



SPONSOR: Sen. Cook & Rep. D.P. Williams  
Ennis George  
McBride J. Johnson  
McDowell Mitchell  
Cloutier Miro  
Connor Thornburg

DELAWARE STATE SENATE  
145th GENERAL ASSEMBLY

SENATE BILL NO. 310

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 essential to the  
2 proper conduct of the business of the agencies named herein, during the fiscal year ending June 30, 2011, are hereby  
3 appropriated and authorized to be paid out of the Treasury of the State by the respective departments and divisions of State  
4 Government, and other specified spending agencies, subject to the limitations of this Act and to the provisions of Title 29,  
5 Part VI, Delaware Code, as amended or qualified by this Act, all other provisions of the Delaware Code notwithstanding.  
6 All parts or portions of the several sums appropriated by this Act which, on the last day of June 2010, shall not have been  
7 paid out of the State Treasury, shall revert to the General Fund; provided, however, that no funds shall revert which are  
8 encumbered pursuant to 29 Del. C. § 6521.

9            The several amounts hereby appropriated are as follows:

## INDEX - Section 1

	<u>PAGE</u>
LEGISLATIVE.....	2
JUDICIAL.....	4
EXECUTIVE.....	8
DEPARTMENT OF TECHNOLOGY AND INFORMATION.....	12
OTHER ELECTIVE OFFICES.....	14
LEGAL.....	16
DEPARTMENT OF STATE.....	17
DEPARTMENT OF FINANCE.....	21
DEPARTMENT OF HEALTH AND SOCIAL SERVICES.....	23
DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES.....	30
DEPARTMENT OF CORRECTION.....	32
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.....	34
DEPARTMENT OF SAFETY AND HOMELAND SECURITY.....	38
DEPARTMENT OF TRANSPORTATION.....	40
DEPARTMENT OF LABOR.....	44
DEPARTMENT OF AGRICULTURE.....	46
DEPARTMENT OF ELECTIONS.....	47
FIRE PREVENTION COMMISSION.....	48
DELAWARE NATIONAL GUARD.....	49
ADVISORY COUNCIL FOR EXCEPTIONAL CITIZENS.....	50
HIGHER EDUCATION.....	51
UNIVERSITY OF DELAWARE.....	51
DELAWARE GEOLOGICAL SURVEY.....	51
DELAWARE STATE UNIVERSITY.....	51
DELAWARE TECHNICAL AND COMMUNITY COLLEGE.....	52
DELAWARE INSTITUTE OF VETERINARY MEDICAL EDUCATION.....	52
DEPARTMENT OF EDUCATION.....	54

## INDEX - Epilogue

	<u>PAGE</u>
GENERAL.....	(Sections 2 - 33) ..... 58
TOBACCO - MASTER SETTLEMENT AGREEMENT .....	(Sections 34 - 36) ..... 101
STATE FISCAL STABILIZATION FUND.....	(Section 37) ..... 105
LEGISLATIVE. ....	(Sections 38 - 41) ..... 106
JUDICIAL. ....	(Sections 42 - 51) ..... 107
EXECUTIVE.....	(Sections 52 - 99) ..... 110
TECHNOLOGY AND INFORMATION .....	(Sections 100 - 104)..... 127
OTHER ELECTIVE OFFICES .....	(Sections 105 – 111) ..... 129
LEGAL .....	(Sections 112 - 120) ..... 131
DEPARTMENT OF STATE.....	(Sections 121 - 132) ..... 136
DEPARTMENT OF FINANCE .....	(Sections 133 - 142) ..... 139
DEPARTMENT OF HEALTH AND SOCIAL SERVICES .....	(Sections 143 - 196) ..... 143
DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES..	(Sections 197 - 210) ..... 162
DEPARTMENT OF CORRECTION.....	(Sections 211 - 230) ..... 166
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL .....	(Sections 231 – 252)..... 171
DEPARTMENT OF SAFETY AND HOMELAND SECURITY .....	(Sections 253 – 265) ..... 176
DEPARTMENT OF TRANSPORTATION. ....	(Sections 266 - 282) ..... 179
DEPARTMENT OF LABOR.....	(Section 283) ..... 184
DEPARTMENT OF AGRICULTURE.....	(Sections 284 - 290) ..... 185
DEPARTMENT OF ELECTIONS.....	(Sections 291 - 297) ..... 187
FIRE PREVENTION COMMISSION.....	(Sections 298 - 300) ..... 189
DELAWARE NATIONAL GUARD.....	(Sections 301 - 303) ..... 190
HIGHER EDUCATION. ....	(Sections 304 - 315) ..... 191
DEPARTMENT OF EDUCATION.....	(Sections 316- 385)... .... 196

# DEPARTMENTS

Year ending June 30, 2011

## (01-00-00) LEGISLATIVE

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								
21								
22								
23								
24								
25								
26								
27								
28								
29								
30								
31								
32								
33								
34								
35								
36								
37								
38								
39								
40								
41								
42								

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49

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

	1,224.9
	18.3
	261.4
	119.7
	30.0
	38.5
	7.5
	55.0
	1,755.3

**(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	1,357.0
	7.2
	494.1
	70.0
	27.0
	8.3
	25.0
	25.0
	10.0
	15.0
	5.0
	30.0
97.6	2,073.6

**(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
	26.7
	0.2
	43.9

	1.0	31.0
--	-----	------

**TOTAL -- Legislative Council**

97.6	4,045.2
------	---------

	1.0	83.0
--	-----	------

**TOTAL -- LEGISLATIVE**

97.6	13,783.6
------	----------

**(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	2,897.6
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	3,126.9
13								
14			27.0	(-10) Supreme Court	149.2	3,126.9		
15	11.3			(-40) Regulatory Arms of the Court				
16	11.3		27.0	<b>TOTAL -- Internal Program Units</b>	149.2	3,126.9		
17								
18				<b>(02-02-00) Court of Chancery</b>				
19		23.1	28.9	Personnel Costs			1,130.7	2,903.5
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	3,002.5
25								
26		23.1	28.9	(-10) Court of Chancery	2,200.8	3,002.5		
27		23.1	28.9	<b>TOTAL -- Internal Program Unit</b>	2,200.8	3,002.5		
28								
29				<b>(02-03-00) Superior Court</b>				
30			313.5	Personnel Costs				19,909.0
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>				21,152.6
37								
38			313.5	(-10) Superior Court		21,152.6		
39			313.5	<b>TOTAL -- Internal Program Unit</b>		21,152.6		
40								
41				<b>(02-06-00) Court of Common Pleas</b>				
42		4.0	130.0	Personnel Costs			245.4	8,586.7
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	8,971.6
48								
49		4.0	130.0	(-10) Court of Common Pleas	249.4	8,971.6		
50		4.0	130.0	<b>TOTAL -- Internal Program Unit</b>	249.4	8,971.6		

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(02-08-00) Family Court</b>			
5.0	67.7	270.3			3,737.9	18,098.7
					12.3	29.8
					289.6	355.6
					81.8	106.2
					48.0	
					113.3	
5.0	67.7	270.3	<b>TOTAL -- Family Court</b>		4,282.9	18,590.3
			<b>(-10) Family Court</b>		4,282.9	18,590.3
5.0	67.7	270.3	<b>TOTAL -- Internal Program Unit</b>		4,282.9	18,590.3
			<b>(02-13-00) Justice of the Peace Court</b>			
		247.5				14,910.2
						5.3
						1,446.2
						105.8
						136.7
						7.5
		247.5	<b>TOTAL -- Justice of the Peace Court</b>			16,611.7
			<b>(-10) Justice of the Peace Court</b>			16,611.7
		247.5	<b>TOTAL -- Internal Program Unit</b>			16,611.7
			<b>(02-15-00) COTS/Security Central Account</b>			
	9.0				457.2	
					909.6	
					281.5	
					548.0	
	9.0		<b>TOTAL -- COTS/Security Central Account</b>		2,196.3	
			<b>(-10) COTS/Security Central Account</b>		2,196.3	
	9.0		<b>TOTAL -- Internal Program Unit</b>		2,196.3	

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

		78.5
		78.5

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  
    Elder Law Program  
    Interpreters  
    Court Appointed Attorneys/Involuntary  
    Commitment  
    New Castle County Courthouse

	5,628.1
	33.4
	1,181.9
	3.1
	346.1
	240.9
	739.8
	60.0
	58.3
	361.1
	2,951.4
	258.3
	529.0
	45.0
	409.1
	177.6
33.4	361.4
33.4	13,384.5

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

		33.0
		8.0
		34.0
		3.5
		78.5

(-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**

33.4	8,206.5
	538.3
	4,188.0
	451.7
33.4	13,384.5



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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

**Non-Judicial Services**

		28.5
		28.5

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Special Needs Fund  
    Ivy Davis Scholarship Fund

	1,940.7
	31.8
	193.8
	4.3
	28.3
	0.2
	0.5
	50.0
	2,249.6

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

**Non-Judicial Services**

		7.0
		7.5
		7.0
		6.0
		1.0
		28.5

(-01) Office of the Public Guardian  
(-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

	482.9
	491.9
	826.6
	393.4
	54.8
	2,249.6

**TOTAL -- Internal Program Units**

16.3	103.8	1,124.2
------	-------	---------

**TOTAL -- JUDICIAL**

9,112.0	87,089.7
---------	----------

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

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	
ASF	GF

\$ Line Item	
ASF	GF
45.5	2,251.2
	8.9
110.1	157.6
	22.3
	70.1
155.6	2,510.1

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

37.8	148.8	217.9
	0.3	
		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 Service:  
    Local Law Enforcement Education  
    Tobacco Fund: 2 Year Nursing Expansion  
    Tobacco Fund: 4 Year Nursing Expansion  
    KIDS Count  
    Developmental Disabilities Population Contingency  
    ERP Operational Funds  
Human Resource Operations Other Items:  
    Agency Aide  
Staff Development and Training Other Items:  
    Blue Collar  
    Retiree Conference  
Statewide Benefits Other Items:  
    Flexible Benefits Administration

10,230.2	15,690.8
72.8	20.2
10,366.4	13,015.1
679.8	5,845.1
3,964.3	1,148.1
664.1	50.3
98.3	
	35.0
500.0	
	3,109.1
	450.0
	6,250.0
	4,750.0
	400.0
43,000.0	
119.2	115,051.7
	8.0
	500.0
	17,224.6
	275.0
	50.0
1,037.9	
500.0	
	76.5
	1,365.0
	5,900.0
	372.9
180.0	
18.0	
	128.1

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					300.0	
						4,652.3
						51.0
					5,506.0	
					700.0	
	2.0				364.7	
37.8	151.1	227.9	<b>TOTAL -- Office of Management and Budget</b>		78,301.7	196,418.8
5.5	6.5	16.0	(-02) PHRST	516.3	2,134.6	
			<i>Administration</i>			
1.0	0.5	7.5	(-05) Administration		719.5	
1.9	0.3	5.6	(-08) Statistical Analysis Center	98.3	530.4	
			<i>Budget Development, Planning and Administration</i>			
2.7	15.5	34.8	(-10) Budget Administration	2,236.0	3,112.5	
			(-11) Contingencies and One-Time Items	44,657.1	155,409.9	
			<i>Statewide Human Resources Management</i>			
	17.0	40.0	(-20) Human Resource Operations	1,573.6	2,951.4	
	5.0	4.0	(-21) Staff Development and Training	664.0	321.5	
			<i>Benefits and Insurance Administration</i>			
17.0			(-30) Statewide Benefits		128.1	
6.0			(-31) Insurance Coverage Office		2,399.7	
1.0	56.0		(-32) Pensions	5,905.2	4,703.3	
			<i>Government Support Services</i>			
		8.0	(-40) Mail/Courier Services	2,196.0	539.3	
	13.0		(-41) Printing and Publishing	2,938.9		
	27.0		(-42) Fleet Management	13,863.8		
		6.0	(-43) Service and Information Guide		410.3	
		13.0	(-44) Contracting		1,043.1	
	4.0		(-45) Delaware Surplus Services	398.5		
2.7	3.3	4.0	(-46) Food Distribution	952.5	313.2	
			<i>Facilities Management</i>			
	3.0	89.0	(-50) Facilities Management	2,301.5	21,702.0	
37.8	151.1	227.9	<b>TOTAL -- Internal Program Units</b>	78,301.7	196,418.8	

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
<b>(10-03-00) Delaware Economic Development Office</b>						
<b>(10-03-01) Office of the Director</b>						
		9.0				834.3
						2.0
					102.3	
					12.7	3.3
					10.0	
						5.0
						11.3
						5.0
		9.0			125.0	860.9
<b>(10-03-02) Delaware Tourism Office</b>						
	9.0				636.1	
					20.2	
					660.5	
					8.5	
					10.0	
					37.5	
					200.0	
					45.0	
					112.5	
					20.3	
					9.9	
					2.7	
	9.0				1,763.2	
<b>(10-03-03) Delaware Economic Development Authority</b>						
	5.0	19.0			293.7	1,584.3
					20.0	2.3
					317.3	
					1.5	
					10.0	12.4
					30.0	10.0
					400.0	121.5
					1,700.0	
					320.9	
					300.0	
	5.0	19.0			3,393.4	1,730.5
	14.0	28.0			5,281.6	2,591.4

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(10-07-01) Criminal Justice Council</b>			
14.0		8.0				880.2
						13.2
						2.8
						1.9
					212.5	8.3
						117.2
14.0		8.0			212.5	1,023.6
			<b>(10-07-02) Delaware Justice Information System</b>			
1.0		12.0				904.0
					1.0	2.6
					174.0	313.6
					17.6	12.9
					67.4	
1.0		12.0			260.0	1,233.1
			<b>TOTAL -- Criminal Justice</b>			
15.0		20.0			472.5	2,256.7
			<b>(10-08-01) Delaware State Housing Authority</b>			
5.0	17.0				1,344.1	
					101.6	
					892.3	
					85.0	
					104.8	
					292.5	
					28,800.0	4,070.0
					540.5	
					1,665.0	
5.0	17.0				33,825.8	4,070.0
			<b>TOTAL -- EXECUTIVE</b>			
57.8	183.1	298.9			118,037.2	207,847.0

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44

Personnel					\$ Program		\$ Line Item			
NSF	ASF	GF			ASF	GF	ASF	GF		
			<b>(11-01-00) Office of the Chief Information Officer</b>							
		2.0	Personnel Costs					516.4		
			Travel					0.5		
			Contractual Services					91.0		
			Supplies and Materials					0.3		
			Dynamic Competencies Program					34.4		
			Rental					20.0		
		2.0	<b>TOTAL -- Office of the Chief Information Officer</b>					662.6		
		2.0	(-01) Chief Information Officer			662.6				
		2.0	<b>TOTAL -- Internal Program Unit</b>			662.6				
			<b>(11-02-00) Security Office</b>							
	2.0	10.0	Personnel Costs				171.2	582.9		
			Travel				25.0	1.3		
			Contractual Services				1,100.0	9.4		
			Supplies and Materials				48.5	2.3		
			Rental					35.0		
	2.0	10.0	<b>TOTAL -- Security Office</b>				1,344.7	630.9		
	2.0	10.0	(-01) Chief Security Officer			1,344.7	630.9			
	2.0	10.0	<b>TOTAL -- Internal Program Unit</b>			1,344.7	630.9			
			<b>(11-03-00) Operations Office</b>							
	8.0	79.0	Personnel Costs				492.2	7,275.2		
			Travel				104.7	14.0		
			Contractual Services				14,481.8	955.1		
			Energy					652.6		
			Supplies and Materials				92.0	181.5		
			Capital Outlay				138.6	9.3		
			Rental				8,909.5	12,564.7		
	8.0	79.0	<b>TOTAL -- Operations Office</b>				24,218.8	21,652.4		
		4.0	(-01) Chief Operating Officer			10,521.0	342.8			
	3.0	3.0	(-02) Controller's Office			823.0	1,551.1			
	3.0	45.0	(-04) Data Center and Operations			8,043.9	15,746.6			
	2.0	27.0	(-05) Telecommunications			4,830.9	4,011.9			
	8.0	79.0	<b>TOTAL -- Internal Program Units</b>			24,218.8	21,652.4			

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

Personnel		
NSF	ASF	GF

	6.5	99.5
	6.5	99.5

	1.0	4.0
	1.0	35.0
		8.0
	2.0	27.0
	2.5	25.5
	6.5	99.5

		22.0
		22.0

		1.0
		7.0
		14.0
		22.0

	16.5	212.5
--	------	-------

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

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Rental

**TOTAL -- Technology Office**

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

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

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Rental

**TOTAL -- Customer Office**

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

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

\$ Program	
ASF	GF

44.5	718.7
108.2	2,894.1
	354.8
2,671.5	3,381.8
1,201.2	1,951.2
4,025.4	9,300.6

	127.4
	664.1
	924.0
	1,715.5

\$ Line Item	
ASF	GF

605.4	8,830.9
70.0	1.9
3,200.0	306.8
10.0	5.2
	1.0
140.0	154.8
4,025.4	9,300.6

	1,588.6
	0.7
	70.0
	1.2
	55.0
	1,715.5

29,588.9	33,962.0
----------	----------

**(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	Personnel Costs				517.9	
			Travel				1.4	
			Contractual Services				24.9	
			Supplies and Materials				2.3	
			Other Items:					
			Expenses - Lieutenant Governor				7.7	
		6.0	<b>TOTAL -- Lieutenant Governor</b>				554.2	
			<b>(12-02-01) Auditor of Accounts</b>					
	7.0	18.0	Personnel Costs			486.2	1,949.6	
			Travel			5.0	1.0	
			Contractual Services			460.8	607.0	
			Supplies and Materials			8.4	10.4	
			Capital Outlay			5.4	31.9	
	7.0	18.0	<b>TOTAL -- Auditor of Accounts</b>			965.8	2,599.9	
			<b>(12-03-00) Insurance Commissioner</b>					
			<b>(12-03-01) Regulatory Activities</b>					
	25.0		Personnel Costs			1,927.7		
			Travel			4.9		
			Contractual Services			196.1		
			Supplies and Materials			4.5		
			Capital Outlay			25.4		
			Other Items:					
			Malpractice Review			10.5		
	25.0		<b>TOTAL -- Regulatory Activities</b>			2,169.1		
			<b>(12-03-02) Bureau of Examination, Rehabilitation and Guaranty</b>					
2.0	52.0		Personnel Costs			3,016.3		
			Travel			50.5		
			Contractual Services			1,416.9		
			Supplies and Materials			29.7		
			Capital Outlay			167.1		
			Other Items:					
			Captive Insurance Fund			940.6		
			Arbitration Program			36.5		
			Contract Examiners			16,000.0		
			Premium Tax Evaluation			50.0		
2.0	52.0		<b>TOTAL -- Bureau of Examination, Rehabilitation and Guaranty</b>			21,707.6		
			<b>TOTAL -- Insurance Commissioner</b>					
2.0	77.0						23,876.7	



**(12-00-00) OTHER ELECTIVE**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

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	887.3
2.3	
133.5	60.8
9.4	8.9
25.5	
	75.0
50.0	
2,483.3	
70.0	
3,540.7	1,032.0

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

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

	116,914.4
	53,347.3
	4,381.3
	354.1
	130.0
34,990.8	
34,990.8	175,127.1

	10.5	12.5
--	------	------

**TOTAL -- State Treasurer**

38,531.5	176,159.1
----------	-----------

2.0	94.5	36.5
-----	------	------

**TOTAL -- OTHER ELECTIVE**

63,374.0	179,313.2
----------	-----------

**(15-00-00) LEGAL**

Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF	
			<b>(15-01-01) Office of Attorney General</b>					
48.2	66.3	291.1	Personnel Costs			1,542.3	25,089.1	
			Travel			24.0	3.5	
			Contractual Services			107.3	2,064.8	
			Energy				50.3	
			Supplies and Materials			20.0	61.4	
			Capital Outlay			6.0	17.0	
			Other Items:					
			Programmatic Operations			255.4		
			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:					
	2.0		Personnel Costs			362.1		
			Victim Compensation Assistance Program					
	8.0		Personnel Costs			454.2		
			Revenue Refund			1.5		
			Violent Crime Grants			2,500.0		
48.2	76.3	291.1	<b>TOTAL -- Office of Attorney General</b>			9,615.1	27,346.1	
			<b>(15-02-01) Public Defender</b>					
5.0		136.0	Personnel Costs				13,688.4	
			Contractual Services				784.7	
			Supplies and Materials				60.8	
			Capital Outlay				3.8	
5.0		136.0	<b>TOTAL -- Public Defender</b>				14,537.7	
			<b>(15-03-01) Board of Parole</b>					
		6.0	Personnel Costs				470.7	
			Travel				4.8	
			Contractual Services				19.8	
			Supplies and Materials				5.9	
		6.0	<b>TOTAL -- Board of Parole</b>				501.2	
53.2	76.3	433.1	<b>TOTAL -- LEGAL</b>			9,615.1	42,385.0	

**(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>(20-01-00) Office of the Secretary</b>				
		10.5	40.5			825.2	2,592.5
			Personnel Costs				
			Travel			44.1	14.5
			Contractual Services			1,903.9	372.8
			Energy				54.4
			Supplies and Materials			108.3	74.6
			Capital Outlay			168.0	2.3
			Other Items:				
			International Trade				192.5
			Italian/American Commission				9.0
			World Trade Center				108.0
		10.5	40.5	<b>TOTAL -- Office of the Secretary</b>		3,049.5	3,420.6
		7.0	10.0	(-01) Administration	2,342.5	1,079.1	
			22.0	(-02) Delaware Commission on Veterans Affairs	86.0	1,465.4	
		3.5	1.5	(-06) Government Information Center	621.0	113.5	
			2.0	(-08) Public Integrity Commission		178.0	
			5.0	(-09) Employment Relations Boards		584.6	
		10.5	40.5	<b>TOTAL -- Internal Program Units</b>	3,049.5	3,420.6	
				<b>(20-02-00) Human Relations/Commission for Women</b>			
	1.0		8.0	Personnel Costs			483.5
				Travel			6.6
				Contractual Services			73.0
				Supplies and Materials			8.8
				Capital Outlay			2.0
				Other Items:			
				Human Relations Annual Conference		10.0	
				Publications		3.0	
	1.0		8.0	<b>TOTAL -- Human Relations/Commission for Women</b>		13.0	573.9
	1.0		8.0	(-01) Human Relations/Commission for Women	13.0	573.9	
	1.0		8.0	<b>TOTAL -- Internal Program Unit</b>	13.0	573.9	
				<b>(20-03-00) Delaware Public Archives</b>			
		15.0	15.0	Personnel Costs		807.3	823.9
				Travel		3.8	
				Contractual Services		209.0	
				Supplies and Materials		47.4	
				Capital Outlay		31.0	
				Other Items:			
				Delaware Heritage Office			32.0
				Document Conservation Fund		10.0	
				Historical Marker Maintenance		15.0	
				Operations		30.0	
		15.0	15.0	<b>TOTAL -- Delaware Public Archives</b>		1,153.5	855.9
		15.0	15.0	(-01) Delaware Public Archives	1,153.5	855.9	
		15.0	15.0	<b>TOTAL -- Internal Program Unit</b>	1,153.5	855.9	

**(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>			
	75.0				5,315.3	
					151.4	
					3,392.6	
					67.9	
					160.4	
					10.0	
					54.5	
					15.0	
	75.0				9,167.1	
			<b>TOTAL -- Regulation and Licensing</b>			
	39.0		4,118.8			
	31.0		4,264.3			
	5.0		784.0			
	75.0		9,167.1			
			<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	
					6,487.0	
	112.0				16,882.7	
			<b>TOTAL -- Corporations</b>			
	112.0		16,882.7			
	112.0		16,882.7			
			<b>TOTAL -- Internal Program Unit</b>			
			<b>(20-06-00) Historical and Cultural Affairs</b>			
5.4	13.1	27.5			841.7	1,813.0
					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
5.4	13.1	27.5			1,360.7	2,316.8
			<b>TOTAL -- Historical and Cultural Affairs</b>			
5.4	13.1	27.5	1,360.7	2,316.8		
5.4	13.1	27.5	1,360.7	2,316.8		
			<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			155.9	220.6
						0.9
						66.8
						3.0
						10.0
					600.0	626.1
3.0	2.0	3.0	<b>TOTAL -- Arts</b>		755.9	927.4
3.0	2.0	3.0	(-01) Office of the Director		755.9	927.4
3.0	2.0	3.0	TOTAL -- Internal Program Unit		755.9	927.4
<b>(20-08-00) Libraries</b>						
7.0	4.0	4.0			244.6	350.1
						0.5
						62.4
						19.6
						7.0
					1,760.8	2,608.7
					350.0	
					50.0	585.0
					50.0	
7.0	4.0	4.0	<b>TOTAL -- Libraries</b>		2,455.4	3,633.3
7.0	4.0	4.0	(-01) Libraries		2,455.4	3,633.3
7.0	4.0	4.0	TOTAL -- Internal Program Unit		2,455.4	3,633.3
<b>(20-09-00) Veterans Home</b>						
		207.0				11,063.8
						3.4
						1,763.3
						551.3
						1,404.7
						115.0
		207.0	<b>TOTAL -- Veterans Home</b>			14,901.5
		207.0	(-01) Veterans Home			14,901.5
		207.0	TOTAL -- Internal Program Unit			14,901.5

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					<b>(20-15-00) State Banking Commission</b>	
	38.0				2,787.5	
					80.0	
					753.9	
					20.0	
					67.5	
	38.0		<b>TOTAL -- State Banking Commission</b>		3,708.9	
	38.0		(-01) State Banking Commission		3,708.9	
	38.0		TOTAL -- Internal Program Unit		3,708.9	
<b>16.4</b>	<b>269.6</b>	<b>305.0</b>	<b>TOTAL -- DEPARTMENT OF STATE</b>		<b>38,546.7</b>	<b>26,629.4</b>

**(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				1,859.8
						2.5
						119.7
						3.7
	19.0				2,791.0	
	19.0				2,578.0	
					20,000.0	
	38.0	17.0	<b>TOTAL -- Office of the Secretary</b>		25,369.0	1,985.7
	38.0	17.0	(-01) Office of the Secretary		25,369.0	1,985.7
	38.0	17.0	<b>TOTAL -- Internal Program Unit</b>		25,369.0	1,985.7
			<b>(25-05-00) Accounting</b>			
	5.0	40.0			443.2	2,575.5
					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	2,974.9
	5.0	40.0	(-01) Accounting		473.7	2,974.9
	5.0	40.0	<b>TOTAL -- Internal Program Unit</b>		473.7	2,974.9
			<b>(25-06-00) Revenue</b>			
		93.0				7,325.5
						2.9
						1,113.9
						8.4
						96.4
						60.5
	43.0				4,245.2	
	43.0	93.0	<b>TOTAL -- Revenue</b>		4,245.2	8,607.6
	43.0	93.0	(-01) Revenue		4,245.2	8,607.6
	43.0	93.0	<b>TOTAL -- Internal Program Unit</b>		4,245.2	8,607.6

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17

Personnel		
NSF	ASF	GF

	55.0	
	55.0	

	55.0	
	55.0	

	141.0	150.0
--	-------	-------

**(25-07-00) State Lottery Office**

Personnel Costs

Travel

Contractual Services

Supplies and Materials

Capital Outlay

**TOTAL -- State Lottery Office**

(-01) State Lottery Office

TOTAL -- Internal Program Unit

\$ Program	
ASF	GF

56,701.9	
56,701.9	

56,701.9	
56,701.9	

--	--

\$ Line Item	
ASF	GF

3,731.3	
50.0	
52,646.2	
54.9	
219.5	
56,701.9	

--	--

86,789.8	13,568.2
----------	----------

**TOTAL -- DEPARTMENT OF FINANCE**



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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33

Personnel		
NSF	ASF	GF
62.5	33.5	434.1
62.5	33.5	434.1
62.5	1.0	14.0
62.5	32.5	142.1
		278.0
62.5	33.5	434.1

**(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
<b>TOTAL -- Administration</b>
(-10) Office of the Secretary
(-20) Management Services
(-30) Facility Operations
<b>TOTAL -- Internal Program Units</b>

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		1,820.9	21,355.3
		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	34,868.0
1,216.7	3,557.7		
6,728.5	15,021.9		
1,400.0	16,288.4		
9,345.2	34,868.0		

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

100.6		73.8
	0.5	
100.6	0.5	73.8

Personnel Costs		4,398.7
Travel		0.1
Contractual Services	484.6	5,475.9
Energy		30.1
Supplies and Materials		32.7
Capital Outlay		6.6
Tobacco Fund:		
Prescription Drug Program	4,420.0	
Medical Assistance Transition	3,054.8	
Medicaid	650.0	
Medicaid for Workers with Disabilities	698.8	
Money Follows the Person	499.5	
Delaware Health Children Program	4,392.1	
Legal Non-Citizen Health Care	1,570.0	
Cancer Council Recommendations:		
Breast and Cervical Cancer Treatment	600.0	
Other Items:		
Medicaid	23,200.0	534,479.8
Medicaid for Workers with Disabilities	47.5	
Medicaid/NonState	100.0	
DOC Medicaid	2,300.0	
Medicaid Other	1,046.7	
DPH Fees	800.0	
School Based Health Centers	600.0	
Delaware Healthy Children Program Premiums	600.0	
Delaware Healthy Children Program - DSCYF	800.0	
Cost Recovery	275.1	
Renal		634.0
TANF General Fund		350.0
<b>TOTAL -- Medicaid and Medical Assistance</b>	<b>46,139.1</b>	<b>545,407.9</b>

100.6	0.5	73.8
100.6	0.5	73.8

(-01) Medicaid and Medical Assistance	46,139.1	545,407.9
TOTAL -- Internal Program Unit	46,139.1	545,407.9

**(35-04-00) Medical Examiner**

		49.0
		49.0

Personnel Costs		3,622.1
Travel		0.3
Contractual Services		245.5
Energy		102.3
Supplies and Materials		494.1
Capital Outlay		38.6
<b>TOTAL -- Medical Examiner</b>		<b>4,502.9</b>

		49.0
		49.0

(-01) Medical Examiner		4,502.9
TOTAL -- Internal Program Unit		4,502.9

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58

Personnel		
NSF	ASF	GF
238.7	54.0	1,109.2
1.0		
238.7	55.0	1,109.2

**(35-05-00) Public Health**

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			808.6	61,999.5
Travel				4.0
Contractual Services			201.7	7,971.8
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			1,163.6	
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			5,323.8	
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	
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	
Children with Special Needs			45.0	
Family Planning			325.0	
Newborn			1,600.0	
Indirect Costs			431.4	
Child Health			1,437.3	
Food Inspection			21.0	
Food Permits			575.0	
Medicaid Contractors/Lab Testing and Analysis			900.0	
Water Operator Certification			22.0	
IV Therapy			559.0	
Health Statistics			1,200.0	
Infant Mortality Task Force				27.0
J-1 VISA			13.5	
HFCL			30.0	
Cancer Council				662.5
Hospice			25.0	
Gift of Life				35.2
Health Disparities				50.6
<b>TOTAL -- Public Health</b>			<b>38,669.4</b>	<b>77,916.0</b>

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
4.0	7.0	49.0	1,601.6	3,722.7		
233.7	47.0	268.3	35,035.0	23,870.2		
1.0		8.0	200.0	1,198.4		
	1.0	498.1	1,663.4	30,491.9		
		154.8	144.4	10,372.8		
		131.0	25.0	8,260.0		
238.7	55.0	1,109.2	38,669.4	77,916.0		

			<b>(35-06-00) Substance Abuse and Mental Health</b>			
4.8	1.0	684.4			299.0	45,365.1
						6.9
					1,569.9	28,760.8
						1,695.9
					300.6	4,187.7
					9.0	184.0
					142.2	
					177.1	
					412.0	
					28.7	
					60.3	
	1.0				1,119.0	
					100.0	
					1,050.0	
						38.1
					655.0	
						277.5
					300.0	
						6,901.3
4.8	2.0	684.4			6,222.8	87,417.3

			<b>TOTAL -- Substance Abuse and Mental Health</b>	
2.0		62.0	60.0	4,405.9
1.0		94.0	1,605.0	31,785.2
0.8	1.0	503.4	2,196.6	40,042.1
1.0	1.0	25.0	2,361.2	11,184.1
4.8	2.0	684.4	6,222.8	87,417.3

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(35-07-00) Social Services</b>			
199.5		192.2	Personnel Costs			10,530.0
			Travel			0.9
			Contractual Services			2,347.1
			Energy			86.8
			Supplies and Materials			88.5
			Capital Outlay			51.3
			Tobacco Fund:			
			SSI Supplement		1,240.4	
			Other Items:			
			Cost Recovery		75.1	
			General Assistance			4,547.5
			TANF Cash Assistance			10,187.5
			TANF Cash Assistance Pass Through		1,200.0	
			TANF General Fund			5,347.5
			Child Care			10,629.4
			Emergency Assistance			1,078.9
			Employment and Training			2,499.8
199.5		192.2	<b>TOTAL -- Social Services</b>		2,515.5	47,395.2
199.5		192.2	(-01) Social Services		2,515.5	47,395.2
199.5		192.2	TOTAL -- Internal Program Unit		2,515.5	47,395.2
TOTAL--Temporary Assistance to Needy Families and Their Children (TANF) NSF appropriation					32,291.0	
			<b>(35-08-00) Visually Impaired</b>			
25.2	3.0	36.8	Personnel Costs		105.9	2,611.0
			Travel			1.5
			Contractual Services		1.5	405.2
			Energy			81.1
			Supplies and Materials			67.0
			Capital Outlay		4.0	39.1
			Other Items:			
			BEP Unassigned Vending		175.0	
			BEP Independence		450.0	
			BEP Vending		425.0	
25.2	3.0	36.8	<b>TOTAL -- Visually Impaired</b>		1,161.4	3,204.9
25.2	3.0	36.8	(-01) Visually Impaired Services		1,161.4	3,204.9
25.2	3.0	36.8	TOTAL -- Internal Program Unit		1,161.4	3,204.9
			<b>(35-09-00) Long Term Care Residents Protection</b>			
15.7		36.3	Personnel Costs			2,214.2
			Travel			0.3
			Contractual Services			122.4
			Energy			9.1
			Supplies and Materials			5.9
			Capital Outlay			16.3
15.7		36.3	<b>TOTAL -- Long Term Care Residents Protection</b>			2,368.2
15.7		36.3	(-01) Long Term Care Residents Protection			2,368.2
15.7		36.3	TOTAL -- Internal Program Unit			2,368.2

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40

Personnel		
NSF	ASF	GF
123.2	2.5	61.4
23.0		
146.2	2.5	61.4

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

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

**TOTAL -- Child Support Enforcement**

\$ Program	
ASF	GF
1,226.5	4,096.3
1,226.5	4,096.3

\$ Line Item	
ASF	GF
182.5	3,493.1
9.6	
793.5	589.9
30.0	13.3
23.0	
162.9	
25.0	
1,226.5	4,096.3

