



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

HOUSE OF REPRESENTATIVES
146th GENERAL ASSEMBLY

HOUSE BILL NO. 25

JANUARY 27, 2011

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2012; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

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

1 Section 1. The several amounts named in this Act, or such part thereof as may be necessary and
2 essential to the proper conduct of the business of the agencies named herein, during the fiscal year ending
3 June 30, 2012, are hereby appropriated and authorized to be paid out of the Treasury of the State by the
4 respective departments and divisions of State Government, and other specified spending agencies, subject
5 to the limitations of this Act and to the provisions of Title 29, Part VI, Delaware Code, as amended or
6 qualified by this Act, all other provisions of the Delaware Code notwithstanding. All parts or portions of
7 the several sums appropriated by this Act which, on the last day of June 2012, shall not have been paid
8 out of the State Treasury, shall revert to the General Fund; provided, however, that no funds shall revert
9 which are encumbered pursuant to Title 29, Section 6521, Delaware Code.

10 The several amounts hereby appropriated are as follows:

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DEPARTMENTS

Year ending June 30, 2012

(01-00-00) LEGISLATIVE

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5				(01-01-01) General Assembly - House				
6			32.0	Personnel Costs				5,254.1
7				Travel				
8				Other - Travel				44.8
9				Mileage - Legislative				70.0
10				Contractual Services				323.9
11				Supplies and Materials				40.0
12				Other Items:				
13				Expenses - House Members				323.6
14				House Committee Expenses				15.0
15			32.0	TOTAL -- General Assembly - House				6,071.4
16								
17				(01-02-01) General Assembly - Senate				
18			20.0	Personnel Costs				3,282.4
19				Travel				
20				Other - Travel				10.9
21				Mileage - Legislative				42.3
22				Contractual Services				150.4
23				Supplies and Materials				35.0
24				Capital Outlay				20.0
25				Other Items:				
26				Expenses - Senate Members				175.1
27				Senate Committee Expenses				25.0
28			20.0	TOTAL -- General Assembly - Senate				3,741.1
29								
30				(01-05-01) Commission on Interstate Cooperation				
31				Travel				10.0
32				Legislative Travel				20.0
33				Contractual Services				40.0
34				Supplies and Materials				0.5
35				Other Items:				
36				Council of State Governments				98.4
37				National Conference of State Legislatures				119.5
38				State and Local Legal Center, NCSL				3.0
39				Legislation for Gaming States				3.0
40				Eastern Trade Council				5.0
41				Interstate Agriculture Commission				25.0
42				TOTAL -- Commission on Interstate Cooperation				324.4

(01-00-00) LEGISLATIVE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(01-08-00) Legislative Council			
			(01-08-01) Research			
		17.0				1,295.5
						18.3
						261.4
						119.7
						30.0
						38.5
						7.5
						55.0
		17.0				1,825.9
			(01-08-02) Office of the Controller General			
		14.0				1,440.1
						7.2
						494.1
						70.0
						27.0
						8.3
						25.0
						25.0
						10.0
						15.0
						5.0
						30.0
		14.0				2,156.7
			(01-08-03) Code Revisors			
						1.1
						170.8
						0.5
						172.4
			(01-08-06) Commission on Uniform State Laws			
						17.0
						26.7
						0.2
						43.9
		31.0	TOTAL -- Legislative Council			4,198.9
		83.0	TOTAL -- LEGISLATIVE			14,335.8

(02-00-00) JUDICIAL

Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF	
			(02-01-00) Supreme Court					
11.3		27.0	Personnel Costs			9.3	3,009.7	
			Travel			6.8	15.8	
			Contractual Services			121.4	169.6	
			Energy				7.5	
			Supplies and Materials			5.0	36.4	
			Capital Outlay			6.7		
11.3		27.0	TOTAL -- Supreme Court			149.2	3,239.0	
			(-10) Supreme Court	149.2	3,239.0			
11.3			(-40) Regulatory Arms of the Court					
11.3		27.0	TOTAL -- Internal Program Units	149.2	3,239.0			
			(02-02-00) Court of Chancery					
	23.1	28.9	Personnel Costs			1,130.7	3,023.1	
			Travel			5.5	10.3	
			Contractual Services			992.1	62.7	
			Supplies and Materials			37.5	26.0	
			Capital Outlay			35.0		
	23.1	28.9	TOTAL -- Court of Chancery			2,200.8	3,122.1	
			(-10) Court of Chancery	2,200.8	3,122.1			
	23.1	28.9	TOTAL -- Internal Program Unit	2,200.8	3,122.1			
			(02-03-00) Superior Court					
		313.5	Personnel Costs				21,129.5	
			Travel				64.1	
			Contractual Services				293.7	
			Supplies and Materials				227.0	
			Capital Outlay				46.0	
			Jury Expenses				612.8	
		313.5	TOTAL -- Superior Court				22,373.1	
			(-10) Superior Court		22,373.1			
		313.5	TOTAL -- Internal Program Unit		22,373.1			
			(02-06-00) Court of Common Pleas					
	4.0	130.0	Personnel Costs			245.4	9,048.1	
			Travel				13.7	
			Contractual Services				266.0	
			Supplies and Materials				90.6	
			Capital Outlay			4.0	14.6	
	4.0	130.0	TOTAL -- Court of Common Pleas			249.4	9,433.0	
			(-10) Court of Common Pleas	249.4	9,433.0			
	4.0	130.0	TOTAL -- Internal Program Unit	249.4	9,433.0			

(02-00-00) JUDICIAL

Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF			ASF	GF	ASF	GF
			(02-08-00) Family Court					
	67.7	274.3	Personnel Costs				3,737.9	19,230.2
			Travel				12.3	29.8
			Contractual Services				289.6	355.6
			Supplies and Materials				81.8	106.2
			Capital Outlay				48.0	
			Child Protection Registry Appeals				113.3	
	67.7	274.3	TOTAL -- Family Court				4,282.9	19,721.8
			(-10) Family Court					
	67.7	274.3			4,282.9	19,721.8		
	67.7	274.3	TOTAL -- Internal Program Unit		4,282.9	19,721.8		
			(02-13-00) Justice of the Peace Court					
		247.5	Personnel Costs					15,740.4
			Travel					5.3
			Contractual Services					1,455.9
			Energy					105.8
			Supplies and Materials					136.7
			Capital Outlay					7.5
		247.5	TOTAL -- Justice of the Peace Court					17,451.6
			(-10) Justice of the Peace Court					
		247.5				17,451.6		
		247.5	TOTAL -- Internal Program Unit			17,451.6		
			(02-15-00) COTS/Security Central Account					
	9.0		Personnel				508.8	
			Contractual Services				870.4	
			Supplies and Materials				363.2	
			Capital Outlay				375.5	
	9.0		TOTAL -- COTS/Security Central Account				2,117.9	
			(-10) COTS/Security Central Account					
	9.0				2,117.9			
	9.0		TOTAL -- Internal Program Unit		2,117.9			

(02-00-00) JUDICIAL

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
(02-17-00) Administrative Office of the Courts -						
Court Services						
		78.5				5,983.8
						33.4
						1,149.4
						3.1
						346.1
						240.9
						739.8
						60.0
						58.3
						361.1
						2,951.4
						258.3
						529.0
						45.0
						523.3
						177.6
						33.4
						361.4
		78.5			33.4	13,821.9
TOTAL -- Administrative Office of the Courts - Court Services						
		33.0	33.4	8,469.8		
		8.0		533.3		
		34.0		4,357.5		
		3.5		461.3		
		78.5	33.4	13,821.9		
TOTAL -- Internal Program Units						

(02-00-00) JUDICIAL

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1	(02-18-00) Administrative Office of the Courts -							
2	Non-Judicial Services							
3			28.5	Personnel Costs				2,057.2
4				Travel				31.8
5				Contractual Services				193.8
6				Energy				4.3
7				Supplies and Materials				28.3
8				Capital Outlay				0.2
9				Other Items:				
10				Special Needs Fund				0.5
11				Ivy Davis Scholarship Fund				50.0
12			28.5	TOTAL -- Administrative Office of the Courts -				2,366.1
13				Non-Judicial Services				
14			7.0	(-01) Office of the Public Guardian		512.1		
15			7.5	(-03) Child Placement Review Board		514.6		
16			7.0	(-05) Office of the Child Advocate		866.7		
17			6.0	(-06) Child Death, Near Death and		414.7		
18				Still Birth Commission				
19			1.0	(-07) Nursing Home Residents Quality		58.0		
20				Assurance Commission				
21			28.5	TOTAL -- Internal Program Units		2,366.1		
22								
23								
24								
25								
26								
27								
28								
29								
	11.3	103.8	1,128.2	TOTAL -- JUDICIAL			9,033.6	91,528.6

(10-00-00) EXECUTIVE

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5				(10-01-01) Office of the Governor				
6			24.0	Personnel Costs				2,375.3
7				Travel				8.9
8				Contractual Services				157.6
9				Supplies and Materials				22.3
10				Other Items:				
11				Woodburn Expenses				70.1
12			24.0	TOTAL -- Office of the Governor				2,634.2
13								
14				(10-02-00) Office of Management and Budget				
15	35.9	140.3	216.8	Personnel Costs			10,348.2	19,646.2
16				Travel			67.1	19.4
17				Contractual Services			7,916.5	13,191.4
18				Energy			665.6	6,145.1
19				Supplies and Materials			3,710.0	1,252.8
20				Capital Outlay			589.1	50.3
21				Budget Administration Other Items:				
22				Budget Automation - Operations				35.0
23				Trans and Invest			500.0	
24				Contingencies and One-Time Items:				
25				One-Time				3,332.5
26				Prior Years' Obligations				450.0
27				Self Insurance				6,250.0
28				Legal Fees				4,621.3
29				Personnel Costs - Salary Shortage				400.0
30				Appropriated Special Funds			43,000.0	
31				Salary/OEC Contingency				92,306.5
32				KIDS Count				76.5
33				Judicial Nominating Committee				8.0
34				Elder Tax Relief and Education Expense Fund				17,224.6
35				Civil Indigent Services				275.0
36				Tobacco Fund: Two Year Nursing Expansion			1,037.9	
37				Tobacco Fund: Four Year Nursing Expansion			500.0	
38				ERP Operational Funds				5,900.0
39				Developmental Disabilities Population Contingency				1,365.0
40				Two Year Nursing Expansion				2,209.4
41				Human Resource Operations Other Items:				
42			10.0	Agency Aide				372.9
43				Staff Development and Training Other Items:				
44				Blue Collar			180.0	
45				Retiree Conference			18.0	
46				Statewide Benefits Other Items:				
47				Flexible Benefits Administration				128.1

(10-00-00) EXECUTIVE

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Personnel		
NSF	ASF	GF
	2.0	
35.9	142.3	226.8

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Pensions Other Items:				
Other Items			300.0	
Health Insurance - Retirees in Closed State Police Plan				4,531.0
Pensions - Paraplegic Veterans				51.0
Fleet Management Other Items:				
Cars and Wagons			5,506.0	
Fleet Link Expenses			360.0	
Food Distribution Other Items:				
Food Processing			700.0	
Facilities Management Other Items:				
Absalom Jones Building			364.7	
TOTAL -- Office of Management and Budget			75,763.1	179,842.0

5.5	6.5	16.0
1.0		8.0
2.7	15.5	34.8
	17.0	40.0
	5.0	4.0
17.0		
6.0		
1.0	56.0	
		8.0
	28.0	
		6.0
	4.0	17.0
	4.0	
2.7	3.3	4.0
	3.0	89.0
35.9	142.3	226.8

(-02) PHRST <i>Administration</i>	516.3	2,614.1
(-05) Administration <i>Budget Development, Planning and Administration</i>		941.0
(-10) Budget Administration	2,265.0	4,050.0
(-11) Contingencies and One-Time Items <i>Statewide Human Resources Management</i>	44,537.9	134,418.8
(-20) Human Resource Operations	1,673.6	3,583.3
(-21) Staff Development and Training <i>Benefits and Insurance Administration</i>	695.1	362.6
(-30) Statewide Benefits		128.1
(-31) Insurance Coverage Office		2,399.7
(-32) Pensions <i>Government Support Services</i>	6,105.2	4,582.0
(-40) Mail/Courier Services	2,196.0	731.2
(-42) Fleet Management	14,038.8	
(-43) Service and Information Guide		544.7
(-44) Contracting	32.7	1,466.9
(-45) Delaware Surplus Services	408.5	
(-46) Food Distribution <i>Facilities Management</i>	962.5	416.8
(-50) Facilities Management	2,331.5	23,602.8
TOTAL -- Internal Program Units	75,763.1	179,842.0

(10-00-00) EXECUTIVE

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1	(10-03-00) Delaware Economic Development Office							
2	(10-03-01) Office of the Director							
3			9.0	Personnel Costs				891.2
4				Travel				2.0
5				Contractual Services			102.3	
6				Supplies and Materials			12.7	3.3
7				Capital Outlay			10.0	
8			9.0	TOTAL -- Office of the Director			125.0	896.5
9	(10-03-02) Delaware Tourism Office							
10		9.0		Personnel Costs			636.1	
11				Travel			30.0	
12				Contractual Services			694.2	
13				Supplies and Materials			10.0	
14				Capital Outlay			10.0	
15				Other Items:				
16				Main Street			37.5	
17				Tourism Marketing			200.0	
18				Kalmar Nyckel			112.5	
19				National High School Wrestling Tournament			20.3	
20			9.0	TOTAL -- Delaware Tourism Office			1,750.6	
21	(10-03-03) Delaware Economic Development Authority							
22		5.0	19.0	Personnel Costs			293.7	1,688.0
23				Travel			20.0	2.3
24				Contractual Services			317.3	
25				Energy			1.5	
26				Supplies and Materials			10.0	12.4
27				Capital Outlay			30.0	10.0
28				Other Items:				
29				Delaware Small Business Development Center			400.0	81.0
30				Blue Collar			1,700.0	
31				DEDO General Operating			320.9	
32				Delaware Business Marketing Program			300.0	
33			5.0	TOTAL -- Delaware Economic Development Authority			3,393.4	1,793.7
34			19.0					
35				TOTAL -- Delaware Economic Development Office			5,269.0	2,690.2
36		14.0	28.0					

(10-00-00) EXECUTIVE

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5				(10-07-01) Criminal Justice Council				
6	15.9		12.9	Personnel Costs				1,360.1
7				Travel				0.8
8				Contractual Services				115.6
9				Supplies and Materials				6.2
10				Other Items:				
11				SENTAC				1.9
12				Videophone Fund		212.5		
13				Domestic Violence Coordinating				8.3
14				Council				
15				Other Grants				117.2
16	15.9		12.9	TOTAL -- Criminal Justice Council			212.5	1,610.1
17								
18				(10-07-02) Delaware Justice Information System				
19			13.0	Personnel Costs				1,014.4
20				Travel			1.0	2.6
21				Contractual Services			174.0	313.6
22				Supplies and Materials			17.6	12.9
23				Capital Outlay			67.4	
24			13.0	TOTAL -- Delaware Justice Information System			260.0	1,343.5
25								
26	15.9		25.9	TOTAL -- Criminal Justice			472.5	2,953.6
27								
28				(10-08-01) Delaware State Housing Authority				
29	5.0	16.0		Personnel Costs			1,410.3	
30				Other Items:				
31				Housing Development Fund			28,800.0	4,070.0
32				Home Improvement Insurance			1,665.0	
33	5.0	16.0		TOTAL -- Delaware State Housing Authority			31,875.3	4,070.0
34								
35								
36	56.8	172.3	304.7	TOTAL -- EXECUTIVE			113,379.9	192,190.0

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(11-01-00) Office of the Chief Information Officer			
		2.0				543.1
						0.5
						91.0
						0.3
						20.0
		2.0				654.9
			TOTAL -- Office of the Chief Information Officer			
		2.0		654.9		
		2.0		654.9		
			(11-02-00) Security Office			
	2.0	9.0			171.2	513.8
					25.0	1.3
					1,100.0	9.4
					48.5	2.3
						35.0
	2.0	9.0			1,344.7	561.8
			TOTAL -- Security Office			
	2.0	9.0	1,344.7	561.8		
	2.0	9.0	1,344.7	561.8		
			(11-03-00) Operations Office			
	8.0	80.0			492.2	7,869.1
					104.7	14.0
					14,481.8	955.1
						652.6
					92.0	181.5
					138.6	9.3
					8,909.5	11,885.5
	8.0	80.0			24,218.8	21,567.1
			TOTAL -- Operations Office			
		5.0	10,521.0	475.6		
	3.0	3.0	823.0	1,628.8		
	3.0	45.0	8,043.9	15,276.9		
	2.0	27.0	4,830.9	4,185.8		
	8.0	80.0	24,218.8	21,567.1		
			TOTAL -- Internal Program Units			

(12-00-00) OTHER ELECTIVE

Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF	
		6.0	(12-01-01) Lieutenant Governor					
			Personnel Costs				547.4	
			Travel				1.4	
			Contractual Services				24.9	
			Supplies and Materials				2.3	
			Other Items:					
			Expenses - Lieutenant Governor				7.7	
		6.0	TOTAL -- Lieutenant Governor				583.7	
	7.0	20.0	(12-02-01) Auditor of Accounts					
			Personnel Costs			486.2	2,061.1	
			Travel			5.0	1.0	
			Contractual Services			710.8	627.0	
			Supplies and Materials			8.4	10.4	
			Capital Outlay			5.4	11.9	
	7.0	20.0	TOTAL -- Auditor of Accounts			1,215.8	2,711.4	
			(12-03-00) Insurance Commissioner					
	25.0		(12-03-01) Regulatory Activities					
			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		TOTAL -- Regulatory Activities			2,169.1		
			(12-03-02) Bureau of Examination, Rehabilitation and Guaranty					
3.0	51.0		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		
3.0	51.0		TOTAL -- Bureau of Examination, Rehabilitation and Guaranty			21,707.6		
3.0	76.0		TOTAL -- Insurance Commissioner			23,876.7		

(12-00-00) OTHER ELECTIVE

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5				(12-05-00) State Treasurer				
6				(12-05-01) Administration				
7		10.5	12.5	Personnel Costs			766.7	944.6
8				Travel			2.3	
9				Contractual Services			204.5	171.4
10				Supplies and Materials			9.4	5.9
11				Capital Outlay			25.5	
12				Other Items:				
13				403B Plans				75.0
14				Data Processing			50.0	
15				Banking Services			2,483.3	
16				Electronic Data Interchange			70.0	
17		10.5	12.5	TOTAL -- Administration			3,611.7	1,196.9
18								
19				(12-05-03) Debt Management				
20				Debt Service				140,831.8
21				Debt Service - New				5,000.0
22				Expense of Issuing Bonds				354.1
23				Financial Advisor				130.0
24				Debt Service - Local Schools			68,802.1	
25				TOTAL -- Debt Management			68,802.1	146,315.9
26								
27		10.5	12.5	TOTAL -- State Treasurer			72,413.8	147,512.8
28								
29								
30	3.0	93.5	38.5	TOTAL -- OTHER ELECTIVE			97,506.3	150,807.9

(15-00-00) LEGAL

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(15-01-01) Office of Attorney General			
38.2	66.3	295.1			1,627.5	26,864.7
					24.0	3.5
					107.3	2,064.8
						50.3
					20.0	61.4
					6.0	17.0
					255.4	
						60.0
					464.6	
					30.6	
					861.8	
					1,646.2	
					1,324.1	
					15.0	
	2.0				211.0	
	8.0				454.2	
					1.5	
					2,500.0	
38.2	76.3	295.1	TOTAL -- Office of Attorney General		9,549.2	29,121.7
			(15-02-01) Public Defender			
1.0		140.0				14,740.9
						10.0
						774.7
						60.8
						3.8
1.0		140.0	TOTAL -- Public Defender			15,590.2
39.2	76.3	435.1	TOTAL -- LEGAL		9,549.2	44,711.9

(20-00-00) DEPARTMENT OF STATE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(20-01-00) Office of the Secretary			
	10.5	40.5			825.2	2,743.4
					44.1	20.5
					1,903.9	348.4
						54.4
					108.3	62.0
					168.0	
						192.5
						9.0
						108.0
	10.5	40.5	TOTAL -- Office of the Secretary		3,049.5	3,538.2
			(20-02-00) Human Relations/Commission for Women			
	7.0	10.0	2,342.5	1,088.5		
		22.0	86.0	1,540.4		
	3.5	1.5	621.0	120.6		
		2.0		185.9		
		5.0		602.8		
	10.5	40.5	3,049.5	3,538.2		
			(20-03-00) Delaware Public Archives			
1.0		8.0				512.6
						6.6
						61.5
						8.8
						2.0
					10.0	
					3.0	
1.0		8.0	TOTAL -- Human Relations/Commission for Women		13.0	591.5
			(20-04-00) Delaware Public Archives			
1.0		8.0	13.0	591.5		
1.0		8.0	TOTAL -- Internal Program Unit		13.0	591.5
			(20-05-00) Delaware Public Archives			
	15.0	15.0			807.3	866.7
					3.8	
					209.0	
					47.4	
					31.0	
						14.9
					10.0	
					15.0	
					30.0	
	15.0	15.0	TOTAL -- Delaware Public Archives		1,153.5	881.6
			(20-06-00) Delaware Public Archives			
	15.0	15.0	1,153.5	881.6		
	15.0	15.0	TOTAL -- Internal Program Unit		1,153.5	881.6

(20-00-00) DEPARTMENT OF STATE

Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF			ASF	GF	ASF	GF
			(20-04-00) Regulation and Licensing					
	75.0		Personnel Costs				5,757.0	
			Travel				151.4	
			Contractual Services				3,392.6	
			Supplies and Materials				67.9	
			Capital Outlay				160.4	
			Other Items:					
			Real Estate Guaranty Fund				100.0	
			Examination Costs				54.5	
			Motor Vehicle Franchise Fund				15.0	
	75.0		TOTAL -- Regulation and Licensing				9,698.8	
	39.0		(-01) Professional Regulation		4,650.5			
	31.0		(-02) Public Service Commission		4,264.3			
	5.0		(-03) Public Advocate		784.0			
	75.0		TOTAL -- Internal Program Units		9,698.8			
			(20-05-00) Corporations					
	112.0		Personnel Costs				6,838.0	
			Travel				27.0	
			Contractual Services				2,150.5	
			Supplies and Materials				75.2	
			Capital Outlay				505.0	
			Other Items:					
			Computer Time Costs				800.0	
			Technology Infrastructure Fund				7,387.0	
	112.0		TOTAL -- Corporations				17,782.7	
	112.0		(-01) Corporations		17,782.7			
	112.0		TOTAL -- Internal Program Unit		17,782.7			
			(20-06-00) Historical and Cultural Affairs					
5.4	13.1	27.5	Personnel Costs				841.7	1,904.2
			Travel				3.2	1.3
			Contractual Services				200.8	83.1
			Energy				226.4	313.3
			Supplies and Materials				14.1	39.6
			Capital Outlay				0.2	3.0
			Other Items:					
			Museum Operations				29.6	24.0
			Museum Conservation Fund					9.5
			Conference Center Operations				32.1	
			Dayett Mills				12.6	30.0
5.4	13.1	27.5	TOTAL -- Historical and Cultural Affairs				1,360.7	2,408.0
5.4	13.1	27.5	(-01) Office of the Director		1,360.7	2,408.0		
5.4	13.1	27.5	TOTAL -- Internal Program Unit		1,360.7	2,408.0		

(20-00-00) DEPARTMENT OF STATE

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
5				(20-07-00) Arts				
6	3.0	2.0	3.0	Personnel Costs			155.9	233.4
7				Travel				0.9
8				Contractual Services				63.9
9				Supplies and Materials				3.0
10				Other Items:				
11				Art for the Disadvantaged				10.0
12				Delaware Art			600.0	615.1
13	3.0	2.0	3.0	TOTAL -- Arts			755.9	926.3
14								
15	3.0	2.0	3.0	(-01) Office of the Director	755.9	926.3		
16	3.0	2.0	3.0	TOTAL -- Internal Program Unit	755.9	926.3		
17								
18				(20-08-00) Libraries				
19	7.0	4.0	4.0	Personnel Costs			244.6	366.7
20				Travel				0.5
21				Contractual Services				62.4
22				Supplies and Materials				19.6
23				Capital Outlay				7.0
24				Other Items:				
25				Library Standards			1,760.8	2,536.1
26				Delaware Electronic Library			350.0	
27				DELNET- Statewide			50.0	585.0
28				Public Education Project			50.0	
29	7.0	4.0	4.0	TOTAL -- Libraries			2,455.4	3,577.3
30								
31	7.0	4.0	4.0	(-01) Libraries	2,455.4	3,577.3		
32	7.0	4.0	4.0	TOTAL -- Internal Program Unit	2,455.4	3,577.3		
33								
34				(20-09-00) Veterans Home				
35			207.0	Personnel Costs				11,622.2
36				Travel				3.4
37				Contractual Services				1,760.3
38				Energy				551.3
39				Supplies and Materials				1,404.7
40				Capital Outlay				112.0
41			207.0	TOTAL -- Veterans Home				15,453.9
42								
43			207.0	(-01) Veterans Home		15,453.9		
44			207.0	TOTAL -- Internal Program Unit		15,453.9		

(20-00-00) DEPARTMENT OF STATE

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5				(20-15-00) State Banking Commission				
6		38.0		Personnel Costs			2,946.2	
7				Travel			80.0	
8				Contractual Services			753.9	
9				Supplies and Materials			20.0	
10				Capital Outlay			67.5	
11		38.0		TOTAL -- State Banking Commission			3,867.6	
12								
13		38.0		(-01) State Banking Commission	3,867.6			
14		38.0		TOTAL -- Internal Program Unit	3,867.6			
15								
16								
17	16.4	269.6	305.0	TOTAL -- DEPARTMENT OF STATE			40,137.1	27,376.8

