C. c. 13. This  
28 option shall apply only if the district has not filled the position at any time during the fiscal

1 year and in which the district makes application to the Department of Education no later than  
2 January 31<sup>st</sup> of the current fiscal year. The value of this cash option will be the  
3 corresponding value of 10 percent of a masters degree plus 10 years of experience on  
4 Schedule 1305.

- 5 (6) As part of the flexible funding management plan, state entitlement appropriations shall be  
6 consolidated into a single operations line item in the Delaware Financial Management  
7 System, or its successor, provided the following line items are excluded from such  
8 consolidation: Debit Service, Unique Alternatives, Division I - Formula Salaries, Division -  
9 Other Employment Costs, Cafeteria Funds, Minor Capital Improvements and Equipment,  
10 Pupil Transportation and any other competitive and/or cycled funding, such as stipends.
- 11 (7) A school district shall be ineligible to participate in the flexible funding management plan  
12 unless said district agrees to comply with the provisions of the State of Delaware's Race to  
13 the Top application.
- 14 (8) No Later than August 15<sup>th</sup> of each fiscal year, participating school districts shall provide the  
15 Secretary of Education, Co-chairs of the Joint Finance Committee, Director of the Office of  
16 Management and Budget, and the Controller General with a report identifying expenditures  
17 and revenues, separated by federal, state and local funds, of the district and an identification  
18 of the number and type of positions supported with state funding during the school year as  
19 compared to the positions entitled for funding. Said report shall also indicate the percentage  
20 of cumulative revenues that were used for instruction and instruction-related expenditures as  
21 defined by Department of Education regulation and 14 Del. C. § 1510. The Department of  
22 Education shall coordinate the development of the standard report format to be utilized by all  
23 participating districts.
- 24 (9) The Secretary of Education shall review annually the academic progress of each participating  
25 school district and make a determination, after consultation with the Director of the Office of  
26 Management and Budget and the Controller General, whether continuation of the flexible  
27 funding management plan should be continued within said district.



1           Section 349. Notwithstanding provisions of this Act implementing leave days initiated during  
2 Fiscal Year 2010, the salaries paid pursuant to 14 Del. C. § 1305 for 10-month employees are calculated  
3 based on an annual work year of 186 full work days. Any such calculations in 14 Del. C. c. 13 shall be  
4 based on 186 full work days, including, but not limited to:

- 5           (1) Daily rates calculated by the Department of Education;
- 6           (2) Sick leave payouts authorized under 14 Del. C. § 1318(g);
- 7           (3) Work year cap for the Donated Leave Program authorized under 14 Del. C. § 1318A;
- 8           (4) Deducts for unexcused absences pursuant to 14 Del. C. § 1320; and
- 9           (5) The conversion to hours-per-year authorized under 14 Del. C. § 1334 and § 1335.

10 In addition, all calculations for 11-month employees shall be based on 205 full work days.

11           Section 350. Amend 14 Del. C. c. 86 by deleting it in its entirety. Further amend 14 Del. C. §  
12 121(a) by adding subsection (17) to read as follows: “(17) Advise the Governor, General Assembly, and  
13 the State Board of Education on all matters pertaining to career and technical education with emphasis on  
14 recommending policies and initiatives that should be pursued to strengthen and modernize the career and  
15 technical education delivery system through the following:

16           (a) Advise policymakers on the development of the State Plan for Career and Technical  
17 Education and any amendments to the State Plan.

18           (b) Recommend policies that the State should pursue to strengthen career and technical education  
19 and related initiatives.

20           (c) Evaluate career and technical education programs, services, activities and career initiatives  
21 throughout the State.

22           (d) Provide technical assistance to local school districts, agencies and other organizations to  
23 enhance and improve the career and technical education delivery system.

24           (e) Analyze and report on the distribution of funds for career and technical education and on the  
25 availability of career and technical education activities and services within the State.

26           (f) Promote coordination, collaboration and effective partnerships among business, industry,  
27 labor, education and employment and training programs to help meet the economic needs of the State.

1 (g) Disseminate relevant career information to teachers, counselors, students and the general  
2 public.

3 (h) Accept the benefits of the Vocational Education Act of 1963 (Public Law 88-210) and any  
4 amendments and subsequent legislation related thereto, including Title 20, Chapter 44, of the United  
5 States Code and observe and comply with the requirements of such acts and any amendments and  
6 regulations related thereto.”.

7 Further amend 14 Del. C. § 1504(a) by deleting the words “the Delaware Advisory Council for Career  
8 and Vocational Education” where it appears therein. Further amend 14 Del. C. § 1706 by deleting the  
9 words “the Executive Director of the Delaware Advisory Council on Career and Vocational Education”  
10 where it appears therein.

#### **SYNOPSIS**

This Bill is the Fiscal Year 2011 Appropriation Act.

Author: Office of Management and Budget