146.2	2.5	61.4
146.2	2.5	61.4

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

1,226.5	4,096.3
1,226.5	4,096.3

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

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

**TOTAL -- Developmental Disabilities Services**

3.0	1.0	569.0
3.0	1.0	569.0

40.0	31,187.2
	1.3
2,342.0	2,770.7
	1,042.1
	886.7
	15.0
70.0	
	1.1
300.0	
2,094.0	21,164.6
	6,736.8
	526.2
4,846.0	64,331.7

3.0	1.0	66.0
		277.0
		226.0
3.0	1.0	569.0

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

40.0	3,888.7
300.0	20,759.9
4,506.0	39,683.1
4,846.0	64,331.7

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54

Personnel		
NSF	ASF	GF
22.5		103.1
22.5		103.1

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

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

\$ Line Item	
ASF	GF
	5,540.0
7.8	0.1
319.7	1,460.6
231.3	891.9
64.1	80.6
39.8	17.3
	386.3
	129.8
	1,596.9
	70.0
	50.3
	200.0
662.7	10,423.8

**TOTAL -- State Service Centers**

		11.0
16.5		75.1
6.0		17.0
22.5		103.1

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

662.7	1,717.9
	6,959.3
	1,746.6
662.7	10,423.8

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

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

	3,612.0
	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	9,667.2

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

53.7	1.5	63.0
53.7	1.5	63.0

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

1,571.6	9,667.2
1,571.6	9,667.2

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

872.4	99.0	3,412.3
-------	------	---------

112,360.2	891,599.4
-----------	-----------

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45

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	12,402.4
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	15,999.8

6.0	4.0	18.0
	1.0	3.0
10.2	10.6	20.5
	2.0	17.0
	6.0	10.0
2.4	2.5	65.0
		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	1,744.4
134.7	399.4
603.1	1,487.5
232.0	2,720.6
142.7	850.3
465.9	6,079.3
549.3	2,718.3
2,531.4	15,999.8

**(37-04-00) Prevention and Behavioral Health Services**

62.0	26.5	196.8
62.0	26.5	196.8

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	14,585.8
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	27,785.4

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	8,442.4
617.4	1,176.4
3,709.3	9,872.5
6,212.8	8,294.1
12,295.6	27,785.4



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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

Personnel		
NSF	ASF	GF
2.0	22.0	353.6
2.0	22.0	353.6

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

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay

**TOTAL -- Youth Rehabilitative Services**

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

1,229.1	21,779.3
10.5	9.6
641.7	15,194.6
	937.2
84.0	1,355.4
	7.4
1,965.3	39,283.5

2.0	2.0	11.1
2.0	5.0	81.5
	15.0	261.0
2.0	22.0	353.6

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

132.3	886.0
559.0	19,382.5
1,274.0	19,015.0
1,965.3	39,283.5

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

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

**TOTAL -- Family Services**

32.1	23.9	288.3
32.1	23.9	288.3

1,753.7	18,179.4
24.9	2.5
1,536.6	2,175.9
	5.2
24.7	72.3
6.0	9.3
	21,641.7
	295.8
	31.0
113.3	
3,459.2	42,413.1

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

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

1,289.1	5,126.2
966.9	6,698.7
1,203.2	30,588.2
3,459.2	42,413.1

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

114.7	98.5	989.6
-------	------	-------

20,251.5	125,481.8
----------	-----------

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

Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF	
			<b>(38-01-00) Administration</b>					
		304.0	Personnel Costs				19,312.8	
			Travel				3.0	
			Contractual Services				1,888.9	
			Energy				183.8	
			Supplies and Materials				8,004.9	
			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	
		304.0	<b>TOTAL -- Administration</b>				30,993.7	
			<b>(38-01-00) Internal Program Units</b>					
		20.0	(-01) Office of the Commissioner		1,871.7			
		49.0	(-02) Human Resources/Employee Development Center		3,662.3			
		17.0	(-10) Management Services		2,529.7			
		40.0	(-12) Central Offender Records		1,876.4			
		14.0	(-14) Information Technology		2,262.5			
		88.0	(-20) Food Services		13,966.4			
		76.0	(-40) Facilities Maintenance		4,824.7			
		304.0	<b>TOTAL -- Internal Program Units</b>		30,993.7			
			<b>(38-02-00) Correctional Healthcare Services</b>					
		12.0	Personnel Costs				1,061.2	
			Medical Services				44,690.2	
			AIDS Education and Counseling				72.0	
			Drug and Alcohol Treatment				4,381.0	
		12.0	<b>TOTAL--Correctional Healthcare Services</b>				50,204.4	
			<b>(38-02-00) Internal Program Unit</b>					
		12.0	(-01) Medical Treatment and Services		50,204.4			
		12.0	<b>TOTAL -- Internal Program Unit</b>		50,204.4			

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53

Personnel		
NSF	ASF	GF
	8.0	1,615.7
	8.0	1,615.7

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

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Gate Money  
    Prison Arts  
    DCC Fence

**TOTAL -- Prisons**

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

735.3	102,664.4
19.0	14.8
879.8	3,373.9
25.3	7,698.6
1,495.5	2,947.7
182.0	30.9
	19.0
	82.5
	23.0
3,336.9	116,854.8

		7.0
		699.0
		379.0
		97.0
		356.0
		53.0
	8.0	17.0
		7.7
	8.0	1,615.7

(-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**

	912.1
	49,933.0
	26,910.5
	7,035.7
	23,614.0
	6,024.7
3,336.9	1,323.0
	1,101.8
3,336.9	116,854.8

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

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay

**TOTAL -- Community Corrections**

1.0		607.0
1.0		607.0

	38,964.7
	10.2
478.1	4,887.1
50.0	875.3
302.4	634.1
75.0	26.4
905.5	45,397.8

		5.0
1.0		308.0
		39.0
		99.0
		79.0
		77.0
1.0		607.0

(-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**

	1,289.6
403.1	21,628.0
	3,760.8
	7,232.0
502.4	6,060.1
	5,427.3
905.5	45,397.8

1.0	8.0	2,538.7
-----	-----	---------

**TOTAL -- DEPARTMENT OF CORRECTION**

4,242.4	243,450.7
---------	-----------

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34

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

**TOTAL -- Office of the Secretary**

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

2,656.8	4,325.3
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	
20,210.4	5,787.0

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	3,364.9
373.1	619.7
15,522.4	6.6
618.2	833.3
1,854.7	962.5
20,210.4	5,787.0

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

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
Killen's Pond Water Park
Biden Center
New Castle County Dredge
Beach Erosion Control Program
Sand Bypass System
Tax Ditches*
Director's Office Personnel
Director's Office Operations
Wildlife and Fisheries Personnel
Wildlife and Fisheries Operations
Enforcement Personnel
Enforcement Operations
Other Items
<b>TOTAL -- Natural Resources</b>

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		6,427.7	14,231.0
		45.8	0.2
		3,506.2	2,768.0
		66.9	907.2
		946.1	689.7
		232.7	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
		72.4	
		51.8	
		1,291.6	
		1,892.8	
		646.7	
		581.1	
		739.6	
		26,523.3	19,922.9

11.5	57.5	96.0
30.2	33.6	44.2
10.9	5.0	54.1
52.6	96.1	194.3

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

10,939.5	8,444.4
6,024.2	5,014.4
9,559.6	6,464.1
26,523.3	19,922.9

\*Pursuant to 7 Del. C. § 3921

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(40-04-00) Environmental Protection</b>			
71.2	148.6	77.2			5,390.5	6,319.8
					77.0	
					1,671.5	651.9
					29.5	99.9
					483.5	121.8
					427.0	19.9
						26.7
						197.5
					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	
					430.2	
					96.8	
					596.0	
					207.5	
					220.9	
					51.0	
					281.7	
					202.0	
					100.0	
					41.6	
					280.4	
					73.7	
					180.0	
					32.5	
					79.0	
					21.2	
					75.0	
					25.0	
					834.8	
71.2	148.6	77.2	<b>TOTAL - Environmental Protection</b>		43,732.3	7,501.9

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15

Personnel		
NSF	ASF	GF
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

\$ Program	
ASF	GF
1,403.0	735.8
4,625.4	1,038.8
4,289.6	3,590.5
33,414.3	2,136.8
43,732.3	7,501.9

\$ Line Item	
ASF	GF
90,466.0	33,211.8

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

163.9	304.4	322.7
-------	-------	-------

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(45-01-00) Office of the Secretary**

41.4	11.5	51.1
41.4	11.5	51.1

Personnel Costs  
Travel  
Contractual Services  
Energy  
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  
**TOTAL -- Office of the Secretary**

631.7	3,568.3
39.0	2.9
811.5	492.9
15.0	
47.0	48.0
299.4	0.1
	13.1
	72.1
	50.0
	15.0
500.0	
100.0	
336.0	
0.7	
2,780.3	4,262.4

1.0	1.0	17.0
	3.5	22.5
31.8		8.2
4.6		2.4
4.0		
		1.0
	7.0	
41.4	11.5	51.1

(-01) Administration  
(-20) Communication  
(-30) Delaware Emergency Management Agency  
(-40) Highway Safety  
(-50) Developmental Disabilities Council  
(-60) State Council for Persons with Disabilities  
(-70) Division of Gaming Enforcement  
**TOTAL -- Internal Program Units**

100.0	1,501.0
1,629.8	1,745.2
	713.6
	152.2
	20.0
	130.4
1,050.5	
2,780.3	4,262.4

**(45-02-00) Capitol Police**

		75.0
		75.0

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Special Duty  
**TOTAL -- Capitol Police**

	3,699.4
	0.5
	339.2
	40.8
	30.9
36.0	
36.0	4,110.8

		75.0
		75.0

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

36.0	4,110.8
36.0	4,110.8

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

		6.0
		6.0

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

	448.7
2.0	0.5
79.6	7.0
2.0	2.2
83.6	458.4

		6.0
		6.0

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

83.6	458.4
83.6	458.4



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

Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF			ASF	GF	ASF	GF
			<b>(45-04-00) Division of Alcohol and Tobacco Enforcement</b>					
	4.0	11.0	Personnel Costs				214.3	697.2
			Travel				2.8	
			Contractual Services				36.6	108.1
			Supplies and Materials				10.0	10.0
			Capital Outlay				1.0	3.0
			Tobacco Fund:					
	4.0		Personnel Costs				235.0	
			Travel				20.0	
			Contractual Services				150.0	
			Supplies and Materials				89.0	
			Capital Outlay				30.0	
			Other Items				10.0	
	8.0	11.0	<b>TOTAL -- Division of Alcohol and Tobacco Enforcement</b>				798.7	818.3
	8.0	11.0	(-10) Division of Alcohol and Tobacco Enforcement		798.7	818.3		
	8.0	11.0	<b>TOTAL -- Internal Program Unit</b>		798.7	818.3		
			<b>(45-06-00) State Police</b>					
49.2	58.0	805.8	Personnel Costs				4,370.1	79,578.2
			Travel				66.8	
			Contractual Services				812.9	4,498.4
			Energy					75.0
			Supplies and Materials				1,204.9	4,515.7
			Capital Outlay				321.9	2,031.6
			Other Items:					
			Other Items				112.5	
			Pension - 20 Year Retirees					23,367.0
			Crime Reduction Fund					110.0
			Handicapped/Fire Lane Enforcement					90.0
			Special Duty Fund				3,182.1	
49.2	58.0	805.8	<b>TOTAL -- State Police</b>				10,071.2	114,265.9
		62.0	(-01) Executive		611.7	30,071.4		
		7.0	(-02) Building Maintenance and Construction			468.2		
	20.0	359.0	(-03) Patrol		3,853.0	38,066.6		
41.0	1.0	143.0	(-04) Criminal Investigation		903.8	17,045.2		
	7.0	41.0	(-05) Special Investigation		1,081.7	5,736.4		
		24.0	(-06) Aviation			3,636.1		
6.2	9.0	9.8	(-07) Traffic		874.1	923.2		
1.0	18.0	39.0	(-08) State Bureau of Identification		1,507.4	2,976.2		
		12.0	(-09) Training		304.6	1,808.3		
1.0	3.0	83.0	(-10) Communications		332.7	6,708.5		
		14.0	(-11) Transportation		533.6	5,957.5		
		12.0	(-12) Community Relations		68.6	868.3		
49.2	58.0	805.8	<b>TOTAL - Internal Program Units</b>		10,071.2	114,265.9		
<b>90.6</b>	<b>77.5</b>	<b>948.9</b>	<b>TOTAL -- DEPARTMENT OF SAFETY AND HOMELAND SECURITY</b>				<b>13,769.8</b>	<b>123,915.8</b>

**(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	34.0		Personnel Costs	2,176.5
			Travel	5.0
			Contractual Services	1,220.5
			Supplies and Materials	8.0
1.0	34.0		<b>TOTAL -- Finance</b>	<b>3,410.0</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	83.0		<b>TOTAL -- Office of the Secretary</b>	<b>8,148.1</b>
			<b>(55-02-01) Technology and Support Services</b>	
	90.0		Personnel Costs	6,674.6
			Travel	26.0
			Contractual Services	10,134.6
			Energy	1,468.6
			Supplies and Materials	651.0
			Capital Outlay	361.9
	90.0		<b>TOTAL -- Technology and Support Services</b>	<b>19,316.7</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>	
	21.0	3.0	Personnel Costs	1,241.7
			Travel	16.9
			Contractual Services	13.3
			Supplies and Materials	39.8
			Capital Outlay	14.6
	21.0	3.0	<b>TOTAL -- Office of the Director</b>	<b>1,326.3</b>
			<b>(55-04-70) Maintenance Districts</b>	
	715.0	38.0	Personnel Costs	38,461.2
			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	<b>TOTAL -- Maintenance Districts</b>	<b>60,904.0</b>
	736.0	41.0	<b>TOTAL -- Maintenance and Operations</b>	<b>62,230.3</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
			<b>TOTAL -- Delaware Transit Corporation</b>	<b>73,526.2</b>
			DTA Indebtedness	
			Debt Service	
			Transportation Trust Fund	128,817.0
			General Obligation	719.6
			<b>TOTAL -- DTA Indebtedness</b>	<b>129,536.6</b>
	1.0		<b>TOTAL -- Delaware Transportation Authority*</b>	<b>203,062.8</b>

\* Delaware Transportation Authority, 2 Del. C. c. 13  
 These funds, except the Regulatory Revolving Funds, are not deposited with the State Treasurer.

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

Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			<b>(55-08-00) Transportation Solutions</b>	
			<b>(55-08-10) Project Teams</b>	
	16.0	114.0	Personnel Costs	849.9
	16.0	114.0	TOTAL -- Project Teams	849.9
			<b>(55-08-20) Design/Quality</b>	
	7.0	40.0	Personnel Costs	728.2
	7.0	40.0	TOTAL -- Design/Quality	728.2
			<b>(55-08-30) Engineering Support</b>	
	24.0	87.0	Personnel Costs	2,068.5
			Travel	14.5
			Contractual Services	121.5
			Energy	6.9
			Supplies and Materials	165.6
			Capital Outlay	60.1
	24.0	87.0	TOTAL -- Engineering Support	2,437.1
			<b>(55-08-40) Traffic</b>	
	81.0	1.0	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>	<b>11,028.1</b>

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53

<b>Personnel</b>				<b>\$ Line Item</b>
<b>NSF</b>	<b>TFO</b>	<b>TFC</b>		<b>TFO</b>
			<b>(55-11-00) Motor Vehicles</b>	
			<b>(55-11-10) Administration</b>	
	19.0		Personnel Costs	1,529.3
			Travel	6.1
			Contractual Services	486.5
			Supplies and Materials	19.4
			Capital Outlay	118.1
			Motorcycle Safety	154.0
	19.0		<b>TOTAL -- Administration</b>	<b>2,313.4</b>
			<b>(55-11-20) Driver Services</b>	
	83.0		Personnel Costs	3,858.0
			Contractual Services	166.9
			Supplies and Materials	36.3
			CDL Fees	207.3
	83.0		<b>TOTAL -- Driver Services</b>	<b>4,268.5</b>
			<b>(55-11-30) Vehicle Services</b>	
	165.0		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		<b>TOTAL -- Vehicle Services</b>	<b>9,322.1</b>
			<b>(55-11-50) Transportation Services</b>	
1.0	22.0		Personnel Costs	1,367.6
			Travel	32.0
			Contractual Services	265.2
			Supplies and Materials	23.1
1.0	22.0		<b>TOTAL -- Transportation Services</b>	<b>1,687.9</b>
			<b>(55-11-60) Toll Administration</b>	
	121.0		Personnel Costs	6,400.4
			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
	121.0		<b>TOTAL -- Toll Administration</b>	<b>17,198.0</b>
1.0	410.0		<b>TOTAL -- Motor Vehicles</b>	<b>34,789.9</b>
2.0	1,509.0	309.0	<b>TOTAL -- DEPARTMENT OF TRANSPORTATION</b>	<b>344,880.2</b>

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

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5				<b>(60-01-00) Administration</b>				
6	13.0	27.7	2.3	Personnel Costs			1,810.2	182.3
7				Travel			13.0	
8				Contractual Services			1,089.2	190.5
9				Energy				1.7
10				Supplies and Materials			86.0	15.0
11				Capital Outlay			60.5	
12	13.0	27.7	2.3	<b>TOTAL -- Administration</b>			3,058.9	389.5
13								
14	13.0	9.7	2.3	(-10) Office of the Secretary	1,175.3	389.5		
15				(-20) Office of Occupational and Labor Market Information				
16		18.0		(-40) Administrative Support	1,883.6			
17	13.0	27.7	2.3	<b>TOTAL -- Internal Program Units</b>	3,058.9	389.5		
18								
19								
20				<b>(60-06-00) Unemployment Insurance</b>				
21	130.0	4.0		Personnel Costs			182.0	
22				Travel			0.1	
23				Contractual Services			242.4	
24				Energy			1.0	
25				Supplies and Materials			1.0	
26				Capital Outlay			2.2	
27				Other Items:				
28				Revenue Refund			41.9	
29	130.0	4.0		<b>TOTAL -- Unemployment Insurance</b>			470.6	
30								
31	130.0	4.0		(-01) Unemployment Insurance	470.6			
32	130.0	4.0		<b>TOTAL -- Internal Program Unit</b>	470.6			
33								
34				<b>(60-07-00) Industrial Affairs</b>				
35	8.0	55.0	7.0	Personnel Costs			4,055.5	378.7
36				Travel			33.8	
37				Contractual Services			1,069.8	63.9
38				Energy				5.8
39				Supplies and Materials			45.0	
40				Capital Outlay			43.6	
41				Other Items:				
42				Second Injury			6,250.0	
43	8.0	55.0	7.0	<b>TOTAL -- Industrial Affairs</b>			11,497.7	448.4
44								
45	6.0	39.0		(-01) Office of Workers' Compensation, Safety and Health	10,080.1			
46				(-02) Office of Labor Law Enforcement	1,417.6	448.4		
47	2.0	16.0	7.0	<b>TOTAL -- Internal Program Units</b>	11,497.7	448.4		
48	8.0	55.0	7.0					

**(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	113.9
			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	2,947.8
80.4	5.6	2.0	(-10) Vocational Rehabilitation Services		873.2	2,947.8
49.0			(-20) Disability Determination Services			
129.4	5.6	2.0	<b>TOTAL -- Internal Program Units</b>		873.2	2,947.8
			<b>(60-09-00) Employment and Training</b>			
71.6	4.0	19.4	Personnel Costs		224.6	1,054.6
			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	2,768.8
71.6	4.0	19.4	(-20) Employment and Training Services		2,609.2	2,768.8
71.6	4.0	19.4	<b>TOTAL -- Internal Program Unit</b>		2,609.2	2,768.8
			<b>TOTAL -- DEPARTMENT OF LABOR</b>		<b>18,509.6</b>	<b>6,554.5</b>

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

Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF	
			<b>(65-01-00) Agriculture</b>					
15.2	44.0	82.8	Personnel Costs			4,136.7	5,810.4	
			Travel			120.0	3.5	
			Contractual Services			1,644.6	516.0	
			Energy			16.1	18.7	
			Supplies and Materials			210.2	118.2	
			Capital Outlay			308.5	26.0	
			Other Items:					
			Information, Education and Certification				172.5	
			Nutrient Management Planning				411.8	
			Poultry Litter Transport			246.0		
			Agriculture Advertising				25.0	
			Agriculture Development Program				17.7	
			Alternative Agriculture Projects				15.0	
			Plant Pest Survey and Control				10.0	
			Educational Assistance			15.0		
			Revenue Refund			7.7		
			Fingerprints			76.0		
			Fingerprinting			75.5		
			Equine Drug Testing			1,225.0		
			Commuter Assistance			3.0		
			Research and Development			75.0		
15.2	44.0	82.8	<b>TOTAL -- Agriculture</b>			8,159.3	7,144.8	
	2.0	13.0	(-01) Administration			314.2	1,263.9	
		7.0	(-02) Agriculture Compliance				480.8	
4.0	2.5	16.5	(-04) Forest Service			654.5	1,165.6	
1.0	10.0		(-05) Harness Racing Commission			2,477.5		
2.0	6.0		(-06) Pesticides			523.6		
0.5		6.5	(-07) Planning				525.7	
1.0	0.5	11.5	(-08) Plant Industries			122.3	881.4	
6.2	12.0	11.8	(-09) Animal Health and Food Products Inspection			1,497.8	964.9	
	9.0		(-10) Thoroughbred Racing Commission			1,765.6		
		9.0	(-11) Weights and Measures				584.9	
0.5		1.5	(-12) Nutrient Management			246.0	845.6	
	2.0		(-13) Agricultural Lands Preservation Foundation			497.8		
		6.0	(-14) Marketing and Promotion			60.0	432.0	
15.2	44.0	82.8	<b>TOTAL -- Internal Program Units</b>			8,159.3	7,144.8	
<b>15.2</b>	<b>44.0</b>	<b>82.8</b>	<b>TOTAL -- DEPARTMENT OF AGRICULTURE</b>			<b>8,159.3</b>	<b>7,144.8</b>	



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

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
5								
6			13.0	<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			13.0	Voting Machines				115.0
15				<b>TOTAL -- Commissioner of Elections</b>				980.8
16				<b>(70-02-01) New Castle County Department of Elections</b>				
17			15.0	Personnel Costs				960.8
18				Travel				10.3
19				Contractual Services				196.7
20				Energy				22.3
21				Supplies and Materials				7.7
22				Other Items:				
23				School Elections				158.4
24			15.0	<b>TOTAL -- New Castle County Department of Elections</b>				1,356.2
25				<b>(70-03-01) Kent County Department of Elections</b>				
26				Personnel Costs				526.0
27			8.0	Contractual Services				161.7
28				Energy				12.0
29				Supplies and Materials				5.0
30				Other Items:				
31				Mobile Registration				3.0
32				School Elections				45.8
33			8.0	<b>TOTAL -- Kent County Department of Elections</b>				753.5
34				<b>(70-04-01) Sussex County Department of Elections</b>				
35				Personnel Costs				537.7
36			7.0	Travel				2.2
37				Contractual Services				32.0
38				Supplies and Materials				14.7
39				Capital Outlay				2.0
40				Other Items:				
41				Mobile Registration				2.1
42				School Elections				45.8
43			7.0	<b>TOTAL -- Sussex County Department of Elections</b>				636.5
44				<b>TOTAL -- DEPARTMENT OF ELECTIONS</b>				3,727.0
45			43.0					

**(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>					
	27.2	27.8	Personnel Costs			1,671.8	2,037.6	
			Travel			34.0		
			Contractual Services			365.3	103.3	
			Energy				71.8	
			Supplies and Materials			81.0	23.4	
			Capital Outlay			311.0		
			Other Items:					
			Juvenile Firesetter Intervention Program				2.0	
			Revenue Refund			1.5		
	27.2	27.8	<b>TOTAL -- Office of the State Fire Marshal</b>			2,464.6	2,238.1	
			<b>(75-02-01) State Fire School</b>					
0.5		18.5	Personnel Costs				1,571.9	
			Contractual Services				183.0	
			Energy				232.5	
			Capital Outlay				35.0	
			Other Items:					
			Stress Management				4.6	
			EMT Training				70.0	
			Local Emergency Planning Commission			50.0		
0.5		18.5	<b>TOTAL -- State Fire School</b>			50.0	2,097.0	
			<b>(75-03-01) State Fire Prevention Commission</b>					
		1.0	Personnel Costs				72.8	
			Travel				14.5	
			Contractual Services				84.3	
			Supplies and Materials				15.1	
			Other Items:					
			Statewide Fire Safety Education				71.6	
			Governor's Fire Safety Conference			7.0	4.7	
			Mid-Atlantic Fire Conference			4.0		
		1.0	<b>TOTAL -- State Fire Prevention Commission</b>			11.0	263.0	
<b>0.5</b>	<b>27.2</b>	<b>47.3</b>	<b>TOTAL -- FIRE PREVENTION COMMISSION</b>			<b>2,525.6</b>	<b>4,598.1</b>	

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

	<b>Personnel</b>				<b>\$ Program</b>		<b>\$ Line Item</b>	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								

  

	<b>Personnel</b>				<b>\$ Program</b>		<b>\$ Line Item</b>	
	NSF	ASF	GF		ASF	GF	ASF	GF
6	80.0		29.0					
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

		3.0
--	--	-----

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials

		145.5
		4.5
		12.7
		3.6

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

		3.0
--	--	-----

		166.3
--	--	-------

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

	<b>Personnel</b>			<b>\$ Program</b>		<b>\$ Line Item</b>	
	NSF	ASF	GF	ASF	GF	ASF	GF
1	<b>(90-00-00) HIGHER EDUCATION</b>						
2							
3							
4							
5	<b>(90-01-00) University of Delaware</b>						
6	<b>(90-01-01) University of Delaware</b>						
7							86,584.5
8							10,115.3
9							4,931.9
10							12,358.9
11							91.8
12							114,082.4
13	<b>TOTAL -- University of Delaware</b>						
14	<b>(90-01-02) Delaware Geological Survey</b>						
15							1,551.7
16							91.9
17							1,643.6
18	<b>TOTAL -- Delaware Geological Survey</b>						
19	<b>TOTAL -- University of Delaware</b>						
20							
21	<b>(90-03-00) Delaware State University</b>						
22	<b>(90-03-01) Operations</b>						
23							25,913.0
24							211.7
25							50.0
26							254.3
27							338.6
28							220.0
29							50.0
30							786.0
31							133.1
32							2,057.4
33							2,195.9
34							32,210.0
35	<b>TOTAL -- Operations</b>						
36	<b>(90-03-05) Sponsored Programs and Research</b>						
37	<b>TOTAL -- Delaware State University</b>						
38							

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(90-04-00) Delaware Technical and  
Community College**

**(90-04-01) Office of the President**

18.0		49.0
18.0		49.0

Personnel Costs  
Aid to Needy Students  
Academic Incentive  
Associate in Arts Program - Operations  
Associate in Arts Program - Academic  
TOTAL -- Office of the President

	5,891.5
	39.3
	50.0
	299.3
	1,657.8
	7,937.9

**(90-04-02) Owens Campus**

61.0	14.0	201.0
61.0	14.0	201.0

Personnel Costs  
Grants  
Aid to Needy Students  
Work Study  
Day Care Training  
Para-educator Technology Program  
TOTAL -- Owens Campus

	16,467.4
	48.2
	244.8
	31.2
	16.8
	123.5
	16,931.9

**(90-04-04) Wilmington Campus**

55.0		159.0
55.0		159.0

Personnel Costs  
Aid to Needy Students  
Grants  
Work Study  
Dental Program  
Day Care Training  
TOTAL -- Wilmington Campus

	12,857.1
	199.8
	32.5
	40.1
	78.8
	17.3
	13,225.6

**(90-04-05) Stanton Campus**

61.0	9.0	192.0
61.0	9.0	192.0

Personnel Costs  
Aid to Needy Students  
Grants  
Work Study  
TOTAL -- Stanton Campus

	15,138.4
	184.8
	27.5
	41.1
	15,391.8

**(90-04-06) Terry Campus**

81.3	13.0	136.0
81.3	13.0	136.0

Personnel Costs  
Aid to Needy Students  
Work Study  
Grants  
Day Care Training  
TOTAL -- Terry Campus

	10,451.0
	218.3
	21.7
	21.0
	6.0
	10,718.0

**TOTAL -- Delaware Technical and  
Community College**

276.3	36.0	737.0
-------	------	-------

	64,205.2
--	----------

**(90-07-01) Delaware Institute of Veterinary  
Medical Education**

Tuition Assistance  
TOTAL -- Delaware Institute of Veterinary  
Medical Education

	314.6
	314.6

**TOTAL -- HIGHER EDUCATION**

276.3	36.0	737.0
-------	------	-------

	212,455.8
--	-----------

**(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>	
53.3	3.0	122.7				14,838.5
						15.5
						677.8
						38.4
						37.6
		1.0				230.4
						51.0
						600.0
						1,342.9
						1,073.5
						2.0
						20.0
						1.0
						58.6
					215.0	510.7
						160.8
		1.0				166.0
						100.0
						4,050.1
					100.0	329.5
					34.0	
						20.0
					27.5	
					15.0	
	2.0				775.0	
		7.0			1,442.0	1,010.3
						1,121.6
53.3	5.0	131.7	<b>TOTAL -- Department of Education</b>		2,608.5	26,456.2
53.3	5.0	131.7	(-01) Department of Education		2,608.5	26,456.2
53.3	5.0	131.7	TOTAL -- Internal Program Unit		2,608.5	26,456.2

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					<b>(95-02-00) School District Operations</b>	
		13,328.4				
						450,671.9
						12,815.2
						207,333.9
						27,845.1
						22,948.0
						78,990.1
						8,849.0
						1,000.0
						511.8
						2,536.7
						184.1
						6,800.0
						17,230.8
		13,328.4				837,716.6
					<b>TOTAL -- School District Operations</b>	
		13,328.4		800,604.2		
				37,112.4		
		13,328.4		837,716.6		
					<b>TOTAL -- Internal Program Units</b>	



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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(95-03-00) Block Grants and Pass Through Programs</b>			
			Education Block Grants:			
			Adult Education and Work Force Training Grant			
			8,624.7			
			Professional Accountability and Instructional Advancement Fund			
			3,546.7			
			Academic Excellence Block Grant			
			33,584.7			
			Flexibility Block Grant			
			5,554.7			
			K-12 Pass Throughs			
			Children's Beach House			
			49.8			
			Delaware Business, Industry, Education Alliance			
			232.4			
			DE Institute for Arts in Education			
			106.8			
			Student Organization			
			172.4			
			Delaware Teacher Center			
			404.1			
			On-Line Periodicals			
			549.0			
			Teacher in Space			
			91.4			
			Achievement Matters Campaign			
			105.6			
			Career Transition			
			56.3			
			Special Needs Programs:			
			Early Childhood Assistance			
			5,727.8			
			Unique Alternatives			
1.0			890.7			
			Exceptional Student Unit - Vocational			
			469.9			
			Related Services for the Handicapped			
			2,870.7			
			Adolescent Day Program			
			36.0			
2.0			1,149.8			
			Children Services Cost Recovery Project			
			40.0			
			Sterck Summer Program			
			480.1			
			Tech-Prep 2 + 2			
			314.5			
			First State School			
			3,574.6			
38.7			9,523.7			
			Prison Education			
			300.0			
			Student Discipline Program			
			300.0			
			Early Childhood Initiatives			
			300.0			
			Driver Training:			
			Driver's Education			
1.0			584.1			
12.0			1,334.5			
4.0			2,624.6			
50.7			87,622.4			
			<b>TOTAL -- Block Grants and Other Programs</b>			

			(-10) Education Block Grants		51,310.8
			(-15) K-12 Pass Throughs		1,767.8
3.0	38.7		(-20) Special Needs Programs	2,040.5	33,209.3
1.0	12.0		(-30) Driver Training	584.1	1,334.5
4.0	50.7		<b>TOTAL -- Internal Program Units</b>	2,624.6	87,622.4

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

Public School Transportation					82,116.0
Non-Public School Transportation Reimbursement					1,848.6
<b>TOTAL -- Pupil Transportation</b>					83,964.6

(-01) Transportation					83,964.6
<b>TOTAL -- Internal Program Unit</b>					83,964.6



<b>Personnel</b>				
<b>TFO</b>	<b>TFC</b>	<b>NSF</b>	<b>ASF</b>	<b>GF</b>
1,509.0	309.0	1,838.0	1,640.7	11,091.2
		276.3	36.0	737.0
		54.3	9.0	13,526.8
<b>1,509.0</b>	<b>309.0</b>	<b>2,168.6</b>	<b>1,685.7</b>	<b>25,355.0</b>

**TOTALS**

<b>\$</b>		
<b>TFO</b>	<b>ASF</b>	<b>GF</b>
344,880.2	625,445.7	2,048,635.5
		212,455.8
	5,233.1	1,044,165.8
<b>344,880.2</b>	<b>630,678.8</b>	<b>3,305,257.1</b>

**TOTAL - DEPARTMENTS**

**TOTAL - HIGHER EDUCATION**

**TOTAL - PUBLIC EDUCATION**

**GRAND TOTAL**

## GENERAL

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

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

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

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

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

17       Section 7. (a) Notwithstanding the provisions of 29 Del. C. § 6334(c), for Fiscal Year 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 17.20 percent.  
2 The components of the rate are 8.30 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 **Section 8. MERIT SYSTEM AND MERIT COMPARABLE SALARY SCHEDULES.**

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

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

2 employees:

3 **Annual Salary**

4 **STATE OF DELAWARE PAY PLAN\***

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

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

35 \* - Annual Salary in Whole Dollars.

36 \*\* - Minimum State Salary.

**STATE OF DELAWARE PAY PLAN\***  
**(Standard Work Schedule of 40 Hours per Work Week)**

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

\* - Annual Salary in Whole Dollars.

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

<b><u>DEPARTMENT</u></b>	<b><u>CLASS SERIES</u></b>
Department of State	Drug Control Administrator
Department of Finance	Gaming Inspector I, II
	Gaming Inspection Supervisor
Department of Correction	Quality Improvement Program Administrator
	Community Work Program Coordinator
	Correctional Food Services Administrator
	Director of Probation and Parole

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



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Toll Sergeant  
TMC EPS Technician  
TMC Planner IV

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

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

**(b) SELECTIVE MARKET VARIATIONS.**

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

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

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

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

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

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 4, 2010, whose salary in effect as of July 3, 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 on or before July 3, 2010, whose salary in effect as of July 3, 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 assigned to Selective Market Variation shall have their Selective Market  
5 Variation pay ranges restored to the Fiscal Year 2009 amounts. All classes shall remain  
6 on Selective Market until the selective market ranges meet the merit pay plan ranges or  
7 until such time as the classes become covered by a collective bargaining agreement  
8 pursuant to the provisions of 19 Del. C. § 1311A.

9 (9) Effective July 4, 2010, the shift differential rates paid to registered nurses in accordance  
10 with the provisions of Merit Rule 4.15 shall reflect the salary scale in effect for the  
11 current fiscal year or that which is superseded by a collective bargaining agreement  
12 pursuant to the provisions of 19 Del. C. § 1311A.