(25-00-00) DEPARTMENT OF FINANCE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(25-01-00) Office of the Secretary			
		17.0				1,964.9
						2.5
						115.7
						3.7
	19.0				2,791.0	
	19.0				2,578.0	
					20,000.0	
	38.0	17.0			25,369.0	2,086.8
			TOTAL -- Office of the Secretary			
	38.0	17.0	25,369.0	2,086.8		
	38.0	17.0	25,369.0	2,086.8		
			(25-05-00) Accounting			
	10.0	53.0			443.2	2,720.1
					12.0	1.5
					12.0	344.8
					1.5	10.3
					5.0	37.8
	10.0	53.0			473.7	3,114.5
			TOTAL -- Accounting			
	10.0	53.0	473.7	3,114.5		
	10.0	53.0	473.7	3,114.5		
			(25-06-00) Revenue			
		89.0				7,742.2
						2.9
						1,065.8
						8.4
						96.4
						60.5
	43.0				4,245.2	
	43.0	89.0			4,245.2	8,976.2
			TOTAL -- Revenue			
	43.0	89.0	4,245.2	8,976.2		
	43.0	89.0	4,245.2	8,976.2		

(25-00-00) DEPARTMENT OF FINANCE

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5				(25-07-00) State Lottery Office				
6		59.0		Personnel Costs			3,731.3	
7				Travel			50.0	
8				Contractual Services			52,646.2	
9				Supplies and Materials			54.9	
10				Capital Outlay			219.5	
11		59.0		TOTAL -- State Lottery Office			56,701.9	
12								
13		59.0		(-01) State Lottery Office	56,701.9			
14		59.0		TOTAL -- Internal Program Unit	56,701.9			
15								
16								
17		150.0	159.0	TOTAL -- DEPARTMENT OF FINANCE			86,789.8	14,177.5

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

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1	(35-01-00) Administration							
2								
3				Personnel Costs			1,853.4	25,737.7
4				Travel			15.5	
5				Contractual Services			1,070.6	5,186.3
6	76.3	34.5	480.3	Energy			212.5	2.0
7				Supplies and Materials			134.7	818.0
8				Capital Outlay			85.0	1.2
9				Tobacco Fund:				
10				Personnel Costs			57.1	
11				Uninsured Action Plan			529.9	
12				Other Items:				
13				Uninsured Action Plan				225.0
14				DIMER Operations				1,650.0
15				DIDER Operations				513.0
16				Revenue Management			269.2	
17				Program Integrity			232.8	
18				Nurse Recruitment				15.0
19				Birth to Three Program			400.0	2,858.9
20				EBT				466.8
21				Operations			1,400.0	
22				DHSS/IRM			2,650.0	
23				TANF General Fund				1,115.0
24				IRM License and Maintenance				64.0
25	76.3	34.5	480.3	TOTAL -- Administration			8,910.7	38,652.9
26								
27				(-10) Office of the Secretary	749.7	4,041.5		
28				(-20) Management Services	6,761.0	17,951.8		
29				(-30) Facility Operations	1,400.0	16,659.6		
30	3.1	1.5	29.4	TOTAL -- Internal Program Units	8,910.7	38,652.9		
31	73.2	33.0	172.9					
32								
33	76.3	34.5	480.3					

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(35-02-00) Medicaid and Medical Assistance			
102.6		73.8				4,696.6
						0.1
						3,841.1
						30.1
						32.7
						6.6
					3,170.0	
					4,082.0	
					650.0	
					698.8	
	0.5				499.5	
					5,505.8	
					600.0	
					23,200.0	589,661.7
					47.5	
					100.0	
					2,300.0	
					1,046.7	
					800.0	
					600.0	
					600.0	
					800.0	
					275.1	
						929.5
						350.0
102.6	0.5	73.8	TOTAL -- Medicaid and Medical Assistance		44,975.4	599,548.4
102.6	0.5	73.8	(-01) Medicaid and Medical Assistance		44,975.4	599,548.4
102.6	0.5	73.8	TOTAL -- Internal Program Unit		44,975.4	599,548.4
			(35-04-00) Medical Examiner			
		47.0				3,681.0
						0.3
						245.5
						102.3
						494.1
						38.6
		47.0	TOTAL -- Medical Examiner			4,561.8
		47.0	(-01) Medical Examiner			4,561.8
		47.0	TOTAL -- Internal Program Unit			4,561.8

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

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
5				(35-05-00) Public Health				
6	235.7	54.0	337.8	Personnel Costs			808.6	22,512.2
7				Contractual Services			201.7	3,316.8
8				Energy				373.0
9				Supplies and Materials			60.0	937.5
10				Capital Outlay				24.9
11				Tobacco Fund:				
12				Personnel Costs			653.7	
13				Contractual Services			2,845.7	
14				Diabetes			357.4	
15				New Nurse Development			2,317.5	
16				Public Access Defibrillation Initiative			75.0	
17				Cancer Council Recommendations			12,362.3	
18				Other Items:				
19				Rodent Control				50.0
20				Tuberculosis			115.0	
21				Sexually Transmitted Diseases			105.0	
22				Child Development Watch			687.7	
23				Preschool Diagnosis and Treatment			100.0	75.6
24				Home Visits			20.0	
25				Immunizations				118.2
26				School Based Health Centers			102.0	5,323.8
27				Hepatitis B				40.0
28				Needle Exchange Program				230.5
29				Rabies Control				222.0
30				Vanity Birth Certificates			14.7	
31				Public Water			60.0	
32				Medicaid Enhancements			205.0	
33				Infant Mortality			150.0	
34				Medicaid AIDS Waiver			1,500.0	
35				Children with Special Needs			45.0	
36				Family Planning			325.0	
37				Newborn			1,600.0	
38				Indirect Costs			431.4	
39				Child Health			1,437.3	
40				Food Inspection			21.0	
41				Food Permits			575.0	
42				Medicaid Contractors/Lab Testing and Analysis			900.0	
43				Water Operator Certification			22.0	
44				Health Statistics			1,200.0	
45				Infant Mortality Task Force				4,428.9
46				J-1 VISA			13.5	
47				HFLC			30.0	
48				Cancer Council				331.3
49				Gift of Life				35.2
50				Health Disparities				50.6
51	235.7	54.0	337.8	TOTAL -- Public Health			29,341.5	38,070.5

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(35-07-00) Social Services			
199.5		192.2				10,964.0
						0.9
						2,334.1
						86.8
						88.5
						51.3
					1,240.4	
					75.1	
					1,200.0	23,055.7
						5,347.5
						15,629.4
						1,078.9
						2,419.8
199.5		192.2	TOTAL -- Social Services		2,515.5	61,056.9
199.5		192.2	(-01) Social Services		2,515.5	61,056.9
199.5		192.2	TOTAL -- Internal Program Unit		2,515.5	61,056.9
TOTAL--Temporary Assistance to Needy Families and Their Children (TANF) NSF appropriation					32,291.0	
			(35-08-00) Visually Impaired			
20.7	2.8	31.5			97.1	2,302.0
						1.5
					1.5	405.2
						81.1
						67.0
					4.0	39.1
					175.0	
					450.0	
					425.0	
20.7	2.8	31.5	TOTAL -- Visually Impaired		1,152.6	2,895.9
20.7	2.8	31.5	(-01) Visually Impaired Services		1,152.6	2,895.9
20.7	2.8	31.5	TOTAL -- Internal Program Unit		1,152.6	2,895.9

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(35-09-00) Long Term Care Residents Protection			
15.5		36.5				2,171.5
						0.3
						122.4
						9.1
						5.9
						9.5
15.5		36.5				2,318.7
			TOTAL -- Long Term Care Residents Protection			
15.5		36.5		2,318.7		
15.5		36.5		2,318.7		
			(35-10-00) Child Support Enforcement			
140.1	2.2	58.8			158.8	3,539.7
					9.6	
					793.5	521.0
					30.0	13.3
					23.0	
					162.9	
					25.0	
140.1	2.2	58.8			1,202.8	4,074.0
			TOTAL -- Child Support Enforcement			
140.1	2.2	58.8	1,202.8	4,074.0		
140.1	2.2	58.8	1,202.8	4,074.0		
			(35-11-00) Developmental Disabilities Services			
3.0	1.0	554.0			40.0	32,463.4
						1.3
					2,342.0	2,770.7
						1,042.1
						886.7
						15.0
					70.0	
						1.1
					300.0	
					2,431.2	23,856.7
						7,919.5
						526.2
3.0	1.0	554.0			5,183.2	69,482.7
			TOTAL -- Developmental Disabilities Services			
3.0	1.0	66.0	40.0	4,051.3		
		265.0	300.0	21,329.1		
		223.0	4,843.2	44,102.3		
3.0	1.0	554.0	5,183.2	69,482.7		

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

22.0		100.6
22.0		100.6

(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

	5,647.5
7.8	0.1
319.7	1,424.6
231.3	891.9
64.1	80.6
39.8	7.3
	386.3
	129.8
	1,596.9
	70.0
	50.3
662.7	10,285.3

TOTAL -- State Service Centers

		11.0
16.0		73.6
6.0		16.0
22.0		100.6

(-20) Service Center Management

(-30) Community Services

(-40) Volunteer Services

TOTAL -- Internal Program Units

662.7	1,752.1
	6,813.0
	1,720.2
662.7	10,285.3

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

50.6		830.5
	1.0	
	1.0	
50.6	2.0	830.5

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 Based Services

Nutrition Program

Long Term Care

Long Term Care Prospective Payment

IV Therapy

Medicare Part D

Hospice

Respite Care

	42,651.0
	1.9
	10,119.4
25.0	2,128.5
	2,311.6
	69.3
760.0	
178.1	
43.2	
500.0	3.0
	789.9
	249.1
114.0	
559.0	
1,109.8	
25.0	
	110.0
3,314.1	58,433.7

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

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

50.6	1.0	47.6
	1.0	498.1
		153.8
		131.0
50.6	2.0	830.5

(-01) Services for Aging and Adults
with Physical Disabilities
(-20) Hospital for the Chronically Ill
(-30) Emily Bissell
(-40) Governor Bacon
TOTAL -- Internal Program Units

1,481.3	9,681.6
1,663.4	29,942.2
144.4	10,396.0
25.0	8,413.9
3,314.1	58,433.7

870.0	99.0	3,395.2
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**TOTAL -- DEPARTMENT OF
HEALTH AND SOCIAL SERVICES**

104,090.7	975,234.3
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**(37-00-00) DEPARTMENT OF SERVICES FOR CHILDREN,
YOUTH AND THEIR FAMILIES**

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(37-01-00) Management Support Services			
15.6	25.1	162.4			1,664.1	13,931.3
					21.7	3.0
					306.8	2,700.9
					69.9	246.2
					27.0	19.8
						646.6
					187.0	
					102.1	
					100.0	
15.6	25.1	162.4	TOTAL -- Management Support Services		2,478.6	17,547.8
3.0	4.0	20.5	264.0	701.5		
10.2	7.6	18.5	386.0	1,872.0		
	2.0	16.0	431.7	1,441.5		
	2.0	19.0	232.0	2,778.8		
	6.0	66.0	149.7	1,520.3		
2.4	2.5	17.4	465.9	6,423.1		
15.6	25.1	162.4	549.3	2,810.6		
			TOTAL -- Internal Program Units		2,478.6	17,547.8
			(37-04-00) Prevention and Behavioral Health Services			
64.0	26.5	195.8			1,888.6	15,406.8
					9.6	5.8
					10,295.6	12,839.5
						129.0
					26.5	284.0
						7.7
					47.0	
						16.0
64.0	26.5	195.8	TOTAL -- Prevention and Behavioral Health Services		12,283.3	28,672.8
1.0	20.5	88.6	1,756.1	8,927.3		
63.0	6.0	9.0	605.1	1,139.8		
		32.5	3,709.3	10,000.9		
		65.7	6,212.8	8,604.8		
64.0	26.5	195.8	TOTAL -- Internal Program Units		12,283.3	28,672.8

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(37-05-00) Youth Rehabilitative Services			
4.0	23.0	350.1	Personnel Costs		1,288.9	22,944.6
			Travel		10.5	8.1
			Contractual Services		641.7	14,562.6
			Energy			937.2
			Supplies and Materials		84.0	1,353.4
			Capital Outlay			7.4
4.0	23.0	350.1	TOTAL -- Youth Rehabilitative Services		2,025.1	39,813.3
			(37-06-00) Family Services			
	2.0	8.1	(-10) Office of the Director		132.3	726.6
4.0	6.0	80.0	(-30) Community Services		618.8	18,983.8
	15.0	262.0	(-50) Secure Care		1,274.0	20,102.9
4.0	23.0	350.1	TOTAL -- Internal Program Units		2,025.1	39,813.3
31.1	23.9	285.3	Personnel Costs		1,753.7	18,971.2
			Travel		20.9	2.0
			Contractual Services		636.6	2,162.9
			Energy			5.2
			Supplies and Materials		21.7	71.3
			Capital Outlay		6.0	9.3
			Child Welfare/Contractual Services			21,016.7
			Pass Throughs			1,125.4
			Other Items:			
			Emergency Material Assistance			31.0
			DFS Decentralization		113.3	
31.1	23.9	285.3	TOTAL -- Family Services		2,552.2	43,395.0
19.7	2.4	44.5	(-10) Office of the Director		382.1	5,786.8
1.0	13.0	102.4	(-30) Intake/Investigation		966.9	7,154.2
10.4	8.5	138.4	(-40) Intervention/Treatment		1,203.2	30,454.0
31.1	23.9	285.3	TOTAL -- Internal Program Units		2,552.2	43,395.0
114.7	98.5	993.6	TOTAL -- DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES		19,339.2	129,428.9

(38-00-00) DEPARTMENT OF CORRECTION

Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF	
			(38-01-00) Administration					
		324.0	Personnel Costs				20,536.7	
			Travel				3.0	
			Contractual Services				1,930.3	
			Energy				183.8	
			Supplies and Materials				7,862.7	
			Capital Outlay				78.5	
			Other Items:					
			Contingency - Shakedowns				15.4	
			Information Technology				1,301.0	
			Emergency Preparedness				48.6	
			Drug Testing				52.3	
			Central Supply Warehouse				95.0	
		324.0	TOTAL -- Administration				32,107.3	
			(38-02-00) Correctional Healthcare Services					
		20.0	(-01) Office of the Commissioner		1,969.1			
		69.0	(-02) Human Resources/Employee Development Center		3,862.2			
		17.0	(-10) Management Services		2,604.1			
		39.0	(-12) Central Offender Records		1,946.6			
		15.0	(-14) Information Technology		2,365.2			
		88.0	(-20) Food Services		14,225.2			
		76.0	(-40) Facilities Maintenance		5,134.9			
		324.0	TOTAL -- Internal Program Units		32,107.3			
		12.0	Personnel Costs				1,111.6	
			Medical Services				46,109.1	
			AIDS Education and Counseling				72.0	
			Drug and Alcohol Treatment				4,725.5	
		12.0	TOTAL -- Correctional Healthcare Services				52,018.2	
		12.0	(-01) Medical Treatment and Services		52,018.2			
		12.0	TOTAL -- Internal Program Unit		52,018.2			

(38-00-00) DEPARTMENT OF CORRECTION

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

(38-04-00) Prisons

	8.0	1,613.7
	8.0	1,613.7

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Other Items:
 Gate Money
 Prison Arts
 JTVCC Fence
TOTAL -- Prisons

735.3	109,045.6
19.0	14.8
879.8	3,373.9
25.3	7,698.6
1,495.5	2,471.0
182.0	20.9
	19.0
	82.5
	23.0
3,336.9	122,749.3

		7.0
		698.0
		379.0
		97.0
		356.0
		54.0
	8.0	17.0
		5.7
	8.0	1,613.7

(-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

	958.5
	52,362.8
	28,415.5
	7,435.7
	24,875.3
	6,319.4
3,336.9	1,415.2
	966.9
3,336.9	122,749.3

(38-06-00) Community Corrections

1.0		607.0
1.0		607.0

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
TOTAL -- Community Corrections

	41,487.2
	10.2
478.1	4,887.1
50.0	875.3
302.4	442.9
75.0	26.4
905.5	47,729.1

		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

	1,329.0
403.1	22,753.4
	3,906.8
	7,609.0
502.4	6,414.6
	5,716.3
905.5	47,729.1

1.0	8.0	2,556.7
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TOTAL -- DEPARTMENT OF CORRECTION

4,242.4	254,603.9
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**(40-00-00) DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL**

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Personnel		
NSF	ASF	GF
45.1	72.2	57.7
45.1	72.2	57.7

(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
 UST Administration
 HSCA - Clean-up
 Cost Recovery
 Green Energy Fund
 RGGI CO2 Emissions
 RGGI Administration
 RGGI Reduction Project
 Energy Assistance
 RGGI Weatherization
 SRF Future Administration
 HSCA - Recovered Administration
 Other Items

TOTAL -- Office of the Secretary

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

3,142.5	5,328.4
30.9	6.6
1,054.3	104.7
77.5	655.0
157.8	82.2
81.2	
20.0	
15.0	
15.0	
105.0	
314.7	652.8
50.0	
10.5	
20.0	
850.0	
12,000.0	
1,200.0	
1,200.0	
	100.0
1,200.0	
750.0	
161.2	
156.8	
22,612.4	6,929.7

1.0	17.8	20.2
14.0	3.0	6.0
3.0	11.5	6.5
7.0	6.0	1.0
1.0	8.5	11.5
19.1	25.4	12.5
45.1	72.2	57.7

(-01) Office of the Secretary
(-02) Coastal Programs
(-03) Community Services
(-04) Energy and Climate
(-05) Information Technology
(-06) Financial Services
TOTAL -- Internal Program Units

1,747.5	3,561.8
303.1	660.8
1,168.0	684.9
16,920.9	106.6
618.2	884.5
1,854.7	1,031.1
22,612.4	6,929.7

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

(40-03-00) Office of Natural Resources

53.2	95.5	195.3
53.2	95.5	195.3

Personnel Costs		6,358.4	15,300.3
Travel		45.8	0.2
Contractual Services		3,506.2	2,695.0
Energy		66.9	907.2
Supplies and Materials		946.1	669.7
Capital Outlay		232.7	2.0
Other Items:			
Spraying and Insecticides			597.8
Oyster Recovery Fund		10.0	
Boat Repairs		40.0	
Non-Game Habitat		50.0	
Natural Heritage Program		19.0	197.0
Clean Vessel Program		32.4	
Duck Stamp		180.0	
Junior Duck Stamp		5.0	
Trout Stamp		50.0	
Finfish Development		130.0	
Fisheries Restoration		600.0	
Northern Delaware Wetlands		277.5	
Revenue Refund		38.0	
Killen's Pond Water Park		500.0	
Biden Center		90.0	
Beach Erosion Control Program		8,000.0	
Sand Bypass System			80.0
Tax Ditches*			225.0
Director's Office Personnel		72.4	
Director's Office Operations		51.8	
Wildlife and Fisheries Personnel		1,291.6	
Wildlife and Fisheries Operations		1,892.8	
Enforcement Personnel		646.7	
Enforcement Operations		581.1	
Other Items		739.6	
TOTAL -- Office of Natural Resources		26,454.0	20,674.2

6,358.4	15,300.3
45.8	0.2
3,506.2	2,695.0
66.9	907.2
946.1	669.7
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	
8,000.0	
	80.0
	225.0
72.4	
51.8	
1,291.6	
1,892.8	
646.7	
581.1	
739.6	
26,454.0	20,674.2

11.5	57.5	96.0
30.8	34.0	44.2
10.9	4.0	55.1
53.2	95.5	195.3

(-02) Parks and Recreation	10,939.5	8,845.0
(-03) Fish and Wildlife	6,024.2	5,211.2
(-04) Watershed Stewardship	9,490.3	6,618.0
TOTAL -- Internal Program Units	26,454.0	20,674.2

10,939.5	8,845.0
6,024.2	5,211.2
9,490.3	6,618.0
26,454.0	20,674.2

*Pursuant to 7 Del. C. § 3921

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

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Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
17.4	41.6	10.0	(-02) Air Quality	4,625.4	1,079.1		
12.8	52.0	34.2	(-03) Water	4,522.9	3,664.8		
38.0	44.5	25.5	(-04) Waste Management	33,485.3	2,316.3		
68.2	138.1	69.7	TOTAL -- Internal Program Units	42,633.6	7,060.2		
166.5 305.8 322.7			TOTAL -- DEPARTMENT OF			91,700.0	34,664.1
			NATURAL RESOURCES AND				
			ENVIRONMENTAL CONTROL				

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(45-01-00) Office of the Secretary			
41.8	10.5	47.7	Personnel Costs		1,396.2	3,797.1
			Travel		39.0	2.9
			Contractual Services		811.5	482.4
			Energy		15.0	
			Supplies and Materials		47.0	48.0
			Capital Outlay		299.4	0.1
			Other Items:			
			Police Training Council			13.1
			Real Time Crime Reporting			48.1
			Local Emergency Planning Councils			50.0
			ITC Funds			15.0
			System Support		500.0	
			Hazardous Waste Cleanup		100.0	
			Resale - Communication Parts		336.0	
			Other Items		0.7	
41.8	10.5	47.7	TOTAL -- Office of the Secretary		3,544.8	4,456.7
1.0		14.0	(-01) Administration		100.0	1,555.9
	3.5	22.5	(-20) Communication		1,629.8	1,845.0
31.8		8.2	(-30) Delaware Emergency Management Agency			737.9
			(-40) Highway Safety			161.9
5.0		2.0	(-50) Developmental Disabilities Council			18.0
4.0			(-60) State Council for Persons with Disabilities			138.0
		1.0	(-70) Division of Gaming Enforcement		1,815.0	
41.8	10.5	47.7	TOTAL -- Internal Program Units		3,544.8	4,456.7
			(45-02-00) Capitol Police			
		75.0	Personnel Costs			3,909.2
			Travel			0.5
			Contractual Services			314.0
			Supplies and Materials			40.8
			Capital Outlay			30.9
			Special Duty		36.0	
		75.0	TOTAL -- Capitol Police		36.0	4,295.4
		75.0	(-10) Capitol Police		36.0	4,295.4
		75.0	TOTAL -- Internal Program Unit		36.0	4,295.4

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(45-03-00) Office of the Alcoholic Beverage Control Commissioner			
		6.0				473.5
					2.0	0.5
					79.6	7.0
					2.0	2.2
		6.0			83.6	483.2
			TOTAL -- Office of the Alcoholic Beverage Control Commissioner			
		6.0	83.6	483.2		
		6.0	83.6	483.2		
			(45-04-00) Division of Alcohol and Tobacco Enforcement			
	4.0	11.0			214.3	738.6
					2.8	
					36.6	108.1
					10.0	10.0
					1.0	3.0
	4.0				235.0	
					20.0	
					150.0	
					89.0	
					30.0	
					10.0	
	8.0	11.0			798.7	859.7
			TOTAL -- Division of Alcohol and Tobacco Enforcement			
	8.0	11.0	798.7	859.7		
	8.0	11.0	798.7	859.7		

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

45.2	59.0	842.8
45.2	59.0	842.8

(45-06-00) State Police

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Other Items:
 Other Items
 Pension - 20 Year Retirees
 Crime Reduction Fund
 Special Duty Fund

3,605.6	84,744.4
66.8	
812.9	4,493.4
	75.0
1,204.9	4,515.7
321.9	2,031.6
112.5	
	23,367.0
	110.0
3,182.1	
9,306.7	119,337.1

TOTAL -- State Police

		63.0
		7.0
	20.0	379.0
38.0	2.0	146.0
	9.0	41.0
		24.0
6.2	9.0	9.8
	16.0	40.0
		12.0
1.0	3.0	96.0
		13.0
		12.0
45.2	59.0	842.8

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

611.7	30,306.9
	496.0
3,853.0	40,236.4
903.8	17,974.0
317.2	5,942.8
	3,773.3
874.1	980.5
1,507.4	3,126.1
304.6	1,879.9
332.7	7,682.9
533.6	6,019.1
68.6	919.2
9,306.7	119,337.1

TOTAL -- Internal Program Units

87.0	77.5	982.5
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TOTAL -- DEPARTMENT OF SAFETY AND HOMELAND SECURITY

13,769.8	129,432.1
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(55-00-00) DEPARTMENT OF TRANSPORTATION

Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			(55-01-00) Office of the Secretary	
			(55-01-01) Office of the Secretary	
	8.0		Personnel Costs	836.9
			Travel	10.1
			Contractual Services	10.8
			Supplies and Materials	3.0
			Salary Contingency	366.8
	8.0		TOTAL -- Office of the Secretary	1,227.6
			(55-01-02) Finance	
1.0	34.0		Personnel Costs	2,176.5
			Travel	6.0
			Contractual Services	1,198.1
			Supplies and Materials	8.0
1.0	34.0		TOTAL -- Finance	3,388.6
			(55-01-03) Public Relations	
	14.0		Personnel Costs	1,044.7
			Travel	13.9
			Contractual Services	66.8
			Supplies and Materials	43.7
			Capital Outlay	2.6
	14.0		TOTAL -- Public Relations	1,171.7
			(55-01-04) Human Resources	
	24.0		Personnel Costs	1,515.5
			Travel	0.2
			Contractual Services	280.0
			Supplies and Materials	93.2
	24.0		TOTAL -- Human Resources	1,888.9
1.0	80.0		TOTAL -- Office of the Secretary	7,676.8
			(55-02-01) Technology and Support Services	
	90.0		Personnel Costs	6,674.6
			Travel	75.0
			Contractual Services	9,999.3
			Energy	1,468.6
			Supplies and Materials	631.0
			Capital Outlay	361.9
	90.0		TOTAL -- Technology and Support Services	19,210.4
			(55-03-01) Planning	
	62.0	26.0	Personnel Costs	4,766.2
			Travel	60.4
			Contractual Services	1,283.3
			Energy	31.0
			Supplies and Materials	157.0
			Capital Outlay	28.0
	62.0	26.0	TOTAL -- Planning	6,325.9

(55-00-00) DEPARTMENT OF TRANSPORTATION

Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			(55-04-00) Maintenance and Operations	
			(55-04-01) Office of the Director	
	20.0	1.0	Personnel Costs	1,121.1
			Travel	16.9
			Contractual Services	13.3
			Supplies and Materials	39.8
			Capital Outlay	14.6
	20.0	1.0	TOTAL -- Office of the Director	1,205.7
			(55-04-70) Maintenance Districts	
	678.0	26.0	Personnel Costs	36,628.8
			Contractual Services	6,233.5
			Energy	2,289.5
			Supplies and Materials	8,252.0
			Capital Outlay	229.9
			Snow/Storm Contingency	3,277.4
	678.0	26.0	TOTAL -- Maintenance Districts	56,911.1
	698.0	27.0	TOTAL -- Maintenance and Operations	58,116.8
			(55-06-01) Delaware Transportation Authority	
			Delaware Transit Corporation	
	1.0		Transit Operations	71,844.2
			Taxi Services Support "E & H"	148.5
			Newark Transportation	139.2
			Kent and Sussex Transportation "E & H"	1,394.3
			TOTAL -- Delaware Transit Corporation	73,526.2
			DTA Indebtedness	
			Debt Service	
			Transportation Trust Fund	134,046.4
			General Obligation	719.6
			TOTAL -- DTA Indebtedness	134,766.0
	1.0		TOTAL -- Delaware Transportation Authority*	208,292.2