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

14 The amount appropriated for salaries in Section 1 of this Act provides for:

15 (1) Salary adjustments for departments 01 through 77 and Delaware Technical and  
16 Community College Plan B:

17 (i) Effective July 4, 2010, the salary of each employee impacted by the Fiscal Year 2010  
18 pay reduction shall be restored;

19 (ii) The salary of employees who after the application of the restoration in Section  
20 8(c)(1)(i) is below the minimum salary of the assigned pay grade of the pay plan shall  
21 be raised to the minimum salary;

22 (iii) Statutory step increases for Department of Education and Delaware Technical and  
23 Community College plans A and D, as provided in Title 14;

24 (iv) Negotiated, collective bargaining increases for Uniformed members of the Delaware  
25 State Police and full-time and regular part-time non-merit Telecommunications  
26 Specialists, Senior Telecommunications Specialists, Telecommunication Shift  
27 Supervisors, Telecommunication Central Control Specialists, Senior  
28 Telecommunications Central Control Specialists and Telecommunications Central

1 Control Shift Supervisors employed in the Communications Section of the Division  
2 of State Police in the Department of Safety and Homeland Security, and non-  
3 uniformed support staff within the Delaware State Police covered under the  
4 Communication Workers of America;

5 (v) Delaware National Guard employees will be paid consistent with the federal salary  
6 plan;

7 (vi) In Fiscal Year 2011, the Department of Natural Resources and Environmental  
8 Control Enforcement competency-based salary matrix amounts will be restored to the  
9 Fiscal Year 2009 amounts effective July 4, 2010; and

10 (vii) In Fiscal Year 2011, the salary plans for the Office of the Attorney General and  
11 Public Defender shall continue as established. The salary matrices approved for said  
12 plans shall be increased as approved by the Director of the Office of Management  
13 and Budget and the Controller General effective July 4, 2010.

14 **(d) MAINTENANCE REVIEWS.**

15 (1) Any such reclassifications/regrades that the Director of the Office of Management and  
16 Budget determines to be warranted as a result of the classification maintenance reviews  
17 regularly scheduled by the Office of Management and Budget shall be designated to  
18 become effective July 4, 2010, provided that such reclassifications/regrades have been  
19 processed as part of the regular budgetary process and the funds for such  
20 reclassifications/regrades have been appropriated. Maintenance review classification  
21 determinations may be appealed to the Merit Employee Relations Board in accordance  
22 with 29 Del. C. § 5915. Pay grade determinations shall not be appealed.

23 (2) Any such title changes that the Director of the Office of Management and Budget  
24 determines to be warranted as a result of a consolidation review shall be implemented as  
25 they are completed with the concurrence of the Controller General. A consolidation  
26 review is for the specific purpose of combining current class titles and class  
27 specifications that are in the same occupational area and require sufficiently similar  
28 knowledge, skills, abilities and minimum qualifications. A consolidation review will not

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

5 **(e) CRITICAL RECLASSIFICATIONS.**

6 Critical reclassifications approved through July 3, 2010, shall be effective July 4, 2010. The  
7 classification of any position whose salary is covered by the appropriations in Section 1 of this Act may  
8 be changed to be effective January 1, 2011 or July 1, 2011 if the requested change is certified critical by  
9 the appointing authority and is approved by the Director of the Office of Management and Budget and the  
10 Controller General prior to the effective date. Critical reclassification requests and pay grade  
11 determinations shall not be appealed to the Merit Employee Relations Board.

12 **(f) OTHER RECLASSIFICATIONS.**

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

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

16 Teachers and administrators employed by state agencies and who are paid based on the Basic  
17 Schedule contained in 14 Del. C. § 1305, as amended by this Act, shall receive as a salary an amount  
18 equal to the index value specified in the appropriate training and experience cell multiplied by the base  
19 salary amount defined in 14 Del. C. § 1305(b), divided by 0.7 for ten months employment. If employed  
20 on an 11- or 12-month basis, the ten-month amount shall be multiplied by 1.1 or 1.2, respectively. In  
21 addition to the above calculation, teachers and administrators qualifying for professional development  
22 clusters in accordance with 14 Del. C. § 1305(l) shall receive an additional amount equal to the approved  
23 cluster percentage multiplied by the base salary amount defined in 14 Del. C. § 1305(b). This calculation  
24 shall not be increased for 11 or 12 month employment. The percentage shall only be applied to the base  
25 10 month salary for 10, 11 and 12 month employees. In accordance with 14 Del. C. § 1305(p), the cluster  
26 percentage is capped at 15 percent. The provisions of this Subsection shall not apply to those Merit  
27 System employees who are covered by a collective bargaining agreement which has met all provisions of  
28 19 Del. C. § 1311A.

1           **(h) ADMINISTRATIVE REGULATIONS.**

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

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

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

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

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

22           **(j) OVERTIME.**

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

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

4 (i) Department of Transportation personnel responding to weather-related emergencies  
5 and who are not subject to the Fair Labor Standards Act shall be entitled to receive  
6 compensation at one-and-one-half times their normal rate of pay for all overtime  
7 services performed beyond 40 hours per week. This shall apply to employees  
8 classified through the Area Supervisor level. All additional personnel assigned to  
9 assist the area yards during weather-related emergencies and who are above the level  
10 of Area Supervisor shall be entitled to receive compensation at their straight time rate  
11 of pay for all overtime services performed beyond the normal work week.

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

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

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

27 Merit Rule 4.16 notwithstanding, employees designated as Highway Emergency Response Team  
28 members shall be eligible for call back 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 **(l) STANDBY PAY - HIGHWAY EMERGENCY RESPONSE TEAM.**

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

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

9 Salary schedules and staffing formulas contained in 14 Del. C. c. 13, shall be restored to the  
10 Fiscal Year 2009 amounts effective July 4, 2010, and shall be revised as specified in this Subsection.

11 (1) Amend 14 Del. C. § 1305(b), by deleting the first sentence and inserting in lieu thereof the  
12 following sentence:

13 “The base salary amount for this section, for the fiscal year ending June 30, 2011, shall be  
14 \$26,967.”

15 (i) Amend 14 Del. C. § 1305 by deleting subsection (e) in its entirety and by substituting in  
16 lieu thereof the following: “Beginning in Fiscal Year 2011 and each succeeding fiscal  
17 year, salary derived from subsections (a) and (b) of this section for 10 months’  
18 employment shall mean a total of 188 full work days to be utilized as follows:

- 19 a. 180 days devoted to actual school sessions for pupils;
- 20 b. 2 days devoted to start-up/closing; and
- 21 c. 6 days devoted solely to professional development.”

22 (ii) Amend 14 Del. C. § 1305 by deleting subsection (r) in its entirety.



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

<b>"Years of Experience</b>	<b>Clerk*</b>	<b>Secretary*</b>	<b>Senior Secretary*</b>	<b>Financial Secretary*</b>	<b>Administrative Secretary*</b>
0	15,204	16,727	17,555	18,012	18,771
1	15,761	17,284	18,069	18,529	19,294
2	16,316	17,796	18,584	19,047	19,819
3	16,874	18,309	19,098	19,563	20,342
4	17,395	18,821	19,613	20,080	20,927
5	17,888	19,334	20,128	20,623	21,518
6	18,379	19,846	20,673	21,207	22,111
7	18,871	20,356	21,255	21,790	22,701
8	19,364	20,930	21,835	22,374	23,294
9	19,856	21,509	22,416	22,957	23,884
10	20,348	22,086	22,995	23,543	24,476
11	20,899	22,664	23,575	24,126	25,067
12	21,454	23,241	24,157	24,708	25,659
13	22,010	23,820	24,738	25,293	26,250
14	22,566	24,398	25,317	25,878	26,840
15	23,122	24,977	25,898	26,459	27,435
16	23,677	25,553	26,479	27,042	28,026
17	24,235	26,132	27,061	27,627	28,616
18	24,789	26,710	27,641	28,209	29,208
19	25,345	27,289	28,221	28,796	29,800
20	25,899	27,866	28,801	29,379	30,390
21	26,468	28,457	29,394	29,975	30,995
22	27,051	29,062	30,001	30,584	31,613
23	27,648	29,679	30,621	31,206	32,244
24	28,258	30,309	31,254	31,840	32,889

\* - Annual Salary in Whole Dollars."

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

<b>“Years of Exp.</b>	<b>Custodian*</b>	<b>Custodian Firefighter*</b>	<b>Chief Custodian 5 or Fewer*</b>	<b>Chief Custodian 6 or More*</b>	<b>Maintenance Mechanic*</b>	<b>Skilled Craftsperson*</b>
0	18,201	18,717	18,979	20,016	20,497	20,954
1	18,590	19,107	19,369	20,406	20,984	21,542
2	18,979	19,496	19,758	20,811	21,497	22,125
3	19,368	19,886	20,146	21,248	22,003	22,709
4	19,758	20,274	20,538	21,689	22,447	23,295
5	20,146	20,661	20,956	22,129	23,021	23,879
6	20,538	21,104	21,397	22,564	23,531	24,463
7	20,956	21,544	21,833	23,001	24,040	25,048
8	21,397	21,980	22,273	23,441	24,550	25,633
9	21,833	22,419	22,709	23,879	25,056	26,219
10	22,273	22,857	23,149	24,318	25,568	26,802
11	22,709	23,298	23,589	24,754	26,076	27,388
12	23,157	23,750	24,039	25,198	26,597	27,988
13	23,614	24,211	24,501	25,652	27,128	28,602
14	24,080	24,682	24,974	26,115	27,671	29,231
15	24,557	25,161	25,454	26,585	28,224	29,873

\* - Annual Salary in Whole Dollars.”

(4) 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	16,908	17,856	18,802	19,746	20,677	21,824	22,393
1	17,381	18,325	19,275	20,220	21,104	21,964	22,823
2	17,856	18,802	19,746	20,677	21,533	22,393	23,252
3	18,325	19,275	20,220	21,104	21,964	22,823	23,681
4	18,802	19,746	20,677	21,553	22,393	23,252	24,111
5	19,275	20,220	21,104	21,964	22,823	23,681	24,541
6	19,746	20,677	21,533	22,393	23,252	24,111	25,007
7	20,220	21,104	21,964	22,823	23,681	24,541	25,481
8	20,677	21,533	22,393	23,252	24,111	25,007	25,957
9	21,104	21,964	22,823	23,681	24,541	25,481	26,430
10	21,533	22,393	23,252	24,111	25,007	25,957	26,901
11	21,964	22,823	23,681	24,541	25,481	26,430	27,374
12	22,393	23,252	24,111	25,007	25,957	26,901	27,850
13	22,823	23,681	24,541	25,481	26,430	27,374	28,322
14	23,252	24,111	25,007	25,957	26,901	27,850	28,800
15	23,681	24,541	25,481	26,430	27,374	28,322	29,275
16	24,123	25,023	25,965	26,913	27,858	28,804	29,759
17	24,574	25,520	26,460	27,405	28,353	29,294	30,253
18	25,035	26,028	26,965	27,907	28,857	29,793	30,755
19	25,503	26,547	27,478	28,418	29,370	30,301	31,265

\* - Annual Salary in Whole Dollars.”

1 (5) 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	10.62	11.44
7	1	10.75	11.56
8	2	10.91	11.69
9	3	11.00	11.79
10	4	11.12	11.93
11	5	11.29	12.11
12	6	11.43	12.21
13	7	11.53	12.29
14	8	11.61	12.39
15	9	11.71	12.52
16	10	11.82	12.67
17	11	12.02	12.79
18	12	12.14	12.93
19	13	12.26	13.06
20	14	12.39	13.16
21	15	12.52	13.31
22	16	12.68	13.47
23	17	12.81	13.57
24	18	12.96	13.66
25	19	13.12	13.77
26	20	13.26	13.87
27	21	13.41	13.98”

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

<b>Years of Experience</b>	<b>Service Aides*</b>	<b>Instructional Aides*</b>
0	15,020	17,670
1	15,600	18,080
2	15,936	18,492
3	16,273	18,904
4	16,614	19,318
5	16,950	19,729
6	17,286	20,144
7	17,623	20,556
8	17,961	20,969
9	18,298	21,379
10	18,637	21,792
11	18,973	22,203
12	19,308	22,581
13	19,648	22,954
14	19,984	23,330
15	20,320	23,702
16	20,658	24,081
17	20,996	24,454
18	21,333	24,830
19	21,670	25,203
20	22,006	25,579
21	22,312	25,954
22	22,625	26,337
23	22,945	26,766
24	23,270	27,202
25	23,599	27,646

\* - Annual Salary in Whole Dollars.”

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

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

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

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

12 **(n) LEAVE PLANS.**

13 Effective July 1, 2010, Section 25 leave plans shall be eliminated.

14 Section 9. Salaries and wage rates for state employees who are not covered by the provisions of  
15 14 Del. C. c. 13, 19 Del. C. § 1311A, or by the Merit System, excluding employees of the General  
16 Assembly-House or the General Assembly-Senate, Uniformed State Police, all full-time and regular part-  
17 time non-Merit Telecommunications Specialists, Senior Telecommunications Specialists,  
18 Telecommunication Shift Supervisors, Telecommunications Central Control Specialists, Senior  
19 Telecommunications Central Control Specialists and Telecommunications Central Control Shift  
20 Supervisors employed in the Communications Section of the Department of Safety and Homeland  
21 Security, Delaware State Police, employees of the University of Delaware, employees of Delaware State  
22 University, employees of Delaware Technical and Community College who are paid on the  
23 Administrative Salary Plan or Faculty Plan, Plans D and A, respectively, Executive Director of the  
24 Delaware Center for Educational Technology, members and employees of the Delaware National Guard  
25 and employees whose salaries are governed by Section 10 of this Act, shall have the following:

26 (a) The salary of employees shall be comparable to salaries and wage rates paid from funds  
27 appropriated by the State to employees with similar training and experience who serve in similar positions  
28 in the Merit System. In the event that there are no similar positions in the Merit System, the Director of

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

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

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

1 Section 10. (a) For the fiscal year ending June 30, 2011, the salaries displayed below represent the salary  
 2 effective on July 4, 2010.

		General	All Other
		Funds	Funds
3			
4	<u>Budget Unit</u> <u>Line Item</u>		
5	(01-01-01)    Representative	\$ 42,750	
6	(01-02-01)    Senator	42,750	
7	(02-00-00)    Judicial Secretaries	47,850	
8	(02-00-00)    Judicial Secretaries to Presiding Judges	50,050	
9	(02-01-00)    Chief Justice - Supreme Court	194,750	
10	(02-01-00)    Justice - Supreme Court	185,050	
11	(02-01-00)    Judicial Secretary to the Chief Justice	50,650	
12	(02-01-00)    Supreme Court Judicial Secretary	50,050	
13	(02-02-00)    Chancellor - Court of Chancery	185,750	
14	(02-02-00)    Vice Chancellor - Court of Chancery	174,950	
15	(02-03-00)    President Judge - Superior Court	183,650	
16	(02-03-00)    Associate Judge - Superior Court	168,850	
17	(02-03-00)    Commissioner - Superior Court	104,250	
18	(02-03-00)    New Castle County Prothonotary	65,550	
19	(02-03-00)    Kent County Prothonotary	58,550	
20	(02-03-00)    Sussex County Prothonotary	58,550	
21	(02-06-00)    Chief Judge - Court of Common Pleas	183,650	
22	(02-06-00)    Judge - Court of Common Pleas	168,850	
23	(02-06-00)    Commissioner - Court of Common Pleas	104,250	
24	(02-08-00)    Chief Judge - Family Court	183,650	
25	(02-08-00)    Associate Judge - Family Court	168,850	
26	(02-08-00)    Commissioner - Family Court	104,250	
27	(02-13-00)    Chief Magistrate - Justices of the Peace Courts	121,750	



			General	All Other
	<u>Budget Unit</u>	<u>Line Item</u>	<u>Funds</u>	<u>Funds</u>
1				
2				
3	(02-13-00)	Magistrate - Justices of the Peace Courts - 1st Term	70,750	
4	(02-13-00)	Magistrate - Justices of the Peace Courts - 2nd Term	73,250	
5	(02-13-00)	Magistrate - Justices of the Peace Courts - 3rd Term	75,550	
6	(02-13-00)	Judicial Secretary to the Chief Magistrate	47,850	
7	(02-17-00)	State Court Administrator - Office of the State Court		
8		Administrator	126,550	
9	(02-17-00)	Judicial Secretary to the State Court Administrator	50,050	
10	(02-18-00)	Public Guardian	68,750	
11	(02-18-00)	Executive Director - Child Placement Review Board	62,550	
12	(10-01-01)	Governor	171,000	
13	(10-02-00)	Director - Office of Management and Budget	143,050	
14	(10-02-08)	Director - SAC	89,450	
15	(10-02-50)	Executive Secretary - Architectural Accessibility Board	50,450	
16	(10-03-01)	Director - Delaware Economic Development Office	123,850	
17	(10-07-01)	Executive Director - CJC	91,050	
18	(10-07-01)	Director - Domestic Violence Coordinating Council	67,750	
19	(10-07-02)	Executive Director - DELJIS	83,350	
20	(10-08-01)	Director - Delaware State Housing Authority		115,550
21	(11-00-00)	Chief Information Officer	155,450	
22	(12-01-01)	Lieutenant Governor	76,250	
23	(12-02-01)	Auditor	105,350	
24	(12-03-01)	Insurance Commissioner		105,350
25	(12-05-01)	State Treasurer	110,050	
26	(15-01-01)	Attorney General	140,950	
27	(15-01-01)	Chief Deputy Attorney General	124,050	

		General	All Other
	<u>Budget Unit</u>	<u>Line Item</u>	
		<u>Funds</u>	<u>Funds</u>
1			
2	(15-01-01)	Executive Director -Victims' Compensation Assistance	
3		Program	60,750
4	(15-02-01)	Public Defender	136,050
5	(15-02-01)	Chief Deputy Public Defender	124,050
6	(15-03-01)	Parole Board Chairman	76,850
7	(20-01-00)	Secretary - State	123,850
8	(20-01-00)	Executive Director - Employment Relations Boards	87,500
9	(20-02-00)	Director - Human Relations/Commission for Women	76,930
10	(20-03-00)	Director - Division of Archives	71,800
11	(20-04-00)	Public Advocate	82,850
12	(20-04-00)	Director - Public Service Commission	93,250
13	(20-04-00)	Director - Professional Regulation	94,850
14	(20-05-00)	Director - Corporations	110,750
15	(20-06-00)	Director - Historical and Cultural Affairs	91,250
16	(20-07-00)	Director - Arts	79,050
17	(20-08-00)	State Librarian	81,350
18	(20-15-00)	State Banking Commissioner	108,150
19	(25-01-00)	Secretary - Finance	143,050
20	(25-05-00)	Director - Accounting	103,850
21	(25-06-00)	Director - Revenue	120,950
22	(25-07-00)	Director - State Lottery	102,250
23	(35-01-00)	Secretary - Health and Social Services	143,050
24	(35-01-00)	Director - Management Services	100,305
25	(35-02-00)	Director - Medicaid and Medical Assistance	55,825
26	(35-04-00)	Chief Medical Examiner	192,702
27			

			General	All Other
	<u>Budget Unit</u>	<u>Line Item</u>	<u>Funds</u>	<u>Funds</u>
1				
2				
3	(35-05-00)	Director - Public Health	165,000	
4	(35-06-00)	Director - Substance Abuse and Mental Health	139,500	
5	(35-07-00)	Director - Division of Social Services	55,825	55,825
6	(35-08-00)	Director - Visually Impaired	85,750	
7	(35-09-00)	Director - Long-term Care Residents Protection	89,950	
8	(35-10-00)	Director - Child Support Enforcement	29,650	60,200
9	(35-11-00)	Director - Developmental Disabilities Services	111,550	
10	(35-12-00)	Director - State Service Centers	89,950	
11	(35-14-00)	Director - Services for Aging and Adults		
12		with Physical Disabilities	89,950	
13	(37-01-00)	Secretary - Services for Children,		
14		Youth and Their Families	128,850	
15	(37-01-00)	Director - Management Services	101,650	
16	(37-04-00)	Director - Prevention and Behavioral Health Services	101,650	
17	(37-05-00)	Director - Youth Rehabilitative Services	101,650	
18	(37-06-00)	Director - Family Services	101,650	
19	(38-01-00)	Commissioner - Correction	143,050	
20	(38-01-00)	Bureau Chief - Management Services	99,550	
21	(38-02-00)	Bureau Chief - Correctional Healthcare Services	106,350	
22	(38-04-00)	Bureau Chief - Prisons	111,550	
23	(38-06-00)	Bureau Chief - Community Corrections	106,350	
24	(40-01-00)	Secretary - Natural Resources and		
25		Environmental Control	123,850	
26	(40-01-00)	Deputy Secretary - Natural Resources		
27		and Environmental Control	103,950	
28	(40-03-02)	Director - Parks and Recreation	96,350	

1			General	All Other
2	<u>Budget Unit</u>	<u>Line Item</u>	<u>Funds</u>	<u>Funds</u>
3	(40-03-03)	Director - Fish and Wildlife	47,825	47,825
4	(40-03-04)	Director - Watershed Management	93,250	
5	(40-04-02)	Director - Air Quality	93,250	
6	(40-04-03)	Director - Water	95,650	
7	(40-04-04)	Director - Waste Management	95,650	
8	(45-01-00)	Secretary - Safety and Homeland Security	128,850	
9	(45-01-00)	Director - Del. Emergency Management Agency	40,025	40,025
10	(45-03-00)	Commissioner - Alcoholic Beverage Control	111,250	
11	(45-04-00)	Director - Alcohol and Tobacco Enforcement	78,900	
12	(45-06-00)	Superintendent - State Police	140,130	
13	(45-06-00)	Assistant Superintendent - State Police	128,560	
14	(55-01-01)	Secretary - Transportation		133,950
15	(55-01-02)	Director - Finance		112,650
16	(55-02-01)	Director - Technology and Support Services		113,150
17	(55-03-01)	Director - Planning		113,150
18	(55-04-01)	Director - Maintenance and Operations		113,150
19	(55-06-01)	Director - Delaware Transit Corporation		113,150
20	(55-08-30)	Chief Engineer		119,050
21	(55-11-10)	Director - Motor Vehicles		113,150
22	(60-01-00)	Secretary - Labor	11,555	103,995
23	(60-06-00)	Director - Unemployment Insurance		95,750
24	(60-07-00)	Director - Industrial Affairs		93,250
25	(60-08-00)	Director - Vocational Rehabilitation		93,250
26	(60-09-00)	Director - Employment and Training		93,250
27	(65-01-00)	Secretary - Agriculture	115,550	
28	(65-01-00)	Deputy Secretary - Agriculture	83,650	

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

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

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

1 consent of the Controller General in the event the salary is higher than the amount listed  
2 in Section 10(a).

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

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

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

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

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

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

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

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

		<u>July 1, 2010</u>	
		General	All Other
<u>Budget Unit</u>	<u>Line Item</u>	<u>Funds</u>	<u>Funds</u>
4	(10-02-32) Board Members - Pensions		15.0
5	(10-02-50) Board Members - Architectural Accessibility Board	2.3	
6	(15-01-01) Board Members - Consumer Protection	3.5	
7	(15-03-01) Board Members - Parole	46.1	
8	(20-01-00) Board Members - Public Employment Relations Board	7.4	
9	(20-01-00) Board Members - Merit Employee Relations Board	20.0	
10	(20-02-00) Board Members - Human Relations	2.5	
11	(20-04-00) Board Members - Professional Regulation		71.5
12	(20-04-00) Board Members - Public Service Commission		155.0
13	(25-01-00) Board Members - Revenue	33.0	
14	(38-04-00) Board Members - Institutional Classification	12.0	
15	(45-04-00) Board Members - Alcoholic Beverage Control Commission	8.6	
16	(60-07-00) Board Members - Industrial Accident Board		230.0
17	(65-01-05) Harness Racing Commission		13.6
18	(65-01-10) Thoroughbred Racing Commission		13.6
19	(65-01-12) Nutrient Management Commission	22.4	
20	(70-02-01) Board Members - New Castle County Elections	21.5	
21	(70-03-01) Board Members - Kent County Elections	13.0	
22	(70-04-01) Board Members - Sussex County Elections	13.0	
23	(95-01-01) Board Members - State Board of Education	16.8	
24	(95-08-01) Higher Education Commissioners	2.4	
25	<u>Section 11.</u> Merit Rule 4.13.7 notwithstanding, merit compensatory time will not be forfeited if		
26	not used within 180 calendar days of accrual.		



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

4           Section 13. Chapters 4.0 and 5.0 of the Merit Rules notwithstanding, the Director of the Office of  
5 Management and Budget and the Controller General shall have the authority to designate and approve  
6 pilot projects within specified agencies. Such pilot projects shall accrue to the mutual benefit of the State  
7 as an employer and its affected employees in the Department of Health and Social Services, the  
8 Department of Services for Children, Youth and Their Families, the Department of Correction, and the  
9 Department of Transportation. These pilot projects may include employee incentives which have the  
10 impact of reducing overtime usage in these departments, and are designed to achieve a net reduction in  
11 costs to the State. Such projects may include elimination of preemployment testing for certain  
12 classifications, eliminating the cap on vacation carryover, gain sharing, and the substitution of certain  
13 fixed state holidays by floating holidays. Such pilot projects shall not exceed a period of two years  
14 duration, subject to renewal on a six-month basis, and shall include a written assessment to the Director of  
15 the Office of Management and Budget and the Controller General of their effectiveness at the end of each  
16 period. To the extent or where employees participating in pilot projects pursuant to this section are  
17 covered by a collective bargaining agreement pursuant to 19 Del. C. § 1311A, any such pilot project shall  
18 not include employee incentives or compensation contrary to that provided in the negotiated collective  
19 bargaining agreement.

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

23           (b) Amend 29 Del. C. § 6502 (a) by adding “and school districts “after “each agency”.

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

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

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

12           Section 16. (a) Agencies with videophones obtained through the Videophone Committee of the  
13 Criminal Justice Council shall submit to the Director of the Office of Management and Budget and the  
14 Controller General a report on their use of their videophone(s) by December 1 of each year. This report  
15 shall be based on a period from July 1 through June 30 and shall contain information such as, but not  
16 limited to, 1) the number of videophones used; 2) the types of activities for which the videophone(s) is/are  
17 used; 3) the number of times the videophone(s) was/were used for each activity; 4) any savings or  
18 deferred costs resulting from the use of the videophone(s); 5) any costs directly associated with the use of  
19 the videophone(s); and 6) future plans for the use of the videophone(s).

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

25           Section 17. Notwithstanding any other provision of the Delaware Code or this Act to the  
26 contrary, the Office of Management and Budget, subject to the approval of the Controller General, is  
27 authorized to make technical adjustments to the personnel complement of any agency as appropriated in

1 Section 1 of this Act in those situations where, due to the rounding of split-funded positions, such an  
2 adjustment is necessary so that an agency may establish its authorized complement.

3 Section 18. Notwithstanding Merit Rules 4.4.2 and 4.4.3, an agency that requests approval of a  
4 starting rate higher than 85 percent of the midpoint, or that requests that incumbents be leveled up to a  
5 newly-hired employee, shall provide documentation showing that sufficient funds exist within the  
6 agency's base budget to fund such actions. An agency that requests approval of a starting rate higher than  
7 85 percent of midpoint shall also indicate if the approval of such starting rate will result in a request to  
8 level up the salary of the existing employees, and shall indicate if sufficient funds exist within the  
9 agency's base budget to fund such a leveling-up action. Notwithstanding any provisions of this Act or the  
10 Delaware Code to the contrary, no provision of Chapter 4.0 of the Merit Rules shall be considered  
11 compensation for the purposes of collective bargaining and leveling up can only occur with the  
12 concurrence of the Director of the Office of Management and Budget and the Controller General. The  
13 Director of the Office of Management and Budget and Controller General, with the concurrence of the co-  
14 chairs of the Joint Finance Committee shall promulgate policies and procedures to implement this section.

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

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

24 Section 21. In accordance with the provisions of 29 Del. C. § 5106, effective for all fiscal years  
25 commencing after June 30, 2003, exceptions to the standard practice of paycheck deductions shall be  
26 made for employees paying dues to the Delaware State Education Association (DSEA). For all  
27 employees designating that DSEA membership dues be deducted from their bi-weekly paycheck shall  
28 have those dues deducted from the 22 pay periods occurring within the 10 month school year. This

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

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

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

13 Section 24. Notwithstanding any provision of the Delaware Code to the contrary, 29 Del. C. §  
14 5207 shall not apply to individuals employed in accordance with 29 Del. C. § 5903(17).

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

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

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

27 (a) The Director of the Office of Management and Budget shall provide the Controller General  
28 with a detailed description of any significant change in energy procurement strategy and procedures

1 previously approved by the Controller General. The detailed description shall be provided to the  
2 Controller General at least two weeks prior to the execution of an energy supply contract that incorporate  
3 the changes.

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

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

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

14 Section 28. (a) The Office of Management and Budget, with the concurrence of the Controller  
15 General and co-chairs of the Joint Finance Committee, is authorized to continue the pilot web-based  
16 procurement program in the Department of Health and Social Services; Department of Natural Resources  
17 and Environmental Control, Parks and Recreation; Department of Technology and Information; and  
18 Department of Safety and Homeland Security, Delaware Emergency Management Agency . During  
19 Fiscal Year 2011, this program will expand to include the Office of Management and Budget, Department  
20 of Correction, Department of Transportation, Department of Education and all divisions within the  
21 Department of Safety and Homeland Security. The Office of Management and Budget is authorized to  
22 expand this program in up to four additional state agencies during Fiscal Year 2012. In addition, upon  
23 recommendation of the Secretary of Education, said pilot procurement program may be expanded to  
24 include up to 10 school districts and charter schools. To ensure efficiencies in statewide procurement  
25 activities, the pilot programs shall include, but not be limited to, placing legal notices in statewide  
26 publications of record directing interested bidders to the pilot agencies' websites for detailed information  
27 on procurement opportunities. For purposes of this pilot program, said publication of legal notices shall  
28 fulfill the advertising requirement of 29 Del. C. c. 69. Agencies including the Department of Education

1 on behalf of school districts and charter schools, participating in the pilot program shall report on the  
2 outcomes of this initiative to the co-chairs of Joint Finance Committee, Controller General, and Director  
3 of Office of Management and Budget by May 15, 2011.

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

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

13 Section 29. Amend 29 Del. C. § 6933 by striking the word “with” as it appears after the words  
14 “either within the State or” and replacing with the word “within”.

15 Section 30. Amend 29 Del. C. § 6987 by adding the words “or within” after the words “either  
16 within the State, with”.

17 Section 31. Notwithstanding the provisions of the Administrative Procedures Act, 29 Del. C. c.  
18 101 or any other laws to the contrary, the State Employee Benefits Committee is authorized to amend the  
19 rules for Employees Eligible to Participate in the State Group Health Insurance Program and the State  
20 Disability Insurance Program by approving such amendments and causing the amendments to be  
21 published in the Register of Regulations with such amendments to be effective as of the date of such  
22 publication unless otherwise specified by the State Employee Benefits Committee.

23 Section 32. All agency heads shall assure that state employees, where feasible, make use of  
24 teleconferencing and video conferencing solutions available for meetings in lieu of the use of state-owned  
25 vehicles.

1            Section 33. (a) For the fiscal year ending June 30, 2010, any sums in the following accounts shall  
 2 remain as continuing appropriations and shall not be subject to a reversion until June 30, 2011. Any  
 3 appropriation listed below that has a balance of zero on June 30, 2010 shall not continue:

4	<b>Fiscal Year</b>	<b>Account</b>	
5	<b><u>Appropriation</u></b>	<b><u>Codes</u></b>	<b><u>Remarks</u></b>
6	2009/10	01-01-01-0140	Travel
7	2010	01-01-01-0141	Leg-Mileage
8	2010	01-01-01-0150	Contractual
9	2009/10	01-01-01-0160	Supplies
10	2008	01-01-01-0170	Capital
11	2009	01-01-01-0181	Committee Expenses
12	2007/08/09/10	01-02-01-0140	Travel
13	2008/09/10	01-02-01-0141	Leg-Mileage
14	2009/10	01-02-01-0150	Contractual
15	2009/10	01-02-01-0160	Supplies
16	2008/09/10	01-02-01-0170	Capital
17	2009/10	01-02-01-0181	Committee Expenses
18	2008	01-02-01-0182	Ad Substance Abuse
19	2010	01-05-01-0140	Travel
20	2008/09/10	01-05-01-0141	Leg Travel
21	2008/09/10	01-05-01-0150	Contractual
22	2008/09/10	01-05-01-0151	State Governments
23	2009/10	01-05-01-0160	Supplies
24	2010	01-08-01-0150	Contractual
25	2007/08/09/10	01-08-01-0151	Print Laws
26	2010	01-08-01-0170	Capital
27	2009/10	01-08-02-0140	Travel
28	2007/08/09/10	01-08-02-0150	Contractual
29	2008/09/10	01-08-02-0160	Supplies

1	2009/10	01-08-02-0170	Capital
2	2007/08/09/10	01-08-02-0181	Contingency - Legislative
3	2008/09/10	01-08-02-0182	Family Law Commission
4	2010	01-08-02-0185	Formula Update
5	2009	01-08-02-0186	Juvenile Detention Oversight Committee
6	2009	01-08-02-0190	Neighborhood Schools
7	2008/09/10	01-08-02-0191	Clean Air
8	2008/09/10	01-08-02-0193	JFC/CIP Contingency
9	2008/09/10	01-08-02-0197	Contingency - Intern
10	2007	01-08-02-0198	One Time Revolutionary War Monument
11	2006	01-08-02-0200	TriCent Committee
12	2009	01-08-02-0200	Alternate Energy
13	2008/09/10	01-08-02-0201	Security
14	2006	01-08-02-0879	BioTech Engineer
15	2006	01-08-02-0891	Legislative Hall Improvements
16	2002	01-08-02-0985	Senior Center Projects
17	2008	01-08-02-0988	JFC CIP Contract
18	2006	01-08-02-0989	Senior Center Fund
19	2009/10	01-08-03-0150	Contractual
20	2009/10	01-08-06-0140	Travel
21	2009/10	01-08-06-0150	Contractual
22	2008	02-01-10-0180	Court on the Judiciary
23	2010	02-03-10-0180	Jury Expenses
24	2010	02-17-01-0180	Retired Judges
25	2010	02-17-01-0186	Civil Attorneys
26	2010	02-17-01-0188	Court Appointed Attorneys
27	2010	02-17-01-0189	Interpreters
28	2009/10	02-17-01-0190	New Castle County Courthouse



1	2004	02-17-01-0192	COTS Support
2	2010	02-17-03-0180	OSCCE - Sussex Office
3	2010	02-17-04-0182	COTS Maintenance
4	2010	02-18-01-0180	Special Needs
5	2010	02-18-03-0180	Ivy Davis
6	2009	10-02-05-0202	Evaluation Project
7	2009/10	10-02-06-0196	Contingency Fund
8	2008/09	10-02-10-0185	Data Development
9	2010	10-02-10-0191	Budget Automation
10	2010	10-02-11-0185	Legal Fees
11	2009/10	10-02-11-0189	Salary/OEC
12	2008	10-02-11-0198	One Time
13	2010	10-02-11-0218	Judicial Nominating Committee
14	2010	10-02-11-0305	One Time
15	2010	10-02-11-0305	Fish and Wildlife
16	2007	10-02-20-0274	Recruit and Retention
17	2010	10-02-31-0150	Contractual
18	2010	10-02-31-0183	Self Insurance
19	2010	10-07-01-0297	Local Law Enforcement Education Fund
20	2010	20-01-01-0279	International Trade
21	2010	20-01-01-0280	Italian-American Commission
22	2010	20-03-01-0183	DE Heritage
23	2007	20-03-01-0198	One Time
24	2010	20-06-04-0181	Museum Conservation
25	2009	20-08-01-0180	Library Standards
26	2010	20-08-01-0186	DELNET Statewide
27	2009	35-01-10-0181	Education
28	2010	35-01-10-0185	Uninsured Action Plan

1	2010	35-01-10-0186	DIMER Operations
2	2010	35-01-10-0187	DIDER Operations
3	2009	35-01-20-0198	One Time
4	2010	35-02-01-0195	Medicaid Projects
5	2010	35-05-20-0182	Immunization
6	2010	35-05-20-0183	Hepatitis B
7	2010	35-05-20-0193	Infant Mortality
8	2010	35-05-20-0196	Cancer Council (FFR)
9	2010	35-05-30-0977	Paramedic
10	2010	35-06-20-0181	Group Homes
11	2009	35-06-30-0182	DPC Contingency
12	2010	35-06-40-0182	Ellendale Renovations
13	2010	35-06-40-0183	Detox Equipment
14	2010	35-07-01-0185	Child Care
15	2010	35-10-01-0197	DACSES V
16	2007	35-10-01-0801	DACSES IV
17	2010	35-11-30-0180	Community Services
18	2010	35-11-30-0181	Purchase of Care
19	2010	35-12-30-0187	Weatherization GF
20	2010	35-12-30-0188	Weatherization Contingency
21	2006	37-01-20-0180	CAP Phase 2
22	2010	37-01-50-0181	MIS Development
23	2010	37-06-40-0187	Child Welfare
24	2006/08	38-01-01-0184	Sustainability Contingency
25	2010	38-01-01-0186	Emergency Preparedness
26	2010	38-01-10-0186	Warehouse
27	2010	38-01-14-0199	Info Technology
28	2009	38-01-14-0814	DACS Offender Management System

1	2010	38-02-01-0180	Medical Services
2	2010	38-02-01-0182	Drug Treatment
3	2009	38-02-01-0184	Maintenance and Restoration
4	2008	38-02-01-0197	Data Development
5	2008	38-06-02-0198	One Time
6	2008	40-01-01-0195	First Quality
7	2010	40-05-04-0180	Insecticide
8	2010	40-09-03-0183	Recycling Community Outreach
9	1986	45-01-01-0381	Hazardous Waste Revolving Fund
10	2009	45-01-30-0201	Emergency Management Fund
11	2010	45-06-01-0200	Fire Lane Enforcement
12	2009	45-06-01-0201	DSP Recruitment
13	2009	45-06-01-0202	Promotional Process
14	2007/08	70-01-01-0184	HAVA Repayment
15	2010	70-01-01-0201	Technology Development
16	2010	70-02-01-0181	School Elections
17	2010	70-02-01-0201	Technology Development
18	2010	70-03-01-0201	Technology Development
19	2010	70-04-01-0201	Technology Development
20	2010	76-01-01-0274	Recruiting and Retention
21	2010	95-01-01-0131	Parents as Teachers
22	2008/09/10	95-01-01-0200	Standards and Assessment
23	2009/10	95-01-01-0202	DSTP
24	2009/10	95-01-01-0203	Pupil Accounting
25	2010	95-01-01-0210	DE Science Coalition
26	2009/10	95-01-01-0229	Infrastructure Capacity
27	2009/10	95-01-01-0230	Educator Accountability
28	2007/10	95-02-02-0204	School Improvement

1	2009/10	95-03-10-0191	Professional Development
2	2010	95-03-20-0127	Student Discipline Program
3	2010	95-03-20-0190	Prison Education
4	2010	95-03-20-0197	Early Success
5	2010	95-07-01-0180	Operations
6	2010	95-08-01-0183	Scholarships
7	2007/08/09/10	95-08-01-0185	Ferguson DSTP Scholarship
8	2007/10	95-08-01-0188	Physician Loan
9	2008	95-08-01-0189	Legislative Essay
10	2010	95-08-01-0191	SEED
11	2007	95-13-00-0244	School Improvement
12	2007	95-15-00-0244	School Improvement
13	2007	95-16-00-0244	School Improvement
14	2007	95-23-00-0244	School Improvement
15	2007	95-24-00-0244	School Improvement
16	2007	95-32-00-0244	School Improvement
17	2007	95-33-00-0244	School Improvement
18	2007	95-34-00-0244	School Improvement
19	2010	95-37-00-0288	Delmar Transition
20	2007	95-51-00-0244	School Improvement
21	2007	95-71-00-0244	School Improvement

22           (b) Funds appropriated for the Professional and Curriculum Development (appropriation 0205)  
23 programs shall be appropriated on a 15 month basis and not be subject to reversion until September 30,  
24 2011. Program expenses may not be incurred subsequent to the start of the regular 2011-2012 school  
25 year.

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

1 (d) For the fiscal year ending June 30, 2010, any sums for Fiscal Year 2010 Division II - All  
2 Other Costs (appropriation 0165), Division II - All Other Costs for Vocational Education (appropriation  
3 0265), Division II - Energy (appropriation 0159), and Division III - Equalization (appropriation 0186)  
4 shall become a continuing appropriation in each local school district for the period of one fiscal year.

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

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

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

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

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

23 2003 55-01-02-6809 Prior Year Obligations

1 (j) The Department of Natural Resources and Environmental Control shall utilize the Fiscal Year 2010  
2 Office of Management and Budget's Contingencies and One-Time Items, Fish and Wildlife Contingency  
3 (10-02-11-0306) to provide additional support to the following programs.

4	Beavers	\$25.0
5	Phragmites	\$25.0
6	Deer Management	\$50.0

1 **TOBACCO – MASTER SETTLEMENT AGREEMENT**

2 Section 34. (a) Section 1 of this Act includes Appropriated Special Funds of \$48,731.5 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–Health Care Commission

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           \$5,323.8        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          \$ 36.0         First Responders Vaccinations

11          \$ 75.0         Hepatitis B Vaccine

12          \$ 52.4         American Lung Association - Asthma Project

13          \$ 201.3        Child and Families First - Resource Mothers Program

14          \$ 37.6         Kelly Heinz - Grundner Brain Tumor Foundation - Awareness Program

15          \$ 24.2         Neonatal Intensive Care Unit Family Support Project - March of Dimes

16          \$ 10.0         AIDS Delaware

17       Also appropriated in this Act is \$13,046.2 for Cancer Council Recommendations, of this amount,  
18       funding is included for the following agencies:

19          \$ 80.5         Delaware Breast Cancer Coalition

20          \$ 600.0        Breast and Cervical Cancer Treatment (35-02-01)

21          \$ 120.8        Cancer Care Connection

22          \$ 161.0        The Wellness Community

23       (35-05-30) Health and Social Services - Emergency Medical Services

24          \$ 200.0        Public Access Defibrillation initiative

25       (35-06-40) Health and Social Services - Substance Abuse and Mental Health

26          \$ 60.3         Limen House

27          \$ 177.1        Transitional housing for persons completing detoxification

28          \$ 412.0        Heroin Residential Program



1	\$ 28.7	University of Delaware - Delaware School Survey
2	\$ 142.2	Brandywine Counseling
3	<u>(35-07-01) Health and Social Services - Social Services</u>	
4	\$1,240.4	SSI Supplement
5	<u>(35-11-30) Health and Social Service - Community Services</u>	
6	\$ 70.0	Family Support Services
7	<u>(35-14-01) Health and Social Services - Services for Aging and Adults with Physical Disabilities</u>	
8	\$ 760.0	Attendant Care
9	\$ 178.1	Caregiver Support
10	\$ 90.3	Money Follows the Person
11	\$ 43.2	Easter Seals - Respite Care Services
12	<u>(37-04-02) Services for Children, Youth and Their Families - Prevention and Behavioral Health Services</u>	
13	\$ 59.3	Tobacco Prevention Programs for Youth
14	<u>(45-04-10) Safety and Homeland Security - Alcoholic Beverage Control and Tobacco Enforcement</u>	
15	\$ 524.0	Enhanced Enforcement and 3.0 FTE Agents and 1.0 FTE Clerical

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

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

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

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

1           Section 36. The Delaware Health Fund Advisory Committee is directed to submit their proposed  
2 recommendations each fiscal year to the Office of Management and Budget no later than November 15<sup>th</sup>  
3 per Senate Bill 8 as amended of the 140<sup>th</sup> General Assembly. It is the intent of the General Assembly that  
4 the Delaware Health Fund Advisory Committee will present their proposed recommendations before the  
5 Joint Finance Committee in a public budget hearing.

1 **STATE FISCAL STABILIZATION FUND**

2 Section 37. Title XIV of the American Recovery and Reinvestment Act (ARRA) of 2009 enacted  
3 by the federal government creates a State Fiscal Stabilization Fund (SFSF). This Act provides funding  
4 from the SFSF for a Flexibility Block Grant in the amount of \$13,121.1 (\$5,554.7 GF, \$7,566.4 Federal  
5 ARRA Funds). These funds shall be allocated to schools based upon the September 30, 2009 Unit Count.  
6 These funds are provided in an effort to allow districts the flexibility to achieve savings in areas that do  
7 not negatively impact the classroom or cause a decrease in the number of classroom teachers beyond what  
8 would normally be associated with a reduction in force.

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

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

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

1 **LEGISLATIVE**

2 Section 38. 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 39. 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 40. 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 41. 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 42. 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 43. 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 44. 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 45. 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 46. 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 47. 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 48. 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 49. 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 50. 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.

14 Section 51. Amend 10 Del.C. §509 by deleting the section in its entirety, and inserting in lieu  
15 thereof the following new section:

16 “§509. Additional Judges.

17 There shall be at least 14 judges and no more than 16 judges in addition to the President Judge and the 4  
18 judges specifically required by Article IV, §2 of the Constitution.”

1 **EXECUTIVE**

2 Section 52. Section 1 of this Act includes a reduction of \$9,316.0 in Personnel Costs to reflect  
3 projected savings as a result of a concerted effort between the Administration and the General Assembly  
4 to reduce the state government workforce through attrition. The Director of the Office of Management  
5 and Budget, upon the concurrence of the Controller General, shall de-authorize positions as they become  
6 vacant throughout the fiscal year. Further, notwithstanding any other provision of law to the contrary, the  
7 Director of the Office of Management and Budget shall, upon concurrence of the Controller General,  
8 have the authority to reallocate personnel costs as well as positions throughout and among respective  
9 state agencies, including the Judiciary and Other Elective offices in order to meet critical workforce  
10 needs.

11 Section 53. Section 1 of this Act appropriates \$50.0 in Local Law Enforcement Education to the  
12 Office of Management and Budget, Contingencies and One-Time Items (10-02-11) for educational  
13 reimbursement as provided for in subsection (a).

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

- 18 (1) The officer must make application for tuition reimbursement in accordance with rules  
19 and regulations promulgated by the Director of the Criminal Justice Council or the  
20 Director's designee.
- 21 (2) Education benefits authorized by this Section may be used only at a college or  
22 university within the State.
- 23 (3) An officer may not attend a class or course of instruction during scheduled work hours  
24 unless the officer uses his or her earned leave or earned compensation time.
- 25 (4) An officer may be reimbursed under this program for only two classes or courses of  
26 instruction for undergraduate study or one class or course for graduate study each  
27 grading period. The classes will be reimbursed at 100 percent of the tuition paid  
28 following the completion of the course with a grade of 'C' or better at a college or



1 university within the State for classes related to Corrections, Public Safety, Criminal  
2 Justice, Computer Science, Psychology, Sociology, Education and related fields.  
3 Related fields shall include any courses necessary to complete a degree program in  
4 Criminal Justice, Corrections, Public Safety, Computer Science, Psychology,  
5 Sociology, and Education.

6 (5) A class or course of instruction taken under this Section must:

7 (i) improve an officer's competence and capacity in employment;

8 (ii) have direct value to the State; and

9 (iii) provide knowledge or skills that are not available through in-service or other  
10 professional training.

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

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

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

19 (1) the course title and grade received;

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

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

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

25 (8) An officer who receives tuition reimbursement pursuant to this Section but is  
26 terminated from law enforcement employment for cause or who otherwise fails to  
27 comply with any requirement of this Section shall immediately become ineligible to  
28 receive education benefits pursuant to this Section and shall repay all tuition

1 reimbursement previously extended to the employee, including interest on a pro rata  
2 basis from the time of termination or noncompliance. The Director of the Criminal  
3 Justice Council or the Director's designee shall determine the amount of repayment due  
4 by the employee pursuant to this Subsection. If law enforcement employment is  
5 terminated for other than just cause, the officer will not be required to repay previously  
6 reimbursed tuition.

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

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

11 (i) the number of officers who participated at each post-secondary educational  
12 institution during the year;

13 (ii) the total amount of tuition expenditures made pursuant to this Section during the  
14 year not to exceed \$50,000; and

15 (iii) the total amount required to be repaid to the State by defaulting officers during the  
16 year; and Intergovernmental Voucher the total amount actually repaid by defaulting  
17 officers during the year.

18 Section 54. Effective July 1, 2006, BP #879 shall receive compensation at a rate of a tier 3 level  
19 Cabinet position as determined by the Compensation Committee.

20 Section 55. The Director of the Office of Management and Budget, upon concurrence of the  
21 Controller General and the Co-Chairs of the Joint Finance Committee, may restructure internal program  
22 units to create greater efficiencies within the Office of Management and Budget.

23 Section 56. (a) Section 1 of this Act appropriates \$1,037.9 ASF to the Office of Management and  
24 Budget, Contingencies and One-Time Items (10-02-11) from Tobacco Settlement Funds for Two Year  
25 Nursing Expansion Initiative. Said funds shall be used to address Delaware Technical and Community  
26 College's (DTCC) recommendations to mitigate the shortage in the nursing and allied healthcare fields.  
27 Said funds maybe used to hire up to 36 faculty and staff FTEs relevant to meeting said nursing shortage

1 and shall be transferred to DTCC upon approval of the Director of the Office of Management and Budget,  
2 Controller General and Co-Chairs of the Joint Finance Committee.

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

8 Section 57. Section 1 of this Act appropriates \$500.0 ASF to the Office of the Management and  
9 Budget, Contingencies and One-Time Items (10-02-11) from Tobacco Settlement Funds for Four Year  
10 Nursing Expansion Initiative. Of the amount appropriated, \$250.0 shall be allocated to the University of  
11 Delaware and \$250.0 shall be allocated to Delaware State University to expand their nursing programs.  
12 Both universities shall provide a detailed expansion plan to the Director of the Office of Management and  
13 Budget and Controller General no later than July 31, 2010. Said funds shall be transferred to the  
14 University of Delaware and Delaware State University upon approval of the Director of the Office of  
15 Management and Budget, Controller General and the Co-Chairs of the Joint Finance Committee.

16 Section 58. (a) The Department of Health and Social Services shall utilize the Fiscal Year 2010  
17 Office of Management and Budget's Contingencies and One-Time Items, One-Time appropriation (10-  
18 02-11-0305) to provide additional support to the following programs.

19	Special School Graduates	\$566.0
20	Emergency Placements	\$475.8
21	Infant Mortality	\$100.0
22	Tobacco: Prevention and Control	\$500.0
23	Tobacco: Cancer Council Recommendations	\$541.0

24 (b) The following special fund appropriation shall be continued to support the Infant Mortality  
25 program.

26	Fiscal Year	Appropriation	Program	Amount
27	2010	35-05-20-9915	Infant Mortality	\$750.0

1           Section 59. (a) The Department of Health and Social Services has identified \$4,100.0 (all funds)  
2 in resources to be continued and provide solutions to reduction from the Tobacco-Master Settlement  
3 Agreement in Fiscal Year 2011. The distribution of the additional funds will be as follows: \$3,100.0 (all  
4 funds) for the Tobacco: Prevention and Control (35-05-20-9903) appropriation and \$1,000.0 (all funds)  
5 for the Tobacco: Cancer Council Recommendations (35-05-20-9908) appropriation.

6           (b) Notwithstanding the provisions of § 34 (b) and (c) of 77 Delaware Laws, Chapter 84, the  
7 following special fund appropriations, as part of the Tobacco-Master Settlement Agreement, shall be  
8 continued into Fiscal Year 2011.

9	Fiscal Year	Appropriation	Program	Amount
10	2010	35-05-20-9903	Tobacco: Prevention and Control	\$ 219.0
11	2010	35-05-20-9904	Tobacco and Cancer	\$ 634.5
12	2010	35-05-20-9908	Tobacco: Cancer Council Recs.	\$1,205.5

13           (c) For Fiscal Year 2011, \$1,000.0 NSF from the Communities Putting Prevent to Work,  
14 American Recovery and Reinvestment Act grant shall be distributed as follows: \$500.0 NSF for the  
15 Tobacco Prevention and Control appropriation (35-05-20-9903) and \$500.0 NSF for the Tobacco: Cancer  
16 Council Recommendations appropriation (35-05-20-9908).

17           (d) For Fiscal Year 2011, \$1,041.0 shall be continued in Fiscal Year 2010 Office of Management  
18 and Budget's Contingencies and One-Time Items, One-Time appropriation. The distribution of the  
19 additional funds will be as follows: \$500.0 for the Tobacco: Prevention and Control (35-05-20-9903)  
20 appropriation and \$541.0 for the Tobacco: Cancer Council Recommendations (35-05-20-9908)  
21 appropriation.

22           Section 60. Notwithstanding any other provision of the Delaware Code or this Act to the  
23 contrary, the Office of Management and Budget is authorized to contract with the University of Delaware  
24 for statistical analysis of data, for state operated programs, services, policies and/or procedures.

25           Section 61. The General Assembly finds that the establishment of the federal Temporary Aid to  
26 Needy Families (TANF) block grant has left the state vulnerable to deficits from caseload increases  
27 attributable to an economic downturn. In order to minimize such exposure, the funds within the Reserve  
28 Account for Children's Services Cost Recovery Program (CSCR) Disallowances (10-02-05-80-50) shall

1 be available to mitigate to the extent possible, projected deficits in TANF supported programs within the  
2 Department of Health and Social Services. The use of such funds for such purposes shall require the  
3 approval of the Director of the Office of Management and Budget and Controller General.

4 Section 62. The amount appropriated to the Office of Management and Budget, Contingencies  
5 and One-Time Items, Prior Years' Obligations, shall be used to pay Personnel Costs, reimbursement of  
6 overpayment of fringe benefits, and other obligations except coding errors by a school district which  
7 requires adjustment of the State's accounts. Any use of the Prior Years' Obligations account by any  
8 agency receiving funds in Section 1 of this Act, in excess of the amount reverted from the applicable line  
9 code on June 30 of the fiscal year in which the expense was incurred, will require the requesting agency  
10 or school district to reimburse the Prior Years' Obligations account by the amount equal to the excess  
11 requested. A line code reversion sum does not negate the necessity of encumbering sufficient funds to  
12 cover known expenses, proof of circumstances beyond an agency's ability to encumber must be  
13 documented on the request for transfer to be excluded from the reimbursement clause. All requests for  
14 prior year funds to complete the payment of one-time items will require a reimbursement to the Prior  
15 Years' Obligations account by the requesting agency from any appropriation other than Personnel Costs.  
16 The reimbursement can be removed from the current fiscal year's budget. The reimbursement clause shall  
17 not apply to legal judgments against the agency or school district. A reimbursement under this Section  
18 shall not be deemed to be prohibited by 10 Del. C. § 8111.

19 Section 63. (a) For Fiscal Year 2011, 29 Del. C. § 6529 is interpreted to include the ability to  
20 implement a hiring review process. All State agencies with the exception of Legislative, Judicial, Higher  
21 Education and school districts shall be subject to the provisions of 29 Del. C. § 6529 as interpreted by this  
22 section. Implementation of a hiring review process shall require all positions to be reviewed and approved  
23 by the Director of the Office of Management and Budget prior to filling. All non-cabinet agency hiring  
24 requests shall also require the review and approval of the Controller General prior to filling.

25 (b) In the event the authority granted in subsection (a) of this section is implemented, Chapters  
26 3.0000 and 13.0000 of the Merit Rules notwithstanding, the Director of the Office of Management and  
27 Budget shall have the authority to extend temporary promotions based on agency need until the hiring  
28 review process has ended. At the time the hiring review process has ended, those temporary promotions

1 granted during the hiring review process shall be subject to the limitations identified in the Merit Rules  
2 governing the duration of temporary promotions.

3 Section 64. For Fiscal Year 2011, the Director of the Office of Management and Budget,  
4 pursuant to 29 Del. C. § 6529, may implement an overtime management practices review process for all  
5 State agencies with the exception of Legislative, Judicial, Higher Education and school districts. Said  
6 review shall include, but not be limited to, operational guidelines, guidelines to prohibit excessive  
7 utilization, staffing ratios, and standard work week schedules for employees. The Director of the Office  
8 of Management and Budget shall report to the Governor and the Co-Chairs of the Joint Finance  
9 Committee no later than May 1 of each fiscal year on the status of any review process implemented  
10 pursuant to this Section.

11 Section 65. The appropriation in Section 1 of this Act to the Office of Management and Budget,  
12 Contingencies and One-Time Items (10-02-11) for Contingency, Appropriated Special Funds for  
13 \$43,000.0 shall be used to make adjustments in the amount of state special fund appropriations in the  
14 event additional state special funds are received which were not previously anticipated. Such adjustments  
15 shall be made in accordance with the approval of the Director of the Office of Management and Budget  
16 and the Controller General.

17 Section 66. Notwithstanding 29 Del. C. c. 60B or any other provision of the Delaware Code or  
18 this Act to the contrary, the First State Quality Improvement Fund shall be suspended beginning July 1,  
19 2009. It is the intent of the General Assembly that this program be reinstated when funding becomes  
20 available.

21 Section 67. The Director of the Office of Management and Budget is authorized to create a State  
22 of Delaware Merit Employee Mediation Program within state agencies selected by the Director and,  
23 notwithstanding Chapters 12 and 18 of the Merit Rules and/or any provision of Delaware Code to the  
24 contrary, the Director of the Office of Management and Budget is further authorized to promulgate rules  
25 and regulations to implement the said program. Matters that may be grieved shall be eligible for  
26 mediation. Matters that are otherwise not subject to the merit grievance procedure may be eligible for the  
27 Mediation Program. With the consent of the employee and employing agency, participation in the  
28 Mediation Program will be offered as a voluntary alternative to the ordinary grievance procedure. All

1 mediation proceedings shall be deemed confidential. If a grievance is subjected to mediation pursuant to  
2 this section, normal timelines associated with the filing of a grievance shall be tolled pending the  
3 completion of mediation. If an employee has filed a formal grievance, subsequent mutual consent to  
4 mediation will cause the grievance to be held in abeyance pending completion of mediation and the  
5 timelines that would otherwise have applied to the grievance shall likewise be tolled pending completion  
6 of mediation. Upon completion of mediation, an employee may continue to grieve and the normal  
7 timelines provided for grievances shall then apply. The Mediation Program is not intended to limit other  
8 dispute resolution procedures available to an agency or an employee or to deny a person a right granted  
9 under federal or other state law, including the right to administrative or judicial hearing.

10 Section 68. Section 1 of this Act provides an appropriation to Office of Management and Budget,  
11 Contingencies and One-Time Items (10-02-11). It is the intent that the appropriation for One-Time items  
12 in the amount of \$3,109.1 shall be non-recurring expenditure items. The Director of the Office of  
13 Management and Budget shall transfer the appropriations as itemized to the departments. Each receiving  
14 department shall identify the line item, object code and, for all practical purposes, complete and separate  
15 accountability for each appropriation amount transferred. No appropriation shall be transferred without  
16 the Director of the Office of Management and Budget and Controller General approvals. Any one-time  
17 appropriation for computer hardware, software and telecommunications, which contemplates the  
18 development of computer-related systems, shall be transferred into the line Computer One-Time Projects  
19 in Office of Management and Budget, Budget Administration (10-02-10). The expenditure of computer  
20 or computer related funds shall be subject to the restrictions of the Development Fund.

21 Furthermore, it is the legislative intent that none of the appropriations for One-Time  
22 Appropriations be included, or be considered, as part of the budget request for the Fiscal Year 2012  
23 Appropriation Bill.

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

26	(02-03-10)	Board of Canvass	\$ 25.0
27	(02-03-10)	Equipment Kent County Courthouse	40.1
28	(02-06-10)	Equipment Kent County Courthouse	67.3

1	(02-17-03)	Equipment Kent County Courthouse	3.8
2	(45-02-10)	Equipment Capitol Police	20.0
3	(70-01-01)	Primary and General Elections	204.7
4	(70-02-01)	Primary and General Elections	1,699.8
5	(70-03-01)	Primary and General Elections	567.5
6	(70-04-01)	Primary and General Elections	480.9

7        Section 69. The Director of the Office of Management and Budget shall continue to assume the  
8        central leadership role for the Executive branch over all matters relating to Senate Bill 36, of the 144<sup>th</sup>  
9        General Assembly, and any other personnel and labor relations matters affecting the Executive branch  
10       and its departments and agencies, including collective bargaining negotiations with employee  
11       organizations, labor arbitration, Public Employment Relations Board, Department of Labor, Equal  
12       Employment Opportunity Commission, and other administrative proceedings. The Director of the Office  
13       of Management and Budget shall also, on behalf of the State, approve and sign all collective bargaining  
14       agreements and any other agreement or arrangements made involving employee organizations that  
15       represent employees subject to Executive branch authority.

16        Section 70. In recognition of the cost efficiency opportunities identified by the Leadership for  
17        Education Achievement in Delaware (LEAD), beginning in Fiscal Year 2010, the Office of Management  
18        and Budget is authorized to establish and implement a pilot centralized procurement program for local  
19        school districts, vocational-technical school districts and charter schools. Said pilot program may include,  
20        but not be limited to, centralized purchasing of supplies, commodities and non-professional services. The  
21        provisions of 29 Del. C. c. 69 shall apply to this pilot procurement program as the Office of Management  
22        and Budget, in its sole discretion, may deem appropriate.

23        Section 71. For Fiscal Year 2011, funding appropriated for 16 Del. C. c.102 shall be suspended.  
24        If non-state funding sources become available during the fiscal year, the program shall be reinstated with  
25        the approval of the Director of the Office of Management and Budget and the Controller General.

26        Section 72. Notwithstanding any provision of the Delaware Code to the contrary, the Office of  
27        Management and Budget is authorized to analyze and implement the most appropriate mechanism to  
28        cover any liabilities as a result of Senate Bill 29 of the 144<sup>th</sup> General Assembly. Such mechanism may



1 include but not be limited to self-insurance, a fully insured proposal, or some other means to insure  
2 against any potential liability.

3 Section 73. Section 1 of this Act includes 1.0 FTE in the Executive Department, Office of  
4 Management and Budget, Statistical Analysis Center (10-02-08) for the Director of the Statistical  
5 Analysis Center. This position shall be exempt from the Merit System until such time as the current  
6 incumbent vacates the position, at which time the position shall be classified by the Director of the Office  
7 of Management and Budget in accordance with the Merit System and 29 Del. C. c. 59.

8 Section 74. The Statistical Analysis Center (10-02-08) shall submit by July 15 an annual project  
9 schedule for the fiscal year that details the staff workload and time allocation. Requests for (special)  
10 projects to be included in this schedule should be made in advance to the Statistical Analysis Center. This  
11 schedule shall be reviewed by the Criminal Justice Council and approved by the Director of the Office of  
12 Management and Budget and the Controller General. No changes shall be made to the annual project  
13 schedule without the approval of the Director of the Office of Management and Budget. After July 15, all  
14 ad hoc requests for projects seeking completion during the fiscal year shall be reviewed by the Director of  
15 the Office of Management and Budget. Work shall not commence on these projects without the approval  
16 of the Director of the Office of Management and Budget.

17 Section 75. Any other statutory provision notwithstanding, any change to the Merit Rules  
18 required by an Act of Legislature, shall be codified in the Merit Rules by the Office of Management and  
19 Budget.

20 Section 76. Notwithstanding any provision to the contrary, for the purposes of developing and  
21 implementing PHRST Time & Labor, and other PeopleSoft modules, necessary adjustments to existing  
22 State human resource procedures shall be implemented during Fiscal Year 2011 with the written approval  
23 of the co-chairs of the Joint Finance Committee, the Director of the Office of Management and Budget  
24 and the Controller General.

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

27 Section 77. Whenever the annual valuation of the market value of the assets of the Special  
28 Pension Fund exceeds the actuarial value of benefits available to persons entitled to receive special

1 pensions by a factor of at least 20 percent, the Board of Pension Trustees may transfer the excess over 20  
2 percent or any part of it to the State Employees Pension Fund for the benefit of that Fund.

3 Section 78. The Board of Pension Trustees may allocate the pension/health insurance monies  
4 received from the State during any month to ensure that funds are available to pay health insurance  
5 premiums for retirees in each month.

6 Section 79. During the fiscal year, the Office of Management and Budget Management, Facilities  
7 Management (10-02-50), shall retain rental fees as Appropriated Special Funds. The retained portion  
8 must be deposited as per state laws and shall be disbursed per Section 1 of this Act.

9 Section 80. Section 1 of this Act makes an appropriation of \$75.0 ASF in Personnel, \$795.2 ASF  
10 in Contractual Services, \$71.1 ASF in Supplies and Materials and \$624.7 ASF in Energy to the Office of  
11 Management and Budget, Facilities Management (10-02-50) for maintenance costs associated with the  
12 state-wide operations of Division of Motor Vehicles, the Transportation Mobile Center and the DelDOT  
13 Administration Building. The Department of Transportation shall remit \$783.0 to the Office of  
14 Management and Budget on July 15 and January 15<sup>th</sup> of each fiscal year to cover the operational costs  
15 associated with maintaining these facilities. In addition, the Office of Management and Budget shall be  
16 responsible for the reconciliation of the account with the Department of Transportation.

17 Section 81. For energy backcharge purposes, the Office of Management and Budget, Facilities  
18 Management (host department) current fiscal year Energy Budget assumes that Motor Fuel Tax uses ten  
19 percent of the Public Safety Building, for which energy payment is the responsibility of the host  
20 department. The Department of Transportation is responsible for paying the Motor Fuel Tax portion of  
21 the energy bills upon request for payment by the host department.

22 Section 82. Notwithstanding the provisions of 29 Del. C. § 5117, state agencies may pay for  
23 employee parking in the Government Center Parking Garage as long as such payments are continuances  
24 of payments made prior to May 31, 1998. Such payments shall cease when the employee leaves the  
25 positions he or she occupied prior to May 31, 1998.

26 Section 83. The Office of State Planning Coordination, while remaining in the Office of  
27 Management and Budget for structural and budgetary purposes, shall report directly to the Office of the  
28 Governor. This reporting structure shall permit the Governor to directly and actively manage all statutory

1 and functional operations of the Office of State Planning Coordination. The mission of the Office of State  
2 Planning Coordination shall remain the continuous improvement of the coordination and effectiveness of  
3 land use decisions made by state, county and municipal governments, while building and maintaining a  
4 high quality of life in the State of Delaware.

5 Section 84. The Delaware Economic Development Office; Economic Development Authority  
6 (10-03-03) will continue to use revenue from the Blue Collar Training Fund for the Workforce  
7 Development Grant. Funding for this grant shall be maintained at current levels.

8 Section 85. Section 1 of this Act appropriates \$1,763.2 ASF to the Delaware Tourism Office. Of  
9 this amount, \$427.9 shall be allocated to "Other Items" as designated in Section 1 of this Act and payable  
10 by the Delaware Tourism Office in quarterly allotments. The first installment shall be paid by September  
11 30 of each fiscal year or as otherwise approved by the Director of the Office of Management and Budget  
12 and the Controller General.

13 Section 86. Notwithstanding the provisions of any other law, for the fiscal year ending  
14 June 30, 2011 interest earnings of the Delaware Strategic Fund as provided for in 29 Del. C. § 5027, shall  
15 to the extent of such interest earnings, be used in the following order and manner, not to exceed the  
16 amounts so noted:

- 17 (i) The first \$445.9 shall be used for the general operating expenses of the Delaware Economic  
18 Development Office, as determined by the Director of the Delaware Economic  
19 Development Office. Should interest earnings not be available by September 1, funding  
20 shall be made available directly from the Strategic Fund.
- 21 (ii) The second \$400.0 shall be used for the general operating expenses of the Small Business  
22 Development Center. Should interest earnings not be available by December 31, 2010, the  
23 Center shall receive funding directly from the Strategic Fund for said expenses and shall  
24 waive further interest earnings for that period.
- 25 (iii) The third \$300.0 shall be used to continue the Delaware Business Marketing Program  
26 within the Delaware Economic Development Authority (10-03-03). Should interest  
27 earnings not be available by September 1, funding shall be made directly from the Strategic  
28 Fund. It is the intent of the General Assembly that these funds shall be used for business

1 marketing and recruitment. These funds may be used together with non-state contributions  
2 to the Delaware Business Marketing Program. However, in the event that non-state  
3 contributions are not available, or in the event such contributions are insufficient to fully  
4 access the resources of the Delaware Business Marketing Program, it is the intent of the  
5 General Assembly that the Delaware Business Marketing Program shall continue to fully  
6 operate using only the interest earnings on the Delaware Strategic Fund as provided for in  
7 29 Del. C. § 5027.

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

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

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

- 26 (iv) The fourth \$150.0 shall be used to provide customized information technology training to  
27 small and medium-sized businesses through grants made by Delaware Technical and  
28 Community College I.T. Learning Center.

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

2 Section 87. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-  
3 02) pursuant to 30 Del. C. § 6102(b) contained in Section 1 of this Act, \$45.0 ASF shall be used to fund a  
4 grant program. Funds awarded shall not be used for overhead or personnel related costs by the recipient  
5 entities. The Delaware Tourism Office, in cooperation with the Tourism Advisory Board, shall develop  
6 rules and regulations for the application and award of the grants. Of the grant funds allocated to the  
7 Delaware Tourism Office, all recipients shall apply for funding through the grant process. If successful in  
8 securing a grant, any special appropriations will be reduced by same said amount. The distribution of  
9 funds through the grant application process ensures accountability including ROI, out of state distribution  
10 plans and clear contribution to the PAT. The Grant program is only to be funded in the event that PAT  
11 revenues prove adequate.

12 Section 88. Notwithstanding the provisions of 29 Del. C. §6102, any Public Accommodations  
13 Tax revenue collected in Fiscal Year 2011 in excess of the \$1,763.2 ASF appropriated in Section 1 of this  
14 Act to the Delaware Tourism Office (10-03-02) shall be deposited to the General Fund.