*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
			(55-08-00) Transportation Solutions	
			(55-08-10) Project Teams	
	16.0	113.0	Personnel Costs	849.9
	16.0	113.0	TOTAL -- Project Teams	849.9
			(55-08-20) Design/Quality	
	12.0	102.0	Personnel Costs	1,093.2
	12.0	102.0	TOTAL -- Design/Quality	1,093.2
			(55-08-30) Engineering Support	
	20.0	35.0	Personnel Costs	1,776.5
			Travel	45.2
			Contractual Services	159.7
			Energy	6.9
			Supplies and Materials	173.6
			Capital Outlay	58.4
	20.0	35.0	TOTAL -- Engineering Support	2,220.3
			(55-08-40) Traffic	
	123.0	3.0	Personnel Costs	7,465.9
			Contractual Services	2,263.6
			Energy	552.3
			Supplies and Materials	558.1
			Capital Outlay	22.7
	123.0	3.0	TOTAL -- Traffic	10,862.6
	171.0	253.0	TOTAL -- Transportation Solutions	15,026.0

(55-00-00) DEPARTMENT OF TRANSPORTATION

Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			(55-11-00) Motor Vehicles	
			(55-11-10) Administration	
	19.0		Personnel Costs	1,529.3
			Travel	6.1
			Contractual Services	486.5
			Supplies and Materials	23.1
			Capital Outlay	118.1
			Motorcycle Safety	154.0
	19.0		TOTAL -- Administration	2,317.1
			(55-11-20) Driver Services	
	83.0		Personnel Costs	3,858.0
			Contractual Services	166.9
			Supplies and Materials	36.3
			CDL Fees	207.3
	83.0		TOTAL -- Driver Services	4,268.5
			(55-11-30) Vehicle Services	
	165.0		Personnel Costs	7,295.7
			Contractual Services	688.6
			Supplies and Materials	855.6
			Capital Outlay	25.0
			Odometer Forms	6.0
			Special License Plates	25.0
			DMVT	150.0
	165.0		TOTAL -- Vehicle Services	9,045.9
			(55-11-50) Transportation Services	
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		TOTAL -- Transportation Services	1,687.9
			(55-11-60) Toll Administration	
	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	8,402.2
	121.0		TOTAL -- Toll Administration	17,709.4
1.0	410.0		TOTAL -- Motor Vehicles	35,028.8
2.0	1,512.0	306.0	TOTAL -- DEPARTMENT OF TRANSPORTATION	349,676.9

(60-00-00) DEPARTMENT OF LABOR

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(60-01-00) Administration			
13.0	27.7	2.3	Personnel Costs		1,810.2	194.0
			Travel		13.0	
			Contractual Services		1,089.2	185.5
			Energy			1.7
			Supplies and Materials		86.0	15.0
			Capital Outlay		60.5	
13.0	27.7	2.3	TOTAL -- Administration		3,058.9	396.2
			(-10) Office of the Secretary		1,175.3	396.2
13.0	9.7	2.3	(-20) Office of Occupational and Labor Market Information			
	18.0		(-40) Administrative Support		1,883.6	
13.0	27.7	2.3	TOTAL -- Internal Program Units		3,058.9	396.2
			(60-06-00) Unemployment Insurance			
130.0	4.0		Personnel Costs		182.0	
			Travel		0.1	
			Contractual Services		240.9	
			Energy		1.0	
			Supplies and Materials		2.5	
			Capital Outlay		2.2	
			Other Items:			
			Revenue Refund		41.9	
130.0	4.0		TOTAL -- Unemployment Insurance		470.6	
			(-01) Unemployment Insurance		470.6	
130.0	4.0		TOTAL -- Internal Program Unit		470.6	
			(60-07-00) Industrial Affairs			
8.0	55.0	7.0	Personnel Costs		4,055.5	403.0
			Travel		33.8	
			Contractual Services		1,069.8	63.9
			Energy			5.8
			Supplies and Materials		45.0	
			Capital Outlay		43.6	
8.0	55.0	7.0	TOTAL -- Industrial Affairs		5,247.7	472.7
			(-01) Office of Workers' Compensation, Safety and Health		3,830.1	
6.0	39.0		(-02) Office of Labor Law Enforcement		1,417.6	472.7
2.0	16.0	7.0	TOTAL -- Internal Program Units		5,247.7	472.7
8.0	55.0	7.0				

(60-00-00) DEPARTMENT OF LABOR

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5								
6	129.4	5.6	2.0	(60-08-00) Vocational Rehabilitation			477.2	120.7
7				Personnel Costs				0.5
8				Travel			321.0	2,495.8
9				Contractual Services			75.0	76.9
10				Supplies and Materials				560.7
11				Other Items:				
12				Sheltered Workshop				
13	129.4	5.6	2.0	TOTAL -- Vocational Rehabilitation			873.2	3,254.6
14	80.4	5.6	2.0	(-10) Vocational Rehabilitation Services	873.2	3,254.6		
15	49.0			(-20) Disability Determination Services				
16	129.4	5.6	2.0	TOTAL -- Internal Program Units	873.2	3,254.6		
17								
18								
19	71.6	4.0	19.4	(60-09-00) Employment and Training			224.6	1,129.2
20				Personnel Costs			5.0	3.4
21				Travel			99.1	314.5
22				Contractual Services				0.9
23				Energy			7.0	11.4
24				Supplies and Materials			15.2	
25				Capital Outlay				
26				Other Items:				
27				Summer Youth Program				425.0
28				Welfare Reform				959.0
29				Blue Collar Skills			3,500.0	
30	71.6	4.0	19.4	TOTAL -- Employment and Training			3,850.9	2,843.4
31	71.6	4.0	19.4	(-20) Employment and Training Services	3,850.9	2,843.4		
32	71.6	4.0	19.4	TOTAL -- Internal Program Unit	3,850.9	2,843.4		
33								
34								
35	352.0	96.3	30.7	TOTAL -- DEPARTMENT OF LABOR			13,501.3	6,966.9

(65-00-00) DEPARTMENT OF AGRICULTURE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(65-01-00) Agriculture			
15.2	44.0	82.8			4,147.1	6,226.1
					120.0	5.2
					1,637.2	514.3
					16.1	18.7
					210.2	118.2
					308.5	26.0
						172.5
						411.8
					246.0	
						25.0
						16.7
						15.0
						10.0
					15.0	
					7.7	
					76.0	
					75.5	
					1,225.0	
					75.0	
15.2	44.0	82.8	TOTAL -- Agriculture		8,159.3	7,559.5
	2.0	13.0				
		7.0			314.2	1,693.1
6.2	11.0	5.8				497.9
4.0	2.5	16.5			932.1	453.1
1.0	10.0				654.5	1,137.7
2.0	6.0				2,477.5	
0.5		6.5			523.6	
1.0	0.5	10.5				566.6
	1.0	7.0			122.3	776.3
	9.0				565.7	593.3
		9.0			1,765.6	
0.5		2.5				632.0
	2.0				246.0	837.3
		5.0			497.8	
15.2	44.0	82.8			60.0	372.2
			TOTAL -- Internal Program Units		8,159.3	7,559.5
15.2	44.0	82.8	TOTAL -- DEPARTMENT OF AGRICULTURE		8,159.3	7,559.5

(70-00-00) DEPARTMENT OF ELECTIONS

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
5				(70-01-01) State Election Commissioner				
6			12.0	Personnel Costs				705.2
7				Contractual Services				142.2
8				Supplies and Materials				10.4
9				Capital Outlay				0.8
10				Other Items:				
11				Voter Purging				15.0
12				Technology Development				20.0
13				Voting Machines				115.0
14			12.0	TOTAL -- State Election Commissioner				1,008.6
15				(70-02-01) Department of Elections for New Castle County				
17			15.0	Personnel Costs				1,033.4
18				Travel				6.0
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	TOTAL -- Department of Elections for New Castle County				1,424.5
25				(70-03-01) Department of Elections for Kent County				
27			8.0	Personnel Costs				555.9
28				Contractual Services				161.7
29				Energy				12.0
30				Supplies and Materials				3.5
31				Other Items:				
32				Mobile Registration				2.0
33				School Elections				37.8
34			8.0	TOTAL -- Department of Elections for Kent County				772.9
35				(70-04-01) Department of Elections for Sussex County				
37			7.0	Personnel Costs				573.0
38				Travel				2.2
39				Contractual Services				29.0
40				Supplies and Materials				12.7
41				Capital Outlay				2.0
42				Other Items:				
43				Mobile Registration				2.1
44				School Elections				38.8
45			7.0	TOTAL -- Department of Elections for Sussex County				659.8
46				TOTAL -- DEPARTMENT OF ELECTIONS				
47			42.0					3,865.8

(75-00-00) FIRE PREVENTION COMMISSION

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(75-01-01) Office of the State Fire Marshal			
	27.2	27.8			1,671.8	2,154.5
					34.0	
					365.3	103.3
						71.8
					81.0	23.4
					311.0	
						2.0
					1.5	
	27.2	27.8	TOTAL -- Office of the State Fire Marshal		2,464.6	2,355.0
			(75-02-01) State Fire School			
0.5		18.5				1,660.0
						183.0
						232.5
						35.0
						4.6
						70.0
					50.0	
0.5		18.5	TOTAL -- State Fire School		50.0	2,185.1
			(75-03-01) State Fire Prevention Commission			
		1.0				78.4
						14.5
						84.3
						13.1
						71.6
					7.0	4.7
					4.0	
		1.0	TOTAL -- State Fire Prevention Commission		11.0	266.6
0.5	27.2	47.3	TOTAL -- FIRE PREVENTION COMMISSION		2,525.6	4,806.7

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

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1	(77-00-00) ADVISORY COUNCIL FOR EXCEPTIONAL CITIZENS							
2								
3	Personnel				\$ Program		\$ Line Item	
4	NSF	ASF	GF		ASF	GF	ASF	GF
5								
6	(77-01-01) Advisory Council For							
7	Exceptional Citizens							
8			3.0	Personnel Costs			151.8	
9				Travel			3.5	
10				Contractual Services			10.4	
11				Supplies and Materials			3.6	
12								
13			3.0	TOTAL -- ADVISORY COUNCIL FOR			169.3	
14	EXCEPTIONAL CITIZENS							

(90-00-00) HIGHER EDUCATION

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

(90-01-00) University of Delaware

(90-01-01) University of Delaware

Operations		86,711.6
Scholarships		10,115.3
College of Business and Economics		1,613.0
College of Agriculture and Natural Resources		4,787.7
College of Arts and Sciences		2,598.9
College of Earth, Ocean, and Environment		775.1
College of Health Sciences		499.5
College of Engineering		877.1
College of Education and Human Development		2,307.8
Other Programs		1,316.1
TOTAL -- University of Delaware		111,602.1

(90-01-02) Delaware Geological Survey

Operations		1,585.9
River Master Program		91.9
TOTAL -- Delaware Geological Survey		1,677.8

TOTAL -- University of Delaware

	113,279.9
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(90-03-00) Delaware State University

(90-03-01) Operations

Operations		25,899.0
Work Study		211.7
Mishoe Scholarships		50.0
Cooperative Extension		254.3
Cooperative Research		338.6
Title VI Compliance		220.0
Academic Incentive		50.0
General Scholarships		786.0
Athletic Grant		133.1
Aid to Needy Students		2,057.4
INSPIRE		707.0
Energy		2,195.9
TOTAL -- Operations		32,903.0

(90-03-05) Sponsored Programs and Research

TOTAL -- Delaware State University

	32,903.0
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(90-00-00) HIGHER EDUCATION

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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

20.0		49.0
20.0		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

	8,060.2
	39.3
	50.0
	260.2
	1,657.8
	10,067.5

(90-04-02) Owens Campus

65.0	14.0	201.0
65.0	14.0	201.0

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

	16,628.9
	48.2
	244.8
	31.2
	16,953.1

(90-04-04) Wilmington Campus

59.0		159.0
59.0		159.0

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

	12,857.1
	199.8
	32.5
	40.1
	13,129.5

(90-04-05) Stanton Campus

64.0	9.0	192.0
64.0	9.0	192.0

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

	15,719.4
	184.8
	27.5
	41.1
	15,972.8

(90-04-06) Terry Campus

85.0	13.0	136.0
85.0	13.0	136.0

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

	10,783.9
	218.3
	21.7
	21.0
	11,044.9

TOTAL -- Delaware Technical and Community College

	67,167.8
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(90-07-01) Delaware Institute of Veterinary Medical Education

Tuition Assistance

	300.0
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TOTAL -- Delaware Institute of Veterinary Medical Education

	300.0
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293.0	36.0	737.0
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TOTAL -- HIGHER EDUCATION

	213,650.7
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(95-00-00) DEPARTMENT OF EDUCATION

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5				(95-01-00) Department of Education				
6	53.3	3.0	124.7	Personnel Costs				16,052.5
7				Travel				14.5
8				Contractual Services				677.8
9				Supplies and Materials				38.4
10				Capital Outlay				37.6
11			1.0	State Board of Education				207.4
12				Other Items:				
13				Odyssey of the Mind				51.0
14				Infrastructure Capacity				600.0
15				Educator Accountability				1,342.9
16				Pupil Accounting				1,073.5
17				Private Business and Trade School				2.0
18				P-20 Council				20.0
19				Evaluation - Higher Education				1.0
20				Teacher of the Year				58.6
21				Computing Center			215.0	510.7
22				Educator Certification and Development				160.8
23			1.0	Professional Standards Board				149.4
24				School Profiles				100.0
25				Delaware Comprehensive Assessment System				6,050.1
26				Student Standards and Assessment			100.0	329.5
27				Department of Education Library			34.0	
28				Physical Fitness Assessments				20.0
29				Trailer Rental Fund			27.5	
30				Department of Education Publications			15.0	
31		2.0		Delaware Interscholastic Athletic Fund			775.0	
32			7.0	Delaware Science Coalition			1,442.0	1,010.3
33				Parents as Teachers				1,121.6
34				Student Organization				172.4
35	53.3	5.0	133.7	TOTAL -- Department of Education			2,608.5	29,802.0
36								
37	53.3	5.0	133.7	(-01) Department of Education	2,608.5	29,802.0		
38	53.3	5.0	133.7	TOTAL -- Internal Program Unit	2,608.5	29,802.0		

(95-00-00) DEPARTMENT OF EDUCATION

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Personnel		
NSF	ASF	GF
	1.0	
	2.0	
		40.7
	1.0	12.0
	4.0	52.7

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
(95-03-00) Block Grants and Other Pass Through Programs				
Education Block Grants:				
				8,744.7
				3,796.0
				33,852.4
K-12 Pass Through Programs:				
				49.8
				140.0
				106.8
				404.1
				549.0
				91.4
				105.6
				56.3
Special Needs Programs:				
				5,727.8
			890.7	8,872.0
				469.9
				2,870.7
				36.0
			1,149.8	
				40.0
				480.1
				314.5
				4,051.7
				9,523.7
				300.0
Driver Training:				
			584.1	1,361.8
TOTAL -- Block Grants and Other Pass Through Programs			2,624.6	81,944.3

	3.0	40.7
	1.0	12.0
	4.0	52.7

(-10) Education Block Grants		46,393.1
(-15) K-12 Pass Through Programs		1,503.0
(-20) Special Needs Programs	2,040.5	32,686.4
(-30) Driver Training	584.1	1,361.8
TOTAL -- Internal Program Units	2,624.6	81,944.3

(95-04-00) Pupil Transportation	
Public School Transportation	77,680.6
Non-Public School Transportation Reimbursement	1,848.6
TOTAL -- Pupil Transportation	79,529.2

(-01) Transportation	79,529.2
TOTAL -- Internal Program Unit	79,529.2

(95-00-00) DEPARTMENT OF EDUCATION

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
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37								
38								
39								
40								
41								
42								
43								

Year ending June 30, 2012

Personnel				
TFO	TFC	NSF	ASF	GF
1,512.0	306.0	1,813.6	1,638.3	11,151.5
		293.0	36.0	737.0
		54.3	9.0	13,627.4
1,512.0	306.0	2,160.9	1,683.3	25,515.9

TOTALS

TOTAL -- DEPARTMENTS

TOTAL -- HIGHER EDUCATION

TOTAL -- PUBLIC EDUCATION

GRAND TOTAL

\$		
TFO	ASF	GF
349,676.9	643,313.1	2,120,580.8
		213,650.7
	5,233.1	1,098,303.4
349,676.9	648,546.2	3,432,534.9

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 2012, 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 2012, 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 18.26 percent.
2 The components of the rate are 9.27 percent for the pension liability, 8.09 percent for retiree health
3 insurance costs, and 0.90 percent for the Other Post Employment Benefits fund.

4 (f) Section 1 of this Act provides funding for a judicial pension rate of 32.03 percent.

5 (g) Section 1 of this Act provides funding for a new State Police pension rate of 17.86 percent.

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

8 GF – General Fund

9 ASF – Appropriated Special Funds

10 NSF – Non-appropriated Special Funds

11 TFO – Trust Fund Operations

12 TFC – Trust Fund Capital

13 FTE – Full-time Equivalent

14 All Merit Rules referenced in this Act refer to the Merit Rules in effect June 30, 2011.

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

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

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

3 (1) Effective July 1, 2011, the following pay plans are established for state merit system
4 employees:

5 **Annual Salary**

6 **STATE OF DELAWARE PAY PLAN***
7 **(Standard Work Schedule of 37.5 Hours per Work Week)**

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

37 * - Annual Salary in Whole Dollars.

38 ** - Minimum State Salary.

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

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

<u>DEPARTMENT</u>	<u>CLASS SERIES</u>
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 Safety and Homeland Security	Drug Control and Enforcement Agent
15		Chief Drug Control and Enforcement Agent
16		Telecommunications Specialist Series (ERC)
17		Telecommunications Central Control Specialist
18		Series
19		Capitol Police Officer Series
20		Capitol Police Security Officer
21		Capitol Police Communications Dispatcher
22	Department of Transportation	Toll Collector
23		Toll Plaza Manager
24		Toll Corporal
25		Toll Sergeant
26		TMC EPS Technician
27		TMC Planner IV
28	Department of Agriculture	Meat Inspectors/Supervisor
29		Meat and Poultry Inspector Officer

(3) During the fiscal year ending June 30, 2012, 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 1,

1 2011, 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, 2012.
5 An appointing authority may apply for selective market variation for January 1, 2012, for
6 job classes or job families that are experiencing severe recruitment and retention issues.
7 Funds must be available within the agency budget to fund the selective market variation
8 until such time as the General Assembly appropriates the necessary funds.

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

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

19 (i) The salary of employees in positions added to the Selective Market Variation
20 Program on or after July 1, 2011, whose salary in effect as of June 30, 2011, 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 5 percent increase, the salary will be further adjusted to yield a total
25 increase of 5 percent.

26 (ii) The salary of employees in positions added to the Selective Market Variation
27 Program on or before June 30, 2011, whose salary in effect as of June 30, 2011, is
28 below the adjusted minimum salary for the assigned job classification shall be

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

5 (8) All classes assigned to Selective Market Variation shall have their Selective Market
6 Variation pay ranges remain the same as Fiscal Year 2011 amounts. All classes shall
7 remain on Selective Market until the selective market ranges meet the merit pay plan
8 ranges or until such time as the classes become covered by a collective bargaining
9 agreement pursuant to the provisions of 19 Del. C. § 1311A.

10 (9) Effective July 1, 2011, the shift differential rates paid to registered nurses in accordance
11 with the provisions of Merit Rule 4.15 shall reflect the salary scale in effect for the
12 current fiscal year or that which is superseded by a collective bargaining agreement
13 pursuant to the provisions of 19 Del. C. § 1311A.

14 **(c) SALARIES FOR FISCAL YEAR 2012.**

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

16 (1) In Fiscal Year 2012, statutory step increases are funded only for eligible teachers as
17 provided in 14 Del. C. § 1305 and aides as provided in 14 Del. C. § 1324. All other
18 statutory step or funding for step increases within the administrative responsibility scale
19 for Department of Education, school district and all Delaware Technical and Community
20 College employees as provided in Delaware Code, Title 14 shall be suspended for Fiscal
21 Year 2012;

22 (2) Negotiated, collective bargaining increases for Uniformed members of the Delaware
23 State Police and full-time and regular part-time non-merit Telecommunications
24 Specialists, Senior Telecommunications Specialists, Telecommunication Shift
25 Supervisors, Telecommunication Central Control Specialists, Senior Telecommunications
26 Central Control Specialists and Telecommunications Central Control Shift Supervisors
27 employed in the Communications Section of the Division of State Police in the

1 Department of Safety and Homeland Security, and non-uniformed support staff within
2 the Delaware State Police covered under the Communication Workers of America;

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

4 (4) In Fiscal Year 2012, the Department of Natural Resources and Environmental Control
5 Enforcement competency-based salary matrix amounts will remain the same as Fiscal
6 Year 2011. Salary matrix increases within pay grades will not continue and career ladder
7 movement between pay grades will revert to the regular career ladder process for Fiscal
8 Year 2012; and

9 (5) In Fiscal Year 2012, the Office of the Attorney General and Public Defender's Office
10 salary matrix amounts will remain the same as Fiscal Year 2011. Salary matrix increases
11 within the same pay grade are only permissible for internal competitive promotions or for
12 an appointed division head for specific identified positions. Career ladder movements
13 between pay grades will revert to the regular career ladder process.

14 **(d) MAINTENANCE REVIEWS.**

15 (1) Any such reclassifications/regrades that the Director of the Office of Management and
16 Budget determines to be warranted as a result of the classification maintenance reviews
17 regularly scheduled by the Office of Management and Budget shall be designated to
18 become effective July 1, 2011, provided that such reclassifications/regrades have been
19 processed as part of the regular budgetary process and the funds for such
20 reclassifications/regrades have been appropriated. Maintenance review classification
21 determinations may be appealed to the Merit Employee Relations Board in accordance
22 with 29 Del. C. § 5915. Pay grade determinations shall not be appealed.

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

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

5 **(e) CRITICAL RECLASSIFICATIONS.**

6 The classification of any position whose salary is covered by the appropriations in Section 1 of
7 this Act may be changed to be effective January 1, 2012 or July 1, 2012 if the requested change is
8 certified critical by the appointing authority and is approved by the Director of the Office of Management
9 and Budget and the Controller General prior to the effective date. Critical reclassification requests and
10 pay grade determinations shall not be appealed to the Merit Employee Relations Board.

11 **(f) OTHER RECLASSIFICATIONS.**

12 Other than those reclassifications/regrades approved in accordance with Section 8(d) or 8(e), no
13 position shall be reclassified or reggraded during the fiscal year ending June 30, 2012.

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

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

1 **(h) ADMINISTRATIVE REGULATIONS.**

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

5 (2) Consistent with Chapter 13 of the Merit Rules, all state agencies shall implement the
6 performance review prescribed by the Office of Management and Budget after applicable
7 training by the Office of Management and Budget. A performance review shall be
8 completed for employees between January 1 and December 31, 2012.

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.

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

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

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

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

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

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

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

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

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

7 (1) Amend 14 Del. C. § 1305(e)(1) by adding the words “or equivalent hours” after
8 “days”.

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

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

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

20 (5) Section 1 of this Act provides an amount for salaries and other employment costs for
21 Formula Employees in Public Education. Additional amounts are included in some
22 Block Grants and Other Programs (95-03-00). Local school districts must charge
23 payroll for local share salary supplements and other employment costs and fringe
24 benefits simultaneously with state-share charges. The amount of salary and other
25 employment costs that can be charged to state appropriations for any one-day period or
26 for any one individual cannot exceed the amount the individual is entitled to receive
27 based on the state salary schedules provided by this Act and 14 Del. C. c. 13, divided
28 by the number of pays the individual has chosen to schedule per year. The provisions

1 of this Section do not apply to Division III - Equalization (Appropriation 05186)
2 which may be charged for local contractual obligations before local current operating
3 funds are used.

4 Section 9. Salaries and wage rates for state employees who are not covered by the provisions of
5 14 Del. C. c. 13, 19 Del. C. § 1311A, or by the Merit System, excluding employees of the General
6 Assembly-House or the General Assembly-Senate, Uniformed State Police, all full-time and regular part-
7 time non-Merit Telecommunications Specialists, Senior Telecommunications Specialists,
8 Telecommunication Shift Supervisors, Telecommunications Central Control Specialists, Senior
9 Telecommunications Central Control Specialists and Telecommunications Central Control Shift
10 Supervisors employed in the Communications Section of the Department of Safety and Homeland
11 Security, Delaware State Police, employees of the University of Delaware, employees of Delaware State
12 University, employees of Delaware Technical and Community College who are paid on the
13 Administrative Salary Plan or Faculty Plan, Plans D and A, respectively, Executive Director of the
14 Delaware Center for Educational Technology, members and employees of the Delaware National Guard
15 and employees whose salaries are governed by Section 10 of this Act, shall have the following:

16 (a) The salary of employees shall be comparable to salaries and wage rates paid from funds
17 appropriated by the State to employees with similar training and experience who serve in similar positions
18 in the Merit System. In the event that there are no similar positions in the Merit System, the Director of
19 the Office of Management and Budget shall establish an exempt position classification only for the
20 purpose of assigning a salary or wage rate to said position. On or before August 15, 2011, the Director of
21 the Office of Management and Budget shall publish a list of exempt positions and the comparable Merit
22 System class and/or pay grade for each position. In addition, such listing shall show the name of the
23 incumbent, if the position is filled, and shall show the statutory citation that authorizes the establishment
24 of the exempt position(s). The Director of the Office of Management and Budget shall provide copies of
25 such listing to members of the Joint Finance Committee and the Controller General. No exempt
26 employee shall be hired until an approved comparability has been assigned to the position. No
27 reclassification/regarding, change in pay grade comparability of a filled or vacant exempt position, or
28 change of a Merit System position to an exempt position otherwise permitted under Delaware Law shall

1 become effective unless approved by the Director of the Office of Management and Budget and the
 2 Controller General. In order to permit the development of the comparability list, state agencies shall
 3 provide to the Director of the Office of Management and Budget job descriptions of all exempt positions
 4 and position classification questionnaires describing the duties and responsibilities of each of the
 5 positions. The certification of comparability by the Director of the Office of Management and Budget
 6 shall not be withheld unreasonably. Those positions assigned on a list of comparability that are assigned
 7 a comparable class and/or pay grade in the Merit System shall be paid in accordance with Sections 8(b)
 8 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
 9 given to such employees unless specifically authorized in this Act.