15 Section 89. Section 1 of this Act authorizes ASF positions and funding to the Delaware Tourism  
16 Office (10-03-02). Should said ASF authorization prove inadequate to support the authorized positions as  
17 contained in Section 1 at any time during Fiscal Year 2011, the Director of the Office of Management and  
18 Budget and Controller General are hereby authorized to transfer sufficient funding from any other source  
19 to Tourism's Personnel Cost line.

20 Section 90. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-  
21 02) pursuant to 30 Del. C. § 6102 (b) contained in Section 1 of this Act, \$112.5 is authorized for the  
22 Kalmar Nyckel. During the period beginning July 1, 2009, and ending on June 30, 2010, the State of  
23 Delaware, through the Delaware Tourism Office, and the Riverfront Development Corporation, shall be  
24 entitled to charter the Kalmar Nyckel. Said use is to include docked guest entertaining privileges and /or  
25 day sails at no cost for as many State of Delaware guests as is consistent with Kalmar Nyckel safety  
26 policies. Scheduling for State and Riverfront Development Corporation use of the Kalmar Nyckel shall  
27 be at mutually agreeable times and locations to the Kalmar Nyckel, the Delaware Tourism Office on  
28 behalf of the State of Delaware and the Riverfront Development Corporation.

1           Section 91. The Kalmar Nyckel Foundation shall provide to the Office of Management and  
2 Budget and the Controller General's Office quarterly financial reports detailing year to date expenditures  
3 and revenues as well projected expenditures and revenues for the remainder of the fiscal year. Such  
4 reports shall be due October 1, January 1, March 1, and June 30 of each fiscal year.

5           Section 92. Section 1 of this Act appropriates funding for a 1.0 FTE Senior Secretary in Criminal  
6 Justice Council (10-07-01) to be used as dedicated secretarial support for the Executive Director of the  
7 Domestic Violence Coordinating Council. This position shall be an exempt position and shall be  
8 excluded from classified service as defined under 29 Del. C. § 5903.

9           Section 93. (a) Section 1 of this Act includes non-appropriated special fund positions funded  
10 through grants administered by the Criminal Justice Council (10-07-01). Further, the Delaware State  
11 Clearinghouse Committee may, during the fiscal year, approve additional non-appropriated special fund  
12 positions supported by Criminal Justice Council administered grants. By virtue of said positions being  
13 included in the Annual Appropriations Act and/or approved by the Clearinghouse Committee does not  
14 guarantee future state funding upon expiration of federal grants supporting the positions. Any requests  
15 for state funding for said positions shall be prioritized by the affected department in its budget request for  
16 Fiscal Year 2012.

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

21           Section 94. Section 1 of this Act authorizes the Delaware Justice Information System (10-07-02)  
22 to spend up to \$260.0 in Appropriated Special Funds. Notwithstanding any provision of the Delaware  
23 Code or this Act to the contrary, DELJIS is authorized to utilize these funds to undertake expenditures  
24 relating to operational costs.

25           Section 95. There is hereby established the Criminal Justice Statistical Review Committee. The  
26 Criminal Justice Statistical Review Committee shall have the following membership:

- 27                   (1) A Chairperson as appointed by the co-chairs of the Joint Finance Committee
- 28                   (2) A Member of the Office of Management and Budget

- 1 (3) A Member of the Office of the Controller General
- 2 (4) The Honorable Attorney General or his designee
- 3 (5) The Honorable Cabinet Secretary of the Department of Correction or his
- 4 designee
- 5 (6) The Honorable Chief Justice or his designee
- 6 (7) A Member of the public appointed by the Chairperson of the Criminal Justice
- 7 Statistical Review Committee.

8 The committee chair or his or her designee will serve as committee liaison to SENTAC, and will  
9 present all findings and reports to SENTAC in a timely fashion for their review and comment. The  
10 Criminal Justice Statistical Review Committee shall recommend a plan annually to the Joint Finance  
11 Committee for the purpose of sustaining the comprehensive study of Delaware's Criminal Justice System  
12 begun by the Delaware Sentencing Research and Evaluation Committee. The committee will report  
13 regularly to the Joint Finance Committee on analysis, research, and evaluation findings, and will  
14 recommend system improvements based on these findings. The Statistical Analysis Center will provide  
15 support for the research plan as directed by the committee and approved by the Office of Management  
16 and Budget. The Statistical Analysis Center is authorized at any time to contract employees on behalf of  
17 the committee as funds become available. Notwithstanding the provisions of 29 Del. C. § 69, the  
18 committee is authorized to seek and receive public and private funds and to enter into contracts as  
19 necessary to fulfill its mission.

20 The committee will have the right to seek input from executive agencies and courts in order to  
21 fulfill its mission, and all agencies shall provide relevant data, information, representation and additional  
22 support as requested.

23 Section 96. It is the intent of the General Assembly for the Director of the Office of Management  
24 and Budget to transfer funds to the Statistical Analysis Center (10-02-08) to support comprehensive  
25 research initiatives for the Criminal Justice Statistical Review Committee pending the receipt of federal  
26 funding for such purpose. The General Assembly requests the assistance and support of the Criminal  
27 Justice Council to obtain federal funding.

1           Section 97. (a) Section 1 of this Act includes an Appropriated Special Fund appropriation within  
2 Delaware State Housing Authority (10-08-01). Of these funds, up to \$25.0 ASF shall be used to extend  
3 the contractual administration for the Neighborhood Assistance Tax Credit Act (Senate Bill 248) of the  
4 140<sup>th</sup> General Assembly through the fiscal year ending June 30, 2011. The Neighborhood Assistance Tax  
5 Credit Program is intended to foster business investment in low-income communities through financial  
6 support to neighborhoods as well as job training, education, crime prevention and community services.

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

11           Section 98. Section 1 of this Act, in the state agencies indicated below, provides funding to the  
12 following “pass through” organizations. The primary state agencies listed below shall evaluate each  
13 “pass through” organization/program and develop appropriate performance measures, reporting  
14 requirements and program evaluation metrics for their respective programs/organizations and each  
15 program/organization shall be evaluated against these measures and metrics. Cabinet Secretaries and  
16 agency heads shall report to the Director of the Office of Management and Budget and the Controller  
17 General by October 1 on the development of these measures and be prepared to discuss them during the  
18 public budget hearing process. Subsequent reports detailing progress toward these measures shall be  
19 provided by the “pass through” organization to the Director of the Office of Management and Budget, the  
20 Controller General and state agency on or before December 1 and May 1 of each fiscal year. Reports  
21 shall also include a description of all additional state and non-state funding provided to the “pass through”  
22 organization and the annual budget and expenditures of the organization. The Cabinet Secretary or  
23 agency head shall incorporate into their budget request a section regarding “pass through” organization  
24 funding, performance and service delivery options.

25           Section 99. Effective August 1, 2010, amend 20 Del. C. SS 5253(b) (1) and (5) by deleting all  
26 instances of the number “60” and inserting in lieu thereof the number “30”.



1 **TECHNOLOGY AND INFORMATION**

2 Section 100. The Chief Information Officer shall not make any changes to the department's  
3 compensation plan regarding any aspect of employee compensation without the approval of the Director  
4 of the Office of Management and Budget and Controller General. Further, sufficient funding within the  
5 department must be available for any change to be approved.

6 Section 101. Section 1 of this Act includes 12.0 FTEs in the Department of Technology and  
7 Information (11-00-00) to address the utilization of existing positions for the ERP project. During the  
8 course of the fiscal year, the department shall continue to provide level of staff support previously agreed  
9 upon by the Executive Sponsors to ensure the continuation of this project without disruption.

10 Section 102. The state government of Delaware, recognizing the inherent value in implementing  
11 common standards, has chosen Microsoft as its statewide network platform and messaging system. In an  
12 effort to establish a single, common electronic messaging platform throughout the State, no state  
13 agency/department shall migrate, change or switch to an alternative messaging platform without the  
14 express written consent of the Chief Information Officer, Director of the Office of Management and  
15 Budget and Controller General. Any agency seeking exemption from this requirement must submit a  
16 request to the Chief Information Officer clearly stating the reasons why migrating to an alternative  
17 platform is necessary and/or desirable.

18 Section 103. (a) The Department of Technology and Information (11-00-00) shall receive a lump  
19 sum appropriation calculated as a fixed percentage of all salaries as appropriated to the Department in  
20 Section 1 of this Act. The lump sum amount shall be the product of the general salary increase in Section  
21 8 of this Act and Personnel Costs lines less non-salary-driven Other Employment Costs components.  
22 Overtime and casual/seasonal components of the Personnel Costs lines shall not be part of the calculation.  
23 The resultant lump sum amount may be distributed to employees as determined by the Chief Information  
24 Officer. However, in no case shall individually awarded increases exceed ten percent of an individual's  
25 base salary, nor shall the aggregate amount awarded exceed the product of the calculation as described  
26 above. Further, in no case shall individually awarded amounts be given retroactively.

27 (b) Pursuant to Section 8, this Act restores the pay cut of Fiscal Year 2010 effective July 4, 2010  
28 and as such, subsection (a) of this section shall remain null and void.

1            Section 104. 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 105. Section 1 of this Act reflects for the Auditor of Accounts (12-02-01) sufficient  
3 state-match funding for federally-mandated audit services. If, during the first three months of any fiscal  
4 year, the State Auditor should experience a cash flow deficit in fulfillment of federal audit  
5 responsibilities, the Director of the Office of Management and Budget, upon the request of the State  
6 Auditor, shall attempt to advance sufficient funding from the Indirect Cost Account.

7       Section 106. For the purpose of the audits contracted by the Auditor of Accounts, agencies will  
8 be 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 107. 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 108. 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 109. Section 1 of this Act establishes a special fund appropriation entitled Electronic  
22 Data Interchange, State Treasurer, Administration (12-05-01) Cash Management Policy Board to support  
23 the Electronic Data Interchange/Electronic Funds Transfer initiative. Use of these funds shall be  
24 coordinated with and approved by the Chief Information Officer of the Department of Technology and  
25 Information and the Secretary of Finance.

26       Section 110. 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 111. 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.

1 **LEGAL**

2 Section 112. Section 1 of this Act makes an appropriation to Salary/OEC Contingency in the  
3 Office of Management and Budget, Contingencies and One-Time Items (10-02-11). A portion of this  
4 appropriation is for the purpose of funding the salary matrices of the Office of the Attorney General (15-  
5 01-01) and the Office of the Public Defender (15-02-01), notwithstanding Chapters 4.0 and 5.0 of the  
6 Merit Rules. These salary matrices are intended to maintain the salaries of these attorneys at competitive  
7 rates. Of the total amount, \$252.4 and \$85.2 ASF is allocated for the Office of the Attorney General, and  
8 \$205.3 is allocated for the Office of the Public Defender. Upon requesting contingency funds, each  
9 agency must submit for approval by the Director of the Office of Management and Budget and Controller  
10 General a report of personnel activity relating to salary plan movements with a description of the need to  
11 use said funds. Total personnel expenditures by these agencies may not exceed total personnel  
12 appropriations.

13 Section 113. (a) Section 1 of this Act authorizes an appropriation for Contractual Services for  
14 the Office of Attorney General (15-01-01). Of this amount, \$724.5 shall be used for the purpose of  
15 providing services covering family violence in New Castle County, and \$550.4 shall be used for the  
16 purpose of providing services covering family violence in Kent and Sussex counties.

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

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

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

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

26 (d) 1.0 FTE Deputy Attorney General shall be exclusively dedicated to Labor Law Enforcement  
27 in the Department of Labor, Division of Industrial Affairs, Office of Workers' Compensation, Safety and  
28 Health (60-07-01). The cost of this employee and all expenses associated with his/her employment shall

1 be included in the annual tally pursuant to 19 Del. C. § 2392(c)(1) and the semi-annual administrative  
2 assessment per Subsection 2392(d) of the same Title;

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

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

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

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

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

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

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

18 (l) 4.0 ASF FTE Deputy Attorneys General shall be assigned exclusively to provide legal  
19 representation to the boards and commissions under the Department of State, Regulation and Licensing,  
20 Professional Regulation. 2.0 GF Deputy Attorneys General, including a Prosecutor, shall be assigned  
21 exclusively to provide additional contract review, general legal services and legal counsel as needed for  
22 the Department of State, Regulation and Licensing, Professional Regulation;

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

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

3 (o) 4.0 split-funded (1.0 and 3.0 NSF) FTEs, 1.0 Deputy Attorney General, 2.0 Investigators and  
4 1.0 Secretary shall be assigned to the Medicaid Fraud Unit to be used for investigating incidents of abuse  
5 and neglect in Delaware nursing homes;

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

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

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

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

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

24 Section 115. Section 1 of this Act appropriates Personnel Costs and 22.0 split-funded FTEs (66  
25 percent ASF and 34 percent GF) to the Office of the Attorney General (15-01-01) to support the Child  
26 Support Enforcement function. The Child Support Enforcement function in the Attorney General's Office  
27 will operate on a reimbursement basis, wherein the State makes the initial expenditures and is reimbursed  
28 from federal funds controlled by the Department of Health and Social Services. The reimbursement rate

1 for operations will be 66 percent of total direct costs; the reimbursement rate for indirect costs will be  
2 39.57 percent of federal dollars spent on direct salary costs.

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

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

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

17 Section 116. Section 1 of this Act includes Personnel Costs and 1.0 ASF FTE Administrative  
18 Specialist II (BP #8131) in the Office of the Attorney General (15-01-01). In order to provide funding for  
19 this position, the Department of Natural Resources and Environmental Control (40-00-00) shall allocate  
20 monies to the Office of the Attorney General by July 15 of each fiscal year.

21 Section 117. Section 1 of this Act includes Personnel Costs in Consumer Protection and 3.0 ASF  
22 FTEs in the Office of the Attorney General (15-01-01) for activities associated with the regulation of  
23 credit counseling and debt management companies as authorized in 6 Del. C. c. 24A, the Delaware  
24 Uniform Debt-Management Services Act.

25 Section 118. Section 1 of this Act appropriates Personnel Costs and 1.0 ASF FTE to the Office of  
26 Attorney General (15-01-01) to support the Delaware Drug Nuisance and Social Vices Abatement Act.  
27 Implementation of this section is contingent upon the passage of legislation to establish a Civil  
28 Enforcement Fund.



1           Section 119. Victims' Compensation Assistance Program will transfer 8.0 ASF FTEs from  
2 Judicial, Violent Crimes Compensation Board (02-18-02) to the Office of the Attorney General (15-01-  
3 01) in Fiscal Year 2011. Incumbents of the 8.0 ASF FTEs will remain merit employees until the  
4 transferred positions are vacated. Once a position has been vacated, the position will change from merit  
5 to exempt at the same comparable pay grade as the merit classification. If the Office of the Attorney  
6 General plans to assign the vacant position new or additional responsibilities, then a list of duties will be  
7 submitted to the Office of Management and Budget for review and approval of a new comparable  
8 class/paygrade prior to recruiting and hiring an exempt employee.

9           Section 120. (a) Notwithstanding any other provisions of the Delaware Code to the contrary,  
10 \$1,550.0 ASF shall be transferred from the Victims Compensation Fund for the following purposes:  
11 \$230.2 ASF shall be transferred to Contractual Services in the Office of the Attorney General (15-01-01)  
12 to fund family violence services in Kent and Sussex counties; \$273.8 ASF Victims Rights in the Office of  
13 the Attorney General; \$151.0 ASF Contractual Services in the Department of Correction, Community  
14 Corrections, Probation and Parole (38-06-02) to support a community restorative justice program in New  
15 Castle County, and \$900.0 ASF in Contractual Services to the Department of Children, Youth and Their  
16 Families, Family Services, Office of the Director (37-06-10) for the Child Advocacy Center.

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

1 **STATE**

2 Section 121. (a) Section 1 of this Act includes Personnel Costs and 3.0 FTEs (BP# 65750, 927  
3 and 9322), \$2.0 in Supplies and Materials, \$60.0 in Contractual Services, \$192.5 in International Trade,  
4 \$108.0 in World Trade Center, and \$9.0 in Italian/American Commission in the Department of State,  
5 Administration (20-01-01). The affected employees will remain exempt from classified service in  
6 accordance with 29 Del. C. § 5903, and will retain current compensation levels in addition to enacted  
7 salary policy.

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

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

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

18 Section 122. Section 1 of this Act appropriates \$15.0 ASF in the line item Historical Marker  
19 Maintenance to the Department of State, Delaware Public Archives (20-03-01) for replacement, repair  
20 and refurbishing of historical markers.

21 Section 123. Section 1 of this Act provides an appropriation to the Department of State, Office of  
22 the Secretary, Delaware Commission on Veteran's Affairs (20-01-02) for Contractual Services. Of that  
23 amount, \$44.9 shall be used to provide mental health services for veterans in Kent and Sussex counties.

24 Section 124. (a) Section 1 of this Act establishes a special fund appropriation entitled  
25 Technology Infrastructure Fund, in the Division of Corporations (20-05-01). All revenues derived as a  
26 result of 8 Del. C. § 391(h)(1), 6 Del. C. § 15-1207(b)(1), 6 Del. C. § 17-1107(b)(1), 6 Del. C. § 18-  
27 1105(b)(1), and 12 Del. C § 3813(b)(1) will be deposited into this fund to be used for technological and  
28 infrastructure enhancements, ongoing maintenance, operational expenses for Corporations, and up to

1 \$2,000.0 ASF for electronic government information projects, and library initiatives. Quarterly reports  
2 regarding the status of this fund shall be made by the Department of State to the Director of the Office of  
3 Management and Budget and the Controller General.

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

10 Section 125. Section 1 of this Act provides an appropriation to the Department of State,  
11 Delaware Public Archives (20-03-01) for the Delaware Heritage Office. Of that amount, \$15.0 shall be  
12 used at the discretion of the Delaware Heritage Office for scholar awards, challenge grants and  
13 publications.

14 Section 126. Section 1 of this act contains an ASF authorization for Contractual Services in the  
15 Division of Corporations (20-05-01). Of this amount, up to \$200.0 may be used to contract for captive  
16 insurance marketing-related services by state agencies and/or third parties. Seed funding provided by the  
17 Division of Corporations in prior fiscal years to the captive insurance regulatory and supervision fund  
18 may be returned by the Department of Insurance to the Division to fulfill the purposes of this section.

19 Section 127. The Delaware Heritage Office shall investigate which out of print books and  
20 writings on Delaware history should be considered for republication. Further, the Delaware Heritage  
21 Office shall investigate which writings in these categories would be valuable for republication. A report  
22 shall be made to the Controller General and Director of the Office of Management and Budget by  
23 December 1 of each fiscal year.

24 Section 128. Notwithstanding the provisions of 29 Del. C. § 6102(a) and 5 Del. C. § 1106, the  
25 Office of the State Banking Commissioner is authorized to retain \$150.0 of the Bank Franchise Tax for  
26 costs associated with the collection and administration of the Bank Franchise Tax. Also, an additional  
27 \$75.0 of the Bank Franchise Tax shall be used for costs associated with consumer education and  
28 information programs.

1           Section 129. Section 1 of this Act makes an appropriation to Libraries (20-08-01) in the amount  
2 of \$2,608.7 GF and \$1,760.8 ASF for Library Standards. Of that amount, Libraries may reserve up to  
3 \$436.9 for planning and evaluation grants to determine each library's attainment of state and federal  
4 library standards. The remaining funds shall be paid to libraries in two installments equal to 50 percent of  
5 the total amount allocated to that library, one installment upon signature of the contract and the second  
6 installment in January of the fiscal year. Funds granted to any library under the provisions of 29 Del. C.  
7 c. 66, if unspent at the end of the fiscal year shall not revert to the General Fund, but instead shall be held  
8 in an account for the benefit of the library from which the unspent funds came. These funds may be spent  
9 in subsequent years for purposes described in 29 Del. C. c. 66. The use of such carryover funds shall not  
10 be used as part of any subsequent years' formula payment.

11           Section 130. The Department of State shall establish the shift differential for Licensed Practical  
12 Nurses employed at the Delaware Veterans Home at 10 percent for 3-11 shifts on weekdays and 7-3 shifts  
13 on weekends. The shift differential shall be established at 15 percent for 11-7 shifts on weekdays and 3-11  
14 shifts on weekends. The shift differential for the 11-7 weekend shifts shall be established at 20 percent.  
15 To the extent or where an employee is covered by a collective bargaining agreement pursuant to 19 Del.  
16 C. § 1311A, the terms and conditions of said agreement shall apply.

17           Section 131. The Department of State shall have the authority to fill vacant positions at the  
18 Delaware Veterans Home with qualified applicants for the Nursing Assistant, Certified Nursing Assistant,  
19 Active Treatment Facilitator, Licensed Practical Nurse, Registered Nurse, Physician, Dentist, and  
20 Psychiatrist classifications by agency recruitment efforts unless an eligibility list is required by federal  
21 law for that position.

22           Section 132. Any temporary shortfall in ASF revenue in implementing the Delaware Cultural  
23 Access Fund referenced in House Bill No. 262 of the 145<sup>th</sup> General Assembly may be supplemented by  
24 funds received by the Secretary of State through 29 Del. C. § 2311.

1 **FINANCE**

2 Section 133. 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 134. 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 135. 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 136. Notwithstanding the provisions of any other law, the Secretary of Finance or his or  
27 her designee shall have the authority to enter into agreements according to which contingency and other  
28 fees are provided to persons locating or substantiating property to be escheated to the State or to other

1 persons identifying abandoned property by means of audit or otherwise. Section 1 of this Act authorizes  
2 the Department of Finance, Office of the Secretary (25-01-01) to maintain two Appropriated Special Fund  
3 accounts with the State Treasurer:

4 (a) Escheat (appropriation 9884), from which charges relating to receiving and processing  
5 remittances and reports by holders, and claims by owners of abandoned property, as well as advertising  
6 and travel fees and associated costs may be paid, and into which abandoned property remittances may, at  
7 the discretion of the Secretary, be deposited; and

8 (b) Escheat Enforcement (appropriation 9885), from which contingency and other fees, including  
9 legal expenses incident to escheat compliance and enforcement, may be paid to compensate persons  
10 locating or substantiating property to be escheated to the State or to other persons identifying abandoned  
11 property by means of audit or otherwise, and into which abandoned property remittances may, at the  
12 discretion of the Secretary, be deposited.

13 Notwithstanding the provisions of any other law, Secretary of Finance or his or her designee may  
14 enter into or maintain escrow, custodian or similar agreements for the purpose of protecting the state's  
15 interest in property to be escheated or fees payable pursuant to the aforesaid agreements. The Secretary  
16 of Finance or his or her designee may direct that payment for said fees or other costs incident to escheat  
17 of property under the aforesaid agreements, including litigation expenses incident to escheat  
18 administration, be made out of such money held in the escrow, custodian or other account established  
19 under this paragraph. Such escrow, custodian agreements, however, may not extend beyond September  
20 30, 2010. As soon as is practicable and prior to October 1, 2010, the Secretary of Finance or his or her  
21 designee shall discontinue the practice of paying said fees and costs out of such money held in escrow,  
22 custodian or other accounts established under this paragraph. At such time, all excess funds remaining in  
23 said accounts shall be deposited into Escheat Enforcement (appropriation 9885). In the event that the  
24 Department of Finance's amount of Contractual Services in Escheat Enforcement (appropriation 9885)  
25 shall exceed the amount in Section 1 of this Act due to higher than anticipated legal expenses or audit or  
26 other collections, the Appropriated Special Fund Budget in Section 1 of this Act may be amended by the  
27 Secretary of Finance, the Controller General and the Director of the Office of Management and Budget.  
28 Unencumbered balances in Escheat on June 30 in excess of \$275.0 shall revert to the General Fund.

1 Unencumbered balances in Escheat Enforcement on June 30 in excess of \$7,000.0 shall revert to the  
2 General Fund.

3 Section 137. There shall be established a special fund for the purpose of receiving the proceeds  
4 of liquidating stock acquired pursuant to 12 Del. C. c. 11 or liquidating investments described in this  
5 section. Such proceeds may at his discretion be invested and reinvested by the Secretary of Finance in  
6 issues of the United States Treasury or investments of comparable risk. The Secretary may at his/her  
7 discretion cause amounts in such special fund to be remitted to the General Fund of the State.

8 Section 138. The Director of Revenue may, in the Director's discretion and in lieu of the  
9 requirements of 30 Del. C. § 356, mail to any taxpayer a paper or electronic notification setting forth:

10 (a) The requirement of filing a tax return; and

11 (b) Methods by which the taxpayer may obtain a blank return, including the telephone numbers  
12 of the Division of Revenue and, if applicable, an internet site containing downloadable  
13 returns.

14 Section 139. (a) In the event that the State Lottery's amount of Contractual Services shall exceed  
15 the amount in Section 1 of this Act due to increased lottery ticket sales, the Appropriated Special Fund  
16 Budget in Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and  
17 the Director of the Office of Management and Budget, provided that the total operating budget for this  
18 fiscal year shall not exceed 20 percent of gross sales as limited by 29 Del. C. § 4815(a).

19 (b) In the event that the State Lottery's amount of Contractual Services shall exceed the amount  
20 in Section 1 of this Act due to increased video lottery net proceeds, the Appropriated Special Funds in  
21 Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and the  
22 Director of the Office of Management and Budget, subject to the limitations outlined in 29 Del. C.  
23 § 4815(b).

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

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

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



1 **HEALTH AND SOCIAL SERVICES**

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

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

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

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

1  
2           Section 146. Section 1 of this Act appropriates \$225.0 to the Department of Health and Social  
3 Services, Office of the Secretary, Delaware Health Care Commission (35-01-10) for the Uninsured  
4 Action Plan. It is the intent of the Administration and the General Assembly that these funds shall be  
5 used for the continuation of the services provided under the plan after all other available funds for this  
6 purpose have been exhausted. The Commission shall submit a report to the Director of the Office of  
7 Management and Budget and the Controller General no later than October 15 of each fiscal year detailing  
8 the plan for the expenditure of these funds.

9           Section 147. (a) Section 1 of this Act appropriates \$540.5 to the Department of Health and Social  
10 Services, Office of the Secretary, Delaware Institute of Dental Education and Research (DIDER) (35-01-  
11 10). This amount shall be allocated as follows:

12           Temple University School of Dentistry	\$275.0
13           Temple University School of Dentistry-Financial Assistance	27.5
14           General Practice Residents Support	148.0
15           Loan Repayment Program	90.0

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

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

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

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

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

7 Section 148. Section 1 of this Act appropriates \$2,130.0 to the Department of Health and Social  
8 Services, Office of the Secretary, Delaware Institute of Medical Education and Research (DIMER) (35-  
9 01-10). This amount shall be allocated as follows:

10	Jefferson Medical College	\$1,000.0
11	Philadelphia School of Osteopathic Medicine	250.0
12	University of Delaware	50.0
13	Christiana Care Health System	200.0
14	Scholarships/Loans	480.0
15	Loan Repayment	150.0

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

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

1 Delaware Health Care Commission, the Director of the Office of Management and Budget and the  
2 Controller General.

3 Section 149. (a) Section 1 of this Act appropriates \$2,858.9 in the Department of Health and  
4 Social Services, Administration, Management Services (35-01-20) under Early Intervention for the Part C  
5 Birth to Three Program. The Interagency Resource Management Committee (IRMC) shall consult and  
6 advise the lead agency in setting program eligibility standards and shall have the authority to allocate such  
7 funds, and may advise on the use of other funds specifically designated for this project. The IRMC shall  
8 also have the authority to maintain up to 37.5 FTEs and establish or contract for an additional 2.0 FTEs  
9 needed to provide appropriate services for Children Birth to Three, selected through the early intervention  
10 process and to ensure coordination with the Program for Children with Disabilities. In addition, the IRMC  
11 may recommend the transfer of General Fund positions and/or General Fund dollars from the Department  
12 of Health and Social Services as necessary to operate this program.

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

21 Section 150. Section 1 of this Act makes an appropriation the Department of Health and Social  
22 Services, Administration, Management Services (35-01-20) for the Early Intervention Program. Of that  
23 amount, \$150.0 is appropriated to provide evaluation and direct services for children.

24 Section 151. The Department of Health and Social Services is authorized to contract with a  
25 cooperative Multi-State purchasing contract alliance for the procurement of pharmaceutical products,  
26 services and allied supplies. The provisions of 29 Del. C. c. 69 shall not apply to such contract. Prior to  
27 entering into any such contracts the department will obtain the approval of the Director of the Office of  
28 Management and Budget.

1           Section 152. (a) The amount appropriated by Section 1 of this Act to the Department of Health and  
2 Social Services for Title XIX Federal Programs Medicaid shall be expended solely in accordance with the  
3 following conditions and limitations:

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

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

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

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

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

23           Section 153. Section 1 of this Act makes appropriations to the Department of Health and Social  
24 Services, Medicaid and Medical Assistance (35-02-01), for various programs that pay for health care. In  
25 the Medicaid program, federal regulations mandate that drug companies must provide rebates in order to  
26 participate in the program. The Division of Medicaid and Medical Assistance shall establish a drug  
27 rebate process for any prescription benefits provided to clients enrolled in the following non-Medicaid  
28 programs administered by the Department of Health and Social Services including but not limited to: the

1 Delaware Healthy Children program, the Renal Disease program, the Cancer Treatment program, the  
2 Delaware Prescription Assistance program and the Legal Non-Citizen Health Care program. The division  
3 shall establish a rebate process that it determines is in the best interests of the citizens who are being  
4 served. The rebate amount shall be calculated using the full methodology prescribed by the federal  
5 government for the Medicaid program. In addition, the division is authorized to negotiate rebates with  
6 drug companies for both Medicaid and other programs. Notwithstanding any provisions of the Delaware  
7 Code to the contrary, the division shall deposit any drug rebate funds received as well as third party  
8 insurance collections (minus retention amounts) and other collections into the appropriate Medicaid and  
9 Medical Assistance program account and use them to meet program costs.

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

13 The Director of the Office of Management and Budget and the Secretary of Health and Social  
14 Services shall continue to analyze cost containment initiatives in the area of additional drug rebates for  
15 prescription drugs. The Director of the Office of Management and Budget and the Secretary of Health  
16 and Social Services shall confer with the Controller General and the co-chairs of the Joint Finance  
17 Committee.

18 Section 154. Section 1 of this Act provides an appropriation to the Department of Health and  
19 Social Services, Office of the Chief Medical Examiner (35-04-01) for \$182.3 in Personnel Costs for the  
20 purpose of implementing the selective market variation recommendations for the following three  
21 classifications in the Office of the Chief Medical Examiner, Analytical Chemist II and III, Forensic DNA  
22 Analyst and Senior Forensic Analyst, and Lab Manager I and II.

23 Section 155. The Department of Health and Social Services is authorized to contract for the  
24 procurement of managed care services for the Delaware Medical Assistance Program. The provisions of  
25 29 Del. C. c. 69 shall not apply to such contracts.

26 Section 156. Section 1 of this Act provides an appropriation to the Department of Health and  
27 Social Services, Medicaid and Medical Assistance (35-02-01) for Renal Disease.

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

7 Medicaid and Medical Assistance will provide the following support for the Chronic Renal  
8 Disease Program: 1) develop standards for determining eligibility for services provided by the program,  
9 with the advice of the Advisory Committee; 2) extend assistance to persons suffering from chronic renal  
10 disease who meet eligibility criteria; 3) periodically provide information to the Advisory Committee on  
11 services provided and expenditures for these services; and 4) coordinate benefits with the Medicare Part  
12 D program for non-state employee clients. Those clients not Medicaid eligible will receive the same level  
13 of services as in previous years.

14 Section 157. Section 1 of this Act includes 2.0 NSF FTEs in the Department of Health and Social  
15 Services, Social Services (35-07-01). These Medicaid Eligibility Specialist positions will be funded  
16 through voluntary contributions from medical facilities and from federal matching funds. These positions  
17 will expedite the Medicaid Eligibility application process for Medicaid clients, and will ensure that these  
18 clients apply for services through Medicaid, if appropriate, thereby maximizing federal revenues for the  
19 State of Delaware. Other medical facilities throughout the state may participate in this program.

20 Section 158. Section 1 of this Act includes an appropriation to the Department of Health and  
21 Social Services, Public Health, Director's Office/Support Services (35-05-10) for Contractual Services.  
22 Of that amount, \$446.4 shall be used for the purpose of providing school nursing services five days a  
23 week to non-public schools in New Castle County and Kent County.

24 The Secretary of the Department of Health and Social Services will ensure that the contracts with  
25 the various schools in this program are executed no later than August 15 of each fiscal year. The  
26 Secretary will also ensure that timely payments are made to all contractors.

27 Section 159. Section 1 of this Act provides an appropriation of \$36.0 ASF in Contractual  
28 Services from the Tobacco Master Settlement Agreement to the Department of Health and Social

1 Services, Public Health, Community Health (35-05-20) to provide vaccinations to individuals who are  
2 members of volunteer ambulance companies or volunteer fire companies acting as “first responders” in  
3 the State of Delaware. Public Health shall purchase vaccine and administer or contract vaccine at local  
4 fire stations or other sites mutually agreed upon by the fire companies and Public Health. No such  
5 vaccinations shall be furnished until after certification by the volunteer fire or ambulance company on a  
6 form provided by Public Health, indicating that the person for whom the vaccination is desired, is a  
7 member in good standing of a volunteer ambulance or volunteer fire company in the State of Delaware.  
8 A record of the names and addresses of all persons immunized shall be maintained by Public Health. To  
9 insure the success of this program, Public Health and representatives of the Delaware Volunteer  
10 Firemen’s Association shall work collaboratively in the best interests of all parties. Public Health may  
11 promulgate reasonable rules and regulations regarding the vaccination of volunteer firemen and  
12 individuals who volunteer for ambulance companies. If resources allow, after the needs of the volunteer  
13 community have been met, similar assistance may be offered to other fire and ambulance companies such  
14 as the Wilmington City fire company. Such funds, as are necessary from this fund, may also be spent to  
15 provide any required post vaccination antibody testing in order to assure adequate protection has been  
16 achieved.

17 Section 160. Section 1 of this Act provides an appropriation for the Department of Health and  
18 Social Services, Public Health, Community Health (35-05-20) to provide Hepatitis B and other necessary  
19 childhood vaccinations for children between infancy and young adulthood who are uninsured, are not  
20 eligible for any Federal program providing the vaccination, and are otherwise medically indigent.

21 Section 161. Section 1 of this Act makes an appropriation of \$75.0 ASF in Contractual Services  
22 from the Tobacco Settlement Agreement to the Department of Health and Social Services, Division of  
23 Public Health, Community Health (35-05-20) to implement a Hepatitis B Vaccination Program for  
24 Correctional Officers and Probation and Parole Officers within the Department of Correction. For the  
25 purpose of this program, Correctional Officers shall be defined as any employee within the Correctional  
26 Officer Series through Captain and Probation and Parole Officers shall be defined as Probation and Parole  
27 Officers I through Senior Probation and Parole Officers. Public Health shall purchase and administer the  
28 vaccine upon request. It is the intent of the General Assembly that in Fiscal Year 2010 the Correctional



1 Officers and Probation and Parole Officers with the most direct prisoner contact will receive the  
2 vaccination series and in subsequent years the remaining staff shall be vaccinated.

3 Section 162. The State desires to establish a permanent funding program for rodent control  
4 activities at the local level by providing the City of Wilmington \$15.0; New Castle County \$15.0; Kent  
5 County \$10.0; and Sussex County \$10.0. The Department of Health and Social Services, Public Health,  
6 Community Health (35-05-20) shall dispense these funds to local governments in lump sum payments to  
7 be made no later than September 1 of each fiscal year; establish program objectives and spending  
8 guidelines; require regular expenditure reporting to the State; and allow unexpended funds to carry over at  
9 the local level into the next fiscal year.

10 Section 163. The Department of Health and Social Services, Public Health, Community Health  
11 (35-05-20) will receive a portion of the Federal Medicaid reimbursement for services to Medicaid eligible  
12 students in School Based Health Centers. The division shall be allowed to collect and deposit up to  
13 \$102.0 of the revenue into an ASF account entitled School Based Health Centers to support the cost of  
14 this initiative. Up to \$600.0 of the remaining revenue will be deposited into an ASF account in Medicaid  
15 and Medical Assistance (35-02-01) and used for expenses associated with the normal operations of the  
16 Medicaid program. This amount may be increased subject to approval from the Director of the Office of  
17 Management and Budget and Controller General.

18 Section 164. Section 1 of this Act makes an appropriation to the Department of Health and Social  
19 Services, Public Health, Community Health (35-05-20) for supplies and materials. Of that appropriation,  
20 \$10.0 is to be used to purchase chemical reference materials for the Office of Environmental Health  
21 Evaluation.

22 Section 165. (a) Section 1 of this Act provides funding for the Department of Health and Social  
23 Services, Public Health, Community Health, Office of Drinking Water (35-05-20) to administer the  
24 Drinking Water State Revolving Fund (DWSRF). This Fund consists of funding from the State Twenty  
25 First Century Fund and United States Environmental Protection Agency and includes appropriations for  
26 technical assistance and water operator training for drinking water systems in the State. The  
27 Environmental Training Center at the Delaware Technical and Community College and the Delaware  
28 Rural Water Association are the current providers of water operator training and drinking water system

1 technical assistance in Delaware. Therefore, available funding through the DWSRF for training and  
2 technical assistance shall be distributed appropriately to these agencies.

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

7 Section 166. Section 1 of this Act appropriates funds to the Department of Health and Social  
8 Services, Public Health, Community Health (35-05-20) and to the Administrative Office of the Courts,  
9 Non-Judicial Services, Child Death, Near Death and Stillbirth Commission (02-18-06) for infant  
10 mortality. More specifically, the funds are to implement recommendations of the Infant Mortality Task  
11 Force. Included are \$27.0 and \$3,551.9 ASF from the Tobacco Master Settlement Agreement in the  
12 Infant Mortality Task Force and 3.0 FTEs in Community Health (35-05-20) and funding for Personnel  
13 Costs in the Infant Mortality Task Force in Child Death, Near Death and Stillbirth Commission (02-18-  
14 06). The Department of Health and Social Services shall submit an update on the spending plan for these  
15 funds to the Director of the Office of Management and Budget and Controller General no later than  
16 November 1 of each fiscal year.

17 Section 167. Section 1 of this Act makes an appropriation to the Department of Health and Social  
18 Services, Division of Public Health (35-05-20) for Contractual Services. Of that amount, \$35.2 is  
19 appropriated to the Gift of Life Program to promote organ and tissue donation in the State of Delaware.

20 Section 168. (a) The Department of Health and Social Services operates five (5) residential  
21 facilities, three of which are located in the Division of Public Health (35-05-00) and are long-term care  
22 facilities, the majority of whose clients are elderly, or will likely be in care through their elder ages.  
23 These facilities are: Delaware Hospital for the Chronically Ill (35-05-40), Emily P. Bissell Hospital (35-  
24 05-50), and Governor Bacon (35-05-60).

25 (b) To streamline and improve services for the clients in these long-term care facilities, and to  
26 provide services more efficiently, the Department of Health and Social Services will consolidate all of the  
27 services provided by these three long-term care facilities into the Division of Services for Aging and  
28 Adults with Physical Disabilities (35-14-00), given the similarities in clients' needs. A transition plan

1 shall be created regarding the administration and oversight of services transitioning to Division of  
2 Services for Aging and Adults with Physical Disabilities. The facilities shall continue to be budgetarily  
3 located in the Division of Public Health during Fiscal Year 2011 and conduct business according to their  
4 separate budget units.

5 (c) The Department of Health and Social Services shall submit a transition plan to the Director of  
6 the Office of Management and Budget and Controller General on November 15, 2010 and updates to the  
7 plan by May 15, 2011.

8 Section 169. Of the funds derived from those State Lottery funds transferred to the Department  
9 of Health and Social Services, Substance Abuse and Mental Health Services pursuant to 29 Del. C. §  
10 4815 (b)(2), \$20.0 ASF shall be used by the division to create and/or continue an Addiction Prevention  
11 Program in all Delaware high schools on the subject of compulsive gambling. These funds shall  
12 provide, but not be limited to, the following:

- 13 1) a prevention education booklet to be given to every high school student in the State;
- 14 2) a teacher guideline instructional booklet to assist teachers to impart this information to  
15 students; and
- 16 3) on-site training to teachers on appropriate teaching methods.

17 Section 170. The Department of Health and Social Services, Substance Abuse and Mental Health  
18 (35-06-00) is encouraged, where appropriate, to reallocate resources so as to create a balanced system of  
19 services and treatment among the Delaware Psychiatric Center (35-06-30), community hospitals, and  
20 community-based residential placements for persons with mental illness. Such reallocation initiatives  
21 must be made within the total division's appropriation limit with the approval of the Director of the  
22 Office of Management and Budget and the Controller General. These reallocation initiatives shall not  
23 compromise the standard of care of the remaining Delaware Psychiatric Center population.

24 Section 171. Section 1 of this Act provides an appropriation of \$100.0 ASF to the Department of  
25 Health and Social Services, Substance Abuse and Mental Health, Community Mental Health (35-06-20).  
26 Substance Abuse and Mental Health expects to generate additional retroactive revenue as a result of the  
27 Tax Equity and Fiscal Responsibility Act (TEFRA) rebasing of Medicare payment rates at Delaware  
28 Psychiatric Center. These funds shall be used to fund the rebasing project and support the Division of

1 Substance Abuse and Mental Health programs, including but not limited to purchasing medicines for  
2 clients.

3 Section 172. The Merit Rules notwithstanding, Department of Health and Social Services  
4 employees designated as Psychiatrists, as well as the Chief Psychiatrist in the Delaware Psychiatric  
5 Center (35-06-30) shall be eligible for standby pay and call back pay.

6 Section 173. Section 1 of this Act provides an appropriation of \$1,200.0 ASF to the Department  
7 of Health and Social Services, Social Services (35-07-01) for TANF Cash Assistance Pass Through. The  
8 division shall be allowed to collect and deposit funds into this account as a result of child support  
9 payments collected by the Division of Child Support Enforcement on behalf of TANF clients. These  
10 funds will be used by the DSS to make supplemental payments to clients who are eligible to retain a  
11 portion of their child support under State and Federal TANF budgeting rules.

12 Section 174. Section 1 of this Act provides an appropriation to the Department of Health and  
13 Social Services, Substance Abuse and Mental Health, Delaware Psychiatric Center (35-06-30), for  
14 Contractual Services. Of that amount, \$41.2 shall be made available for a Direct Patient Care Intern  
15 Program to enable direct care professionals to take courses to increase their skills in specialty areas.

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

20 Section 175. Section 1 of this Act provides an appropriation to the Department of Health and  
21 Social Services, Social Services (35-07-00) for Contractual Services. Of that amount, \$750.0 is for DCIS  
22 II system maintenance. Social Services shall have the authority to contract for positions needed to  
23 provide system maintenance. The division shall also have the authority, with approval from the Director  
24 of the Office of Management and Budget and Controller General, to transfer a portion of these funds to  
25 Personnel Costs and establish up to 2.1 positions and 1.8 NSF positions in order to support DCIS II  
26 system maintenance.

27 Section 176. Notwithstanding any provisions of the Delaware Code to the contrary, the  
28 Department of Health and Social Services, Social Services (35-07-01) is authorized to make such policy

1 changes in the administration of the Temporary Assistance for Needy Families (TANF) and Child Care  
2 Development Block Grant programs as may be necessary to assure that Delaware will qualify for the full  
3 amount of its federal block grant entitlement and any American Recovery and Reinvestment Act (ARRA)  
4 funds. Any changes require the prior approval of the Director of the Office of Management and Budget  
5 and Controller General.

6 Section 177. Section 1 of this Act appropriates Personnel Costs and 36.8 FTEs to the Department  
7 of Health and Social Services, Visually Impaired (35-08-00). This section authorizes 1.0 FTE in addition  
8 to the 7.0 FTEs itinerant teachers available to meet caseload requirements for the Braille Literacy Act.  
9 This additional FTE may be filled if the current fiscal year September educational unit count indicates the  
10 number of teachers required to meet caseloads for visually impaired students is greater than the current  
11 fiscal year complement of teachers.

12 Section 178. Section 1 of this Act provides an appropriation to the Department of Health and  
13 Social Services, Visually Impaired (35-08-01) for Contractual Services. Of that amount, \$15.9 shall be  
14 used to compensate correctional inmates for the purpose of producing Braille materials for visually  
15 impaired school children.

16 Section 179. Section 1 of this Act provides an appropriation of \$1,226.5 ASF in the Department  
17 of Health and Social Services, Child Support Enforcement (35-10-00) for the operation of the division.  
18 Revenue from child support collections shall fund this account and the related 2.5 ASF FTEs. The  
19 department shall continue its efforts to maintain collections related to child support programs, and all  
20 revenue in excess of the division's ASF authority shall be deposited as designated by 29 Del. C. § 6102.

21 Section 180. Section 1 of this Act provides an appropriation to the Department of Health and  
22 Social Services, Child Support Enforcement (35-10-00) for Contractual Services. Of that amount, \$211.1  
23 is for programming costs for the DACSES Redevelopment Project. Child Support Enforcement shall  
24 have the authority to contract for IT resources needed to augment existing programming staff for the  
25 duration of this project. At the project's conclusion, the division shall have the authority, with approval  
26 from the Director of the Office of Management and Budget and Controller General, to transfer these  
27 funds to Personnel Costs and establish up to 3.0 General Fund positions and 5.0 NSF positions in order to  
28 support DACSES system maintenance.

1           Section 181. The Department of Health and Social Services, Developmental Disabilities Services  
2 (35-11-00) may rebase, once every one to three years, its Inventory for Client and Agency Planning  
3 (ICAP) based rate setting system. This rebasing will be predicated on raising the direct care staff wage  
4 and mirroring elements in the model to keep pace with changing economic conditions on regional and  
5 national level that will ensure a livable wage for workers and provide continuity of care to individuals  
6 with developmental disabilities.

7           Section 182. The General Assembly directs the Department of Health and Social Services and the  
8 Department of Education to develop a mechanism to better track children who are transitioning from the  
9 education system and may qualify for placement within the Department of Health and Social Services.

10          The Department of Education will notify the Department of Health and Social Services, Division of  
11 Developmental Disabilities Services and the Office of Management and Budget as to the number of  
12 individuals that will be transitioning from public education to the Department of Health and Social  
13 Services in Fiscal Year 2012 no later than October 15, 2010. This notification will afford the Department  
14 of Health and Social Services and Office of Management and Budget adequate notice for budget  
15 preparation. In addition, the Department of Health and Social Services, Department of Education and  
16 Department of Services for Children, Youth and their Families are directed to re-evaluate the interagency  
17 collaborative process and its merits. Specifically, this shall include an in-depth review of Title 14, Chapter  
18 31 – (Subchapter 3. Persons with Disabilities), and the current practices ensuring that the state continues  
19 to adhere to the federal Individuals with Disabilities Education Act and leverages resources within  
20 the system to best meet the needs of the child. A report of findings and recommendations is to be  
21 presented to, the members of the General Assembly, Office of Management and Budget and the  
22 Controller General’s office no later than March 31, 2011.

23           Section 183. Section 1 of this Act provides an appropriation to the Department of Health and  
24 Social Services, Developmental Disabilities Services, Stockley Center (35-11-20) for Contractual  
25 Services. Of that amount, up to \$7.0 shall be available for services provided by Camp Barnes.

26           Section 184. The General Assembly directs the Department of Health and Social Services, Office  
27 of the Secretary, Health Care Commission to require DIDER loan repayment  
28 recipients to agree to provide preventive dental care to eligible clients of the Division of

1 Developmental Disabilities Services. The Secretary of Department of Health and Social  
2 Services shall work with the DIDER board to determine eligibility and the number of  
3 clients to be served.

4 Section 185. The Department of Health and Social Services, Developmental Disabilities Services  
5 (35-11-00) is encouraged, where appropriate, to reallocate resources so as to maximize community-based  
6 residential placements for persons with mental retardation. Such reallocation initiatives must be made  
7 within the total division's appropriation limit with the approval of the Director of the Office of  
8 Management and Budget and the Controller General. These reallocation initiatives shall not compromise  
9 the standard of care of the remaining Stockley Center population.

10 Section 186. In Fiscal Year 2011, the Department of Health and Social Services, Division of  
11 Developmental Disabilities Services, Community Services (35-11-30) received a reduction of \$675.0 in  
12 Purchase of Care. The department shall utilize existing resources of \$400.0 in Purchase of Care from  
13 Fiscal Year 2010 carry over and \$275.0 ASF in Purchase of Care to offset these reductions.

14 Section 187. Section 1 of this Act makes an appropriation to the Department of Health and Social  
15 Services, Division of Developmental Disabilities Services (35-11-00) for Purchase of Care. Of that  
16 appropriation, \$50.0 is appropriated to support individuals receiving respite care services at the Fiscal  
17 Year 2005 contract levels.

18 Section 188. The Department of Health and Social Services, Developmental Disabilities  
19 Services, Community Services (35-11-30) receives Medicaid reimbursement for the provision of day  
20 rehabilitation services provided in state operated day centers. Notwithstanding the provisions of 29 Del.  
21 C. § 6102, the division shall be allowed to collect and deposit the Medicaid reimbursement in an  
22 Appropriated Special Fund. Receipts in the account may be used to fund community residential, day  
23 program, respite and other related contracts currently funded out of the Purchase of Care and Purchase of  
24 Community Services lines.

25 Section 189. Section 1 of this Act provides an appropriation of \$2,094.0 ASF to the Department  
26 of Health and Social Services, Developmental Disabilities Services, Community Services (35-11-30) for  
27 Purchase of Care. The division shall be allowed to collect and deposit funds into this account as a result  
28 of revenue from implementation of a sliding fee scale, Medicaid transportation reimbursements, patient

1 payments and tenant fees and Medicaid receipts from state operated group homes and state operated  
2 apartments.

3 Section 190. Section 1 of this Act includes funding for Contractual Services for Department of  
4 Health and Social Services, State Service Centers, Community Services (35-12-30). Of this amount,  
5 \$10.0 shall be used for the Delaware Helpline. Available funds designated for the Delaware Helpline  
6 may be distributed annually in a lump sum at the beginning of the contract year.

7 Section 191. Section 1 of this Act appropriates \$3.0 in Contractual Services to the Department of  
8 Health and Social Services, State Service Centers, Community Services (35-12-30). These funds are to  
9 be used to reimburse emergency shelters for housing homeless women in Kent County during Code  
10 Purple conditions. Code Purple is defined as nights when the temperature is 25 degrees or below or in  
11 emergency weather conditions such as an ice storm or a blizzard.

12 Section 192. Department of Health and Social Services, Services for Aging and Adults with  
13 Physical Disabilities (35-14-00) will receive Medicaid reimbursement for the administration of  
14 community based services for the Aging and Adults with Physical Disabilities population.

15 Notwithstanding the provisions of 29 Del. C. § 6102, the division shall be allowed to collect and deposit  
16 the Medicaid reimbursement in an Appropriated Special Fund account entitled "Community Based  
17 Services Reimbursement." Receipts in the account may be used to maintain existing services and provide  
18 additional services for adults with physical disabilities. Such services are not to exceed the estimated  
19 annualized revenue, and are subject to initial and on-going review by the Director of the Office of  
20 Management and Budget and the Controller General.

21 Section 193. Section 1 of this Act makes an appropriation to the Department of Health and Social  
22 Services, Services for Aging and Adults with Physical Disabilities (35-14-00) for Respite Care. Of that  
23 appropriation, \$110.0 is appropriated to support families provided respite care services through the  
24 Caregiver Program.

25 Section 194. Recognizing Delaware has an obligation to establish a rational long term care  
26 system to prevent expensive and premature institutionalization and to insure Delaware's senior and  
27 disabled population who are able to remain in their homes and community should receive services needed



1 to remain as independent as possible, it is the intent of the General Assembly that a Task Force on shall  
2 be formed to develop the following:

- 3 (1) A summary analysis of all existing studies on the subject of long term care housing needs  
4 for Delaware's Aging and Disabled population;
- 5 (2) An analysis of programs and innovations in other states that have maximized consumer  
6 choice in the selection of a setting in which to receive long-term care services and  
7 supports and their ability to be replicated in Delaware;
- 8 (3) An analysis of service needs required for individuals to receive long term care in their  
9 homes and community, including an analysis of the supply of organizations providing  
10 services and existing or anticipated gaps in services required for home or community  
11 living;
- 12 (4) An analysis and recommended actions the State of Delaware should consider to increase  
13 consumer options and ability to choose and to support long term care housing needs for  
14 individuals, including affordable and accessible housing and home and community based  
15 service required by individuals who desire to receive long term care services in home and  
16 community;
- 17 (5) An analysis of publicly subsidized and other affordable housing options in Delaware and  
18 their role in providing home and community based services to older people and people  
19 with disabilities; and
- 20 (6) An analysis and recommended actions regarding projected demand for skilled nursing  
21 facility care.

22 The Task Force shall be chaired by the chair, vice-chair, or other committee member designated  
23 by the chair of the House Joint Finance Committee, and, in addition to its chair, that the chair appoints the  
24 following Task Force members:

- 25 (1) one member of the House Health and Human Development Committee;
- 26 (2) one member of the Housing and Community Affairs Committee;
- 27 (3) Delaware's Long Term Care Ombudsman;
- 28 (4) one representative of the American Hospital Association;

- 1 (5) one representative of the Delaware Healthcare Facilities Association;
- 2 (6) one representative of AARP;
- 3 (7) one representative of Delaware's physical disabilities community;
- 4 (8) one representative from Delaware Medicaid's Money Follows the Person leadership
- 5 team;
- 6 (9) one representative from the Division of Aging and Adults with Physical Disabilities;
- 7 and
- 8 (10) one representative from the University of Delaware's Center for applied
- 9 Demography and Survey Research.
- 10 (11) one professor of aging from an accredited Delaware University;
- 11 (12) one representative from a Delaware Home Health Agency;
- 12 (13) one representative from the Delaware Aging Network;
- 13 (14) one representative from the Delaware Nursing Home Quality Residents
- 14 Assurance Commission;
- 15 (15) one member from the United Way of Delaware; and
- 16 (16) staff support will be available through AARP.

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

18 Section 195. Section 1 of this Act appropriates funding and 0.5 ASF and 0.5 NSF position to the  
19 Department of Health and Social Services, Aging and Adults with Physical Disabilities (35-14-01) for a  
20 Home and Community-Based Services Ombudsman (HCBSO). This position will report directly to the  
21 State Long-Term Care Ombudsman and will serve as a principal point of contact for adult home and  
22 community-based consumers. The HCBSO will function as a mediator and facilitate conflict resolution  
23 relative to services for adults residing in home and community-based settings and/or receiving services  
24 from providers licensed to provide home and community-based services in the State of Delaware. In  
25 addition, the HCBSO will contribute to the development of state long-term care policy by means of  
26 sharing data, information, and funding from an array of home and community-based service system  
27 monitoring and related activities.

1            Section 196. Any non-state agency whose employees are required to receive criminal background  
2 checks pursuant to 11 Del. C. §1141 and §1145, shall provide to the Department of Health and Social  
3 Services (DHSS) quarterly reports including a list of all employees hired over the proceeding quarter for  
4 the purposes of verification. DHSS shall review those lists to ensure compliance with 11 Del. C. §1141  
5 and §1145.

1 **CHILDREN, YOUTH AND THEIR FAMILIES**

2 Section 197. To maintain the accuracy of information regarding Delaware's juvenile justice  
3 system, specifically its institutions, Levels III, IV and V residential alternative programs and non-secure  
4 detention:

5 All juvenile related Statistical Analysis Center (SAC) (10-02-08) positions shall be located in  
6 Youth Rehabilitative Services (YRS) (37-05-00) with access to all appropriate computer systems. After  
7 July 1, 2010, the Director of the Office of Management and Budget and the Controller General shall  
8 transfer \$91.5 in Personnel Costs; \$1.6 in Travel; \$3.0 in Contractual Services; \$1.3 in Supplies and  
9 Materials; and \$4.0 in Capital Outlay from the Office of the Secretary (37-01-10) to the Statistical  
10 Analysis Center (10-02-08).

11 Section 198. During the fiscal year, the Department of Services for Children, Youth and Their  
12 Families may develop proposals to enhance or develop services provided in the State of Delaware. These  
13 proposals shall include cost estimates that will demonstrate the cost effectiveness of the new or enhanced  
14 services. In the event that a new service would require additional state employees, the department may  
15 request new positions that will be funded by a structural change from existing appropriations within the  
16 department. Any new positions and funding changes must be approved by the Director of the Office of  
17 Management and Budget and the Controller General.

18 Section 199. The Department of Services for Children, Youth and Their Families, Management  
19 Support Services (37-01-00) shall have 1.0 FTE exempt position in addition to those authorized by 29  
20 Del. C. § 5903.

21 Section 200. Section 1 of this Act provides an appropriation of \$588.5 and \$284.3 ASF to the  
22 Department of Services for Children, Youth and Their Families, Behavioral Health Services (37-04-00).  
23 These funds shall be used to operate a Drug Court Program with Family Court. In addition, recovered  
24 Medicaid funds will be directed towards the Drug Court Program. Said funds are intended to serve 140  
25 youth during this fiscal year, with a maximum of 70 youth at any one time.

26 Section 201. Funds which are appropriated for foster care of children in Section 1 of this Act in  
27 the Department of Services for Children, Youth and Their Families, Family Services (37-06-00), are  
28 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 202. (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 203. 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 204. 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 205. (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 206. Section 1 of this Act provides an appropriation to the Department of Services for  
6 Children, Youth and Their Families, Family Services, Office of the Director (37-06-10) of \$295.8 for  
7 Pass Throughs. It includes:

8 People's Place, Milford	\$ 61.2
9 The Brandywine Program	\$ 70.4
10 CHILD, Inc.	\$164.2

11 The recipient of said funds shall provide a quarterly report to the Director of the Office and  
12 Management and Budget, Controller General, and the Department of Services for Children, Youth and  
13 Their Families. This report shall include, but not be limited to, the following: the number of clients  
14 served and/or treated, and a summary of expenditures of said funds.

15 Section 207. If the quarterly average daily population at the New Castle County Detention Center  
16 is below 114, the Director of the Office of Management and Budget and the Controller General may  
17 reduce the number of casual seasonal or full time positions through attrition.

18 Section 208. Amend 29 Del. C. § 5916 (e) (3) by deleting the existing section and inserting in  
19 lieu thereof the following: "Employees, otherwise qualified, who are employed by the Department of  
20 Services for Children, Youth and Their Families and are assigned to work in the Division of Youth  
21 Rehabilitative Services facilities".

22 Section 209. As part of the department's commitment to the Governor's efforts to improve  
23 efficiencies and transform state government, during Fiscal Year 2011 the department shall prepare  
24 initiatives to consolidate the preparation, monitoring, and evaluation of contracts across the department,  
25 including contracts for services delivered to youth and their families, into the Division of Management  
26 Support Services and consolidate training functions within the Division of Management Support Services.

27 Section 210. (a) Amend the following: 10 Del. C. c. 9 § 1009(c)(17), 14 Del. C. § 3124(b)(1)(a),  
28 16 Del. C. § 912, 16 Del. C. § 2203(5), 16 Del. C. § 5132(b), 24 Del. C. § 1788, 29 Del. C. § 9005(2)(b),

1 29 Del. C. § 9006(2), and 29 Del. C. § 9007(3) by striking the phrase “Child Mental Health Services” and  
2 inserting in lieu thereof “Prevention and Behavioral Health Services”.

3 (b) Amend 11 Del. C. § 4120A(c)(1)(e) and 16 Del. C. § 5303(b) by striking the phrase “Child  
4 Mental Health” and inserting in lieu thereof “Prevention and Behavioral Health Services”.

1 **CORRECTION**

2 Section 211. (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 212. 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 213. 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 214. 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 215. 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 216. 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 217. 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 218. 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 219. 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 220. (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 221. 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 222. (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 223. 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 224. 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 225. 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 226. 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 227. 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 228. Section 1 of this Act appropriates \$57.6 in Contractual Services to Department of  
14 Correction, Probation and Parole (38-06-02). These funds shall be used to support reentry services  
15 provided by The Way Home.

16           Section 229. Section 1 of this Act appropriates \$50,204.4 to the Department of Correction,  
17 Correctional Healthcare Services, Medical Treatment and Services (38-02-01). The Department of  
18 Correction shall provide quarterly reports relating to medical vendor performance to the Chairs of the  
19 Joint Finance Committee, the Chairs of the House and Senate Correction Committees, the Controller  
20 General and the Director of the Office of Management and Budget. Reports shall include, but not be  
21 limited to, medical staffing levels, overall performance and plans for improvement.

22           Section 230. Amend 11 Del. C. § 6532(e) by deleting the phrase “8 hours in 1 day or” as it  
23 appears throughout said subsection.

## NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

Section 231. Section 1 of this Act appropriates 1.0 ASF FTE Enforcement Coordinator position, which shall be exempt from the Merit System, to the Department of Natural Resources and Environmental Control, Office of Environmental Protection (40-04-00) to be funded through expenses incurred and recovered by the department, related to processing of administrative enforcement actions under 7 Del. C. c. 60. Violators shall be liable for the following expenses of the investigation incurred by the State after the notice of violation is issued: direct costs of the investigation; legal assistance including paralegal assistance; public hearings; all other costs expressly determined by the Secretary as reasonably related to the investigation of the incident; and the indirect costs related to all of the above.

Section 232. Section 1 of this Act appropriates Personnel Costs and 1.0 ASF FTE Green Energy Program Administrator, \$1.0 ASF in Travel, and \$5.0 ASF in Contractual Services from the Green Energy Fund to the Department of Natural Resources and Environmental Control, Office of the Secretary (40-01-00).

Section 233. The Office of Natural Resources, Division of Fish and Wildlife is authorized to expend funds carried forward from the sale of boat registration fees, effective Fiscal Year 2000 and thereafter, for the purpose of supporting fisheries programs and marine enforcement.

Section 234. Notwithstanding the provisions of 7 Del. C. § 6042(c), Section 1 of this Act appropriates 0.5 ASF FTE Ombudsman to the Department of Natural Resources and Environmental Control, Office of Environmental Protection, Division of Community Services (40-04-01) to be funded through the Community Environmental Fund.

Section 235. The Office of Natural Resources, Division of Fish and Wildlife is authorized to expend FY2010 Office of Management and Budget's Contingencies and One-Time Items (10-02-11-0306) for Beaver Control, Phragmites, and Deer Management.

Section 236. Section 1 of this Act authorizes the Office of Natural Resources, Division of Fish and Wildlife (40-03-03) to spend up to \$6,024.2 in Appropriated Special Funds. Within this amount, the division is authorized to undertake capital expenditures to maintain/develop fish and wildlife recreational areas. These expenditures should be in accordance with the Capital Development Plan for the division, 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 237. Section 1 of this Act appropriates funds for Contractual Services in the Office of  
4 Natural Resources, Division of Parks and Recreation (40-03-02). Of this amount, \$14.4 shall be used for  
5 the leasing of an enforcement vehicle and Interpretive Program vehicle at Killens Pond State Park.

6 Section 238. Section 1 of this Act makes an appropriation to the Department of Natural  
7 Resources, Office of Natural Resources, Division of Parks and Recreation (40-03-02). Of this amount,  
8 \$17.3 shall be used to fund casual/seasonal positions for Killens Pond Waterpark and \$8.5 shall be used  
9 for program services and contractual services at the Bellevue State Park system.

10 Section 239. Section 1 of this Act makes an appropriation to the Department of Natural Resources  
11 and Environmental Control, Office of Natural Resources, Division of Parks and Recreation (40-03-02).  
12 Of that appropriation \$10.1 is to be spent on promotion and programs for Trap Pond State Park as  
13 follows: \$5.0 for Contractual Services, \$5.0 for Supplies and Materials and \$0.1 for Travel.

14 Section 240. Section 1 of this Act makes an appropriation to the Office of Natural Resources,  
15 Division of Parks and Recreation (40-03-02). Of this amount, \$35.0 shall be used for monument and  
16 general maintenance within the parks, including the maintenance of war memorials and ball fields.

17 Section 241. Section 1 of this Act provides an appropriation and 1.0 FTE to the Office of Natural  
18 Resources, Division of Parks and Recreation (40-03-02) to fund a Park Technician II. This position shall  
19 be dedicated primarily to the South Park Drive area and the Brandywine Zoo with additional duties  
20 throughout Wilmington State Parks.

21 Section 242. Section 1 of this Act makes an appropriation to the Office of Natural Resources,  
22 Division of Watershed Management (40-03-04) for Contractual Services. Of that amount, \$180.0 shall be  
23 used for additional field staff personnel for the preparation of nutrient management plans.

24 Section 243. Section 1 of this Act makes an appropriation for Contractual Services to the  
25 Department of Natural Resources and Environmental Control, Office of Environmental Protection,  
26 Division of Water, (40-04-03). Of that amount \$38.3 shall be used to support the Partnership for the  
27 Delaware Estuary.

1           Section 244. Section 1 of this Act makes an appropriation to the Department of Natural  
2 Resources and Environmental Control, Office of Environmental Protection, Division of Water (40-04-03).  
3 Of that amount, \$1.0 shall be set aside for the Environmental Science Scholarship program.

4           Section 245. It is intent of the General Assembly that the Department of Natural Resources and  
5 Environmental Control shall be required, pending legal review, to post on its Internet website within three  
6 working days, all unclassified misdemeanors issued by the Office of Environmental Protection, Division  
7 of Community Services (40-04-01) Enforcement Officers after such citations have been entered in the  
8 courts.

9           Section 246. Section 1 of this Act appropriates funds to support 2.0 FTEs within the Department  
10 of Natural Resources and Environmental Control, Office of Environmental Protection, Division of Air  
11 Quality (40-04-02). One position is an Environmental Engineer II/IV assigned to the Delaware City Petro  
12 Chemical Complex. The second position is an Environmental Engineer II/IV assigned to  
13 Claymont/Edgemoor Industrial Complex. The incumbents shall each submit an annual report to the Joint  
14 Finance Committee on February 1 of each year, which summarizes the complaints and activities of the  
15 previous calendar year. These positions will respond to and provide follow-up on complaints from the  
16 community on the air quality throughout New Castle County.

17           Section 247. Section 1 of this Act appropriates funds to the Hazardous Substance Cleanup Act  
18 (HSCA) Cleanup Fund in the Office of Environmental Protection, Division of Waste Management (40-  
19 04-04). Funds to address orphan underground storage tank (UST) system removal and any remediation of  
20 any resulting contamination from UST systems will be established pursuant to the annual expenditure  
21 plan for the HSCA Cleanup Fund as required under 7 Del. C § 9104(c)(2). The term orphan UST system  
22 shall be defined by the Department's Fund for the Inability to Rehabilitate Storage Tanks (FIRST) Fund  
23 policy and include but not be limited to, situations where the tank owner or responsible party has shown  
24 to the satisfaction of the Department that they do not have the ability to pay for the necessary UST system  
25 removal and the remediation of any contamination. In such case, the Department shall not seek cost  
26 recovery of the funds expended under the HSCA fund.

27           Section 248. The Office of Environmental Protection, Division of Waste Management (40-04-  
28 04) shall have 1.0 FTE exempt position in addition to those authorized by 29 Del. C. § 5903. When

1 position BP #09228 becomes vacant, it shall be classified by the Director of the Office of Management  
2 and Budget in accordance with the Merit System, 29 Del. C. c. 59.

3 Section 249. The General Assembly herein acknowledges that certain programs within the  
4 Department are funded all or in part by fee-based revenues. Every two years the Secretary shall perform  
5 a review of fees assessed and collected by the Department to determine the revenue sufficiency of the fees  
6 and programs they support and submit a report to the Director of the Office of Management and Budget  
7 and the Controller General by October 1<sup>st</sup>.

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

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

15 Section 250. 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.

18 Section 251. The Department of Natural Resources and Environmental Control and the  
19 Department of Health and Social Services shall submit a plan to transition the U.S. Department of Energy  
20 Weatherization Assistance Program (WAP) to the Delaware Energy Office in the Department of Natural  
21 Resources and Environmental Control. The plan shall be submitted to the Director of the Office of  
22 Management and Budget and the Controller General for approval on or before August 31, 2010.

23 Section 252. Section 1 of this Act makes an appropriation to Salary/OEC Contingency in the  
24 Office of Management and Budget, Contingencies and One-Time Items (10-02-11). Of the total amount,  
25 \$38.5 and \$34.0 ASF is allocated for the Department of Natural Resources and Environmental Control to  
26 annualize the competency-based pay project. Notwithstanding Chapters 5.0 and 6.0 of the Merit Rules,  
27 this pay plan is intended for the enforcement classes within the Office of Natural Resources and the  
28 Office of Environmental Protection, and shall be based upon the Competency-Based Pay Plan report



1 provided to the Controller General's Office on June 8, 1998. Upon requesting contingency funds, the  
2 agency must submit for approval by the Director of the Office of Management and Budget and Controller  
3 General a report of personnel activity relating to salary plan movements with a description of the need to  
4 use said funds. Total personnel expenditures by this agency may not exceed total personnel  
5 appropriations.

6           The competency-based pay plan shall provide a plan for employees to follow in order to achieve  
7 promotional increases based on objective, measurable, pre-determined standards for all enforcement  
8 employees. These standards include, but are not limited to, training and education, certification, time and  
9 experience, public relations, performance review and operational readiness. The promotional increases  
10 shall be based on a competency based matrix. The matrix shall provide for promotional standards both  
11 within and between pay grades. There shall be three levels that an employee must achieve within one pay  
12 grade in order to be eligible for promotion to a higher pay grade. Those three levels are skill building,  
13 full performance, and expert. Decisions related to promotion to a higher pay grade shall be determined by  
14 an Enforcement Career Board composed of three representatives from the Department of Natural  
15 Resources and Environmental Control with final approval by the Office of Management and Budget.  
16 Career advancement to the next highest performance level will be a paper process unless the Board  
17 believes an oral interview is necessary for clarification. The employee requesting a promotion for a  
18 higher pay grade will not be required to attend the Enforcement Career Board review process unless the  
19 Board requests the employee's attendance.