10 (b) The salary of employees whose salary in effect as of June 30, 2011, is below the minimum
 11 salary of the assigned pay grade of the pay plan shall be raised to the minimum salary.

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

15 Section 10. (a) For the fiscal year ending June 30, 2012, the salaries displayed below represent
 16 the salary effective on July 1, 2011.

17			General	All Other
18	<u>Budget Unit</u>	<u>Line Item</u>	Funds	Funds
19	(01-01-01)	Representative	\$ 42,750	
20	(01-02-01)	Senator	42,750	
21	(02-00-00)	Judicial Secretaries	47,850	
22	(02-00-00)	Judicial Secretaries to Presiding Judges	50,050	
23	(02-01-00)	Chief Justice - Supreme Court	194,750	
24	(02-01-00)	Justice - Supreme Court	185,050	
25	(02-01-00)	Judicial Secretary to the Chief Justice	50,650	
26	(02-01-00)	Supreme Court Judicial Secretary	50,050	
27	(02-02-00)	Chancellor - Court of Chancery	185,750	
28	(02-02-00)	Vice Chancellor - Court of Chancery	174,950	
29	(02-03-00)	President Judge - Superior Court	185,750	

			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(02-03-00)	Associate Judge - Superior Court	174,950	
4	(02-03-00)	Commissioner - Superior Court	104,250	
5	(02-03-00)	New Castle County Prothonotary	65,550	
6	(02-03-00)	Kent County Prothonotary	58,550	
7	(02-03-00)	Sussex County Prothonotary	58,550	
8	(02-06-00)	Chief Judge - Court of Common Pleas	183,650	
9	(02-06-00)	Judge - Court of Common Pleas	168,850	
10	(02-06-00)	Commissioner - Court of Common Pleas	104,250	
11	(02-08-00)	Chief Judge - Family Court	183,650	
12	(02-08-00)	Associate Judge - Family Court	168,850	
13	(02-08-00)	Commissioner - Family Court	104,250	
14	(02-13-00)	Chief Magistrate - Justice of the Peace Court	121,750	
15	(02-13-00)	Magistrate - Justice of the Peace Court - 1st Term	70,750	
16	(02-13-00)	Magistrate - Justice of the Peace Court - 2nd Term	73,250	
17	(02-13-00)	Magistrate - Justice of the Peace Court - 3rd Term	75,550	
18	(02-13-00)	Judicial Secretary to the Chief Magistrate	47,850	
19	(02-17-00)	State Court Administrator - Office of the State Court	126,550	
20		Administrator		
21	(02-17-00)	Judicial Secretary to the State Court Administrator	50,050	
22	(02-18-00)	Public Guardian	68,750	
23	(02-18-00)	Executive Director - Child Placement Review Board	62,550	
24	(10-01-01)	Governor	171,000	
25	(10-02-00)	Director - Office of Management and Budget	143,050	
26	(10-02-50)	Executive Secretary - Architectural Accessibility Board	50,450	
27	(10-03-01)	Director - Delaware Economic Development Office	123,850	
28	(10-07-01)	Executive Director - CJC	91,050	
29	(10-07-01)	Director - Domestic Violence Coordinating Council	67,750	
30	(10-07-02)	Executive Director - DELJIS	83,350	

			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(10-08-01)	Director - Delaware State Housing Authority		115,550
4	(11-00-00)	Chief Information Officer	155,450	
5	(12-01-01)	Lieutenant Governor	76,250	
6	(12-02-01)	Auditor	105,350	
7	(12-03-01)	Insurance Commissioner		105,350
8	(12-05-01)	State Treasurer	110,050	
9	(15-01-01)	Attorney General	140,950	
10	(15-01-01)	Chief Deputy Attorney General	124,050	
11	(15-01-01)	Executive Director -Victims' Compensation Assistance		60,750
12		Program		
13	(15-02-01)	Public Defender	136,050	
14	(15-02-01)	Chief Deputy Public Defender	124,050	
15	(20-01-00)	Secretary - State	123,850	
16	(20-01-00)	Executive Director - Employment Relations Boards	87,500	
17	(20-02-00)	Director - Human Relations/Commission for Women	76,930	
18	(20-03-00)	Director - Division of Archives	76,930	
19	(20-04-00)	Public Advocate		82,850
20	(20-04-00)	Director - Public Service Commission		93,250
21	(20-04-00)	Director - Professional Regulation		94,850
22	(20-05-00)	Director - Corporations		110,750
23	(20-06-00)	Director - Historical and Cultural Affairs	91,250	
24	(20-07-00)	Director - Arts	79,050	
25	(20-08-00)	State Librarian	81,350	
26	(20-15-00)	State Banking Commissioner		108,150
27	(25-01-00)	Secretary - Finance	143,050	
28	(25-05-00)	Director - Accounting	103,850	
29	(25-06-00)	Director - Revenue	120,950	
30	(25-07-00)	Director - State Lottery		102,250

			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(35-01-00)	Secretary - Health and Social Services	143,050	
4	(35-01-00)	Director - Management Services	100,305	11,145
5	(35-02-00)	Director - Medicaid and Medical Assistance	55,825	55,825
6	(35-04-00)	Chief Medical Examiner	192,702	
7	(35-05-00)	Director - Public Health	165,000	
8	(35-06-00)	Director - Substance Abuse and Mental Health	139,500	
9	(35-07-00)	Director - Division of Social Services	55,825	55,825
10	(35-08-00)	Director - Visually Impaired	85,750	
11	(35-09-00)	Director - Long-term Care Residents Protection	89,950	
12	(35-10-00)	Director - Child Support Enforcement	29,650	60,200
13	(35-11-00)	Director - Developmental Disabilities Services	111,550	
14	(35-12-00)	Director - State Service Centers	89,950	
15	(35-14-00)	Director - Services for Aging and Adults	89,950	
16		with Physical Disabilities		
17	(37-01-00)	Secretary - Services for Children,	128,850	
18		Youth and Their Families		
19	(37-01-00)	Director - Management Services	101,650	
20	(37-04-00)	Director - Prevention and Behavioral Health Services	101,650	
21	(37-05-00)	Director - Youth Rehabilitative Services	101,650	
22	(37-06-00)	Director - Family Services	101,650	
23	(38-01-00)	Commissioner - Correction	143,050	
24	(38-01-00)	Bureau Chief - Management Services	99,550	
25	(38-02-00)	Bureau Chief - Correctional Healthcare Services	106,350	
26	(38-04-00)	Bureau Chief - Prisons	111,550	
27	(38-06-00)	Bureau Chief - Community Corrections	106,350	
28	(40-01-00)	Secretary - Natural Resources and	123,850	
29		Environmental Control		
30	(40-01-00)	Deputy Secretary - Natural Resources	103,950	
31		and Environmental Control		

			General	All Other
	<u>Budget Unit</u>	<u>Line Item</u>	<u>Funds</u>	<u>Funds</u>
1				
2				
3	(40-03-02)	Director - Parks and Recreation	96,350	
4	(40-03-03)	Director - Fish and Wildlife	47,825	47,825
5	(40-03-04)	Director - Watershed Stewardship	93,250	
6	(40-04-02)	Director - Air Quality	93,250	
7	(40-04-03)	Director - Water	95,650	
8	(40-04-04)	Director - Waste Management	95,650	
9	(45-01-00)	Secretary - Safety and Homeland Security	128,850	
10	(45-01-00)	Director - Del. Emergency Management Agency	40,025	40,025
11	(45-03-00)	Commissioner - Alcoholic Beverage Control	111,250	
12	(45-04-00)	Director - Alcohol and Tobacco Enforcement	78,900	
13	(45-06-00)	Superintendent - State Police	140,130	
14	(45-06-00)	Assistant Superintendent - State Police	128,560	
15	(55-01-01)	Secretary - Transportation		133,950
16	(55-01-02)	Director - Finance		112,650
17	(55-02-01)	Director - Technology and Support Services		113,150
18	(55-03-01)	Director - Planning		113,150
19	(55-04-01)	Director - Maintenance and Operations		113,150
20	(55-06-01)	Director - Delaware Transit Corporation		113,150
21	(55-08-30)	Chief Engineer		119,050
22	(55-11-10)	Director - Motor Vehicles		113,150
23	(60-01-00)	Secretary - Labor	11,555	103,995
24	(60-06-00)	Director - Unemployment Insurance		95,750
25	(60-07-00)	Director - Industrial Affairs		93,250
26	(60-08-00)	Director - Vocational Rehabilitation		93,250
27	(60-09-00)	Director - Employment and Training		93,250
28	(65-01-00)	Secretary - Agriculture	115,550	
29	(65-01-00)	Deputy Secretary - Agriculture	83,650	

	<u>Budget Unit</u>	<u>Line Item</u>	<u>General Funds</u>	<u>All Other Funds</u>
1				
2				
3	(70-01-01)	State Election Commissioner	78,750	
4	(70-02-01)	Director, Department of Elections for New Castle County	74,550	
5	(70-02-01)	Deputy Director, Department of Elections for	73,050	
6		New Castle County		
7	(70-03-01)	Director, Department of Elections for Kent County	74,550	
8	(70-03-01)	Deputy Director, Department of Elections for	73,050	
9		Kent County		
10	(70-04-01)	Director, Department of Elections for Sussex County	74,550	
11	(70-04-01)	Deputy Director, Department of Elections for	73,050	
12		Sussex County		
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	95,150	
19		and Technical Education		

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 (vi) 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
29 consent of the Controller General in the event the salary is higher than the amount listed
30 in Section 10(a).

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

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

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

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

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

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

19 (c) Effective May 1, 2012, the Office of Management and Budget shall submit to the Joint
20 Finance Committee a listing of employees designated in Section 10(a). The listing shall indicate for each
21 position the number of Hay points applicable for Fiscal Year 2012 and the number of Hay points of any
22 recommended changes for any position for Fiscal Year 2013.

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

July 1, 2011

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

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

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

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

17 Section 14. Amend 29 Del. C. § 6502(a) by removing “and school district” after “each agency”.

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

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

26 Any internal program unit/budget unit having energy funding (electricity, natural or propane gas
27 and heating oils) for the purpose of reimbursing a host internal program unit/budget unit must release the
28 remaining sums to the host internal program unit/budget unit in the event that the tenant internal program

1 unit/budget unit vacates the premises. It is the responsibility of the host internal program unit/budget unit
2 to initiate the transfer request. Those agencies which are budgeted energy as a result of occupying a
3 portion of a host facility's property, and do not directly pay energy bills, may not transfer energy funds
4 other than to the host agency.

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

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

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

23 Section 18. Notwithstanding Merit Rules 4.4.2 and 4.4.3, an agency that requests approval of a
24 starting rate higher than 85 percent of the midpoint, or that requests that incumbents be leveled up to a
25 newly-hired employee, shall provide documentation showing that sufficient funds exist within the
26 agency's base budget to fund such actions. An agency that requests approval of a starting rate higher than
27 85 percent of midpoint shall also indicate if the approval of such starting rate will result in a request to
28 level up the salary of the existing employees, and shall indicate if sufficient funds exist within the

1 agency's base budget to fund such a leveling-up action. Notwithstanding any provisions of this Act or the
2 Delaware Code to the contrary, no provision of Chapter 4.0 of the Merit Rules shall be considered
3 compensation for the purposes of collective bargaining and leveling up can only occur with the
4 concurrence of the Director of the Office of Management and Budget and the Controller General. The
5 Director of the Office of Management and Budget and Controller General, with the concurrence of the
6 Co-Chairs of the Joint Finance Committee shall promulgate policies and procedures to implement this
7 section.

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

14 Section 20. In accordance with the provisions of 29 Del. C. § 5106, effective for all fiscal years
15 commencing after June 30, 2003, exceptions to the standard practice of paycheck deductions shall be
16 made for employees paying dues to the Delaware State Education Association (DSEA). For all
17 employees designating that DSEA membership dues be deducted from their bi-weekly paycheck shall
18 have those dues deducted from the 22 pay periods occurring within the 10 month school year. This
19 change will facilitate the maintenance of the state payroll system as well as establish a consistent process
20 for managing the collection of dues from members of the Delaware State Education Association.

21 Section 21. Notwithstanding Chapter 10.0 and Chapter 19.0 of the Merit Rules, upon approval by
22 the Director of the Office of Management and Budget and the Controller General, temporary appointees
23 may be assigned to the same position as that already assigned to a permanent employee in order to
24 complete a special project.

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

1 long as verification of employment is provided by the employee and the Office of Management and
2 Budget.

3 Section 23. Amend 29 Del. C. § 5201(a) by deleting it in its entirety and replacing it with the
4 following: “(a) An “eligible child dependent” is one who is the child of a regular officer, employee or
5 eligible pensioner or spouse of a regular officer, employee or eligible pensioner, either by birth or
6 adoption, who (i) is under the age of 26 or (ii) is unmarried, regardless of age, and incapable of self
7 support because of a mental or physical incapacity which existed before age 21.”.

8 Section 24. Notwithstanding any provision of the Delaware Code to the contrary, 29 Del. C. §
9 5207 shall not apply to individuals employed in accordance with 29 Del. C. § 5903(17).

10 Section 25. Notwithstanding the provisions of any other law, any non-state organizations
11 identified in 29 Del. C. § 5209 and not participating in the State Group Health Insurance Program as of
12 June 30, 2011, shall be prohibited from participation for the fiscal year ending June 30, 2012.

13 Section 26. Notwithstanding any provision in the Delaware Code to the contrary, for the
14 purposes of developing and implementing the Enterprise Resource Planning (ERP) Financial
15 Reengineering Project’s PeopleSoft Financials application, necessary adjustments to existing state
16 accounting, budgeting and financial reporting processes and practices may be implemented during Fiscal
17 Year 2012 with the written approval of the Director of the Office of Management and Budget, Controller
18 General, Secretary of Finance and Chief Information Officer.

19 Section 27. The responsibilities and authorities established by 75 Del. Laws c. 243 shall remain
20 in effect through Fiscal Year 2012 or until a bill codifying energy procurement is signed into law. The
21 following provisions shall apply:

22 (a) The Director of the Office of Management and Budget shall provide the Controller General
23 with a detailed description of any significant change in energy procurement strategy and procedures
24 previously approved by the Controller General. The detailed description shall be provided to the
25 Controller General at least two weeks prior to the execution of an energy supply contract that incorporates
26 the changes.

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

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

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

11 Section 28. (a) For the purposes of meeting the public notice and advertising requirements of 29
12 Del. C. c. 69, the announcement of bid solicitations and associated notices for the required duration on
13 www.bids.delaware.gov shall satisfy the public notice and advertisement requirements under this chapter.

14 (b) For the purposes of implementing consolidated procurement functions between the School
15 Districts, in Fiscal Year 2012 the Department of Education shall identify and provide to the Office of
16 Management and Budget no later than September 30, 2011, a list of five commodities not currently
17 offered through Central Statewide contracts that are procured by the School Districts. If such a list has not
18 been provided by the Department of Education by September 30, 2011, then the Office of Management
19 and Budget shall identify five commodities as required by this section. The Office of Management and
20 Budget shall solicit and implement a contract for these commodities and materials, where savings
21 opportunities exist. For the purposes of these awarded contracts, School Districts shall be considered
22 "Covered Agencies" and the exemption defined in 29 Del. C. § 6902 shall not apply.

23 Section 29. Notwithstanding the provisions of the Administrative Procedures Act, 29 Del. C. c.
24 101 or any other laws to the contrary, the State Employee Benefits Committee is authorized to amend the
25 rules for Employees Eligible to Participate in the State Group Health Insurance Program and the State
26 Disability Insurance Program by approving such amendments and causing the amendments to be
27 published in the Register of Regulations with such amendments to be effective as of the date of such
28 publication unless otherwise specified by the State Employee Benefits Committee.

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

4 Section 31. Section 1 of this Act, in the state agencies indicated below, provides funding to the
5 following “pass through” organizations. The primary state agencies listed below shall evaluate each
6 “pass through” organization/program and develop appropriate performance measures, reporting
7 requirements and program evaluation metrics for their respective programs/organizations; each
8 program/organization shall be evaluated against these measures and metrics. Cabinet Secretaries and
9 agency heads shall report to the Director of the Office of Management and Budget and the Controller
10 General by October 1 on the development of these measures for discussion during the public budget
11 hearing process. Subsequent reports detailing progress toward these measures shall be provided by the
12 “pass through” organization to the Director of the Office of Management and Budget, the Controller
13 General and state agency on or before December 1 to cover period of July 1 to October 31 and May 1 to
14 cover period of November 1 to March 31 of each fiscal year. Reports shall also include a description of
15 all additional state and non-state funding provided to the “pass through” organization and the annual
16 budget and expenditures of the organization. A report detailing year end expenditures and progress
17 toward performance measures shall be provided to the Director of the Office of Management and Budget,
18 the Controller General and state agency on or before September 1 of each fiscal year. The Cabinet
19 Secretary or agency head shall incorporate into their budget request a section regarding “pass through”
20 organization funding, performance and service delivery options.

21	(02-17-01) Community Legal Aid Society (Elder Law)	\$ 45.0
22	(10-02-11) KIDS Count	76.5
23	(10-03-02) Kalmar Nyckel	112.5
24	(10-03-02) National High School Wrestling Tournament	20.3
25	(10-03-03) Delaware Small Business Development Center	81.0
26	(15-01-01) Child Inc. (Family Violence Prevention Program)	724.5
27	(15-01-01) People's Place II (Family Violence Prevention Program)	550.4
28	(20-01-01) World Trade Center	108.0

1	(20-01-01)	Italian/American Commission	9.0
2	(20-01-02)	Assistance for Needy and Homeless Veterans	44.9
3	(35-05-10)	Non-Public School Nursing	446.4
4	(35-05-20)	Gift of Life Program/Delaware Organ and Tissue Program	42.2
5	(35-06-40)	Martin Luther King Center	67.4
6	(35-11-20)	Camp Barnes	7.0
7	(35-12-30)	St. Patrick's	10.5
8	(35-12-30)	VOCA Grant (Lexington Green Resource Center)	21.2
9	(35-12-40)	Modern Maturity Center	24.8
10	(37-06-10)	Children's Advocacy Center	900.0
11	(37-06-10)	People's Place – Milford	61.2
12	(37-06-10)	Child, Inc.	164.2
13	(38-06-02)	The Way Home (Re-entry Program)	57.6
14	(40-04-03)	Delaware Estuary	26.7
15	(40-04-03)	Water Resources Agency	197.5
16	(40-04-03)	Partnership for Delaware Estuary	38.3
17	(75-03-01)	Statewide Fire Safety Education	71.6
18	(95-03-15)	Children's Beach House	49.8
19	95-03-15	Delaware Institute for Arts in Education	106.8
20	(95-03-1)5	Delaware Teacher Center	404.1
21	(95-03-15)	On-Line Periodicals	549.0
22	(95-03-15)	Teacher in Space	91.4
23 24	(95-03-15)	Achievement Matters Campaign - Metropolitan Wilmington Urban League	105.6
25	(95-03-15)	Career Transition	56.3

1 Section 32. (a) For the fiscal year ending June 30, 2011, any sums in the following accounts shall
 2 remain as continuing appropriations and shall not be subject to a reversion until June 30, 2012. Any
 3 appropriation listed below that has a balance of zero on June 30, 2011 shall not continue:

4	<u>Fiscal Year(s)</u>	<u>Appropriation</u>	<u>Description</u>
5	2009/10/11	01-01-01-00140	Travel
6	2010/11	01-01-01-00141	Leg-Travel
7	2009/10/11	01-01-01-00160	Supplies
8	2008	01-01-01-00170	Capital
9	2009/11	01-01-01-00180	Committee Expenses
10	2007/08/09/10/11	01-02-01-00140	Travel
11	2008/09/10/11	01-02-01-00141	Leg-Travel
12	2009/10/11	01-02-01-00150	Contractual
13	2009/10/11	01-02-01-00160	Supplies
14	2008/09/10/11	01-02-01-00170	Capital
15	2009/10/11	01-02-01-00180	Committee Expenses
16	2008	01-02-01-00181	Ad Substance Abuse
17	2010/11	01-05-01-00140	Travel
18	2008/09/10/11	01-05-01-00141	Leg-Travel
19	2008/09/10/11	01-05-01-00150	Contractual
20	2009/10/11	01-05-01-00160	Supplies
21	2008/09/10/11	01-05-01-00429	State Governments
22	2010/11	01-08-01-00150	Contractual
23	2007/08/09/10/11	01-08-01-00152	Print Laws
24	2010/11	01-08-01-00170	Capital
25	2009/10/11	01-08-02-00140	Travel
26	2007/08/09/10/11	01-08-02-00150	Contractual
27	2008/09/10/11	01-08-02-00160	Supplies
28	2009/10/11	01-08-02-00170	Capital

1	2007	01-08-02-00175	One Time
2	2006/09	01-08-02-00186	TriCent Committee
3	2007/08/09/10/11	01-08-02-00189	Contingency - Legislative
4	2008/09/10/11	01-08-02-00190	Family Law Commission
5	2010/11	01-08-02-00191	Formula Update
6	2009	01-08-02-00192	Juvenile Detention Oversight Committee
7	2009	01-08-02-00194	Neighborhood Schools
8	2008/09/10/11	01-08-02-00195	Clean Air
9	2008/11	01-08-02-00196	JFC/CIP Contingency
10	2010/11	01-08-02-00197	Contingency - Intern
11	2008/09/10	01-08-02-00199	Security
12	2008	01-08-02-08003	JFC CIP Contingency
13	2009/10/11	01-08-03-00150	Contractual
14	2009/10/11	01-08-06-00140	Travel
15	2009	01-08-06-00150	Contractual
16	2008	02-01-10-00200	Court on the Judiciary
17	2011	02-03-10-00175	One Time
18	2011	02-03-10-00202	Jury Expenses
19	2004	02-17-01-00201	COTS Support
20	2011	02-17-01-00203	Retired Judges
21	2011	02-17-01-00206	Conflict Attorneys
22	2011	02-17-01-00207	CASA Attorneys
23	2011	02-17-01-00208	Family Court Civil Attorneys
24	2011	02-17-01-00210	Court Appointed Attorneys
25	2011	02-17-01-00211	Interpreters
26	2011	02-17-01-00212	New Castle County Courthouse
27	2010	02-17-03-00571	OSCCE - Sussex Office
28	2010/11	02-18-01-00216	Special Needs

1	2011	02-18-03-00217	Ivy Davis
2	2010	10-02-06-00224	Contingency Fund
3	2009	10-02-10-00226	Data Development
4	2010/11	10-02-11-00230	Legal Fees
5	2010/11	10-02-11-00232	Salary/OEC
6	2008/10	10-02-11-00175	One Time
7	2010/11	10-02-11-00237	Judicial Nominating Committee
8	2011	10-02-11-00238	Institutional Evaluation
9	2011	10-02-11-00563	ERP Operational Fund
10	2007	10-02-20-00245	Recruit and Retention
11	2011	10-02-31-00150	Contractual
12	2011	10-02-31-00262	Self Insurance
13	2011	10-07-01-00540	Local Law Enforcement Education Fund
14	2011	12-05-03-00178	Debt Service
15	2011	12-05-03-00280	Refunding
16	2011	12-05-03-00281	New Debt Service
17	2011	20-01-01-00221	International Trade
18	2007	20-03-01-00175	One Time
19	2010	20-03-01-00287	DE Heritage
20	2011	20-07-01-00296	Delaware Arts
21	2010/11	35-01-10-00548	DIMER Operations
22	2010/11	35-01-10-00549	DIDER Operations
23	2011	35-02-01-00428	Title XIX
24	2011	35-05-20-00316	Immunization
25	2011	35-05-20-00317	Hepatitis B
26	2011	35-05-30-08014	Paramedic
27	2011	35-06-20-00521	Group Homes
28	2011	35-06-40-00562	Ellendale Renovations

1	2011	35-07-01-00330	Child Care
2	2011	35-11-30-00335	Community Services
3	2011	35-11-30-00336	Purchase of Care
4	2006	37-01-20-00350	CAP Phase 2
5	2011	37-01-50-00351	MIS Development
6	2011	37-06-40-00354	Child Welfare
7	2006/08	38-01-01-00356	Sustainability Contingency
8	2010/11	38-01-01-00551	Emergency Preparedness
9	2011	38-01-14-00552	Info Technology
10	2011	38-01-20-00358	Warehouse
11	2008	38-02-01-00226	Data Development
12	2011	38-02-01-00359	Medical Services
13	2011	38-02-01-00361	Drug Treatment
14	2009	38-02-01-00553	Maintenance and Restoration
15	2011	40-03-03-00371	Spraying and Insecticides
16	2011	40-04-04-00379	Recycling Community Outreach
17	2011	45-01-01-00383	Real Time Crime Reporting
18	1986	45-01-01-00384	Hazardous Waste Revolving Fund
19	2010/11	45-06-01-00390	Fire Lane Enforcement
20	2009	45-06-01-00391	DSP Recruitment
21	2010	55-01-02-93082	Prior Year Operations
22	2011	60-09-20-00397	Summer Youth Program
23	2011	70-01-01-00179	Primary and General Election
24	2011	70-02-01-00179	Primary and General Election
25	2011	70-02-01-00412	School Elections
26	2011	70-03-01-00179	Primary and General Election
27	2011	70-04-01-00179	Primary and General Election
28	2011	70-04-01-00412	School Elections

1	2010	76-01-01-00245	Recruiting and Retention
2	2011	76-01-01-00427	Education Assistance
3	2011	95-01-01-05131	Parents As Teachers
4	2011	95-01-01-05191	State Board of Education
5	2010/11	95-01-01-05193	Standards and Assessment
6	2011	95-01-01-05199	Educator Certification and Development
7	2010/11	95-01-01-05214	Infrastructure Capacity
8	2009/10/11	95-01-01-05215	Educator Accountability
9	2011	95-01-01-05275	DE Science Coalition
10	2010	95-01-01-05277	DSTP
11	2011	95-01-01-05285	Professional Standards Board
12	2010/11	95-01-01-05286	Pupil Accounting
13	2010/11	95-02-02-05244	School Improvement
14	2010/11	95-03-10-05205	Professional Development
15	2010/11	95-03-20-05236	Prison Education
16	2011	95-07-01-05213	Operations
17	2011	95-08-01-05213	Operations
18	2010/11	95-08-01-05247	Scholarship
19	2008/09/10/11	95-08-01-05248	Ferguson DSTP Scholarship
20	2010/11	95-08-01-05249	Physician Loan Repayment
21	2008	95-08-01-05250	Legislative Essay
22	2007	95-13-00-05244	School Improvement
23	2007	95-15-00-05244	School Improvement
24	2007	95-16-00-05244	School Improvement
25	2007	95-24-00-05244	School Improvement
26	2007	95-32-00-05244	School Improvement
27	2007	95-71-00-05244	School Improvement

1 (b) Funds appropriated for the Professional and Curriculum Development (appropriation 05205)
2 programs shall be appropriated on a 15 month basis and not be subject to reversion until September 30,
3 2012. Program expenses may not be incurred subsequent to the start of the regular 2012-2013 school
4 year.