1 **SAFETY AND HOMELAND SECURITY**

2 Section 253. The Department of Safety and Homeland Security is hereby authorized to continue  
3 funding its share of the existing 40 patrol officers that have been established through agreements between  
4 State Police (45-06-00) and Sussex County Council through the end of Fiscal Year 2009.

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

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

13 Section 254. State Police receives funds resulting from drug and other seizure activities. If  
14 seizure is defined as being under federal jurisdiction, then the funds flow to State Police, Executive (45-  
15 06-01), as Non-appropriated Special Funds. The division shall submit a plan for the expenditure of these  
16 funds to the Director of the Office of Management and Budget and the Controller General. This plan  
17 shall be updated quarterly. A quarterly report as to the expenditure of such funds and to the respective  
18 projects shall be submitted to the Director of the Office of Management and Budget and the Controller  
19 General.

20 Section 255. In addition to the positions authorized in Section 1 of this Act for State Police (45-  
21 06-00), additional positions are authorized in State Police, Patrol (45-06-03) for the purpose of training  
22 State Police recruits. During recruit training, up to 20 positions will be made available to accommodate  
23 the class being trained. Funding is authorized for initial use of these positions to accommodate an  
24 anticipated graduating class of 15 troopers. The Director of the Office of Management and Budget may  
25 authorize additional recruit positions accordingly.

26 Section 256. Notwithstanding 29 Del. C. c. 63 and c. 69 or any other statutory provision to the  
27 contrary, the Department of Safety and Homeland Security is authorized to enter into agreements with  
28 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 257. 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 258. 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 259. 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 260. 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 261. 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 262. 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 263. 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 264. (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 increases in 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 265. 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 from a Sex Offender Registry Fee to pay for their Personnel Costs.

1 **TRANSPORTATION**

2 Section 266. The Delaware Transportation Authority budget, as set forth in memorandum form  
3 in Section 1 of this Act, shall be expended in accordance with the following limitations:

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

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

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

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

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

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

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

25 (f) Funds of the Delaware Transit Corporation may not be provided as aids to local governments  
26 for transportation systems which restrict passengers because of residential requirements. Nothing in this  
27 Section is meant to require that governments must operate these transportation systems outside their  
28 political boundaries.

(g) Funds provided for Transit Operations are intended to include funding to allow the Delaware Transit Corporation or a private contractor to:

- 1) continue to provide the present level of service to dialysis patients on normal service days during the hours offered in New Castle County by the Delaware Transit Corporation to the extent that such service does not place the Delaware Transit Corporation in violation of the federal Americans with Disabilities Act; and
- 2) provide service to dialysis patients in Kent and Sussex counties during hours identical to those offered in New Castle County.

Section 267. Section 1 of this Act appropriates \$1,220.5 TFO to Finance (55-01-02) for Contractual Services. Of this amount, \$100.0 shall be allocated to the Maritime Exchange for the Delaware River and Bay.

Section 268. Section 1 of this Act makes an appropriation of \$1,287.1 TFO to Planning (55-03-01) for Contractual Services. Notwithstanding any other provision of the Delaware Code or this Act to the contrary, the Department of Transportation is authorized to contract with the University of Delaware's Institute for Public Administration and Delaware Center for Transportation for research purposes.

Section 269. Section 1 of this Act makes an appropriation in the amount of \$60,904.0 TFO to Maintenance and Operations, Maintenance Districts (55-04-70) and \$17,198.0 TFO to Motor Vehicles, Toll Administration (55-11-60).

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	3,141.9	3,258.5	8,005.6		14,406.0
Travel	6.0				6.0
Contractual Services	1,322.7	604.2	520.6	7,890.8	10,338.3
Supplies and Materials	158.8	242.8	1,482.0		1,883.6
Energy	146.5	384.8	1,343.4		1,874.7
Capital Outlay	41.0		50.0		91.0
<b>TOTALS</b>	4,816.9	4,490.3	11,401.6	7,890.8	28,599.6
<b>FTEs</b>	<b>57.0</b>	<b>64.0</b>	<b>152.0</b>		<b>273.0</b>

Section 270. Section 1 of this Act provides an appropriation to Maintenance Districts (55-04-70) for Contractual Services. Of this appropriation, \$5.0 TFO shall be allocated to the Tina Fallon Ferry.

1           Section 271. The Department of Transportation and/or its E-ZPass contractor is prohibited from  
2 monitoring the speed of motor vehicles through E-ZPass toll booths for the purpose of issuing traffic  
3 citations or the suspension of E-ZPass privileges. Nothing in this section shall prohibit the State Police  
4 from enforcing traffic laws including speed enforcement at the E-ZPass toll booths.

5           Section 272. Section 1 of this Act makes an appropriation to Maintenance and Operations,  
6 Maintenance Districts (55-04-70) in the amount of \$3,277.4 TFO to establish a Special Line called  
7 Snow/Storm Contingency that will provide for the expenses of weather/emergency operations.  
8 Notwithstanding any other provision of the law to the contrary, any sums in this account not expended by  
9 the end of a fiscal year shall be carried over for use in future fiscal years, with appropriate transfers to  
10 current fiscal year accounts. The department shall be allowed to transfer funds from this account to  
11 divisions on an as-needed basis for expenditures incurred. The department may also transfer funds to  
12 municipalities and other qualified entities to reimburse them pursuant to contracts entered into by the  
13 department and the municipality to keep transit routes open during snow and storm emergencies. The  
14 transfer of funds from this account shall not require the approval of the Director of the Office of  
15 Management and Budget or the Controller General. The department shall provide quarterly reports each  
16 fiscal year to the Director of the Office of Management and Budget and the Controller General.

17           Section 273. In addition to the positions authorized in Section 1 of this Act for the Department of  
18 Transportation, Technology and Support Services (55-02-01), 1.0 TFO FTE is authorized in Delaware  
19 Transportation Authority (55-06-01) for the purpose of information technology support. As this position  
20 appropriated for the purpose of information technology support becomes vacant, the position and its  
21 associated funding from the Delaware Transportation Authority may be reallocated to continue the  
22 centralization of the information technology function within Technology and Support Services (55-02-  
23 01). The Director of the Office of Management and Budget and Controller General may authorize this  
24 reallocation accordingly.

25           Section 274. During the fiscal year, the Department of Transportation shall be prohibited from  
26 changing its departmental policy regarding access pipe installation on private homeowner entrances.  
27 Specifically, the department shall not charge said homeowners for the labor costs associated with the  
28 installation of the access pipe.

1           Section 275. Notwithstanding any other provisions of the Delaware Code, the Department of  
2 Transportation, Motor Vehicles (55-11-00) shall have the authority to charge state agencies for state  
3 identification cards, not to exceed \$20 per card. The amount to be reimbursed shall be determined by  
4 Motor Vehicles and will be deposited into a holding account coded as special fund revenue and shall not  
5 be subject to General Fund deposit or Transportation Trust Fund deposit at any time.

6           Section 276. Section 1 of this Act appropriates \$200.0 TFO to the Department of Transportation,  
7 Motor Vehicles, Vehicle Services (55-11-30) for the purpose of replacing vehicle inspection equipment.

8           Section 277. Notwithstanding the provisions of 2 Del. C. § 1325 or 29 Del. C. § 7106(d) the  
9 employees in the Delaware Transit Corporation that are riders of the State van pool program known as  
10 Fleetlink, effective March 1, 2007 may remain in this program provided that they remain on a single van,  
11 that the necessary liability policy as defined by the Insurance Risk Office of the Office of Management  
12 and Budget is provided and maintained in good standing by the Delaware Transit Corporation, and that  
13 riders continue to pay the fees associated with participation in this program. Such eligibility shall be  
14 continuous for these individuals until and unless these conditions are not met.

15           Section 278. Notwithstanding 29 Del. C. § 5903, the position of Deputy Principal Assistant  
16 (BP# 9493) in the Department of Transportation shall remain as exempt until vacated. Once vacated, this  
17 position will be classified by the Director of the Office of Management and Budget and the Controller  
18 General in accordance with the Merit System and 29 Del. C. c. 59.

19           Section 279. The General Assembly directs the Department of Agriculture, the Department of  
20 Transportation and the Delaware Economic Development Office to promulgate regulations defining  
21 agritourism as a cultural and recreational interest for benefit of adoption into the Brown Sign Program.  
22 Final adoption of these regulations is contingent upon approval by the Federal Highway Administration  
23 (FHWA) under the Manual for Uniform Traffic Control Devices.

24           Section 280. Notwithstanding the provisions of 17 Del. C. or any regulation to the contrary, the  
25 Department of Transportation shall permit an existing church, school or fire department sign, located on  
26 the premises of such church, school or fire department, presently located within 25 feet of the right-of-  
27 way line of any public highway to be replaced with a variable message sign or new fixed outdoor



1 advertising display, device or sign structure of equal or smaller dimension than the existing sign, sign  
2 structure, display or device, relating to the activities conducted on such property.

3 Section 281. All continuing appropriations being transferred to the account entitled 2003 Prior  
4 Year Operations (55-01-02-6809) shall not be expended during Fiscal Year 2011 without the prior  
5 approval of the Director of the Office of Management and Budget and the Controller General.

6 Section 282. (a) Section 1 of this Act makes an appropriation to Maintenance and Operations  
7 (55-04-70) of \$172.1 and authorizes 6.0 casual seasonal positions at the Smyrna Rest Stop. With these  
8 positions, the Department shall provide, at a minimum 12 hour coverage, staffing of the Visitor Center  
9 front desk daily. Staffing of the Visitor Center for peak season hours shall be determined by the  
10 Department.

11 (b) The Department of Transportation shall provide the Director of the Office of Management and  
12 budget and the Controller General with a quarterly report on utilization of the Visitor's Center.

**LABOR**

Section 283. (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.

1 **AGRICULTURE**

2 Section 284. Section 1 of this Act makes an appropriation of \$497.8 ASF to the Department of  
3 Agriculture for the Delaware Agriculture Land Preservation Foundation pursuant to 29 Del. C. §  
4 6102A(d)(3). The Foundation shall not operate any accounts outside of the State accounting system.

5 Section 285. The Delaware Department of Agriculture may use up to \$135.0 annually from State  
6 forest timber sales for the following programs:

7 (a) \$60.0 shall be used for marketing and promoting Delaware’s agricultural and forestry  
8 products and commodities.

9 (b) \$75.0 shall be used for forestry cost share programs. The allocation of these funds, and the  
10 determination of qualifying projects, shall be determined by the State Forester, provided the funds are  
11 allocated to supplement federal Rural Forestry Assistance and Urban Forestry Assistance programs.

12 Section 286. Section 1 of this Act makes an appropriation to the Harness Racing Commission  
13 (65-01-05) and the Thoroughbred Racing Commission (65-01-10) for fingerprinting. It is the intent of the  
14 General Assembly that the Commissions are required to use the State Bureau of Identification for all  
15 fingerprinting activities and background investigations per recommendation of the Joint Sunset  
16 Committee.

17 Section 287. Subject to the approval of the Director of the Office of Management and Budget  
18 and the Controller General, the State Lottery may:

19 (a) Deduct up to \$500.0 from the proceeds due to the video lottery agents licensed only to  
20 conduct thoroughbred racing in the current fiscal year to pay for expenses associated with conducting  
21 thoroughbred racing at their respective racetrack; and

22 (b) Deduct up to \$250.0 from the proceeds, which would otherwise fund purses for thoroughbred  
23 racing in the current fiscal year to pay for racing expenses.

24 Section 288. Subject to the approval of the Director of the Office of Management and Budget  
25 and the Controller General, the State Lottery may:

26 (a) Deduct up to \$1,035.2 from the proceeds due to the video lottery agents licensed only to  
27 conduct harness racing in the current fiscal year to pay for expenses associated with conducting harness  
28 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 289. 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 290. Section 1 of this Act appropriates \$51.1 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 291. 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 292. 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 293. 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 294. 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 295. Any state agency, office or department is prohibited from publishing or funding the  
5 publication of voter guides.

6           Section 296. 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.

12           Section 297. Notwithstanding the respective sections of 15 Del. C., the State Election  
13 Commissioner may replace the signature cards and poll lists currently used with a revised poll list on  
14 which voters would sign beside their personal information. The State Election Commissioner in  
15 collaboration with the Departments of Elections shall establish policies and procedures for use of the  
16 revised poll list.

**FIRE PREVENTION**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12

Section 298. Section 1 of this Act provides an appropriation of \$71.6 to the State Fire Prevention Commission (75-03-01) in the line item Statewide Fire Safety Education. These funds are to be matched by members of the Delaware Volunteer Firemen’s Association and are to be used for the purpose of operating a statewide Fire Safety Education Program.

Section 299. Amend 16 Del. C. § 6712 by deleting section (e) in its entirety and substituting in lieu thereof the following: “(e) Costs associated with obtaining criminal history information pursuant to this section from the State Bureau of Identification and the Federal Bureau of Identification shall be borne by the applicant”.

Section 300. Section 1 of this Act appropriates \$2.0 to the Office of the State Fire Marshal (75-01-01) for the purchase of smoke detectors and educational materials for the Juvenile Firesetter Intervention Program.

**NATIONAL GUARD**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13

Section 301. 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.

Section 302. (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.

(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.

Section 303. 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.



1 **HIGHER EDUCATION**

2 Section 304. Section 1 of this Act provides an appropriation for Operations of the University of  
3 Delaware (90-01-01) and an appropriation for Operations of the Delaware Geological Survey (90-01-02).  
4 This figure includes total state assistance for University operations costs as well as funds required to be  
5 appropriated by 29 Del. C. § 5505(6).

6 Section 305. Section 1 of this Act appropriates amounts for Agricultural Programs and Other  
7 Programs to the University of Delaware (90-01-01). Those amounts shall be allocated as follows:

8 Agricultural Programs:

9	Agricultural Experimental Station	\$ 638.7
10	Agricultural Cooperative Extension	1,077.2
11	Agricultural Research and Education Center	536.6
12	Poultry Disease Research	1,105.3
13	Crop Extension	378.5
14	Agricultural Environmental Quality	202.8
15	Soil Testing and Pesticide Program	380.4
16	Carvel Research Center	410.9
17	Diagnostic Poultry Program	<u>201.5</u>
18	Total	\$ 4,931.9

19 Other Programs:

20	Sea Grant	\$ 559.0
21	Urban Agent Program	135.6
22	Public Service and Applied Research Projects	452.9
23	Diversity Enhancement	293.0
24	Local Government Research and Assistance	238.7
25	Graduate Education (Southern Delaware)	37.3
26	Library Automation	52.0
27	Nurse Practitioner	269.0
28	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     Section 306. Section 1 of this Act provides an appropriation to the University of Delaware for  
28     the College of Agriculture. Within that appropriation are sufficient funds to fully fund 1.0 Agriculture

1 Extension Agent and 2.0 Cooperative Extension Agents per county and 1.0 Agricultural Extension  
2 Engineer for the program statewide.

3 Section 307. Section 1 of this Act provides an appropriation to the University of Delaware for the  
4 Milford Professional Development School. The University and the Milford School District shall submit  
5 to the Controller General and the Director of the Office of Management and Budget, by March 1, 2011, a  
6 joint report detailing the implementation status of this program as it relates to the appropriation herein.

7 Section 308. Section 1 of this Act makes an appropriation to Delaware State University,  
8 Operations (90-03-01), for General Scholarships. Of that amount, \$22.0 shall be for state scholarships for  
9 high ability students, \$20.0 shall be for departmental scholarships to attract high achievers into the  
10 sciences, \$200.0 shall be for scholarships to attract high ability students into the teaching program, and  
11 \$100.0 shall be for scholarships for female athletes.

12 Section 309. For the fiscal year covered by this Act, in order to continue the assessment of  
13 procedures implemented during Fiscal Year 1993 intended to reduce the administrative burden incurred  
14 as a result of processing accounting transaction data into two independent accounting systems, the  
15 Director of the Office of Management and Budget has authorized Delaware State University to:

16 (a) Discontinue detail data input to the First State Financials for encumbrance and vendor  
17 payment transactions related to General Fund, federal financial assistance and college funds;

18 (b) Effect vendor payment disbursements of the above identified funds on Delaware State  
19 University checks, generated through the University Accounting System and drawn on a University bank  
20 account; and,

21 (c) Summarize General Fund and federal financial assistance fund disbursements on a weekly,  
22 post disbursement basis, and draw down the corresponding amounts through the standard First State  
23 Financials Payment Voucher process.

24 This authorization does not provide for any change to the processing of encumbrances and vendor  
25 payment transactions related to Bond/Capital funds; it does not affect payroll processing and does not  
26 relax or alter any control requirements prescribed by law or policy related to procurement, encumbrance  
27 and payment activity.

1           The University shall comply with specific procedures developed and prescribed by the Office of  
2 Management and Budget and the Department of Finance, Accounting. In addition, the University shall  
3 cooperate fully with the Office of Auditor of Accounts to aid in any review or examination of the  
4 University's accounting procedures, records and system.

5           Operations as enabled by this section shall be periodically reviewed and evaluated during the  
6 stated period by the Office of Management and Budget, the Department of Finance and the Office of  
7 Auditor of Accounts. Any procedural/control weaknesses identified shall be addressed and resolved, and  
8 this authority may be withdrawn for cause at any time during the stated period, with the allowance that  
9 Delaware State University will be provided reasonable time to revert to standard processes.

10           Section 310. Section 1 of this Act provides an appropriation to Delaware Technical and  
11 Community College, Office of the President (90-04-01), for Associate in Arts Program - Operation and  
12 Associate in Arts Program - Academic. This appropriation is to assist in the provision of the Delaware  
13 Technical/University of Delaware Associate in Arts Program which will be operated jointly by the two  
14 institutions under a contract initiated by Delaware Technical and Community College. Under this  
15 contract, the University of Delaware will teach students at Delaware Technical and Community  
16 College's facilities. Future budget requests will be made jointly by Delaware Technical and Community  
17 College and the University of Delaware, and budget cuts, if necessary, will be shared on a pro rata basis.  
18 Approval of tuition and other fees will be made by the Board of Trustees of the institution that delivers  
19 the relevant service and after the institutions have reached an agreement for tuition sharing.  
20 Representatives from both institutions will meet at least once each semester to review program  
21 operations.

22           Section 311. Section 1 of this Act contains an appropriation of \$314.6 for the Delaware Institute  
23 of Veterinary Medical Education (DIVME), (90-07-01). Notwithstanding current Laws of Delaware  
24 relating to the DIVME Program, these funds shall be used to provide tuition support for six Delaware  
25 residents studying at the veterinary medicine program at the University of Georgia, three Delaware  
26 residents studying at the veterinary medicine program at Oklahoma State University, plus four additional  
27 students accepted to a veterinary medicine program for the coming year.

1           Section 312. All higher education institutions in Delaware who have not been contracted  
2 members of the National Student Clearinghouse for the past year shall be required to join and input data.  
3 Participation will allow the Department of Education to track Delaware’s students as they enroll or  
4 transfer into Delaware higher education institutions or other member higher education institutions across  
5 the country. Membership requires higher education institutions to report data elements to the National  
6 Student Clearinghouse.

7           Section 313. Beginning in Fiscal Year 2011, the requirements of 14 Del. C.  
8 § 5302 and § 6511 shall be waived until such time that State funding is appropriated for said program.

9           Section 314. Section 1 of this Act appropriates funds for Operations to the University of  
10 Delaware (90-01-01). Of these funds, the University shall fund the following programs in the following  
11 amounts:

12	Great Beginnings	19.9
13	Women’s Leadership Training Programs	11.3
14	Inland Bays Citizen’s Monitoring Program	35.7
15	Center for Economic Education	192.6
16	Advanced Studies	66.4
17	Delaware Geographic Alliance	34.1
18	Summer School – Gifted & Talented	140.0

19  
20           Section 315. Delaware Technical and Community College (90-04-00) shall assume funding  
21 responsibility for the Environmental Training Center at a level not less than \$220.5. Funding is to be  
22 used to provide training for state and local water and wastewater operators.

## EDUCATION

Section 316. During the course of the fiscal year, the Department of Education is authorized to continue the work of the Public Education Compensation Committee to review and make recommendations to the Governor and Joint Finance Committee regarding the public education salary schedules authorized in 14 Del. C. c. 13. The committee shall consist of the following individuals or their designee: Controller General, Director of the Office of Management and Budget, Secretary of Education, Executive Director of the Delaware State Education Association (DSEA), one school business manager, and one school superintendent. The committee shall review comparability of salaries statewide, in addition to surrounding areas and alternative compensation models. A report of findings shall be submitted to the Governor and co-chairs of the Joint Finance Committee no later than May 1, 2011.

Section 317. It is the goal of the General Assembly to implement by Fiscal Year 2012 the recommendations of the Public Education Compensation Committee with respect to Instructional and Service Aides contained in the report of said committee, dated May 15, 2007, as follows; (1) to ensure that the first Step of the salary schedule for Instructional Aides is equivalent to the U.S. Department of Commerce poverty income level for a family of four for the year 2011; the first Step 0 of the salary schedule for Service Aides to be equivalent to 85 percent of the first Step 0 for Instructional Aides; (2) to reduce the number of steps on the Instructional Aides and Service Aides salary schedules to ten; (3) to ensure that the percentage difference between steps on the Instructional Aides and Service Aides salary schedules are equal percentage amounts as specified in the recommendation found in the aforementioned report.

Section 318. (a) Amend 14 Del. C. § 1305(m) by deleting the letters “(l)” and “(m)” and inserting in lieu thereof the letters “(k)” and “(l)”.

(b) Amend 14 Del. C. § 1305(n) by deleting the letters “(l)” and “(m)” and inserting in lieu thereof the letters “(k)” and “(l)”.

(c) Amend 14 Del. C. § 1305(o) by deleting the letters “(l)”, “(m)” and “(o)” and inserting in lieu thereof the letters “(k)”, “(l)” and “(n)”.

(d) Notwithstanding the provisions of 14 Del. C. § 1305(m), (o) and (p), for those employees 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 319. (a) For this fiscal year, employees who have been issued an initial license and are in  
4 a third or fourth year extension due to failure to pass Praxis I shall receive a ten percent salary reduction.  
5 Employees currently on an emergency certificate as a result of being assigned to an area outside the area  
6 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, 2008  
16 or currently receiving a stipend will continue to receive payment of the appropriate amount for the  
17 appropriate duration. Teachers or specialists who obtained NBTPS 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.

27 (d) National Board for Professional Teaching Standards (NBPTS) certification by individuals  
28 paid under 14 Del. C. § 1305 excludes superintendents, assistant superintendents, directors, and

1 individuals employed in non-instructional areas detailed in Section 1312(c), and employees of the  
2 Department of Education.

3 (e) The funds received by charter schools through the Department of Education associated with  
4 staff members who qualify for the salary supplement described in subsection (c) shall be paid to said  
5 employees in accordance with subsection (c).

6 Section 320. Section 1 of this Act makes an appropriation of \$775.0 ASF and 2.0 ASF FTEs to  
7 the Department of Education (95-01-01) for the Delaware Interscholastic Athletic Fund. The Association  
8 shall not operate any accounts outside of the State accounting system and the Fund shall be interest  
9 bearing.

10 Funds shall be utilized to support the activities and operations of Delaware interscholastic  
11 athletics. During the fiscal year, the expenditure of funds from the Delaware Interscholastic Athletic  
12 Fund will be in accordance with the Division of Accounting budget and accounting procedures.

13 Section 321. For this fiscal year, the inflation factor for the local per pupil payments required  
14 under the state's Enrollment Choice Program, as specified in 14 Del. C. § 408(e), and for the local per  
15 pupil payments required under the state's Charter School Program, as specified in 14 Del. C. § 509(d),  
16 shall be zero.

17 Section 322. Section 1 of this Act makes several appropriations to the Department of Education  
18 (95-01-01) for Educator Certification and Development activities, Standards and Assessment,  
19 Infrastructure Capacity, and Educator Accountability. Based upon federal guidance related to the federal  
20 Race to the Top competitive grant program, as appropriated under the American Recovery Reinvestment  
21 Act of 2009, the State of Delaware stands to potentially receive approximately \$119,000.0 over 4 years  
22 for educational reform efforts. These reform areas include: (1) adopting standards and assessment that  
23 prepare students to succeed in college and the workplace and to compete in the global economy; (2)  
24 building data systems that measure student growth and success, and inform teachers and principal about  
25 how they can improve instruction; (3) recruiting, developing, retaining and rewarding effective teachers  
26 and principals; and (4) turning around low achieving schools. The Secretary of Education, upon approval  
27 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.

3 Section 323. Section 1 of this Act makes an appropriation of \$51.0 to the Department of  
4 Educations (95-01-01) for Odyssey of the Mind. This appropriation shall be made available to school  
5 students to assist in defraying out of state travel expenses associated with this program

6 Section 324. Title 14, Del. C. § 122(e), requires the Department of Education to review all  
7 regulations to ensure that all regulations are current and not burdensome, and 14 Del. C. § 122(f) and (g)  
8 provide a means for districts to pursue waivers of state regulations. The Federal Education Flexibility  
9 Partnership Act of 1999 allows districts to apply for waivers of federal regulation in states that have  
10 adopted challenging content and performance standards, have aligned assessments to those standards,  
11 have established a system of school and district accountability, and allow waiver of State statutory and  
12 regulatory requirements relating to education.

13 Given federal approval of the Department of Education’s application for Ed Flex, the Department  
14 may waive State statutory and regulatory requirements pursuant to the Federal Education Flexibility  
15 Partnership Act of 1999. Such waivers must be applied for according to procedures and policies  
16 determined by the Department of Education and must be related to Title I, Part B of Title II, Title IV,  
17 Title V, Title III, and the Carl D. Perkins Career and Technical Education Act of 2006. State programs  
18 for which waivers may be granted include, but are not limited to, Student Discipline, Academic  
19 Excellence, and Professional and Curriculum Development.

20 Section 325. Notwithstanding any law or regulation to the contrary, all consequences related to  
21 the Statewide Assessment System for individual students including summer school, Individual  
22 Improvement Plans, retention, assessment retakes, retests at high school grades and the related student  
23 consequences shall be eliminated until such time that the Statewide Assessment System is fully  
24 implemented, as determined by the Secretary of Education, for all Delaware students.

25 Section 326. During Fiscal Year 2011, the Department of Education shall continue the needs-  
26 based funding structure for all school districts and charter schools implemented during Fiscal Year 2010  
27 provided those districts and charter schools shall not realize an increase or decrease in the number of units

1 earned which is greater than three units over the previous school year until a district or charter school is  
2 funded fully by the needs-based formula.

3 In addition, during Fiscal Year 2011, the Department of Education, in collaboration with the  
4 Governor's Advisory Council for Exceptional Citizens, shall finalize the needs-based funding model for  
5 related services units and all other entitlement funding and provide the Office of Management and Budget  
6 and the Controller General's Office with this model for approval. The Department shall also provide a  
7 cost analysis of the statewide implementation of the needs-based structure to the Office of Management  
8 and Budget and the Controller General's Office for review.

9 Section 327. The Delaware Code notwithstanding, during this fiscal year, the Director of the  
10 Office of Management and Budget is authorized to continue funding for issues such as, but not limited to,  
11 the number of administrative positions and activity busing for which the State was required to provide  
12 funding as a result of a 1978 federal court order. This authorization, as it relates to administrative  
13 positions, shall apply only to positions filled for employment, and shall not be considered as authorization  
14 to fund any cash options pursuant to 14 Del. C. § 13. It is the intent of the General Assembly that  
15 beginning in Fiscal Year 2010, existing filled positions authorized pursuant to this section shall, upon  
16 vacancy, be permanently ineligible for the State share of salary pursuant to 14 Del. C. § 1305.

17 Section 328. General Fund appropriations to Public Education in appropriation units (95-03-00),  
18 (95-04-00) and the Delmar Tuition and General Contingency appropriations in appropriation units (95-01-  
19 00) and (95-02-00) shall not be subject to the limitations as defined for Division I and Division II in 14  
20 Del. C. § 1706 and § 1709.

21 Section 329. For Fiscal Year 2011 only, Division II – All Other Costs allocations to school  
22 districts, excluding Division II vocational units earned, may used for any Division III purpose  
23 pursuant to 14 Del. C. §1304 and §1707(h). School districts shall report to the Director of the Office  
24 of Management and Budget and the Controller General by May 1, 2011 their use of any Fiscal Year  
25 2011 Division II – All Other Costs funds for Division III purposes.

26 Section 330. Notwithstanding the provisions of 14 Del. C. § 1703, the First State School  
27 Program shall be guaranteed state funding based upon a minimum of two Division I units. In addition,

1 Section 1 of this Act appropriates \$314.5 to Public Education, Block Grants and Other Programs, Special  
2 Needs Programs for the First State School.

3 The Department of Education, Children's Services Cost Recovery Project is authorized to pursue  
4 Medicaid cost recovery for eligible services provided to Medicaid eligible children at the First State  
5 School. Students in the program are considered eligible for special education services and have  
6 Individual Education Programs in addition to their medical treatment plans. Any funds recovered shall be  
7 utilized to offset the guaranteed 2.0 units and First State School operational costs.

8 The Department of Education is authorized to provide AI DuPont Hospital an amount not to  
9 exceed \$50.0 for its program serving medically fragile students from funds appropriated in Section 1 of  
10 this Act to Public Education, School District Operations, Other Items (95-02-02).

11 Section 331. Section 1 of this Act provides certain appropriations to Public Education, School  
12 District Operations, Other Items. These amounts are not based on the unit system. Allocation of these  
13 funds shall conform to the following:

14 The line item Other Items in the internal program unit Other Items (95-02-02) shall be allocated  
15 as follows:

16	Caesar Rodney - Americanization	\$ 14.1
17	Red Clay - Americanization	113.6
18	Margaret S. Sterck:	
19	Residence - Other Costs	85.4
20	Consultant Services	11.0
21	Preschool Summer Program	6.9
22	Christina Autistic:	
23	Residence - Other Costs	206.5
24	Contractual Services	11.4
25	John G. Leach	50.0
26	Sussex Orthopedic School	<u>12.9</u>
27	Total	\$511.8

1           Section 332. Section 1 of this Act makes an appropriation to Public Education, School District  
2 Operations, Other Items (95-02-02) of \$1,000.0 for School Improvement Funds that shall be used to  
3 provide technical assistance and support to schools and districts rated as academic review, academic  
4 watch or academic progress. The Department of Education shall provide a report on the use of said funds  
5 to the Office of Management and Budget and the Controller General by May 1, 2011.

6           Section 333. The assessment to sales ratios used to equalize Fiscal Year 2011 tax rates for those  
7 districts that cross county lines (Smyrna, Milford, Woodbridge, PolyTech) shall remain at the same ratios  
8 that were in effect for Fiscal Year 2010.

9           Section 334. For Fiscal Year 2011, all school districts shall receive Equalization funding based  
10 on the Fiscal Year 2009 average per unit amount for existing and new units.

11           Section 335. Section 1 of this Act makes an appropriation of \$17,230.8 to Public Education,  
12 School District Operations, Other Items (95-02-02) for Full-day Kindergarten Implementation to continue  
13 the phase-in of statewide full-day Kindergarten. This appropriation will provide funding to continue the  
14 existing pilot program, as awarded by the Department of Education at the Fiscal Year 2008 funding level,  
15 in the Indian River School District.

16           Notwithstanding 14 Del. C. § 1703, this appropriation also provides funding for the following  
17 school districts/charter schools to generate Kindergarten units at a rate of 17.4: Academy of Dover, East  
18 Side, Thomas Edison, Kuumba Academy, Laurel, MOT, Providence Creek, Odyssey, Seaford, Smyrna,  
19 Woodbridge, Cape Henlopen, Appoquinimink, Capital, Caesar Rodney, Colonial, Newark, Brandywine,  
20 Red Clay, Delaware College Preparatory Academy, Las Americas Aspira Academy, Reach Academy for  
21 Girls, twenty (20.0) units for the first year of Christina's two-year phase-in, Lake Forest and one (1.0)  
22 unit for the Milford School District. Students in Delmar will attend full-day Kindergarten through an  
23 agreement with Wicomico County, Maryland.

24           The intent of full-day Kindergarten is to offer voluntary comprehensive options to parents and  
25 students. When a district and/or charter school fully implements full-day Kindergarten, school districts  
26 will still have to make available a half-day option if parents request it. School districts shall have the  
27 flexibility to locate such half-day options at designated schools to ensure the most efficient use of state

1 and local resources. Transportation shall be made available for half-day and full-day Kindergarten  
 2 programs.

3 Section 336. Section 1 of this Act makes appropriations to the Department of Education, School  
 4 District Operations, Division Funding (95-02-01) for Division II - All Other Costs and Energy. A  
 5 Division II- Energy Unit shall be valued at \$2,435.00. A Division II - All Other Costs Unit shall be  
 6 valued at \$2,955.00.

7 Section 337. Notwithstanding provisions of 29 Del. C. § 6102(r)(2) and § 6102(r)(3), for Fiscal  
 8 Year 2011, the sum authorized to the Education Expense and Property Tax Relief Fund shall be allocated  
 9 using State Fiscal Stabilization Funds and is to be allocated as follows. These funds are subject to the  
 10 guidelines and reporting requirements of the American Recovery and Reinvestment Act of 2009:

11	<b>District</b>	<b>Increase Support</b>	<b>Offset Local</b>	
12	<b>Allocation</b>	<b>for Education</b>	<b>Current Expense Taxes</b>	<b>Total</b>
13	Appoquinimink	\$ 0	\$ 523,260	\$ 523,260
14	Appoquinimink ILC	18,468	0	18,468
15	Brandywine	0	2,158,200	2,158,200
16	Bush	16,350	0	16,350
17	AI Institute	6,298	0	6,298
18	Brandywine ILC	75,210	0	75,210
19	Christina	0	3,691,830	3,691,830
20	Autistic Program	135,407	0	135,407
21	REACH	53,533	0	53,533
22	Sterck	85,023	0	85,023
23	Christina ILC	170,040	0	170,040
24	Colonial	0	2,001,240	2,001,240
25	Leach	75,576	0	75,576
26	Colonial ILC	42,510	0	42,510
27	Red Clay	0	2,897,220	2,897,220
28	Meadowood	75,576	0	75,576
29	Red Clay ILC	122,811	0	122,811
30	Caesar Rodney	0	567,840	567,840
31	Caesar Rodney ILC	9,204	0	9,204
32	Charlton	47,554	0	47,554
33	Capital	0	728,495	728,495
34	Capital ILC	4,820	0	4,820
35	Kent Orthopedic	16,874	0	16,874
36	Lake Forest	0	412,230	412,230
37	Milford	0	584,661	584,661
38	Milford ILC	5,062	0	5,062
39	Smyrna	0	520,000	520,000
40	Smyrna ILC	5,000	0	5,000
41	Cape Henlopen	0	24,174	24,174
42	Delmar	0	125,000	125,000
43	Delmar ILC	1,303	0	1,303
44	Indian River	0	592,680	592,680
45	Laurel	0	358,314	358,314

1	Laurel ILC	5,874	0	5,874
2	Seaford	0	263,895	263,895
3	Seaford ILC	6,025	0	6,025
4	Woodbridge	0	125,000	125,000
5	New Castle Vo-Tech	0	834,485	834,485
6	New Castle Vo-Tech ILC	25,192	0	25,192
7	Polytech	0	125,000	125,000
8	Polytech ILC	12,272	0	12,272
9	Sussex Technical	<u>0</u>	<u>0</u>	<u>0</u>
10	Total	\$1,015,982	\$16,533,524	\$17,549,506

11           Section 338. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
12 and Other Programs, Adult Education Work Force Training Block Grant (95-03-10). This appropriation  
13 shall be allocated by the Department of Education to the following programs/districts:

14	Adult Trade Extension/Apprentice Program (statewide)	\$1,720.7
15	James H. Groves High School (statewide)	3,522.8
16	Adult Basic Education (statewide)	451.3
17	New Castle County Learning Center (Christina School District)	221.0
18	Delaware Skills Center (N.C.C. Vo-Tech)	1,382.7
19	Alternative Secondary Education Program (statewide)	893.3
20	Marine Mechanics Apprentice Program (Sussex Vo-Tech)	21.0
21	Interagency Council on Adult Literacy	285.8
22	Diploma-at-a-Distance	<u>126.1</u>
23	TOTAL	\$8,624.7

24           Section 339. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
25 Other Programs, Professional Accountability and Instructional Advancement Fund (95-03-10).