5 (c) For the fiscal year ending June 30, 2011, any sums in Fiscal Year 2011 Charter School
6 Operations (appropriation 05213) for Public Education, shall remain as continuing and not be subject to
7 reversion until June 30, 2012.

8 (d) For the fiscal year ending June 30, 2011, any sums for Fiscal Year 2011 Division II - All
9 Other Costs (appropriation 05165), Division II - All Other Costs for Vocational Education (appropriation
10 05265), Division II - Energy (appropriation 00159), Division III - Equalization (appropriation 05186), and
11 Teacher of the Year (appropriation 05162) shall become a continuing appropriation in each local school
12 district for the period of one fiscal year.

13 (e) For the fiscal year ending June 30, 2011, any Fiscal Year 2009, 2010 or 2011 School
14 Improvement Funds (appropriation 05244) shall become a continuing appropriation in each local school
15 district for the period of one fiscal year.

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

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

1 **TOBACCO – MASTER SETTLEMENT AGREEMENT**

2 Section 33. (a) Section 1 of this Act includes Appropriated Special Funds of \$39,746.0 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 \$ 211.0 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 \$ 529.9 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 \$5,505.8 Delaware Healthy Children Program

16 \$4,082.0 Medical Assistance Transition (MAT) Program

17 \$3,170.0 Delaware Prescription Assistance Program

18 \$ 698.8 Medicaid for Workers with Disabilities

19 \$ 650.0 Increase Medicaid eligibility for pregnant women/infants to 200 percent of
20 poverty

21 \$ 499.5 Money Follows the Person

22 (35-05-20) Health and Social Services - Community Health

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

25 \$ 653.7 Personnel Costs associated with Tobacco Control Programs

26 \$ 357.4 Diabetes

27 \$ 127.7 Delaware State University Nursing Program

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

- 3 \$1,861.7 Tobacco Prevention through Community-Based Organizations
- 4 \$ 219.3 Wesley College Nursing Program
- 5 \$ 200.0 Child and Families First - Resource Mothers Program
- 6 \$ 115.3 Planned Parenthood of Delaware
- 7 \$ 100.2 St. Francis Hospital
- 8 \$ 100.0 Delaware Hospice
- 9 \$ 87.6 Polytech Adult Education Nursing Program
- 10 \$ 75.0 Hepatitis B Vaccines
- 11 \$ 52.4 American Lung Association - Asthma Project
- 12 \$ 24.2 Neonatal Intensive Care Unit Family Support Project - March of Dimes
- 13 \$ 10.0 AIDS Delaware

14 Also appropriated in this Act is \$12,962.3 for Cancer Council Recommendations, of this amount,
15 funding is included for the following agencies:

- 16 \$ 600.0 Breast and Cervical Cancer Treatment (35-02-01)
- 17 \$ 161.0 The Wellness Community
- 18 \$ 120.8 Cancer Care Connection
- 19 \$ 80.5 Delaware Breast Cancer Coalition

20 (35-05-30) Health and Social Services - Emergency Medical Services

- 21 \$ 75.0 Public Access Defibrillation initiative

22 (35-06-40) Health and Social Services - Substance Abuse and Mental Health

- 23 \$ 327.3 Heroin Residential Program
- 24 \$ 177.1 Transitional housing for persons completing detoxification
- 25 \$ 142.2 Brandywine Counseling
- 26 \$ 60.3 Limen House
- 27 \$ 22.8 University of Delaware - Delaware School Survey

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

2 \$1,240.4 SSI Supplement

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

4 \$ 70.0 Family Support Services

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

6 \$ 760.0 Attendant Care

7 \$ 178.1 Caregiver Support

8 \$ 43.2 Easter Seals - Respite Care Services

9 (37-04-02) Services for Children, Youth and Their Families - Prevention and Behavioral Health Services

10 \$ 47.0 Tobacco Prevention Programs for Youth

11 (45-04-10) Safety and Homeland Security - Alcoholic Beverage Control and Tobacco Enforcement

12 \$ 524.0 Enhanced Enforcement and 3.0 FTE Agents and 1.0 FTE Clerical

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

17 (b) For Fiscal Year 2012, effective June 25, 2012, all remaining unallocated funds for Fiscal
18 Year 2012 shall be invested by the Cash Management Policy Board and any interest accrued shall be
19 deposited to the credit of the funds of the Master Settlement Agreement. All funds from the above
20 allocations left unexpended or unencumbered shall be transferred back to the Delaware Health Fund.

21 (c) These funds shall be available for Fiscal Year 2012 only.

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

26 Section 35. The Delaware Health Fund Advisory Committee is directed to submit their proposed
27 recommendations each fiscal year to the Office of Management and Budget no later than November 15
28 per Senate Bill 8 as amended of the 140 General Assembly. It is the intent of the General Assembly that

- 1 the Delaware Health Fund Advisory Committee will present their proposed recommendations before the
- 2 Joint Finance Committee in a public budget hearing.

1 **LEGISLATIVE**

2 Section 36. Of the total positions authorized in Section 1 of this Act for the Division of Research
3 (01-08-01), the position of Research Assistant to the House and Senate Sunset Standing Committees shall
4 be an exempt position and shall report to the Director.

5 Section 37. Section 1 of this Act provides an appropriation to the Office of the Controller General
6 (01-08-02) for Contingencies: Legislative Council. Requests from the Chairs of Standing Legislative
7 Committees for professional staff assistance shall be submitted to the Legislative Council for approval or
8 disapproval. Approvals for professional staff assistance shall be allowed within the limits of the
9 appropriation and as provided by guidelines established by the Legislative Council.

10 Section 38. Section 1 of this Act provides an appropriation to the Office of the Controller
11 General (01-08-02) for Contingencies: Legislative Council. Requests from various task forces and
12 committees of either the House of Representatives or the Senate for travel expenses, meeting expenses,
13 contractual services and any other expenses shall be submitted to the Legislative Council for
14 consideration.

15 Section 39. The Controller General shall receive compensation at a rate of a Tier 2 level Cabinet
16 position as determined by the Compensation Commission. Such compensation may be adjusted by the
17 Legislative Council as defined in 29 Del. C. § 1110(e).

JUDICIAL

Section 40. Upon the approval of a plan submitted to the Director of the Office of Management and Budget, Controller General and the Co-Chairs of the Joint Finance Committee, the Chief Justice shall have the flexibility to transfer positions from individual courts to the Administrative Office of the Courts for the purpose of further centralizing personnel, finance, collections and filing/records management functions therein. Notwithstanding any other provisions of this Act or the Delaware Code to the contrary, positions and related operating funds may be transferred from Supreme Court (02-01-00), Court of Chancery (02-02-00), Superior Court (02-03-00), Court of Common Pleas (02-06-00), Family Court (02-08-00) and Justice of the Peace Court (02-13-00) to the Administrative Office of the Courts, Office of the State Court Administrator (02-17-01), the Administrative Office of the Courts, Office of State Court Collections Enforcement (02-17-03) or the Administrative Office of the Courts, Judicial Information Center (02-17-04). Only positions from the courts or other judicial positions located in New Castle County may be considered for transfer under this section. In the cases where Merit System positions are transferred, the incumbents shall retain their Merit System status.

Section 41. This Act appropriates Appropriated Special Funds to the Court of Chancery (02-02-00) and to the Court of Common Pleas (02-06-00). Notwithstanding other statutes to the contrary, the Court of Chancery is authorized to retain a portion of the fees, costs and interest it will collect in an amount sufficient to cover the personnel and operating costs of the statewide Register in Chancery office. Notwithstanding other statutes to the contrary, the Court of Common Pleas is authorized to retain a portion of the fines and fees it will collect in an amount sufficient to cover the personnel and operating costs of three Judicial Case Processors and one Controller. Adjustments to the Appropriated Special Fund spending authority for these courts may be made upon the concurrence and approval of the Director of the Office of Management and Budget and the Controller General.

Section 42. The positions of Master in Chancery/Chief Staff Attorney (BP#s 56683 and 100226), as well as any additional Master in Chancery/Chief Staff Attorney position(s) that may be established in the future for the Court of Chancery (02-02-10), shall receive the same salary as Commissioner in the Superior Court.

1 Section 43. Section 1 of this Act appropriates \$59.9 in Contractual Services to Justice of the
2 Peace Court (02-13-10) to support lease obligations associated with the Justice of the Peace Court 1
3 facility located in the Town of Frankford.

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

10 Section 45. Section 1 of this Act includes appropriations to the Administrative Office of the
11 Courts, Office of the State Court Administrator (02-17-01) for Conflict Attorneys, Court Appointed
12 Special Advocate (CASA) Attorneys, Family Court Attorneys, and Court Appointed Attorneys. Upon
13 approval by the Director of the Office of Management and Budget and the Controller General, the Chief
14 Justice may use said appropriations, as well as any carryover funding in said appropriations, to address
15 recruitment and retention of contract attorneys under these programs. The Chief Justice may decide upon,
16 but is not limited to, the following options: implement new contract rates, including setting regional or
17 market-based contract rate structures; increase the number of contracts; or split full-time contracts into
18 part-time contracts. The Chief Justice may implement any combination of these or other reasonable
19 options in an effort to maximize the recruitment and retention of qualified attorneys to serve these
20 programs.

21 Section 46. The Administrative Office of the Courts (AOC) shall coordinate with the Department
22 of Technology and Information to develop electronic document systems projects for the courts, subject to
23 review and approval by the Technology Investment Council (TIC); provided however, that such review
24 and approval by the TIC shall not apply to existing licensing agreements, contracts or projects related to
25 electronic document systems entered into or approved by the AOC on or prior to June 30, 2006.
26 Notwithstanding 29 Del. C. c. 69, or any other law to the contrary, the AOC is authorized to enter into
27 licensing agreements or other contracts with private companies on behalf of the courts for electronic
28 document systems. Such systems shall include filing and publication of judicial opinions and related

1 docket files, electronic tracking and researching services, as well as internet access for video transmission
2 of court proceedings, video conferencing and related technological services. Fees derived from such
3 contracts or licensing agreements shall be applied by the respective court to offset expenses related to e-
4 filing, video conferencing, video streaming, technological improvements, and related court and courtroom
5 improvements.

6 Section 47. Section 1 of this Act provides an appropriation to the Administrative Office of the
7 Courts, Non-Judicial Services, Child Death, Near Death and Stillbirth Commission (02-18-06) for the
8 Fetal Infant Mortality Review. Included in this appropriation are funds for 3.0 FTEs and associated
9 operating costs.

10 Section 48. Section 1 of this Act makes an appropriation to the Administrative Office of the
11 Courts, Non-Judicial Services, Delaware Nursing Home Residents Quality Assurance Commission (02-
12 18-07) to fund an Administrative Specialist III. This position shall provide clerical support for the
13 Commission. The position shall be hired by and report to the Commission.

1 **EXECUTIVE**

2 Section 49. Notwithstanding any other provision of law to the contrary, the Director of the Office
3 of Management and Budget shall, upon concurrence of the Controller General, have the authority to
4 reallocate personnel costs as well as positions throughout and among respective state agencies, including
5 the Judiciary and Other Elective offices in order to meet critical workforce needs.

6 Section 50. In an effort to further reduce the size of state government, the Office of Management
7 and Budget will work with agencies to identify areas within their organizations that can be targeted for
8 attrition. The Director of the Office of Management and Budget, upon the concurrence of the Controller
9 General, shall de-authorize positions as they become vacant throughout the fiscal year.

10 Section 51. Effective July 1, 2006, BP #879 shall receive compensation at a rate of a tier 3 level
11 Cabinet position as determined by the Compensation Committee.

12 Section 52. The Director of the Office of Management and Budget, upon concurrence of the
13 Controller General and the Co-Chairs of the Joint Finance Committee, may restructure internal program
14 units to create greater efficiencies within the Office of Management and Budget.

15 Section 53. (a) Section 1 of this Act appropriates \$1,037.9 ASF to the Office of Management and
16 Budget, Contingencies and One-Time Items (10-02-11) from Tobacco Settlement Funds for Two Year
17 Nursing Expansion Initiative. Said funds shall be used to address Delaware Technical and Community
18 College's (DTCC) recommendations to mitigate the shortage in the nursing and allied healthcare fields.
19 Said funds may be used to hire up to 36 faculty and staff FTEs relevant to meeting said nursing shortage
20 and shall be transferred to DTCC upon approval of the Director of the Office of Management and Budget,
21 Controller General and Co-Chairs of the Joint Finance Committee.

22 (b) Section 1 of this Act appropriates funding in the amount of \$2,189.8 ASF for the New Nurse
23 Development Program at Delaware Technical and Community College and \$2,209.4 for the Two Year
24 Nursing Expansion in addition to the \$1,037.9 ASF from Tobacco Settlement Funds.

25 Section 54. Section 1 of this Act appropriates \$500.0 ASF to the Office of the Management and
26 Budget, Contingencies and One-Time Items (10-02-11) from Tobacco Settlement Funds for Four Year
27 Nursing Expansion Initiative. Of the amount appropriated, \$250.0 shall be allocated to the University of
28 Delaware and \$250.0 shall be allocated to Delaware State University to expand their nursing programs.

1 Both universities shall provide a detailed expansion plan to the Director of the Office of Management and
2 Budget and Controller General no later than July 31, 2011. Said funds shall be transferred to the
3 University of Delaware and Delaware State University upon approval of the Director of the Office of
4 Management and Budget, Controller General and the Co-Chairs of the Joint Finance Committee.

5 Section 55. Notwithstanding any other provision of the Delaware Code or this Act to the
6 contrary, the Office of Management and Budget is authorized to contract with the University of Delaware
7 for statistical analysis of data, for state operated programs, services, policies and/or procedures.

8 Section 56. The General Assembly finds that the establishment of the federal Temporary Aid to
9 Needy Families (TANF) block grant has left the State vulnerable to deficits from caseload increases
10 attributable to an economic downturn. In order to minimize such exposure, the funds within the Reserve
11 Account for Children Services Cost Recovery Program (CSCR) Disallowances (10-02-10-20268) shall
12 be available to mitigate to the extent possible, projected deficits in TANF supported programs within the
13 Department of Health and Social Services. The use of such funds for such purposes shall require the
14 approval of the Director of the Office of Management and Budget and Controller General.

15 Section 57. The amount appropriated to the Office of Management and Budget, Contingencies
16 and One-Time Items, Prior Years' Obligations, shall be used to pay Personnel Costs, reimbursement of
17 overpayment of fringe benefits, and other obligations except coding errors by a school district which
18 require adjustment of the State's accounts. Any use of the Prior Years' Obligations account by any agency
19 receiving funds in Section 1 of this Act, in excess of the amount reverted from the applicable line code on
20 June 30 of the fiscal year in which the expense was incurred, will require the requesting agency or school
21 district to reimburse the Prior Years' Obligations account by the amount equal to the excess requested. A
22 line code reversion sum does not negate the necessity of encumbering sufficient funds to cover known
23 expenses; proof of circumstances beyond an agency's ability to encumber must be documented on the
24 request for transfer to be excluded from the reimbursement clause. All requests for prior year funds to
25 complete the payment of one-time items will require a reimbursement to the Prior Years' Obligations
26 account by the requesting agency from any appropriation other than Personnel Costs. The reimbursement
27 can be removed from the current fiscal year's budget. The reimbursement clause shall not apply to legal

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

3 Section 58. (a) For Fiscal Year 2012, 29 Del. C. § 6529 is interpreted to include the ability to
4 implement a hiring review process. All state agencies with the exception of Legislative, Judicial, Higher
5 Education and school districts shall be subject to the provisions of 29 Del. C. § 6529 as interpreted by this
6 section. Implementation of a hiring review process shall require all positions to be reviewed and approved
7 by the Director of the Office of Management and Budget prior to filling. All non-cabinet agency hiring
8 requests shall also require the review and approval of the Controller General prior to filling.

9 (b) In the event the authority granted in subsection (a) of this section is implemented, Chapters
10 3.0 and 13.0 of the Merit Rules notwithstanding, the Director of the Office of Management and Budget
11 shall have the authority to extend temporary promotions based on agency need until the hiring review
12 process has ended. At the time the hiring review process has ended, those temporary promotions granted
13 during the hiring review process shall be subject to the limitations identified in the Merit Rules governing
14 the duration of temporary promotions.

15 Section 59. For Fiscal Year 2012, the Director of the Office of Management and Budget,
16 pursuant to 29 Del. C. § 6529, may implement an overtime management practices review process for all
17 state agencies with the exception of Legislative, Judicial, Higher Education and school districts. Said
18 review shall include, but not be limited to, operational guidelines, guidelines to prohibit excessive
19 utilization, staffing ratios, and standard work week schedules for employees. The Director of the Office
20 of Management and Budget shall report to the Governor and the Co-Chairs of the Joint Finance
21 Committee no later than May 1 of each fiscal year on the status of any review process implemented
22 pursuant to this Section.

23 Section 60. The appropriation in Section 1 of this Act to the Office of Management and Budget,
24 Contingencies and One-Time Items (10-02-11) for Contingency, Appropriated Special Funds for
25 \$43,000.0 shall be used to make adjustments in the amount of state special fund appropriations in the
26 event additional state special funds are received which were not previously anticipated. Such adjustments
27 shall be made in accordance with the approval of the Director of the Office of Management and Budget
28 and the Controller General.

1 Section 61. Notwithstanding 29 Del. C. c. 60B or any other provision of the Delaware Code or
2 this Act to the contrary, the First State Quality Improvement Fund shall be suspended beginning July 1,
3 2009. It is the intent of the General Assembly that this program be reinstated when funding becomes
4 available.

5 Section 62. The Director of the Office of Management and Budget is authorized to create a State
6 of Delaware Merit Employee Mediation Program within state agencies selected by the Director and,
7 notwithstanding Chapters 12 and 18 of the Merit Rules and/or any provision of Delaware Code to the
8 contrary, the Director of the Office of Management and Budget is further authorized to promulgate rules
9 and regulations to implement the said program. Matters that may be grieved shall be eligible for
10 mediation. Matters that are otherwise not subject to the merit grievance procedure may be eligible for the
11 Mediation Program. With the consent of the employee and employing agency, participation in the
12 Mediation Program will be offered as a voluntary alternative to the ordinary grievance procedure. All
13 mediation proceedings shall be deemed confidential. If a grievance is subjected to mediation pursuant to
14 this section, normal timelines associated with the filing of a grievance shall be tolled pending the
15 completion of mediation. If an employee has filed a formal grievance, subsequent mutual consent to
16 mediation will cause the grievance to be held in abeyance pending completion of mediation and the
17 timelines that would otherwise have applied to the grievance shall likewise be tolled pending completion
18 of mediation. Upon completion of mediation, an employee may continue to grieve and the normal
19 timelines provided for grievances shall then apply. The Mediation Program is not intended to limit other
20 dispute resolution procedures available to an agency or an employee or to deny a person a right granted
21 under federal or other state law, including the right to an administrative or judicial hearing.

22 Section 63. Section 1 of this Act provides an appropriation to Office of Management and Budget,
23 Contingencies and One-Time Items (10-02-11). It is the intent that the appropriation for One-Time items
24 in the amount of \$3,332.5 shall be non-recurring expenditure items. The Director of the Office of
25 Management and Budget shall transfer the appropriations as itemized to the departments. Each receiving
26 department shall identify the line item, account code and, for all practical purposes, complete and separate
27 accountability for each appropriation amount transferred. No appropriation shall be transferred without
28 the Director of the Office of Management and Budget and Controller General approvals. Any one-time

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

5 Furthermore, it is the legislative intent that none of the appropriations for One-Time items be
6 included, or be considered, as part of the budget request for the Fiscal Year 2013 Appropriation Bill.

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

9	(02-17-03)	Equipment Kent County Courthouse	\$ 32.5
10	(35-07-01)	General Assistance Transition	1,500.0
11	(95-01-01)	Delaware Comprehensive Assessment System	1,800.0

12 Section 64. The Director of the Office of Management and Budget shall continue to assume the
13 central leadership role for the Executive branch over all matters relating to Senate Bill 36, of the 144th
14 General Assembly, and any other personnel and labor relations matters affecting the Executive branch
15 and its departments and agencies, including collective bargaining negotiations with employee
16 organizations, labor arbitration, Public Employment Relations Board, Department of Labor, Equal
17 Employment Opportunity Commission, and other administrative proceedings. The Director of the Office
18 of Management and Budget shall also, on behalf of the State, approve and sign all collective bargaining
19 agreements and any other agreement or arrangements made involving employee organizations that
20 represent employees subject to Executive branch authority.

21 Section 65. For Fiscal Year 2012, funding appropriated for 16 Del. C. c. 102 shall be suspended.
22 If non-state funding sources become available during the fiscal year, the program shall be reinstated with
23 the approval of the Director of the Office of Management and Budget and the Controller General.

24 Section 66. Notwithstanding any provision of the Delaware Code to the contrary, the Office of
25 Management and Budget is authorized to analyze and implement the most appropriate mechanism to
26 cover any liabilities as a result of Senate Bill 29 of the 144th General Assembly. Such mechanism may
27 include but not be limited to self-insurance, a fully insured proposal, or some other means to insure
28 against any potential liability.

1 Section 67. (a) Amend 11 Del. C. § 8901 by striking subsection (a) in its entirety and substituting
2 in lieu thereof “(a) The Statistical Analysis Center is hereby located within the Criminal Justice Council.
3 The Director of the Statistical Analysis Center shall be qualified by education or experience to carry out
4 the mission of the Statistical Analysis Center and shall report to the Director of the Criminal Justice
5 Council.”.

6 (b) Further, amend 11 Del. C. § 8901(b) by striking the words “Director of Office of Management
7 and Budget” as they appear therein and substituting the words “Director of the Criminal Justice Council”
8 in lieu thereof.

9 Section 68. Any other statutory provision notwithstanding, any change to the Merit Rules
10 required by an Act of Legislature, shall be codified in the Merit Rules by the Office of Management and
11 Budget.

12 Section 69. Notwithstanding any provision to the contrary, for the purposes of developing,
13 implementing and upgrading PHRST Time & Labor, and other PeopleSoft modules, necessary
14 adjustments to existing state human resource, benefits and payroll procedures shall be implemented
15 during Fiscal Year 2012 with the written approval of the Co-Chairs of the Joint Finance Committee, the
16 Director of the Office of Management and Budget and the Controller General.

17 All state organizations shall use all components of the PHRST system if so designated by the
18 State’s Enterprise Resource Planning Executive Sponsors.

19 Section 70. Whenever the annual valuation of the market value of the assets of the Special
20 Pension Fund exceeds the actuarial value of benefits available to persons entitled to receive special
21 pensions by a factor of at least 20 percent, the Board of Pension Trustees may transfer the excess over 20
22 percent or any part of it to the State Employees Pension Fund for the benefit of that Fund.

23 Section 71. The Board of Pension Trustees may allocate the pension/health insurance monies
24 received from the State during any month to ensure that funds are available to pay health insurance
25 premiums for retirees in each month.

26 Section 72. During the fiscal year, the Office of Management and Budget Management, Facilities
27 Management (10-02-50), shall retain rental fees as Appropriated Special Funds. The retained portion
28 must be deposited as per state laws and shall be disbursed per Section 1 of this Act.

1 Section 73. Section 1 of this Act makes an appropriation of \$105.0 ASF in Personnel Costs,
2 \$795.2 ASF in Contractual Services, \$295.6 ASF in Supplies and Materials and \$624.7 ASF in Energy to
3 the Office of Management and Budget, Facilities Management (10-02-50) for maintenance costs
4 associated with the state-wide operations of Division of Motor Vehicles, the Transportation Mobile
5 Center and the DelDOT Administration Building. The Department of Transportation shall remit \$910.3
6 to the Office of Management and Budget on July 15 and \$910.2 on December 15 of each fiscal year to
7 cover the operational costs associated with maintaining these facilities. In addition, the Office of
8 Management and Budget shall be responsible for the reconciliation of the account with the Department of
9 Transportation.

10 Section 74. For energy backcharge purposes, the Office of Management and Budget, Facilities
11 Management (host department) current fiscal year Energy Budget assumes that Motor Fuel Tax uses ten
12 percent of the Public Safety Building, for which energy payment is the responsibility of the host
13 department. The Department of Transportation is responsible for paying the Motor Fuel Tax portion of
14 the energy bills upon request for payment by the host department.

15 Section 75. Notwithstanding the provisions of 29 Del. C. § 5117, state agencies may pay for
16 employee parking in the Government Center Parking Garage as long as such payments are continuances
17 of payments made prior to May 31, 1998. Such payments shall cease when the employee leaves the
18 position he or she occupied prior to May 31, 1998.

19 Section 76. The Office of State Planning Coordination, while remaining in the Office of
20 Management and Budget for structural and budgetary purposes, shall report directly to the Office of the
21 Governor. This reporting structure shall permit the Governor to directly and actively manage all statutory
22 and functional operations of the Office of State Planning Coordination. The mission of the Office of State
23 Planning Coordination shall remain the continuous improvement of the coordination and effectiveness of
24 land use decisions made by state, county and municipal governments, while building and maintaining a
25 high quality of life in the State of Delaware.

26 Section 77. The Delaware Economic Development Office; Economic Development Authority
27 (10-03-03) will continue to use revenue from the Blue Collar Training Fund for the Workforce
28 Development Grant. Funding for this grant shall be maintained at current levels.

1 Section 78. Section 1 of this Act appropriates \$1,750.6 ASF to the Delaware Tourism Office. Of
2 this amount, \$370.3 shall be allocated to "Other Items" as designated in Section 1 of this Act and payable
3 by the Delaware Tourism Office in quarterly allotments. The first installment shall be paid by September
4 30 of each fiscal year or as otherwise approved by the Director of the Office of Management and Budget
5 and the Controller General.

6 Section 79. Notwithstanding the provisions of any other law, for the fiscal year ending June 30,
7 2012, interest earnings of the Delaware Strategic Fund as provided for in 29 Del. C. § 5027, shall to the
8 extent of such interest earnings, be used in the following order and manner, not to exceed the amounts so
9 noted:

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

14 (2) The second \$400.0 shall be used for the general operating expenses of the Small Business
15 Development Center. Should interest earnings not be available by December 31, 2011, the
16 Center shall receive funding directly from the Strategic Fund for said expenses and shall
17 waive further interest earnings for that period.

18 (3) The third \$300.0 shall be used to continue the Delaware Business Marketing Program
19 within the Delaware Economic Development Authority (10-03-03). Should interest
20 earnings not be available by September 1, funding shall be made directly from the Strategic
21 Fund. It is the intent of the General Assembly that these funds shall be used for business
22 marketing and recruitment. These funds may be used together with non-state contributions
23 to the Delaware Business Marketing Program. However, in the event that non-state
24 contributions are not available, or in the event such contributions are insufficient to fully
25 access the resources of the Delaware Business Marketing Program, it is the intent of the
26 General Assembly that the Delaware Business Marketing Program shall continue to fully
27 operate using only the interest earnings on the Delaware Strategic Fund as provided for in
28 29 Del. C. § 5027.

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

6 When non-state contributions are used, expenditures of the program shall be
7 divided between non-state contributions and state funds for any fiscal year's appropriations
8 such that non-state contributions are not less than 50 percent of total expenditures. Of the
9 50 percent non-state contributions, up to 25 percent shall be cash contributions, and up to
10 25 percent shall be in-kind contributions. These funds shall not be used for hiring full-time
11 employees. Allocations shall be made by the Director of the Delaware Economic
12 Development Office with the approval of the Director of the Office of Management and
13 Budget and the Controller General.

14 On or before April 1, 2012, the Director of the Delaware Economic Development
15 Office shall provide to the Director of the Office of Management and Budget and the
16 Controller General a report on the Delaware Business Marketing Program. The report shall
17 include an itemized list of all non-state cash and in-kind contributions received, total
18 expenditures and an assessment of the program to date.

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

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

23 Section 80. Notwithstanding the provisions of 29 Del. C. § 6102, any Public Accommodations
24 Tax revenue collected in Fiscal Year 2012 in excess of the \$1,750.6 ASF appropriated in Section 1 of this
25 Act to the Delaware Tourism Office (10-03-02) shall be deposited to the General Fund.

26 Section 81. Section 1 of this Act authorizes ASF positions and funding to the Delaware Tourism
27 Office (10-03-02). Should said ASF authorization prove inadequate to support the authorized positions as
28 contained in Section 1 at any time during Fiscal Year 2012, the Director of the Office of Management and

1 Budget and Controller General are hereby authorized to transfer sufficient funding from any other source
2 to Tourism's Personnel Costs line.

3 Section 82. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-
4 02) pursuant to 30 Del. C. § 6102 (b) contained in Section 1 of this Act, \$112.5 is authorized for the
5 Kalmar Nyckel. During the period beginning July 1, 2011, and ending on June 30, 2012, the State of
6 Delaware, through the Delaware Tourism Office, and the Riverfront Development Corporation, shall be
7 entitled to charter the Kalmar Nyckel. Said use is to include docked guest entertaining privileges and /or
8 day sails at no cost for as many State of Delaware guests as is consistent with Kalmar Nyckel safety
9 policies. Scheduling for State and Riverfront Development Corporation use of the Kalmar Nyckel shall
10 be at mutually agreeable times and locations to the Kalmar Nyckel, the Delaware Tourism Office on
11 behalf of the State of Delaware and the Riverfront Development Corporation.

12 Section 83. The Kalmar Nyckel Foundation shall provide to the Office of Management and
13 Budget and the Controller General's Office quarterly financial reports detailing year to date expenditures
14 and revenues as well projected expenditures and revenues for the remainder of the fiscal year. Such
15 reports shall be due October 1, January 1, March 1, and June 30 of each fiscal year.

16 Section 84. Section 1 of this Act appropriates funding for a 1.0 FTE Senior Secretary in Criminal
17 Justice Council (10-07-01) to be used as dedicated secretarial support for the Executive Director of the
18 Domestic Violence Coordinating Council. This position shall be an exempt position and shall be
19 excluded from classified service as defined under 29 Del. C. § 5903.

20 Section 85. (a) Section 1 of this Act includes non-appropriated special fund positions funded
21 through grants administered by the Criminal Justice Council (10-07-01). Further, the Delaware State
22 Clearinghouse Committee may, during the fiscal year, approve additional non-appropriated special fund
23 positions supported by Criminal Justice Council administered grants. By virtue of said positions being
24 included in the Annual Appropriations Act and/or approved by the Clearinghouse Committee does not
25 guarantee future state funding upon expiration of federal grants supporting the positions. Any requests
26 for state funding for said positions shall be prioritized by the affected department in its budget request for
27 Fiscal Year 2013.

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

5 Section 86. The Statistical Analysis Center, Criminal Justice Council (10-07-01), shall submit by
6 July 15 an annual project schedule for the fiscal year that details the staff workload and time allocation.
7 Requests for (special) projects to be included in this schedule should be made in advance to the Statistical
8 Analysis Center. This schedule shall be reviewed by the Criminal Justice Council and approved by the
9 Director of the Office of Management and Budget and the Controller General. No changes shall be made
10 to the annual project schedule without the approval of the Director of the Criminal Justice Council. After
11 July 15, all ad hoc requests for projects seeking completion during the fiscal year shall be reviewed by the
12 Director of the Criminal Justice Council. Work shall not commence on these projects without the
13 approval of the Director of the Criminal Justice Council.

14 Section 87. Section 1 of this Act authorizes the Delaware Justice Information System (10-07-02)
15 to spend up to \$260.0 in Appropriated Special Funds. Notwithstanding any provision of the Delaware
16 Code or this Act to the contrary, DELJIS is authorized to utilize these funds to undertake expenditures
17 relating to operational costs.

18 Section 88. There is hereby established the Criminal Justice Statistical Review Committee. The
19 Criminal Justice Statistical Review Committee shall have the following membership:

- 20 (1) A Chairperson as appointed by the Co-Chairs of the Joint Finance Committee;
- 21 (2) A Member of the Office of Management and Budget;
- 22 (3) A Member of the Office of the Controller General;
- 23 (4) The Honorable Attorney General or his designee;
- 24 (5) The Honorable Cabinet Secretary of the Department of Correction or his
25 designee;
- 26 (6) The Honorable Chief Justice or his designee; and
- 27 (7) A Member of the public appointed by the Chairperson of the Criminal Justice
28 Statistical Review Committee.

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

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

16 Section 89. (a) Section 1 of this Act includes an Appropriated Special Fund appropriation within
17 Delaware State Housing Authority (10-08-01). Of these funds, up to \$25.0 ASF shall be used to extend
18 the contractual administration for the Neighborhood Assistance Tax Credit Act (Senate Bill 248) of the
19 140th General Assembly through the fiscal year ending June 30, 2012. The Neighborhood Assistance Tax
20 Credit Program is intended to foster business investment in low-income communities through financial
21 support to neighborhoods as well as job training, education, crime prevention and community services.

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

1 **TECHNOLOGY AND INFORMATION**

2 Section 90. 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 91. 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 92. 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 93. The Department of Technology and Information shall provide the Director of the
19 Office of Management and Budget and the Controller General a complete accounting of all direct and
20 indirect charges to state agencies and total revenue derived for the prior fiscal year by September 15. No
21 direct or indirect rates may be increased nor may additional charges be levied on a state agency without
22 prior approval by the Office of Management and Budget and the Controller General.

1 **OTHER ELECTIVE**

2 Section 94. Section 1 of this Act reflects for the Auditor of Accounts (12-02-01) sufficient state-
3 match funding for federally-mandated audit services. If, during the first three months of any fiscal year,
4 the State Auditor should experience a cash flow deficit in fulfillment of federal audit responsibilities, the
5 Director of the Office of Management and Budget, upon the request of the State Auditor, shall attempt to
6 advance sufficient funding from the Indirect Cost Account.

7 Section 95. For the purpose of the audits contracted by the Auditor of Accounts, agencies will be
8 responsible for the cost of the audit written into the signed contract, if the agency was consulted and
9 agreed to the costs prior to the contract being signed. Any overages billed by the contracted audit will be
10 the responsibility of the Auditor of Accounts office unless the agency was made aware of the additional
11 time needed for the audit and approved the time and the additional costs.

12 Section 96. Section 1 of this Act contains ASF position authorizations and associated
13 appropriations for the Insurance Commissioner, Bureau of Examination, Rehabilitation and Guaranty
14 (12-03-02). 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 97. Section 1 of this Act provides \$3,611.7 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 \$3,611.7 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 98. Section 1 of this Act establishes a special fund appropriation entitled Electronic Data
22 Interchange, State Treasurer, Administration (12-05-01) Cash Management Policy Board to support the
23 Electronic Data Interchange/Electronic Funds Transfer initiative. Use of these funds shall be coordinated
24 with and approved by the Chief Information Officer of the Department of Technology and Information
25 and the Secretary of Finance.

26 Section 99. 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.
28 Cost recoverable activities shall include online transactions as well as traditional card transactions. The

1 initial rate and periodic necessary adjustments to the rate shall be approved by the Office of Management
2 and 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 100. 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.

22 Section 101. (a) Amend 29 Del. C. § 6102(u) by deleting the third sentence from said subsection,
23 which reads as follows: “Such amounts provide financing for the local share of said capital projects.”.

24 (b) Further amend 29 Del. C. § 6102(u) by deleting the last sentence from said subsection, which
25 reads as follows: “Any funds remaining in the special fund account on June 30 of any fiscal year shall be
26 deposited into the general fund.”.

1 **LEGAL**

2 Section 102. Section 1 of this Act authorizes an appropriation for Contractual Services for the
3 Office of Attorney General (15-01-01). Of this amount, \$724.5 shall be used for the purpose of providing
4 services covering family violence in New Castle County, and \$550.4 shall be used for the purpose of
5 providing services covering family violence in Kent and Sussex counties.

6 Section 103. Of the total Deputy Attorneys General authorized in Section 1 of this Act to the
7 Office of Attorney General (15-01-01):

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

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

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

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

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

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

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

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

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

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

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

8 (l) 4.0 ASF FTE Deputy Attorneys General shall be assigned exclusively to provide legal
9 representation to the boards and commissions under the Department of State, Regulation and Licensing,
10 Professional Regulation. 2.0 FTEs Deputy Attorneys General, including a Prosecutor, shall be assigned
11 exclusively to provide additional contract review, general legal services and legal counsel as needed for
12 the Department of State, Regulation and Licensing, Professional Regulation;

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

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

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

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

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

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

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

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

13 Section 104. Section 1 of this Act appropriates Personnel Costs and 22.0 split-funded FTEs (66
14 percent ASF and 34 percent GF) to the Office of the Attorney General (15-01-01) to support the Child
15 Support Enforcement function. The Child Support Enforcement function in the Attorney General's Office
16 will operate on a reimbursement basis, wherein the State makes the initial expenditures and is reimbursed
17 from federal funds controlled by the Department of Health and Social Services. The reimbursement rate
18 for operations will be 66 percent of total direct costs; the reimbursement rate for indirect costs will be
19 39.57 percent of federal dollars spent on direct salary costs.

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

24 The Attorney General's Office shall also be allowed to retain up to a maximum of \$30.0 of the
25 departmental portion of indirect cost recoveries for this function to support the agency's overhead and
26 \$16.3 to be applied to the State's share for four clerical positions. The statewide portion of indirect cost
27 recoveries will be deposited into the indirect cost account in the Office of Management and Budget. The
28 remainder of the indirect cost recoveries and any unused portion of indirect cost funds in the Attorney

1 General's Office will be deposited into a separate account and retained to support the General Fund
2 portion of the budget for this function in subsequent years.

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

6 Section 105. Section 1 of this Act includes Personnel Costs and 1.0 ASF FTE Administrative
7 Specialist II (BP #8131) in the Office of the Attorney General (15-01-01). In order to provide funding for
8 this position, the Department of Natural Resources and Environmental Control (40-00-00) shall allocate
9 monies to the Office of the Attorney General by July 15 of each fiscal year.

10 Section 106. Section 1 of this Act includes Personnel Costs in Consumer Protection and 3.0 ASF
11 FTEs in the Office of the Attorney General (15-01-01) for activities associated with the regulation of
12 credit counseling and debt management companies as authorized in 6 Del. C. c. 24A, the Delaware
13 Uniform Debt-Management Services Act.

14 Section 107. Section 1 of this Act appropriates Personnel Costs and 1.0 ASF FTE to the Office of
15 Attorney General (15-01-01) to support the Delaware Drug Nuisance and Social Vices Abatement Act.
16 Implementation of this section is contingent upon the passage of legislation to establish a Civil
17 Enforcement Fund.

18 Section 108. Notwithstanding any other provision of the Delaware Code, the merit positions
19 Administrative Specialist II (BP #839) and Investigator II (BP #840 and BP #841) shall become exempt
20 at such time as the current incumbent vacates such position. If the Office of the Attorney General plans to
21 assign the position new or additional responsibilities, then a list of duties shall be submitted to the Office
22 of Management and Budget for review and approval of a new comparable class/pay grade prior to
23 recruiting and hiring an exempt employee.

24 Section 109. (a) Notwithstanding any other provisions of the Delaware Code to the contrary,
25 \$655.0 ASF shall be transferred from the Victims Compensation Fund for the following purposes: \$230.2
26 ASF shall be transferred to Contractual Services in the Office of the Attorney General (15-01-01) to fund
27 family violence services in Kent and Sussex counties; \$273.8 ASF Victims Rights in the Office of the
28 Attorney General; and \$151.0 ASF Contractual Services in the Department of Correction, Community

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

3 (b) It is the intent of the General Assembly and the Administration that the funds identified in
4 subsection (a) shall be established in the base budget appropriations within the respective departments in
5 the Fiscal Year 2013 budget.

1 **STATE**

2 Section 110. (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, \$38.4 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; and 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 111. 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 112. 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 113. Section 1 of this Act establishes a special fund appropriation entitled Technology
25 Infrastructure Fund, in the Division of Corporations (20-05-01). All revenues derived as a result of 8 Del.
26 C. § 391(h)(1), 6 Del. C. § 15-1207(b)(1), 6 Del. C. § 17-1107(b)(1), 6 Del. C. § 18-1105(b)(1), and 12
27 Del. C § 3813(b)(1) will be deposited into this fund to be used for technological and infrastructure
28 enhancements, ongoing maintenance, operational expenses for Corporations, and for additional

1 technology projects in the Department of State including projects that support the operations of the
2 Delaware Veterans Home, and up to \$2,900.0 ASF for electronic government information projects, and
3 library technology initiatives including grants to ensure a 3-year replacement cycle for hardware, software
4 and peripherals used to support public access computing and other statewide and local library services.
5 Quarterly reports regarding the status of this fund shall be made by the Department of State to the
6 Director of the Office of Management and Budget and the Controller General.

7 Section 114. Section 1 of this Act provides an appropriation to the Department of State,
8 Delaware Public Archives (20-03-01) for the Delaware Heritage Office. Of that amount, \$7.0 shall be
9 used at the discretion of the Delaware Heritage Office for scholar awards, challenge grants and
10 publications.

11 Section 115. Section 1 of this act contains an ASF authorization for Contractual Services in the
12 Division of Corporations (20-05-01). Of this amount, up to \$200.0 may be used to contract for captive
13 insurance marketing-related services by state agencies and/or third parties. Seed funding provided by the
14 Division of Corporations in prior fiscal years to the captive insurance regulatory and supervision fund
15 may be returned by the Department of Insurance to the Division to fulfill the purposes of this section.

16 Section 116. The Delaware Heritage Office shall investigate which out of print books and
17 writings on Delaware history should be considered for republication. Further, the Delaware Heritage
18 Office shall investigate which writings in these categories would be valuable for republication. A report
19 shall be made to the Controller General and Director of the Office of Management and Budget by
20 December 1 of each fiscal year.

21 Section 117. Notwithstanding the provisions of 29 Del. C. § 6102(a) and 5 Del. C. § 1106, the
22 Office of the State Banking Commissioner is authorized to retain \$150.0 of the Bank Franchise Tax for
23 costs associated with the collection and administration of the Bank Franchise Tax. Also, an additional
24 \$75.0 of the Bank Franchise Tax shall be used for costs associated with consumer education and
25 information programs.

26 Section 118. Section 1 of this Act makes an appropriation to Libraries (20-08-01) in the amount
27 of \$2,536.1 and \$1,760.8 ASF for Library Standards. Of that amount, Libraries may reserve up to \$436.9
28 for planning and evaluation grants to determine each library's attainment of state and federal library

1 standards. The remaining funds shall be paid to libraries in two installments equal to 50 percent of the
2 total amount allocated to that library, one installment upon signature of the contract and the second
3 installment in January of the fiscal year. Funds granted to any library under the provisions of 29 Del. C.
4 c. 66, if unspent at the end of the fiscal year shall not revert to the General Fund, but instead shall be held
5 in an account for the benefit of the library from which the unspent funds came. These funds may be spent
6 in subsequent years for purposes described in 29 Del. C. c. 66. The use of such carryover funds shall not
7 be used as part of any subsequent years' formula payment.

8 Section 119. The Department of State shall establish the shift differential for Licensed Practical
9 Nurses employed at the Delaware Veterans Home at 10 percent for 3-11 shifts on weekdays and 7-3 shifts
10 on weekends. The shift differential shall be established at 15 percent for 11-7 shifts on weekdays and 3-11
11 shifts on weekends. The shift differential for the 11-7 weekend shifts shall be established at 20 percent.
12 To the extent or where an employee is covered by a collective bargaining agreement pursuant to 19 Del.
13 C. § 1311A, the terms and conditions of said agreement shall apply.

14 Section 120. The Department of State shall have the authority to fill vacant positions at the
15 Delaware Veterans Home with qualified applicants for the Nursing Assistant, Certified Nursing Assistant,
16 Active Treatment Facilitator, Licensed Practical Nurse, Registered Nurse, Physician, Dentist, and
17 Psychiatrist classifications by agency recruitment efforts unless an eligibility list is required by federal
18 law for that position.

19 Section 121. Any shortfall in ASF revenue within the Delaware Cultural Access Fund received
20 by the State pursuant to 29 Del. C § 525 may be supplemented by funds received by the Secretary of State
21 through 29 Del. C. § 2311.

FINANCE

1
2 Section 122. 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 123. 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 124. 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 125. 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 60507), 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 60513), from which contingency and other fees,
9 including legal expenses incident to escheat compliance and enforcement, may be paid to compensate
10 persons locating or substantiating property to be escheated to the State or to other persons identifying
11 abandoned property by means of audit or otherwise, and into which abandoned property remittances may,
12 at the discretion of the Secretary, be deposited.

13 Notwithstanding the provisions of any other law, the Secretary of Finance or his or her designee
14 may enter into or maintain escrow, custodian or similar agreements for the purpose of protecting the
15 State's interest in property to be escheated or fees payable pursuant to the aforesaid agreements. In the
16 event that the Department of Finance's amount of Contractual Services in Escheat Enforcement
17 (appropriation 60513) shall exceed the amount in Section 1 of this Act due to higher than anticipated legal
18 expenses or audit or other collections, the Appropriated Special Fund Budget in Section 1 of this Act may
19 be amended by the Secretary of Finance, the Controller General and the Director of the Office of
20 Management and Budget. Unencumbered balances in Escheat on June 30 in excess of \$275.0 shall revert
21 to the General Fund. Unencumbered balances in Escheat Enforcement on June 30 in excess of \$7,000.0
22 shall revert to the General Fund.

23 Section 126. The Director of Revenue may, in the Director's discretion and in lieu of the
24 requirements of 30 Del. C. § 356, mail to any taxpayer a paper or electronic notification setting forth:

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

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

1 Section 127. (a) In the event that the State Lottery's amount of Contractual Services shall exceed
2 the amount in Section 1 of this Act due to increased lottery ticket sales, the Appropriated Special Fund
3 Budget in Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and
4 the Director of the Office of Management and Budget, provided that the total operating budget for this
5 fiscal year shall not exceed 20 percent of gross sales as limited by 29 Del. C. § 4815(a).

6 (b) In the event that the State Lottery's amount of Contractual Services shall exceed the amount
7 in Section 1 of this Act due to increased video lottery net proceeds, the Appropriated Special Funds in
8 Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and the
9 Director of the Office of Management and Budget, subject to the limitations outlined in 29 Del. C. §
10 4815(b).

11 Section 128. Pursuant to 29 Del. C. § 4815(b)(2) and 29 Del. C. § 4815(d)(1)(b), funds from the
12 State Lottery Fund shall be released to an appropriately established account within the Department of
13 Health and Social Services, Substance Abuse and Mental Health (35-06-00) on or before the fifteenth day
14 of each month, the amount of which shall be based on the results of video lottery operations and table
15 game operations, respectively conducted during the immediately preceding month.

16 Section 129. Pursuant to 29 Del. C. § 4805(b)(4), the State Lottery Office (25-07-01) is
17 authorized to enter into an agreement with other state lotteries for participation in multi-jurisdictional,
18 wide-area, progressive video lottery games. The State Lottery Office is authorized to contract with these
19 other state lotteries for the procurement of services for implementation of multi-jurisdictional, wide-area,
20 progressive video lottery games, and the provisions of 29 Del. C. c. 69 shall not apply.

1 **HEALTH AND SOCIAL SERVICES**

2 Section 130. 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 131. Section 1 of this Act appropriates funding and 0.5 ASF and 0.5 NSF position to the
8 Department of Health and Social Services, Administration, Office of the Secretary (35-01-10) for a Home
9 and Community-Based Services Ombudsman (HCBSO). This position will report directly to the State
10 Long-Term Care Ombudsman and will serve as a principal point of contact for adult home and
11 community-based consumers. The HCBSO will function as a mediator and facilitate conflict resolution
12 relative to services for adults residing in home and community-based settings and/or receiving services
13 from providers licensed to provide home and community-based services in the State of Delaware. In
14 addition, the HCBSO will contribute to the development of state long-term care policy by means of
15 sharing data, information, and funding from an array of home and community-based service system
16 monitoring and related activities.

17 Section 132. (a) Results of investigations conducted by the Audit and Recovery Management
18 Services concerning any and all public welfare programs administered by the Department of Health and
19 Social Services that indicate possible error or fraud shall be transmitted to the Office of the Attorney
20 General directly by the Secretary of the Department of Health and Social Services. The Office of the
21 Attorney General shall prosecute those cases deemed actionable and return the rest to the Department of
22 Health and Social Services for collection of overpayment. The Secretary of the Department of Health and
23 Social Services shall file an annual report directly with the Director of the Office of Management and
24 Budget and the Controller General.

25 (b) Section 1 of this Act provides an appropriation of \$232.8 ASF in the Department of Health
26 and Social Services, Administration, Management Services (35-01-20), Program Integrity for the
27 operation of the Audit Recovery and Management Services (ARMS) unit. Revenue from ARMS

1 collections related to Public Assistance programs shall fund this account. All revenue in excess of the
2 Program Integrity's ASF authority shall be deposited as designated by 29 Del. C. § 6102.

3 Section 133. Section 1 of this Act appropriates \$225.0 to the Department of Health and Social
4 Services, Office of the Secretary, Delaware Health Care Commission (35-01-10) for the Uninsured
5 Action Plan. It is the intent of the Administration and the General Assembly that these funds shall be
6 used for the continuation of the services provided under the plan after all other available funds for this
7 purpose have been exhausted. The Commission shall submit a report to the Director of the Office of
8 Management and Budget and the Controller General no later than October 15 of each fiscal year detailing
9 the plan for the expenditure of these funds.

10 Section 134. (a) Section 1 of this Act appropriates \$513.0 to the Department of Health and Social
11 Services, Office of the Secretary, Delaware Institute of Dental Education and Research (DIDER) (35-01-
12 10). This amount shall be allocated as follows:

13	Temple University School of Dentistry	\$275.0
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) \$275.0 of the allocation identified above shall be used to support twenty-one dental slots at
25 the Temple University School of Dentistry.

26 (e) Any loan or scholarship program developed by the DIDER Board shall be repaid under terms
27 and conditions coordinated with the Delaware Higher Education Commission, who shall be responsible
28 for monitoring and enforcement. In designing either a scholarship or loan program, the DIDER Board

1 shall consider the need to assure that there is a continuing supply of dentists for Delaware. Scholarships,
2 loans and loan repayment programs shall be approved by the Delaware Health Care Commission, the
3 Director of the Office of Management and Budget and the Controller General.

4 Section 135. The General Assembly directs the Department of Health and Social Services, Office
5 of the Secretary, Health Care Commission to require DIDER loan repayment recipients to agree to
6 provide preventive dental care to eligible clients of the Division of Developmental Disabilities Services.
7 The Secretary of Department of Health and Social Services shall work with the DIDER board to
8 determine eligibility and the number of clients to be served.