- 26           (a) The following allocations shall be provided:
- 27                   (1) \$275.0 for Alternative Routes programs. \$200.0 is provided for the Alternative Routes to  
28                   Certification program, to include an expansion for Special Education. The remaining  
29                   \$75.0 may be used for the Summer Institute program.
- 30                   (2) \$1,566.5 shall be allocated by the Department of Education to districts for professional  
31                   and curriculum development activities. Districts shall submit applications to the  
32                   Department of Education detailing the district's plan for the utilization of these funds.  
33                   The Department of Education shall review and approve plans and allocate an amount not

1 to exceed \$157.00 per certified employee, based on a district's personnel complement for  
2 the 2009-2010 school year. Grants are to be used for developing and implementing  
3 curriculum based on the content standards established by the Curriculum Frameworks  
4 Commission, as approved by the State Board of Education or for other professional  
5 development activities, including, but not limited to: Discipline, Special  
6 Education/Inclusion Collaboration/Consensus Building, Conflict Resolution, Shared  
7 Decision Making, local school board member training, and Educational Technology.  
8 Districts are encouraged to collaborate as a means of maximizing resources as well as  
9 focusing district activities on consistent principles. Grants may be utilized for training,  
10 planning, in-service programs and contractual services. The Department of Education is  
11 authorized to transfer 50 percent of the estimated district grant amount by July 30 of the  
12 fiscal year. The remaining 50 percent shall be transferred within 30 days of the final  
13 approval of the district application for funding.

14 In the application, districts shall detail the proposed utilization of funds as well as  
15 the incorporation of the following criteria:

- 16 (i) Integration of the proposal with existing resources and programs such as the  
17 Comprehensive Discipline Act, Delaware Principals Academy, Delaware Teachers  
18 Center, Drug Free Schools, Title I and II, Special Education and local funds  
19 dedicated to Standards and Assessment.
- 20 (ii) Inclusion of local staff in planning of the grant proposal, with representation from all  
21 involved in student learning, including all professional employees by category. The  
22 plan(s) should focus on overall improved student performance, with a built in level of  
23 accountability to determine effectiveness.
- 24 (3) \$300.0 for Professional Mentoring. The intent of this appropriation is for exemplary  
25 teachers to assist new teachers through leadership and guidance, and includes a training  
26 component in order for teachers to become better mentors. This funding level allows for  
27 a statewide program.

1 (4) \$150.0 for the Delaware Center for Teacher Education to support professional and  
2 curriculum development activities in the content areas of reading and social studies.  
3 The Department of Education shall determine, in coordination with the agency (or  
4 agencies) performing such activities, the training goals and objectives, including how  
5 the objectives of Standards and Assessment will be furthered. The Department of  
6 Education, Controller General and Director of the Office of Management and Budget  
7 shall ensure that the proposed development activities are cost efficient and meet the  
8 objectives outlined in this section before agreeing to transfer the appropriation from the  
9 Department of Education to the operating agency.

10 (5) \$898.5 for Reading Cadre. This appropriation will provide each local school district,  
11 excluding charter schools, with the state share of salaries in accordance with 14 Del. C.  
12 § 1305 and the state share of the Division III Equalization Unit amount as defined in 14  
13 Del. C. § 1707 for one 10-month Reading Specialist. The purpose of this Specialist  
14 will be the creation of a Reading to Reading Cadre which will provide assistance to  
15 districts in designing, demonstrating and implementing best practices in reading  
16 instruction. Such position shall be responsible for curriculum alignment and  
17 professional development in reading for district educators.

18 (6) \$75.0 for Models of Excellence. These funds shall be used to identify the  
19 achievements of Delaware schools, to learn from program success in improving student  
20 achievement and to recognize and share best practices among districts.

21 (b) Any funds remaining subsequent to these allocations may be disbursed at the discretion of the  
22 Department of Education for professional accountability and instructional advancement activities.

23 Section 340. Section 1 of this Act makes an appropriation to Public Education, Block Grant and  
24 Other Programs, Academic Excellence Block Grant (95-03-10). Of the amount appropriated, \$33,584.7  
25 shall be used to fund units for academic excellence in the school districts in accordance with 14 Del. C. §  
26 1716.

27 Section 341. For the fiscal year beginning July 1, 2010, any local school district that has had two  
28 consecutive failed current expense tax referendums during the time period July 1, 2008 to January 1,



1 2011, is authorized to exercise the cash option on Academic Excellence units up to the total number of  
2 units provided under that program. This provision will apply for Fiscal Year 2011 only. In addition,  
3 districts meeting this criteria are authorized to utilize funds derived from this cash option to pay local  
4 salary supplements. Any district that has had a successful current expense tax referendum subsequent to  
5 two consecutive failed current expense tax referendums is ineligible for the provisions of this section.

6 Section 342. Section 1 of this Act provides an appropriation of \$106.8 to Public Education,  
7 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Institute for  
8 Arts in Education. Of this appropriation, \$21.8 shall be used to implement a new Wolftrap program. The  
9 Department of Education shall transfer this appropriation to the University of Delaware, which acts as the  
10 fiscal agent for this statewide program.

11 Section 343. Section 1 of this Act provides an appropriation of \$105.6 to Public Education,  
12 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Urban Community  
13 Empowerment Initiative demonstration pilot program “Achievement Matters Campaign”. The purpose of  
14 the Campaign is to build the competencies and achievement level of middle school students to provide a  
15 bridge from middle school to high school. These funds shall be used exclusively for direct program  
16 expenses and may not be used for salaries and benefits for existing staff of the Metropolitan Wilmington  
17 Urban League.

18 Section 344. Section 1 of this Act makes an ASF appropriation to Public Education, Block  
19 Grants and Other Programs, Special Needs Programs (95-03-20) for the Children’s Services Cost  
20 Recovery Project (CSCR). All local school districts shall fully participate in the implementation and  
21 operation of the project for the fiscal year ending June 30. Local school district participation shall be  
22 on a district-wide basis.

23 The following resources are appropriated to operate the Children’s Services Cost Recovery  
24 Project during the fiscal year ending June 30. No appropriation is made for the purchase of additional  
25 state-owned vehicles pursuant to this section. The appropriated funds for supplies and in-state travel  
26 which, pursuant to this section, are passed through to the local school district shall be dedicated to  
27 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 345. 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 346. 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 347. 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 equally divided between the two programs as follows: \$330.2 in Kent and \$250.0  
16 in Sussex. If funds are used for personnel costs, they may only be used for the state share in accordance  
17 with the 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 (i) \$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 (ii) For purposes of implementing (i) above, the Department of Education and the Department  
16 of Services for Children, Youth and Their Families shall administer a competitive  
17 Request for Proposal (RFP) process to determine grant awards to local districts. Grant  
18 awards shall be for a period of 12 months. Factors that may be utilized in the evaluation  
19 of proposals can be, but are not limited to, the following: links to Part II discipline  
20 funding or other district resources; the use of collaborative partnerships; the relative need  
21 of the local school district community; and the recognition within a proposal of the need  
22 to provide services to meet the presenting problems of both the child and the family. To  
23 the extent 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 348. 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 349. Section 1 of this Act appropriates 38.7 FTEs, of which up to 4.0 shall be authorized  
20 as teachers/supervisors, 30.7 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 0.7 for ten months employment. If employed on an 11 or 12 month basis,  
28 the 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 350. 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 351. 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 352. Section 1 of this Act provides an appropriation of \$56.3 to Public Education, Block  
12 Grants and Other Programs, K-12 Pass Throughs (95-03-15) for Career Transition to create a three-year  
13 pilot program implementing the recommendations that resulted from House Resolution #36 of the 143rd  
14 General Assembly – Special Education Mentor Task Force. The Department of Education and the  
15 Division of Vocational Rehabilitation, Department of Labor shall oversee administration of the program.  
16 Such oversight shall include an annual evaluation of the program. The Departments of Education and/or  
17 Labor may enter into contractual arrangements to operate the program.

18 Section 353. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
19 Other Programs, Special Needs Programs (95-03-20) for Early Childhood Initiatives. These funds are to  
20 be used to support the T.E.A.C.H. program and the Early Childhood Apprenticeship program to support  
21 career training and education for early childhood workers. Additionally, the Department of Education  
22 may develop an implementation plan for creation of a Leadership Academy for Early Childhood workers  
23 and a program to train child care workers who are English Language Learners or have low literacy levels,  
24 as outlined in Early Success, for approval by the Director of the Office of Management and Budget and  
25 the Controller General prior to implementation.

26 Section 354. (a) Section 1 of this Act provides an appropriation of \$1,848.6 to Public Education,  
27 Pupil Transportation (95-04-01) for Non-Public School Transportation Reimbursements. This  
28 appropriation shall be allocated for qualifying non-public, non-profit schools, based on the procedure



1 adopted by the Joint Finance Committee on April 16, 1981.—The Public School Transportation  
2 Committee, consisting of representatives from the Department of Education, Controller General’s Office,  
3 Office of Management and Budget and representatives for bus contractors and school district  
4 transportation supervisors shall make recommendations to the Director of Office of Management and  
5 Budget and Controller General for revisions to components of the transportation formula no later than  
6 April 1, 2011.

7 (b) Transportation funds for public school districts during the fiscal year ending June 30, 2011,  
8 shall be allocated and shall not exceed \$82,116.0, according to bus contract or district transportation  
9 formula, as adopted by the State Board of Education on July 23, 1987, subject to the following  
10 amendments and procedural modifications:

11 (1) The per gallon price used to calculate the fuel allowance shall be based on the state  
12 contract bid price for fuel plus \$0.07 per gallon for districts and plus \$0.31 per gallon for  
13 contractors. For districts and contractors north of the Chesapeake and Delaware Canal,  
14 the per gallon price shall be based on delivery to a large-sized tank (5,000 or more  
15 gallons). In the case of contractors located south of the Chesapeake and Delaware Canal,  
16 the per gallon price shall be based on delivery to a small-sized tank (275 - 1,900 gallons).  
17 Upon determination by the Department of Education that a contractor located North of  
18 the Chesapeake and Delaware Canal and operating five or fewer buses does not have  
19 existing storage capacity in the large tank range, the per gallon price shall be based on the  
20 smaller tank size.

21 The initial fuel rates shall be based on the state contract bid price as of June 1 of the  
22 preceding fiscal year. Funding adjustment will be made when the annual average price  
23 increases or decreases by at least five cents per gallon. The first review will be based on  
24 the annual averages through December 31 of each year and additional reviews will be  
25 conducted each month thereafter until April 30. Reviews may also be conducted at any  
26 time upon the request of the Director of Office of Management and Budget and  
27 Controller General.

28 (2) For this Fiscal Year, the operating allowance shall remain at the Fiscal Year 2010 level.

1 (3) For the fiscal year ending June 30, 2011, the allowable cost of a new unused bus that was  
2 purchased by a contractor and put on contract and that was produced between January 1,  
3 2010 and December 31, 2010 (as noted on the school bus identification plate) shall begin  
4 its seven-year capital allowance schedule using the 2010 state bid price for new school  
5 buses, minus two percent for salvage value, plus eleven percent to account for dealer  
6 charges and profits not reflected in the state bid price due to the higher number of buses  
7 being purchased and the lag time between ordering and delivery. Any bus produced on  
8 or after January 1, 2010 must meet the 2010 Federal emissions requirements in order to  
9 receive a capital allowance. Any bus produced and placed in service after January 1,  
10 2010 shall be entitled to an allowance based on the 2010 state bid price.

11 A used bus placed in service shall utilize the allowance schedule which would have  
12 been allowed had the bus been placed in service when new based on its production date.  
13 The bus shall receive the remaining years of capital allowance. The Department of  
14 Education shall continue to utilize the procedures developed in Fiscal Year 1989 for  
15 determining the allowable cost for any size bus that it did not bid in Fiscal Year 2010. In  
16 addition to the procedure for establishing the allowable cost of a new bus specified  
17 above, the Department of Education is requested to structure its bids for buses in the  
18 fiscal year ending June 30, 2011, in such a manner that public school bus contractors will  
19 be permitted to purchase buses from the successful lower bidder at the same price as the  
20 State of Delaware. If a contractor elects to purchase a bus at the bid price, the lowest  
21 base bid of an awarded contract minus two percent for salvage value will be the  
22 allowable cost in subsequent reimbursements to the contractor.

23 (4) In Fiscal Year 2011, the school bus contractor insurance allowance shall remain at the  
24 Fiscal Year 2010 level.

25 (c) Except as specified in this section, or for changes in the price of fuel, or for the  
26 adjustments of those items changed by state or federal laws, the Department of Education shall not  
27 change the transportation formula unless the change has been authorized by the General Assembly and  
28 an appropriation therefore has been made by the General Assembly.

1 (d) Of the appropriation allocated for public school districts, \$96.0 is allocated to purchase a  
2 maximum of twelve air conditioned buses to transport special need students. The Department of  
3 Education is authorized to amend its formula to allow the purchase of air conditioned buses which may be  
4 required to transport special education students that have a medical need for air conditioning (specified by  
5 a physician), and that go to a special education school.

6 Section 355. Notwithstanding any other provisions of the Delaware Code or this Act to the  
7 contrary, the Department of Education is authorized to approve and provide funding for additional  
8 transportation routes necessary to support the Seaford School District's pilot implementation of a  
9 balanced calendar schedule, beginning in Fiscal Year 2003.

10 Section 356. A Committee consisting of a representative from the Department of Education,  
11 Controller General's office, Office of Management and Budget and five members appointed by the  
12 Chiefs' Council who shall include one vocational and one at large superintendent, as well as three  
13 representatives (one from each county) with knowledge of school transportation. This committee shall  
14 make recommendations to the Office of Management and Budget and the Controller General's office no  
15 later than October 15, 2010 with specific implementation language regarding county wide pupil  
16 transportation. Specifically, these recommendations shall include but not be limited to the following:

- 17 1. County-wide transportation initiatives;
- 18 2. Vocational transportation;
- 19 3. Alternative and special school transportation;
- 20 4. A review of all existing routes and process for adding new routes;
- 21 5. Consolidating and streamlining the transportation contracting process;
- 22 6. Limiting and capping some specific formula driven increases;
- 23 7. Hazardous routes and other related issues.

24 Section 357. (a) During the fiscal year, local school districts are hereby directed to provide at the  
25 local school district's cost bus transportation of public school students previously declared ineligible by  
26 the Unique Hazards Committee, including the following:

- 27 (1) Students attending the Stanton Middle School who are now forced to walk along  
28 Telegraph Road with a constant threat of injury.

- 1 (2) Students attending Mt. Pleasant High School who are now forced to walk along Marsh  
2 Road with a constant threat of injury.
- 3 (3) Students in the town of Seaford, living west of Conrail and north of the Nanticoke River,  
4 who attend the Seaford schools, grades K-6.
- 5 (4) Students attending Seaford Central Elementary who live in the area east of Conrail, north  
6 of the Nanticoke River, and west of Williams Pond, within the Seaford city limits.
- 7 (5) Students attending the Cab Calloway School of the Arts and Wilmington Charter School  
8 on Lancaster Avenue to Delaware Avenue in the north-south grid and on Jackson Street  
9 to duPont Street on the east-west grid.
- 10 (6) Students attending Newark High School who live in Windy Hills and are forced to walk  
11 along Kirkwood Highway with a constant threat of injury.
- 12 (7) Students attending schools in Laurel living in the areas of Lakeside Manor, Route 24 east  
13 of Laurel town limits, Route 13A South of Laurel town limits and Dogwood Acres.
- 14 (8) Students attending Delcastle Technical High School who live in Newport and are forced  
15 to walk along Centerville Road (Rt. 141) with a constant threat of injury.
- 16 (9) Students attending Woodbridge Junior-Senior High School who must travel along Route  
17 13A south of Bridgeville, and students living west of Bridgeville who must travel along  
18 Route 404 or Route 18.
- 19 (10) Students attending Smyrna Middle School who reside in the Sunnyside Acres area  
20 between Sunnyside Road and U.S. 13 and who would otherwise be required to walk  
21 along U.S. 13 in order to reach school.
- 22 (11) Students attending the Concord High School who live south of Naamans Road in the  
23 Talleybrook-Chalfonte, Brandywood, Brandon and Beacon Hill areas who must walk  
24 along Grubb and/or Naamans Road with a constant threat of injury.
- 25 (12) Students attending the Laurel Elementary Schools in Grades K-6 who live in the Town of  
26 Laurel and the surrounding areas.
- 27 (13) Students attending Dover High School who live in Old Sherwood, south of Waples  
28 Avenue.

- 1 (14) Students attending the Mt. Pleasant Elementary School, who would be forced to walk  
2 along Bellevue Road.
- 3 (15) Students attending the Mt. Pleasant Elementary School, who would be forced to cross  
4 over and/or walk along River Road between Lore and Bellevue.
- 5 (16) Students attending the Douglas Kindergarten Center, who would be forced to walk along  
6 Route 2 (Union Street) or through Canby Park via the paths, with a constant threat of  
7 injury.
- 8 (17) K-3 - New Todd Estates Development to Jeannie Smith Elementary School - because of  
9 hazards of Route 4 at Pierson Drive intersection.
- 10 (18) Children living in West Wilmington Manor who walk to Wilmington Manor Elementary  
11 School.
- 12 (19) Woodbridge Elementary School students living in the town of Greenwood, west of the  
13 railroad tracks.
- 14 (20) Woodbridge Jr./Sr. High School students living on Route 13A from Route 13 north of  
15 Bridgeville to Bridgeville north of town limits including streets with access to that part of  
16 Route 13A.
- 17 (21) Talley Jr. High School students who reside in the Ashbourne Hills, Greentree, Stoney  
18 Brook areas, students who reside in the Woodacre Apartments and students who live  
19 along Peachtree Road.
- 20 (22) Springer Middle School students residing in Eden Ridge III, Tavistock, Sharpley and  
21 Eden Ridge who must cross Concord Pike.
- 22 (23) Georgetown Elementary School students who live east of Bedford Street.
- 23 (24) Lombardy Elementary School students who must cross Foulk Road.
- 24 (25) Central Middle School students who reside in the vicinity of 1508 Dinahs Corner Road.
- 25 (26) Students attending Central Middle School, living in the area south of Kent General  
26 Hospital, to include students living along and south of Westview Terrace, Dover Street,  
27 Hope Street and Sackarackin Avenue.
- 28 (27) Students of the Appoquinimink School District who reside in Odessa Heights.

- 1 (28) Students attending Brandywine High School who live in Concord Manor and are forced  
2 to walk along Shellpot Drive and Windley Hill.
- 3 (29) Students attending Clayton Elementary, North Elementary or the Bassett Middle School  
4 in the Smyrna School District who live on Buresch Drive.
- 5 (30) Notwithstanding the construction of any sidewalk or footpath along Grubb Road between  
6 Naamans Road and Marsh Road, any child currently receiving bus transportation by the  
7 Brandywine School district who lives along Grubb Road (between Naamans Road and  
8 Marsh Road) or lives in a neighborhood which enters directly onto Grubb Road (between  
9 Naamans Road and Marsh Road) shall continue to receive bus transportation to and from  
10 school.
- 11 (31) Students residing in Brookview Apartments and lower Ashbourne Hills who attend  
12 Darley Road Elementary School.
- 13 (32) Stanton Middle School students residing in Kiamensi Gardens, Kiamensi Heights and  
14 Westfield who must cross Limestone Road.
- 15 (33) Students attending Warner Elementary or Warner Kindergarten who also attend the  
16 Brandywine Day Care Center.
- 17 (34) Students attending Brandywine Springs Elementary School who live along Newport Gap  
18 Pike.
- 19 (35) Students attending Mt. Pleasant High School who reside in the vicinity of Rysing Drive  
20 in Edgemoor Gardens, in the vicinity of Rysing Drive in the Village of Woods Edge, and  
21 in the vicinity of Edgemoor Road in Edgemoor Terrace, and the Village of Fox Point on  
22 The Governor Printz Boulevard.
- 23 (36) Students attending the Woodbridge School District, who live in the Canterbury  
24 Apartments in Bridgeville, will embark and disembark in the parking lot of the apartment  
25 complex in lieu of the bus stop area along the heavily traveled U.S. 13.
- 26 (37) Students attending McCullough Middle School living along and east of Route 9 from I-  
27 295 north to district boundary.

1 (38) Students attending Talley Middle School who can walk without hazard to the corner of  
2 Yardley Lane and Silverside Road.

3 (39) All students attending Kathleen H. Wilbur Elementary School in the Colonial School  
4 district.

5 (b) The transportation of the students specified herein shall continue until the funds requested are  
6 appropriated and construction is completed. Spur routes shall continue to be served as at present.

7 Section 358. Notwithstanding the provisions of any state law or regulation to the contrary, the  
8 Colonial School District is hereby directed to provide bus transportation for public school students who  
9 attend the Panda Early Education Center at 1169 South DuPont Highway in New Castle to and from  
10 Kathleen H. Wilbur Elementary School and Southern Elementary School. The Colonial School district is  
11 authorized to utilize state transportation dollars to fund the transportation of students as directed herein.

12 Section 359. Notwithstanding the provisions of any state law to the contrary, the Red Clay  
13 Consolidated School District is authorized to utilize state transportation dollars to fund students traveling  
14 from routes to and from the Cab Calloway School of the Arts and Brandywine Spring Elementary School  
15 and the Indian River School District is authorized to utilize state transportation dollars to fund students  
16 traveling from routes to and from the Southern Delaware School of the Arts.

17 Section 360. During the fiscal year, the Department of Education will continue and broaden  
18 implementation of the computerized routing system for school bus transportation. During this  
19 implementation, the Department is directed to continue to provide bus transportation services to any  
20 residential area which has received transportation services since October 1, 1977.

21 Section 361. Amend 14 Del. C. § 2909 by deleting the first sentence in said section and  
22 substituting in lieu thereof the following sentence: "Each local board of education shall adopt and enforce  
23 rules and regulations whereby a parent or guardian may elect to waive bus transportation for their  
24 student(s) to and from school in favor of another form of transportation. The principal of each school  
25 may issue passes for school bus transportation to certain pupils who have chosen to drive a private  
26 vehicle, for use on a temporary and emergency basis; and may also set aside a specific number of parking  
27 spaces for use on a temporary and emergency basis by pupils who originally chose transportation by  
28 school bus."

1           Section 362. Amend 14 Del. C. § 4115 by deleting said section in its entirety and substituting in  
2    lieu thereof the following: “The school board of each school district shall offer, to each parent or guardian  
3    of a student within that district who is licensed to drive a motor vehicle, a choice between driving a  
4    private vehicle to the school and transportation to the school by the school bus; provided, however, that  
5    those who choose to drive a private vehicle shall not be transported by a school bus, and those who  
6    choose to be transported by a school bus shall not be permitted to park on school grounds. The principal  
7    of each school may issue passes for school bus transportation to certain pupils who have chosen to drive a  
8    private vehicle, for use on a temporary and emergency basis; and may also set aside a specific number of  
9    parking spaces for use on a temporary and emergency basis by pupils who originally chose transportation  
10   by school bus.”

11           Section 363. Amend 14 Del. C. § 2907 by deleting the number “12” as it appears therein and  
12    substituting in lieu thereof the number “14”.

13           Section 364. Section 1 of this Act provides an appropriation to Department of Education, Pupil  
14    Transportation (95-04-00) for Public School Transportation. Notwithstanding the provisions of 21 Del.  
15    C. § 4366, the following reimbursement methodology is in effect:

16           (a) For those school districts or private contractors who are operating school buses equipped with  
17    cellular phone technology or have no radio or telephonic communication equipment, the Department of  
18    Education is authorized to bring said districts and contractors under a State negotiated cellular phone  
19    contract such that the State shall pay one-half of the costs associated with the monthly connect charge,  
20    subject to the availability of funds.

21           (b) For those school districts or private contractors who are operating school buses equipped with  
22    radio equipment, the department is authorized to reimburse said districts or contractors one-half of the  
23    installation cost of the radio equipment on a one-time basis.

24           Section 365. Section 1 of this Act provides an appropriation to the Department of Education,  
25    Delaware Center for Education Technology (DCET). It is the intent of the General Assembly that DCET  
26    be responsible for and engage in activities related to total project needs and budgets for statewide  
27    education technology projects, the establishment of cost-sharing policies, the initiation and delivery of  
28    instructional technology programs, implementation on an on-going basis of professional training



1 programs related to statewide education technology and providing technical assistance to the Department  
2 of Education for the initiation of system-wide applications including administrative and curriculum  
3 development.

4 The Department of Technology and Information shall support and enhance statewide education  
5 technology issues and network. In addition, DTI will collaborate with the Department of Education to  
6 provide professional training programs related to using technology in schools which promote and support  
7 Delaware's education standards initiative.

8 Section 366. The provisions of this Act to the contrary notwithstanding, consistent with the  
9 provisions of 14 Del. C. § 509(b), charter schools eligible to receive allocations from the Flexibility Block  
10 Grant, Professional Accountability and Instructional Advancement fund, Academic Excellence and  
11 Minor Capital Improvements program will not be required to submit an application to the Department of  
12 Education. Any funds received as a result of the allocation of these programs may be used for current  
13 operations, Minor Capital Improvements or tuition payments.

14 Section 367. Notwithstanding 14 Del. C. § 508 or any regulation to the contrary, a charter school  
15 may negotiate a contract (multiyear, if desired) for contractor payment for school transportation up to the  
16 maximum rate specified which is currently 75 percent of the average cost per student of transportation  
17 within the vocational district in which the charter school is located or the charter school may publicly bid  
18 the transportation routes. If the actual negotiated or bid costs are lower than the maximum rate specified  
19 above, the charter school may keep the difference. If the charter school includes a fuel adjustment  
20 contract provision, the charter school shall be responsible for increased payments to the contractor or it  
21 may keep funds taken back from the contractor.

22 Section 368. Section 1 of this Act makes an appropriation to the Department of Education,  
23 Delaware Higher Education Commission (95-08-01) for Scholarships and Grants. Of that amount, \$36.7  
24 shall be used for the Herman M. Holloway, Sr. Scholarship Program per the provisions of 14 Del. C. c.  
25 34; \$255.0 shall be used for the FAME Scholarship Program; \$30.0 shall be used for the MERIT  
26 Scholarship Program; \$275.0 shall be used for the Professional Librarian/Archives Incentive Program;  
27 \$64.2 for the Charles L. Hebner Scholarship; \$125.0 for Critical Teacher Scholarships; \$250.0 for  
28 Delaware Teacher Corps and \$40.0 for the Washington Center for Internships. Any funds excluding the

1 Herman Holloway Sr. Scholarship Program remaining after payment to the prescribed Scholarships and  
2 Grants provided in this appropriation may be awarded to students with financial need who applied to the  
3 Scholarship Incentive Program. Any Herman M. Holloway Sr. Scholarship Program funds remaining  
4 after payment of the Holloway Scholarships may be awarded to Delaware State University students with  
5 financial need who applied to the Scholarship Incentive Program.

6 Section 369. The Delaware Higher Education Commission (DHEC) in the initial award cycle of  
7 the SCIP Program shall not exceed 120 percent of the annual SCIP appropriation. Funds unused in any  
8 given fiscal year may be carried over into a reserve account to be utilized for SCIP awards in the  
9 subsequent year with approval of the Department of Education. In the event that actual awards exceed  
10 projected award amounts, spring awards may be reduced to cover the difference.

11 Section 370. During the fiscal year, the Department of Education, with the approval of the State  
12 Board of Education, is authorized to establish and maintain procedures, by regulation pursuant to 14 Del.  
13 C. 3110(c), for the conduct of expedited due process hearings which shall be available to children with  
14 disabilities and their parents where required by federal or state law, and/or departmental regulation. For  
15 the purposes of such expedited due process hearings, during each fiscal year the Department of Education  
16 is authorized to engage the professional services of a cadre of single hearing officers to preside over such  
17 hearings.

18 Section 371. The Brandywine School District Board shall maintain as a stand alone program its  
19 Gifted and Talented Program (also known as the Odyssey Program, formally known as the Brandywine  
20 Academically Gifted Program) at least through the end of the 2012-2013 school year. The program shall  
21 be fully maintained at Mt. Pleasant Elementary School and Claymont Elementary School and expanded to  
22 PS DuPont Middle school in the 2010-2011 school year. During this time, the District shall fully support  
23 the Odyssey Program in terms of outreach, recruitment, assessment of students for entry into the program,  
24 curriculum development, teacher assignment and other support elements as currently exist.

25 Section 372. The Department of Education shall continue to work towards the collection of  
26 school-level financial data. To this end, when processing transactions in the First State Financials, local  
27 school districts shall use a standard set of program codes as established by the Department of Education  
28 effective July 1, 2003.

1           Section 373. Notwithstanding the provisions of 14 Del. C. § 203, § 604 or any sections of this  
2 Act to the contrary, the Christina School District is authorized to operate the Sarah Pyle Academy as a  
3 special program and charge tuition for the support of the Academy as provided in 14 Del. C. § 604 during  
4 the 2010-2011 school year. The Academy shall operate as an academic recovery, drop-out prevention  
5 pilot at no additional cost to the State. The students attending this program shall continue to be counted  
6 in the enrollment of their regular school, however, the state funding associated with these students as  
7 determined by the Secretary of Education shall be utilized by the Sarah Pyle Academy. This program  
8 shall be for the express purpose of providing educational services for students in high school who are no  
9 less than 16 years of age, who have less than five credits toward graduation, and have a documented  
10 family or personal situation that indicates traditional school enrollment is not feasible. This program shall  
11 not be a discipline program as defined or authorized by 14 Del. C. c. 16. An independent evaluation, with  
12 oversight by the Department of Education, shall be conducted at the expense of the Christina School  
13 District. A final report shall be provided to the Secretary of Education, the Director of the Office of  
14 Management and Budget, the Controller General, and the Co-Chairs of the Joint Finance Committee by  
15 June 15 of each fiscal year.

16           Section 374. A school district operating a tuition eligible program or school may not reallocate  
17 state units earned for the special school or program, if such reallocation requires an increase in the tuition  
18 tax rate or tuition billing amount. If a reallocation of state units earned will not require such an increase,  
19 districts may reallocate positions as necessary to ensure the most efficient delivery of services, except for  
20 those instances currently prohibited by Delaware Code.

21           Additionally the Department of Education shall be authorized to promulgate rules and regulations  
22 pertaining to tuition billings and tuition payments to include, but not be limited to, procedures to  
23 implement a specific billing and payment schedule; procedures for justification accounting for any  
24 increases from estimated to actual per pupil amounts billed; and procedures for the review of included  
25 costs to ensure appropriateness as it relates to the ratio of state to local resources.

26           Section 375. In accordance with the Salary and Personnel Performance Audit completed  
27 February 16, 2007, and the successful appeal as approved by the Office of Management and Budget and



1 of step one, one year of experience will be the equivalent of step two and so forth to align with the current  
2 salary schedules. This change in language shall not be interpreted to increase the number of levels of  
3 compensation provided on any given salary schedule.

4 Section 380. The Department of Education is authorized to study the provisions of 14 DE  
5 Administrative Code 506 Policies for Dual Enrollment and Awarding Dual Credit and make  
6 recommendations to the Office of Management and Budget and Controller General's Office on the  
7 development of a statewide policy to address the costs of said provision by December 1, 2010.

8 Section 381. For Fiscal Year 2011 only, for purposes of 14 Del. C. § 1049(1), a district calendar  
9 that has been adopted by April 30<sup>th</sup> may be amended related to professional development days without the  
10 required 30-day public notice.

11 Section 382. Beginning in Fiscal Year 2010, for purposes of 14 Del C. §1321 (11), §1321 (12),  
12 §1716 and §1716A, a school district electing to take a cash option or contractual option shall submit the  
13 required application to the Department of Education no later than January 31<sup>st</sup> of the current fiscal year.  
14 The Department of Education shall provide a report on the use of said cash/contractual options to the  
15 Office of Management and Budget and the Controller General by May 1, 2011.

16 Section 383. Amend 14 Del. C. § 1722(c) by deleting said subsection in its entirety.

17 Section 384. It is the intent of the General Assembly that the Department of Education shall be  
18 permitted to exercise its authority pursuant to 14 Del. C. §515(g) to directly manage a school to be  
19 operated at the location currently served by the Maurice J. Moyer Academy. The Department's authority  
20 will take effect on July 1, 2010, immediately following the expiration of Moyer Academy's charter, and  
21 will extend until June 30, 2012. The Department shall have the authority to contract with K-12  
22 Classroom DE, LLC to operate the school from July 1, 2010 through June 30, 2011, notwithstanding the  
23 provisions of 29 Del. C. Chapter 69, and to take all other actions necessary to operate the school. The  
24 Department shall issue a request for proposals for a third party to operate the school from July 1, 2011  
25 through June 30, 2012. Said school shall be funded pursuant to charter school funding laws, including the  
26 provisions of 14 Del. C. §508 and §509.

27 Section 385. a) Pursuant to provisions of 14 Del. C. § 1902(b), school districts shall be allowed  
28 to continue their Fiscal Year 2010 local match as it relates to Reading Resource Teachers and

1 Mathematics Resource Teachers/Specialists and their Fiscal Year 2008 local match as it relates to Extra  
2 Time.

3 b) In addition, pursuant to provisions of 14 Del. C. § 1902(b), local districts shall be allowed to  
4 continue their Fiscal Year 2010 local match as it relates to Technology Block Grant, provided the local  
5 match does not exceed those established under 71 Del Laws c. 378. The matching provisions provided in  
6 this section shall not be interpreted to provide duplicative rate increases. The department shall be charged  
7 with the authority to verify the use of the funds and shall require each school district to annually report on  
8 expenditures of the funds.

### **SYNOPSIS**

This Bill is the Fiscal Year 2011 Appropriation Act.

Joint Finance Committee, Author