9 Section 136. Section 1 of this Act appropriates \$1,650.0 to the Department of Health and Social
10 Services, Office of the Secretary, Delaware Institute of Medical Education and Research (DIMER) (35-
11 01-10). This amount shall be allocated as follows:

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

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

19 Any loan or scholarship program developed by the DIMER Board will be repaid under terms and
20 conditions that will be coordinated with the Delaware Higher Education Commission, who shall be
21 responsible for monitoring and enforcement. In designing either a scholarship or loan program, the
22 DIMER Board will consider the need to assure that there is a continuing supply of physicians for
23 Delaware. The loan repayment allocation of \$150.0 shall be used to recruit physicians or other
24 practitioners eligible under the loan repayment program and to recruit and retain practitioners in
25 underserved areas of Delaware. Recruitment tools include, but are not limited to, loan repayment
26 programs. Scholarships, loans and loan repayment programs will be approved by the Delaware Health
27 Care Commission, the Director of the Office of Management and Budget and the Controller General.

1 Section 137. (a) Section 1 of this Act appropriates \$2,858.9 in the Department of Health and
2 Social Services, Administration, Management Services (35-01-20) under Early Intervention for the Part C
3 Birth to Three Program. The Interagency Resource Management Committee (IRMC) shall consult and
4 advise the lead agency in setting program eligibility standards and shall have the authority to allocate such
5 funds, and may advise on the use of other funds specifically designated for this project. Section 1 of this
6 Act includes 33.5 FTEs in Department of Health and Social Services, Public Health, Community Health
7 (35-05-20), 2.0 FTEs in Department of Health and Social Services, Developmental Disabilities Services,
8 Administration (35-11-10), and 2.0 FTEs in Department of Education, Education (95-01-01) to provide
9 appropriate services for Children Birth to Three, selected through the early intervention process and to
10 ensure coordination with the Program for Children with Disabilities. In addition, the IRMC may
11 recommend the transfer of General Fund positions and/or General Fund dollars from the Department of
12 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 138. 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 139. 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 140. (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 (1) 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 (2) 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 141. 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 and the
2 Delaware Prescription Assistance program. The division shall establish a rebate process that it
3 determines is in the best interests of the citizens who are being served. The rebate amount shall be
4 calculated using the full methodology prescribed by the federal government for the Medicaid program. In
5 addition, the division is authorized to negotiate rebates with drug companies for both Medicaid and other
6 programs. Notwithstanding any provisions of the Delaware Code to the contrary, the division shall
7 deposit any drug rebate funds received as well as third party insurance collections (minus retention
8 amounts) and other collections into the appropriate Medicaid and Medical Assistance program account
9 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 142. The number of Delawareans being served by Medicaid has been increasing at a
19 dramatic rate and is projected to reach 200,000 persons during Fiscal Year 2012. As a result of rising
20 health care costs and the loss of American Recovery and Reinvestment Act (ARRA) funds, Medicaid
21 shall work to implement service limitations and cost sharing agreements where appropriate and
22 permissible under federal regulations. Furthermore, the department shall work with commercial Managed
23 Care Organizations to explore the possibility of obtaining more competitive rates by expanding networks
24 to include out-of-state providers within reasonable distance and by increasing the utilization of lower cost
25 services. As a result, Section 1 of this Act includes in Medicaid and Medical Assistance (35-02-01) a
26 reduction of \$5,000.0 in Medicaid.

1 Section 143. In order to increase the availability of community-based long term care services and
2 supports and reduce reliance on more expensive institutional care, Medicaid and Medical Assistance (35-
3 02-01) will proceed with the implementation of an Integrated Long Term Care program.

4 Section 144. The Department of Health and Social Services is authorized to contract for the
5 procurement of managed care services for the Delaware Medical Assistance Program. The provisions of
6 29 Del. C. c. 69 shall not apply to such contracts.

7 Section 145. Section 1 of this Act provides an appropriation to the Department of Health and
8 Social Services, Medicaid and Medical Assistance (35-02-01) for Renal Disease.

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

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

22 Section 146. Section 1 of this Act includes 2.0 NSF FTEs in the Department of Health and Social
23 Services, Social Services (35-07-01). These Medicaid Eligibility Specialist positions will be funded
24 through voluntary contributions from medical facilities and from federal matching funds. These positions
25 will expedite the Medicaid Eligibility application process for Medicaid clients, and will ensure that these
26 clients apply for services through Medicaid, if appropriate, thereby maximizing federal revenues for the
27 State of Delaware. Other medical facilities throughout the State may participate in this program.

1 Section 147. Section 1 of this Act includes an appropriation to the Department of Health and
2 Social Services, Public Health, Director's Office/Support Services (35-05-10) for Contractual Services.
3 Of that amount, \$446.4 shall be used for the purpose of providing school nursing services five days a
4 week to non-public schools in New Castle County and Kent County.

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

8 Section 148. Section 1 of this Act provides an appropriation for the Department of Health and
9 Social Services, Public Health, Community Health (35-05-20) to provide Hepatitis B and other necessary
10 childhood vaccinations for children between infancy and young adulthood who are uninsured, are not
11 eligible for any Federal program providing the vaccination, and are otherwise medically indigent.

12 Section 149. Section 1 of this Act makes an appropriation of \$75.0 ASF in Contractual Services
13 from the Tobacco Settlement Agreement to the Department of Health and Social Services, Public Health,
14 Community Health (35-05-20) to implement a Hepatitis B Vaccination Program for Correctional Officers
15 and Probation and Parole Officers within the Department of Correction. For the purpose of this program,
16 Correctional Officers shall be defined as any employee within the Correctional Officer Series through
17 Captain and Probation and Parole Officers shall be defined as Probation and Parole Officers I through
18 Senior Probation and Parole Officers. Public Health shall purchase and administer the vaccine upon
19 request. It is the intent of the General Assembly that in Fiscal Year 2010 the Correctional Officers and
20 Probation and Parole Officers with the most direct prisoner contact will receive the vaccination series and
21 in subsequent years the remaining staff shall be vaccinated.

22 Section 150. The State desires to establish a permanent funding program for rodent control
23 activities at the local level by providing the City of Wilmington \$15.0; New Castle County \$15.0; Kent
24 County \$10.0; and Sussex County \$10.0. The Department of Health and Social Services, Public Health,
25 Community Health (35-05-20) shall dispense these funds to local governments in lump sum payments to
26 be made no later than September 1 of each fiscal year; establish program objectives and spending
27 guidelines; require regular expenditure reporting to the State; and allow unexpended funds to carry over at
28 the local level into the next fiscal year.

1 Section 151. The Department of Health and Social Services, Public Health, Community Health
2 (35-05-20) will receive a portion of the Federal Medicaid reimbursement for services to Medicaid eligible
3 students in School Based Health Centers. The division shall be allowed to collect and deposit up to
4 \$102.0 of the revenue into an ASF account entitled School Based Health Centers to support the cost of
5 this initiative. Up to \$600.0 of the remaining revenue will be deposited into an ASF account in Medicaid
6 and Medical Assistance (35-02-01) and used for expenses associated with the normal operations of the
7 Medicaid program. This amount may be increased subject to approval from the Director of the Office of
8 Management and Budget and Controller General.

9 Section 152. Section 1 of this Act makes an appropriation to the Department of Health and Social
10 Services, Public Health, Community Health (35-05-20) for supplies and materials. Of that appropriation,
11 \$10.0 is to be used to purchase chemical reference materials for the Office of Environmental Health
12 Evaluation.

13 Section 153. (a) Section 1 of this Act provides funding for the Department of Health and Social
14 Services, Public Health, Community Health, Office of Drinking Water (35-05-20) to administer the
15 Drinking Water State Revolving Fund (DWSRF). This Fund consists of funding from the State Twenty
16 First Century Fund and United States Environmental Protection Agency and includes appropriations for
17 technical assistance and water operator training for drinking water systems in the State. The
18 Environmental Training Center at the Delaware Technical and Community College and the Delaware
19 Rural Water Association are the current providers of water operator training and drinking water system
20 technical assistance in Delaware. Therefore, available funding through the DWSRF for training and
21 technical assistance shall be distributed appropriately to these agencies.

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

26 Section 154. Section 1 of this Act appropriates funds to the Department of Health and Social
27 Services, Public Health, Community Health (35-05-20) and to the Administrative Office of the Courts,
28 Non-Judicial Services, Child Death, Near Death and Stillbirth Commission (02-18-06) for infant

1 mortality. More specifically, the funds are to implement recommendations of the Infant Mortality Task
2 Force. Included are \$4,428.9 in the Infant Mortality Task Force and 3.0 FTEs in Community Health (35-
3 05-20) and funding for Personnel Costs in the Infant Mortality Task Force in Child Death, Near Death
4 and Stillbirth Commission (02-18-06). The Department of Health and Social Services shall submit an
5 update on the spending plan for these funds to the Director of the Office of Management and Budget and
6 Controller General no later than November 1 of each fiscal year.

7 Section 155. Of the funds derived from those State Lottery funds transferred to the Department
8 of Health and Social Services, Substance Abuse and Mental Health Services pursuant to 29 Del. C. §
9 4815 (b)(2), \$20.0 ASF shall be used by the division to create and/or continue an Addiction Prevention
10 Program in all Delaware high schools on the subject of compulsive gambling. These funds shall provide,
11 but not be limited to, the following:

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

16 Section 156. The Department of Health and Social Services, Substance Abuse and Mental Health
17 (35-06-00) is encouraged, where appropriate, to reallocate resources so as to create a balanced system of
18 services and treatment for persons with mental illness. Such reallocation initiatives must be made within
19 the total division's appropriation limit with the approval of the Director of the Office of Management and
20 Budget and the Controller General. These reallocation initiatives shall not compromise the standard of
21 care of the division's clients.

22 Section 157. Section 1 of this Act appropriates \$3,500.0 in Community Placements in Health and
23 Social Services, Substance Abuse and Mental Health, Community Mental Health (35-06-20). The
24 department shall utilize the funds to transition Delaware Psychiatric Center residents into the community.
25 As a result, the department shall realize savings in future fiscal years through analyzing staffing and
26 operational needs.

1 Section 158. The Merit Rules notwithstanding, Department of Health and Social Services
2 employees designated as Psychiatrists, as well as the Chief Psychiatrist in the Delaware Psychiatric
3 Center (35-06-30) shall be eligible for standby pay and call back pay.

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

8 It is understood that participants in this program will provide clinical services with compensation
9 to Delaware Psychiatric Center during the duration of their education. It is further understood that these
10 individuals shall remain employees of Delaware Psychiatric Center for a minimum of one year after
11 graduation or shall reimburse the State for any and all tuition received. It is further understood that any
12 individuals who do not successfully complete their courses shall be required to reimburse the State for the
13 cost of the tuition per divisional policy.

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

21 Section 161. Section 1 of this Act provides an appropriation of \$1,200.0 ASF to the Department
22 of Health and Social Services, Social Services (35-07-01) for TANF Cash Assistance Pass Through. The
23 division shall be allowed to collect and deposit funds into this account as a result of child support
24 payments collected by the Division of Child Support Enforcement on behalf of TANF clients. These
25 funds will be used by Social Services to make supplemental payments to clients who are eligible to retain
26 a portion of their child support under State and Federal TANF budgeting rules.

1 Section 162. (a) For State Fiscal Year 2012, no funding has been allocated for the General
2 Assistance Program in the Division of Social Services (35-07-00). Therefore, pursuant to 31 Del. C. §
3 503(c), no grants will be provided under this Program during State Fiscal Year 2012.

4 (b) Section 1 of this Act appropriates \$1,500.0 in the Office of Management and Budget's
5 Contingencies and One-Time Items. The purpose of this appropriation is to provide former General
6 Assistance recipients links to community services as well as potential federal benefits for which they may
7 be eligible. A report detailing how the funds were spent, including number of people served shall be
8 provided to the Director of the Office of Management and Budget and the Controller General on or before
9 October 15, 2011.

10 Section 163. Notwithstanding any provisions of the Delaware Code to the contrary, the
11 Department of Health and Social Services, Social Services (35-07-01) is authorized to make such policy
12 changes in the administration of the Temporary Assistance for Needy Families (TANF) and Child Care
13 Development Block Grant programs as may be necessary to assure that Delaware will qualify for the full
14 amount of its federal block grant entitlement funds. Any changes require the prior approval of the
15 Director of the Office of Management and Budget and Controller General.

16 Section 164. Section 1 of this Act appropriates Personnel Costs and 31.5 FTEs to the Department
17 of Health and Social Services, Visually Impaired (35-08-00). This section authorizes 1.0 FTE in addition
18 to the 7.0 FTEs itinerant teachers available to meet caseload requirements for the Braille Literacy Act.
19 This additional FTE may be filled if the current fiscal year September educational unit count indicates the
20 number of teachers required to meet caseloads for visually impaired students is greater than the current
21 fiscal year complement of teachers.

22 Section 165. Section 1 of this Act provides an appropriation to the Department of Health and
23 Social Services, Visually Impaired (35-08-01) for Contractual Services. Of that amount, \$15.9 shall be
24 used to compensate correctional inmates for the purpose of producing Braille materials for visually
25 impaired school children.

26 Section 166. Section 1 of this Act provides an appropriation of \$1,202.8 ASF in the Department
27 of Health and Social Services, Child Support Enforcement (35-10-00) for the operation of the division.
28 Revenue from child support collections shall fund this account and the related 2.2 ASF FTEs. The

1 department shall continue its efforts to maintain collections related to child support programs, and all
2 revenue in excess of the division's ASF authority shall be deposited as designated by 29 Del. C. § 6102.

3 Section 167. Section 1 of this Act provides an appropriation to the Department of Health and
4 Social Services, Child Support Enforcement (35-10-00) for Contractual Services. Of that amount, \$211.1
5 is for programming costs for the DACSES Redevelopment Project. Child Support Enforcement shall
6 have the authority to contract for IT resources needed to augment existing programming staff for the
7 duration of this project. At the project's conclusion, the division shall have the authority, with approval
8 from the Director of the Office of Management and Budget and Controller General, to transfer these
9 funds to Personnel Costs and establish up to 3.0 positions and 5.0 NSF positions in order to support
10 DACSES system maintenance.

11 Section 168. The Department of Health and Social Services, Developmental Disabilities Services
12 (35-11-00) may rebase, once every one to three years, its Inventory for Client and Agency Planning
13 (ICAP) based rate setting system. This rebasing will be predicated on raising the direct care staff wage
14 and mirroring elements in the model to keep pace with changing economic conditions on regional and
15 national level that will ensure a livable wage for workers and provide continuity of care to individuals
16 with developmental disabilities.

17 Section 169. The Department of Health and Social Services, Developmental Disabilities Services
18 (35-11-00) is encouraged, where appropriate, to reallocate resources so as to maximize community-based
19 residential placements for persons with developmental disabilities. Such reallocation initiatives must be
20 made within the total division's appropriation limit with the approval of the Director of the Office of
21 Management and Budget and the Controller General. These reallocation initiatives shall not compromise
22 the standard of care of the remaining Stockley Center population.

23 Section 170. Section 1 of this Act makes an appropriation to the Department of Health and Social
24 Services, Developmental Disabilities Services (35-11-00) for Purchase of Care. Of that appropriation,
25 \$50.0 is appropriated to support individuals receiving respite care services at the Fiscal Year 2005
26 contract levels.

27 Section 171. The Department of Health and Social Services, Developmental Disabilities
28 Services, Community Services (35-11-30) receives Medicaid reimbursement for the provision of day

1 rehabilitation services provided in state operated day centers. Notwithstanding the provisions of 29 Del.
2 C. § 6102, the division shall be allowed to collect and deposit the Medicaid reimbursement in an
3 Appropriated Special Fund. Receipts in the account may be used to fund community residential, day
4 program, respite and other related contracts currently funded out of the Purchase of Care and Purchase of
5 Community Services lines.

6 Section 172. Section 1 of this Act provides an appropriation of \$2,431.2 ASF to the Department
7 of Health and Social Services, Developmental Disabilities Services, Community Services (35-11-30) for
8 Purchase of Care. The division shall be allowed to collect and deposit funds into this account as a result
9 of revenue from implementation of a sliding fee scale, Medicaid transportation reimbursements, patient
10 payments and tenant fees and Medicaid receipts from state operated group homes and state operated
11 apartments.

12 Section 173. Section 1 of this Act includes funding for Contractual Services for Department of
13 Health and Social Services, State Service Centers, Community Services (35-12-30). Of this amount,
14 \$10.0 shall be used for the Delaware Helpline. Available funds designated for the Delaware Helpline
15 may be distributed annually in a lump sum at the beginning of the contract year.

16 Section 174. Section 1 of this Act appropriates \$3.0 in Contractual Services to the Department of
17 Health and Social Services, State Service Centers, Community Services (35-12-30). These funds are to
18 be used to reimburse emergency shelters for housing homeless women in Kent County during Code
19 Purple conditions. Code Purple is defined as nights when the temperature is 25 degrees or below or in
20 emergency weather conditions such as an ice storm or a blizzard.

21 Section 175. The Department of Health and Social Services, Services for Aging and Adults with
22 Physical Disabilities (35-14-00) is encouraged, where appropriate, to reallocate resources so as to create a
23 balanced system of services and treatment among the internal program units: Delaware Hospital for the
24 Chronically Ill (35-14-20), Emily Bissell (35-14-30), Governor Bacon (35-14-40) and community-based
25 services for persons aging and/or with physical disabilities. Such reallocation initiatives must be made
26 within the total division's appropriation limit with the approval of the Director of the Office of
27 Management and Budget and the Controller General. These reallocation initiatives shall not compromise
28 the standard of care of the remaining Long Term Care population.

1 Section 176. Department of Health and Social Services, Services for Aging and Adults with
2 Physical Disabilities (35-14-00) will receive Medicaid reimbursement for the administration of
3 community based services for the Aging and Adults with Physical Disabilities population.
4 Notwithstanding the provisions of 29 Del. C. § 6102, the division shall be allowed to collect and deposit
5 the Medicaid reimbursement in an Appropriated Special Fund account entitled "Community Based
6 Services Reimbursement." Receipts in the account may be used to maintain existing services and provide
7 additional services for adults with physical disabilities. Such services are not to exceed the estimated
8 annualized revenue, and are subject to initial and on-going review by the Director of the Office of
9 Management and Budget and the Controller General.

10 Section 177. Section 1 of this Act makes an appropriation to the Department of Health and Social
11 Services, Services for Aging and Adults with Physical Disabilities (35-14-00) for Respite Care. Of that
12 appropriation, \$110.0 is appropriated to support families provided respite care services through the
13 Caregiver Program.

14 Section 178. Section 1 of this Act includes \$25.0 ASF in the Department of Health and Social
15 Services, Services for Aging and Adults with Physical Disabilities, Delaware Hospital for the Chronically
16 Ill (35-14-20) for Hospice. The division shall be allowed to collect and deposit funds into this account as
17 a result of revenue generated from pharmaceuticals associated with Hospice services being provided.

18 Section 179. Any non-state agency whose employees are required to receive criminal
19 background checks pursuant to 11 Del. C. § 1141 and § 1145, shall provide to the Department of Health
20 and Social Services (DHSS) quarterly reports including a list of all employees hired over the proceeding
21 quarter for the purposes of verification. DHSS shall review those lists to ensure compliance with 11 Del.
22 C. § 1141 and § 1145.

CHILDREN, YOUTH AND THEIR FAMILIES

Section 180. During the fiscal year, the Department of Services for Children, Youth and Their Families may develop proposals to enhance or develop services provided in the State of Delaware. These proposals shall include cost estimates that will demonstrate the cost effectiveness of the new or enhanced services. In the event that a new service would require additional state employees, the department may request new positions that will be funded by a structural change from existing appropriations within the department. Any new positions and funding changes must be approved by the Director of the Office of Management and Budget and the Controller General.

Section 181. The Department of Services for Children, Youth and Their Families, Management Support Services (37-01-00) shall have 1.0 FTE exempt position in addition to those authorized by 29 Del. C. § 5903.

Section 182. Section 1 of this Act provides an appropriation of \$588.5 and \$284.3 ASF to the Department of Services for Children, Youth and Their Families, Prevention of Behavioral Health Services (37-04-00). These funds shall be used to operate a Drug Court Program with Family Court. In addition, recovered Medicaid funds will be directed towards the Drug Court Program. Said funds are intended to serve 140 youth during this fiscal year, with a maximum of 70 youth at any one time.

Section 183. Funds which are appropriated for foster care of children in Section 1 of this Act in the Department of Services for Children, Youth and Their Families, Family Services (37-06-00), are made available with the goal of limiting the number of children who remain in foster care for more than two years to 270. The 1997 Adoption and Safe Families Act (ASFA) codified reasonable exceptions for cases where youth may need to remain in foster care for extended periods of time through proper planning. ASFA also allows for Alternative Planned Permanency Living Arrangement (APPLA) designation, which allows more youth to enter long-term foster care placements. The department shall file an annual report of the number of youth in foster care to the Office of Management and Budget and the Controller General by October 1 of each year.

Section 184. (a) As a means of monitoring and continuing to improve the expenditure of casual/seasonal and overtime in Youth Rehabilitative Services, Secure Care (37-05-50), the Secretary of the Department of Services for Children, Youth and Their Families shall file a quarterly report with the

1 Director of the Office of Management and Budget and the Controller General on casual/seasonal and
2 overtime expenditures. The report shall include, but not be limited to, sick leave usage, vacancy rates,
3 training and transportation costs at the Ferris School, New Castle County Detention Center and Stevenson
4 House. The report should reflect all actions (including disciplinary) being taken to expeditiously correct
5 the noted problem areas.

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

11 Section 185. Section 1 of this Act provides \$341.7 ASF to the Department of Services for
12 Children, Youth and Their Families for the purpose of supporting the Young Criminal Offender Program
13 located at the Department of Correction, Prisons, Howard R. Young Correctional Institution (38-04-06).

14 Section 186. Section 1 of this Act provides \$113.3 ASF to the Department of Services for
15 Children, Youth and Their Families for the purpose of supporting a Family Court Commissioner to assist
16 in the Child Protection Registry appeal process as required pursuant to 16 Del. C. c. 9.

17 Section 187. (a) In addition to the positions authorized in Section 1 of this Act for Family
18 Services, Intake/Investigation (37-06-30) and Intervention/Treatment (37-06-40), the Director of the
19 Office of Management and Budget may authorize additional training positions for the purpose of training
20 investigative and treatment workers.

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

23 Section 188. If the quarterly average daily population at the New Castle County Detention Center
24 is below 114, the Director of the Office of Management and Budget and the Controller General may
25 reduce the number of casual/seasonal or full-time positions through attrition.

1 **CORRECTION**

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

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

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

14 Section 191. The Department of Correction is authorized to contract for the procurement of
15 health care services to the Department's incarcerated population. For Fiscal Year 2012, the provisions of
16 29 Del. C. c. 69 shall not apply to such contracts.

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

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

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

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

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

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

21 Section 198. (a) Section 1 of this Act makes an appropriation of \$4,725.5 to the Department of
22 Correction, Correctional Healthcare Services, Medical Treatment and Services (38-02-01) for Drug and
23 Alcohol Treatment Services; and \$282.0 to the Department of Correction, Community Corrections,
24 Bureau Chief - Community Corrections (38-06-01). Funding in Department of Correction, Community
25 Corrections, Probation and Parole (38-06-02) will be augmented by \$250.0 ASF from the Substance
26 Abuse Rehabilitation, Treatment, Education and Prevention Fund. All funds described in this section are
27 intended to support drug and alcohol treatment programs provided by the department to individuals in its

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

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

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

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

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

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

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

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

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

11 Section 202. Prison education services (38-04-11) shall be provided by utilizing existing teachers
12 that are in the Department of Correction as well as authorized teaching positions in the Department of
13 Education, Block Grants and Other Pass Through Programs, Special Needs Programs (95-03-20). The
14 management of all educational positions shall be provided by the Department of Education. Department
15 of Correction teachers shall have the opportunity each year to notify both agencies of their intent to
16 transfer to the Department of Education. Such notification shall be made by April 15 of each year to
17 become effective July 1 of that calendar year. Any position transfer made pursuant to this section shall
18 be permanent.

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

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

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

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

13 Section 206. Section 1 of this Act appropriates \$52,018.2 to the Department of Correction,
14 Correctional Healthcare Services, Medical Treatment and Services (38-02-01). The Department of
15 Correction shall provide quarterly reports relating to medical vendor performance to the Chairs of the
16 Joint Finance Committee, the Chairs of the House and Senate Correction Committees, the Controller
17 General and the Director of the Office of Management and Budget. Reports shall include, but not be
18 limited to, medical staffing levels, overall performance and plans for improvement.

1 **NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**

2 Section 207. Section 1 of this Act appropriates 1.0 ASF FTE Enforcement Coordinator position,
3 which shall be exempt from the Merit System, to the Department of Natural Resources and
4 Environmental Control, Office of the Secretary, Community Services (40-01-03) to be funded through
5 expenses incurred and recovered by the department, related to processing of administrative enforcement
6 actions under 7 Del. C. c. 60. Violators shall be liable for the following expenses of the investigation
7 incurred by the State after the notice of violation is issued: direct costs of the investigation; legal
8 assistance including paralegal assistance; public hearings; all other costs expressly determined by the
9 Secretary as reasonably related to the investigation of the incident; and the indirect costs related to all of
10 the above.

11 Section 208. Section 1 of this Act appropriates Personnel Costs and 1.0 ASF FTE Green Energy
12 Program Administrator, \$1.0 ASF in Travel, and \$5.0 ASF in Contractual Services from the Green
13 Energy Fund to the Department of Natural Resources and Environmental Control, Office of the Secretary
14 (40-01-00).

15 Section 209. The Office of Natural Resources, Division of Fish and Wildlife is authorized to
16 expend funds carried forward from the sale of boat registration fees, effective Fiscal Year 2000 and
17 thereafter, for the purpose of supporting fisheries programs and marine enforcement.

18 Section 210. Notwithstanding the provisions of 7 Del. C. § 6042(c), Section 1 of this Act
19 appropriates 0.5 ASF FTE Ombudsman to the Department of Natural Resources and Environmental
20 Control, Office of the Secretary, Community Services (40-01-03) to be funded through the Community
21 Environmental Fund.

22 Section 211. Section 1 of this Act authorizes the Office of Natural Resources, Division of Fish
23 and Wildlife (40-03-03) to spend up to \$6,024.2 in Appropriated Special Funds. Within this amount, the
24 division is authorized to undertake capital expenditures to maintain/develop fish and wildlife recreational
25 areas. These expenditures should be in accordance with the Capital Development Plan for the division,
26 submitted as an attachment to the department's Annual Fiscal Year Capital Improvement Program. Any
27 deviation from the listed projects must be approved by the Director of the Office of Management and
28 Budget and the Controller General.

1 Section 212. Section 1 of this Act appropriates funds for Contractual Services in the Office of
2 Natural Resources, Division of Parks and Recreation (40-03-02). Of this amount, \$14.4 ASF shall be
3 used for the leasing of an enforcement vehicle and Interpretive Program vehicle at Killens Pond State
4 Park.

5 Section 213. Section 1 of this Act makes an appropriation to the Department of Natural
6 Resources, Office of Natural Resources, Division of Parks and Recreation (40-03-02). Of this amount,
7 \$17.3 ASF shall be used to fund casual/seasonal positions for Killens Pond Waterpark and \$8.5 ASF shall
8 be used for program services and contractual services at the Bellevue State Park system.

9 Section 214. Section 1 of this Act makes an appropriation to the Department of Natural
10 Resources and Environmental Control, Office of Natural Resources, Division of Parks and Recreation
11 (40-03-02). Of that appropriation \$10.1 ASF is to be spent on promotion and programs for Trap Pond
12 State Park as follows: \$5.0 ASF for Contractual Services, \$5.0 ASF for Supplies and Materials and \$0.1
13 ASF for Travel.

14 Section 215. 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 216. 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 217. Section 1 of this Act makes an appropriation to the Office of Natural Resources,
22 Division of Watershed Stewardship (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 218. Section 1 of this Act makes an appropriation to the Department of Natural
25 Resources and Environmental Control, Office of Environmental Protection, Division of Water (40-04-03).
26 Of that amount, \$1.0 shall be set aside for the Environmental Science Scholarship program.

27 Section 219. It is intent of the General Assembly that the Department of Natural Resources and
28 Environmental Control shall be required, pending legal review, to post on its Internet website within three

1 working days, all unclassified misdemeanors issued by the Office of the Secretary, Community Services
2 (40-01-03) Enforcement Officers after such citations have been entered in the courts.

3 Section 220. Section 1 of this Act appropriates funds to support 2.0 FTEs within the Department
4 of Natural Resources and Environmental Control, Office of Environmental Protection, Division of Air
5 Quality (40-04-02). One position is an Engineer assigned to the Delaware City Petro Chemical Complex.
6 The second position is an Engineer assigned to Claymont/Edgemoor Industrial Complex. The
7 incumbents shall each submit an annual report to the Joint Finance Committee on February 1 of each
8 year, which summarizes the complaints and activities of the previous calendar year. These positions will
9 respond to and provide follow-up on complaints from the community on the air quality throughout New
10 Castle County.

11 Section 221. Section 1 of this Act appropriates funds to the Hazardous Substance Cleanup Act
12 (HSCA) Cleanup Fund in the Office of Environmental Protection, Division of Waste Management (40-
13 04-04). Funds to address orphan underground storage tank (UST) system removal and any remediation of
14 any resulting contamination from UST systems will be established pursuant to the annual expenditure
15 plan for the HSCA Cleanup Fund as required under 7 Del. C § 9104(c)(2). The term orphan UST system
16 shall be defined by the Department's Fund for the Inability to Rehabilitate Storage Tanks (FIRST) Fund
17 policy and include but not be limited to, situations where the tank owner or responsible party has shown
18 to the satisfaction of the Department that they do not have the ability to pay for the necessary UST system
19 removal and the remediation of any contamination. In such case, the Department shall not seek cost
20 recovery of the funds expended under the HSCA fund.

21 Section 222. The General Assembly herein acknowledges that certain programs within the
22 Department are funded all or in part by fee-based revenues. Every two years the Secretary shall perform
23 a review of fees assessed and collected by the Department to determine the revenue sufficiency of the fees
24 and programs they support and submit a report to the Director of the Office of Management and Budget
25 and the Controller General by October 1.

26 The review shall identify program elements that are funded through fees and other sources and
27 shall include an evaluation of effectiveness and efficiency. The review may include but is not limited to,
28 identification of operational changes that improve efficiency and effectiveness of operations and reduce

1 costs. The Secretary shall appoint a peer review team consisting of individuals familiar with the program
2 under review and provide them an opportunity for comment on the Department's findings.

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

5 Section 223. The Department of Natural Resources and Environmental Control, in addition to the
6 exempt line item positions in Section 10, is authorized five exempt administrative management positions
7 per the Fiscal Year 2010 complement.

8 Section 224. The Department of Natural Resources and Environmental Control shall submit an
9 annual report on the Weatherization Assistance Program (WAP) to the Director of the Office of
10 Management and Budget and the Controller General on or before March 15. The report shall provide a
11 synopsis of year to date activity, planned activity for the remainder of the fiscal year, proposed activity
12 for the next fiscal year and an assessment of the program to date. Activity shall include an itemized list of
13 funding received, total expenditures for each funding source, eligibility compliance and the number of
14 units completed from each funding source. Program assessment shall include the percentage of
15 completed units monitored, subgrantee evaluations (i.e. number of contractors, contractor procurement
16 methods, training administered, documentation retained as required and general contract compliance),
17 estimated energy savings for units completed and reporting metrics as required by the U.S. Department of
18 Energy.

1 **SAFETY AND HOMELAND SECURITY**

2 Section 225. 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 2012 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 226. 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 227. Section 1 of this Act includes 20 positions in State Police, Patrol (45-06-03) for the
21 purpose of training State Police recruits. Funding is authorized for initial use of these positions to
22 accommodate an anticipated graduating class of 15 troopers. The Director of the Office of Management
23 and Budget may authorize additional recruit positions accordingly.

24 Section 228. Notwithstanding 29 Del. C. c. 63 and c. 69 or any other statutory provision to the
25 contrary, the Department of Safety and Homeland Security is authorized to enter into agreements with
26 private telecommunications companies to use space for communication facilities on telecommunications
27 towers under the department's administration. The revenues paid to the State under these agreements

1 shall be designated for use by State Police in support of mobile data computing telecommunications
2 infrastructure cost, effective retroactively.

3 Section 229. The Department of Safety and Homeland Security, Office of the Secretary,
4 Administration (45-01-01) shall maintain an overtime expenditure report tracking the overtime usage of
5 Capitol Police (45-02-10). This report shall include the number of overtime hours worked as a result of
6 normal operating demand, the number of overtime hours worked as a result of special events demand, the
7 amount of overtime expenditures, and a detailed justification for the usage of the overtime hours. This
8 report shall be submitted to the Director of the Office of Management and Budget and the Controller
9 General on a quarterly basis.

10 Section 230. Section 1 of this Act appropriates Personnel Costs and 2.0 Traffic Light
11 Enforcement FTEs in Safety and Homeland Security, State Police, Traffic (45-06-07). The source of the
12 funding shall be from revenues generated as a result of the Red Light Enforcement Safety Program within
13 the Department of Transportation.

14 Section 231. Section 1 of this Act appropriates \$18.0 in Contractual Services to Developmental
15 Disabilities Council (45-01-50) for the Partners in Policymaking Program.

16 Section 232. Section 1 of this Act includes Personnel Costs and 6.0 ASF FTEs; \$58.6 ASF in
17 Contractual Services; and \$148.2 ASF in Supplies and Materials in the Department of Safety and
18 Homeland Security, State Police, Traffic (45-06-07) for the personnel and operating costs associated with
19 the Truck Enforcement Unit (TEU) to be funded through the Department of Transportation. Any
20 additional enhancements that are made to the TEU to remain in compliance with Title 23, Code of Federal
21 Regulations Part 657, shall occur through the annual budgetary process.

22 Section 233. Notwithstanding the provisions of 16 Del. C. § 10104, the Department of Safety and
23 Homeland Security shall disburse funds from the E-911 Emergency Reporting System Fund to cover rent
24 obligations at statewide 911 answering points. An annual report on the E-911 Emergency Reporting
25 System Fund shall be submitted to the Director of the Office of Management and Budget and Controller
26 General no later than September 15 of each year identifying prior year revenue and expenditures, and
27 forecasted revenue and expenditures for the current and upcoming three fiscal years.

1 Section 234. Section 1 of this Act includes \$40.0 ASF in Supplies and Materials in State Police,
2 Training (45-06-09) for the purpose of recovering costs associated with providing meals to recruits at the
3 State Police Academy.

4 Section 235. Section 1 of this Act includes \$160.0 ASF in Personnel Costs in State Police, Patrol
5 (45-06-03) for the purpose of recovering costs associated with providing patrol services at the State Fair.

6 Section 236. (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 237. 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 238. The Delaware Transportation Authority budget, as set forth in memorandum form
3 in Section 1 of this Act, shall be expended in accordance with the following limitations:

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

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

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

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

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

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

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

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

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

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

9 Section 239. Section 1 of this Act appropriates \$1,198.1 TFO to Finance (55-01-02) for
 10 Contractual Services. Of this amount, \$100.0 shall be allocated to the Maritime Exchange for the
 11 Delaware River and Bay.

12 Section 240. Section 1 of this Act makes an appropriation of \$1,283.3 TFO to Planning (55-03-
 13 01) for Contractual Services. Notwithstanding any other provision of the Delaware Code or this Act to the
 14 contrary, the Department of Transportation is authorized to contract with the University of Delaware's
 15 Institute for Public Administration and Delaware Center for Transportation for research purposes.

16 Section 241. Section 1 of this Act makes an appropriation in the amount of \$56,911.1 TFO to
 17 Maintenance and Operations, Maintenance Districts (55-04-70) and \$17,709.4 TFO to Motor Vehicles,
 18 Toll Administration (55-11-60).

19 The appropriation for both units may be allocated among the State's toll roads as follows:

Line Item	Toll Operations		Maintenance	E-ZPass	Total All
	I-95	SR-1			
Personnel Costs	3,141.9	3,258.5	8,005.6		14,406.0
Travel	6.0				6.0
Contractual Services	1,322.7	604.2	520.6	8,402.2	10,849.7
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
TOTALS	4,816.9	4,490.3	11,401.6	8,402.2	29,111.0
FTEs	57.0	64.0	152.0		273.0

20 Section 242. Section 1 of this Act provides an appropriation to Maintenance Districts (55-04-70)
 21 for Contractual Services. Of this appropriation, \$5.0 TFO shall be allocated to the Tina Fallon Ferry.

1 Section 243. 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 244. 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 245. 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 246. 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 247. 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 248. 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 249. 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 250. 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 251. 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 252. 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 253. All continuing appropriations being transferred to the account entitled Prior Year
4 Operations (55-01-02-93082) shall not be expended during Fiscal Year 2012 without the prior approval of
5 the Director of the Office of Management and Budget and the Controller General.

6 Section 254. (a) Section 1 of this Act makes an appropriation to Maintenance and Operations
7 (55-04-70) of \$172.1 TFO and authorizes 6.0 casual/seasonal positions at the Smyrna Rest Stop. With
8 these positions, the Department shall provide, at a minimum 12-hour coverage, staffing of the Visitor
9 Center 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 255. (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, 2011. The budget will take into consideration the funds required to commence the program at the end of Fiscal Year 2012, on or about June 15, 2012. 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

(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 10 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 256. 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 (65-01-13) pursuant to 29 Del. C.
4 § 6102A(d)(3). The Foundation shall not operate any accounts outside of the state accounting system.

5 Section 257. The Department of Agriculture may use up to \$135.0 annually from State forest
6 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 258. 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 259. 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 260. 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 261. 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 262. Section 1 of this Act appropriates \$51.1 ASF to Animal Health (65-01-09) for the
9 Spay/Neuter Program. Notwithstanding the Delaware Code or any other provision of this Act to the
10 contrary, the Department of Agriculture is authorized to fund the Spay/Neuter Administrator from the
11 special fund revenues received during the course of the fiscal year.

ELECTIONS

1
2 Section 263. Any Department of Elections, 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 State Election Commissioner shall approve the establishment of Combined Election Districts
13 within that respective county.

14 Section 264. Section 1 of this Act contains an appropriation for State Election Commissioner
15 (70-01-01), Other Items: Voter Purging, for the purpose of assisting the Department of Elections with its
16 statewide efforts to maintain the voter rolls in an orderly manner.

17 Section 265. For purposes of designating and procuring polling places for primary, general and
18 special elections, the respective county department of elections shall pay a rental fee totaling \$300.00 for
19 each facility used, no matter how many election districts are assigned to that facility.

20 Section 266. Any state agency, office or department is prohibited from publishing or funding the
21 publication of voter guides.

22 Section 267. Based on findings of the 2001 Tax Compliance Audit, specifically those regarding
23 poll worker compensation and deductions, all Department of Elections poll workers shall be compensated
24 through the Payroll/Human Resource Statewide Technology (PHRST) system if paid \$1,400.00 or more
25 during a calendar year. In addition, all appropriate deductions shall be taken from such compensation.
26 All Department of Elections poll workers who are paid under \$1,400.00 may be paid through the First
27 State Financials system.

1 Section 268. Notwithstanding the respective sections of 15 Del. C., the State Election
2 Commissioner may replace the signature cards and poll lists currently used with a revised poll list on
3 which voters would sign beside their personal information. The State Election Commissioner in
4 collaboration with the Department of Elections shall establish policies and procedures for use of the
5 revised poll list.

FIRE PREVENTION COMMISSION

1

2 Section 269. Section 1 of this Act appropriates \$2.0 to the Office of the State Fire Marshal (75-
3 01-01) for the purchase of smoke detectors and educational materials for the Juvenile Firesetter
4 Intervention Program.

5 Section 270. Section 1 of this Act provides an appropriation of \$71.6 to the State Fire Prevention
6 Commission (75-03-01) in the line item Statewide Fire Safety Education. These funds are to be matched
7 by members of the Delaware Volunteer Firemen’s Association and are to be used for the purpose of
8 operating a statewide Fire Safety Education Program.

NATIONAL GUARD

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Section 271. 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 272. (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 273. 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.

HIGHER EDUCATION

Section 274. Section 1 of this Act provides an appropriation for Operations of the University of Delaware (90-01-01) and an appropriation for Operations of the Delaware Geological Survey (90-01-02). This figure includes total state assistance for University operations costs as well as funds required to be appropriated by 29 Del. C. § 5505(6).

Section 275. Section 1 of this Act provides appropriations for colleges and other programs to the University of Delaware (90-01-01). In an effort to achieve the best possible results and most effectively meet priorities, the University of Delaware is driving down mandatory costs, re-engineering programs and streamlining operations. The University has adopted a new pilot budget distribution model which decentralizes budget responsibilities to the colleges. Accordingly, the majority of the special lines in previous state budgets have been consolidated under each of the colleges of the University. Each college dean will now be responsible for managing their available state and university resources to maximize academic, research and public service benefits. In addition, adjustments will be made to college budgets to address critically important priorities. The University of Delaware shall submit a proposal of programs to be funded which will detail the goals, performance measures and budgets to the Office of Management and Budget and the Controller General by July 31, 2011. A report detailing the resulting performance measures and expenditure information shall be submitted to the Director of the Office of Management and Budget and the Controller General by May 1, 2012. The special lines amounts shall be as follows:

College of Agriculture and Natural Resources	\$ 4,787.7
College of Arts and Sciences	2,598.9
College of Business and Economics	1,613.0
College of Earth, Ocean, and Environment	775.1
College of Education and Human Development	2,307.8
College of Engineering	877.1
College of Health Sciences	499.5
Biotechnology Institute	497.1
Diversity Enhancement	249.0
Improved Campus Security	86.4

1	Library Automation	44.2
2	Software License Support	267.4
3	Undergraduate Multimedia Instruction	<u>172.0</u>
4	Total	\$14,775.2

5 Section 276. Section 1 of this Act provides an appropriation to the University of Delaware for the
6 College of Agriculture and Natural Resources. Within that appropriation are sufficient funds to fully fund
7 1.0 Agriculture Extension Agent and 2.0 Cooperative Extension Agents per county and 1.0 Agricultural
8 Extension Engineer for the program statewide.

9 Section 277. Section 1 of this Act provides funding to the University of Delaware for the Milford
10 Professional Development School. The University and the Milford School District shall submit to the
11 Controller General and the Director of the Office of Management and Budget, by March 1, 2012, a report
12 detailing the status of this program as it relates to the appropriation herein.

13 Section 278. Section 1 of this Act makes an appropriation to Delaware State University,
14 Operations (90-03-01), for General Scholarships. Of that amount, \$22.0 shall be for state scholarships for
15 high ability students, \$20.0 shall be for departmental scholarships to attract high achievers into the
16 sciences, \$200.0 shall be for scholarships to attract high ability students into the teaching program, and
17 \$100.0 shall be for scholarships for female athletes.

18 Section 279. For the fiscal year covered by this Act, in order to continue the assessment of
19 procedures implemented during Fiscal Year 1993 intended to reduce the administrative burden incurred
20 as a result of processing accounting transaction data into two independent accounting systems, the
21 Director of the Office of Management and Budget has authorized Delaware State University to:

22 (a) Discontinue detail data input to the First State Financials for encumbrance and vendor
23 payment transactions related to General Fund, federal financial assistance and college funds;

24 (b) Effect vendor payment disbursements of the above identified funds on Delaware State
25 University checks, generated through the University Accounting System and drawn on a university bank
26 account; and

1 (c) Summarize General Fund and federal financial assistance fund disbursements on a weekly,
2 post disbursement basis, and draw down the corresponding amounts through the standard First State
3 Financials payment voucher process.

4 This authorization does not provide for any change to the processing of encumbrances and vendor
5 payment transactions related to Bond/Capital funds; it does not affect payroll processing and does not
6 relax or alter any control requirements prescribed by law or policy related to procurement, encumbrance
7 and payment activity.

8 The University shall comply with specific procedures developed and prescribed by the Office of
9 Management and Budget and the Department of Finance, Accounting. In addition, the University shall
10 cooperate fully with the Office of Auditor of Accounts to aid in any review or examination of the
11 University's accounting procedures, records and system.

12 Operations as enabled by this section shall be periodically reviewed and evaluated during the
13 stated period by the Office of Management and Budget, the Department of Finance and the Office of
14 Auditor of Accounts. Any procedural/control weaknesses identified shall be addressed and resolved, and
15 this authority may be withdrawn for cause at any time during the stated period, with the allowance that
16 Delaware State University will be provided reasonable time to revert to standard processes.

17 Section 280. Section 1 of this Act provides an appropriation to Delaware Technical and
18 Community College, Office of the President (90-04-01), for Associate in Arts Program - Operations and
19 Associate in Arts Program - Academic. This appropriation is to assist in the provision of the Delaware
20 Technical/University of Delaware Associate in Arts Program which will be operated jointly by the two
21 institutions under a contract initiated by Delaware Technical and Community College. Under this
22 contract, the University of Delaware will teach students at Delaware Technical and Community College
23 facilities. Future budget requests will be made jointly by Delaware Technical and Community College
24 and the University of Delaware, and budget cuts, if necessary, will be shared on a pro rata basis.
25 Approval of tuition and other fees will be made by the Board of Trustees of the institution that delivers
26 the relevant service and after the institutions have reached an agreement for tuition sharing.
27 Representatives from both institutions will meet at least once each semester to review program
28 operations.

1 Section 281. Section 1 of this Act contains an appropriation of \$300.0 for the Delaware Institute
2 of Veterinary Medical Education (DIVME), (90-07-01). Notwithstanding current Laws of Delaware
3 relating to the DIVME Program, these funds shall be used to provide tuition support for six Delaware
4 residents studying at the veterinary medicine program at the University of Georgia, four Delaware
5 residents studying at the veterinary medicine program at Oklahoma State University, plus two additional
6 students accepted to a veterinary medicine program for the coming year.

7 Section 282. All higher education institutions in Delaware must be contracted members of the
8 National Student Clearinghouse and be required to input data. Participation will allow the Department of
9 Education to track Delaware's students as they enroll or transfer into Delaware higher education
10 institutions or other member higher education institutions across the country. Membership requires
11 higher education institutions to report data elements to the National Student Clearinghouse.

12 Section 283. Beginning in Fiscal Year 2011, the requirements of 14 Del. C. § 5302 and § 6511
13 shall be waived until such time that state funding is appropriated for said program.

EDUCATION

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2 Section 284. During the course of the fiscal year, the Department of Education is authorized to
3 continue the work of the Public Education Compensation Committee to review and make
4 recommendations to the Governor and Joint Finance Committee regarding the public education salary
5 schedules authorized in 14 Del. C. c. 13. The committee shall consist of the following individuals or their
6 designee: Controller General, Director of the Office of Management and Budget, Secretary of Education,
7 Executive Director of the Delaware State Education Association (DSEA), one school business manager,
8 and one school superintendent. The committee shall review comparability of salaries statewide, in
9 addition to surrounding areas and alternative compensation models. A report of findings shall be
10 submitted to the Governor and Co-Chairs of the Joint Finance Committee no later than May 1, 2012.

11 Section 285. It is the goal of the General Assembly to implement by Fiscal Year 2013 the
12 recommendations of the Public Education Compensation Committee with respect to Instructional and
13 Service Aides contained in the report of said committee, dated May 15, 2007, as follows: (1) to ensure
14 that the first Step of the salary schedule for Instructional Aides is equivalent to the U.S. Department of
15 Commerce poverty income level for a family of four for the year 2012; the first Step 0 of the salary
16 schedule for Service Aides to be equivalent to 85 percent of the first Step 0 for Instructional Aides; (2) to
17 reduce the number of steps on the Instructional Aides and Service Aides salary schedules to ten; and (3)
18 to ensure that the percentage difference between steps on the Instructional Aides and Service Aides salary
19 schedules are equal percentage amounts as specified in the recommendation found in the aforementioned
20 report.

21 Section 286. Notwithstanding the provisions of 14 Del. C. § 1305(m), (o) and (p), for those
22 employees who have achieved certification from the National Board for Professional Teaching
23 Standards and serve as teacher or lead mentors, the mentor stipend payment for such service will be
24 excluded from the 15 percent salary supplement limit only.

25 Section 287. (a) For this fiscal year, employees who have been issued an initial license and are in
26 a third or fourth year extension due to failure to pass Praxis I shall receive a 10 percent salary reduction.
27 Employees currently on an emergency certificate as a result of being assigned to an area outside the area
28 of certification shall not receive a 10 percent salary reduction.

1 (b) Section 1 of this Act makes an appropriation of \$6,300.0 to Public Education, School District
2 Operations, Other Items (95-02-02) for Skills, Knowledge and Responsibilities Pay Supplements. This
3 appropriation provides funding for the supplements associated with professional development clusters,
4 mentor stipends and National Board Certifications.

5 (c) Beginning May 21, 2008, and notwithstanding the provisions of 14 Del C. c. 13, a
6 moratorium has been implemented for all new participation in professional development clusters, the
7 National Board for Professional Teaching Standards (NBPTS) certification program and all national
8 certification supplements. This moratorium is effective for any new cluster applications, replications and
9 all previously approved cluster slots. Any employee completing a cluster that began before May 21, 2008
10 or currently receiving a stipend will continue to receive payment of the appropriate amount for the
11 appropriate duration. Teachers or specialists who obtained NBPTS or other national certification in
12 another state prior to May 21, 2008, may receive the appropriate stipend upon beginning employment in a
13 Delaware school district. Any teacher or specialist currently in the process of completing a NBPTS or
14 other national certification as of May 21, 2008 will receive the appropriate supplement when the
15 certification is awarded including certification renewals. If a participant chooses to pursue NBPTS
16 certification independently during the moratorium period, they will not be eligible for retroactive
17 payments should funding be restored during the certification period but they would be eligible for the
18 supplement for the remainder of the certification. Any teacher or specialist currently receiving a stipend
19 for a national certification under 14 Del. C. § 1305(l) shall continue to receive it as long as the
20 certification is kept current through the appropriate national organization.

21 (d) National Board for Professional Teaching Standards (NBPTS) certification by individuals
22 paid under 14 Del. C. § 1305 excludes superintendents, assistant superintendents, directors, and
23 individuals employed in non-instructional areas detailed in Section 1312(c), and employees of the
24 Department of Education.

25 (e) The funds received by charter schools through the Department of Education associated with
26 staff members who qualify for the salary supplement described in subsection (c) shall be paid to said
27 employees in accordance with subsection (c).

1 Section 288. Section 1 of this Act makes an appropriation of \$775.0 ASF and 2.0 ASF FTEs to
2 the Department of Education (95-01-01) for the Delaware Interscholastic Athletic Fund. The Association
3 shall not operate any accounts outside of the state accounting system and the Fund shall be interest
4 bearing.

5 Funds shall be utilized to support the activities and operations of Delaware interscholastic
6 athletics. During the fiscal year, the expenditure of funds from the Delaware Interscholastic Athletic
7 Fund will be in accordance with the Division of Accounting budget and accounting procedures.

8 Section 289. For this fiscal year, the inflation factor for the local per pupil payments required
9 under the state's Enrollment Choice Program, as specified in 14 Del. C. § 408(e), and for the local per
10 pupil payments required under the State's Charter School Program, as specified in 14 Del. C. § 509(d),
11 shall be zero.

12 Section 290. Section 1 of this Act makes several appropriations to the Department of Education
13 (95-01-01) for Educator Certification and Development activities, Standards and Assessment,
14 Infrastructure Capacity, and Educator Accountability. Based upon federal guidance related to the federal
15 Race to the Top competitive grant program, as appropriated under the American Recovery and
16 Reinvestment Act of 2009, the State of Delaware received approximately \$119,000.0 over 4 years for
17 educational reform efforts. These reform areas include: (1) adopting standards and assessments that
18 prepare students to succeed in college and the workplace and to compete in the global economy; (2)
19 building data systems that measure student growth and success, and inform teachers and principal about
20 how they can improve instruction; (3) recruiting, developing, retaining and rewarding effective teachers
21 and principals; and (4) turning around low achieving schools. The Secretary of Education, upon approval
22 of the Office of Management and Budget and the Controller General, may use said appropriations for
23 departmental initiatives and technology infrastructure to implement provisions of the Race to the Top
24 application.

25 Section 291. Section 1 of this Act makes an appropriation of \$51.0 to the Department of
26 Education (95-01-01) for Odyssey of the Mind. This appropriation shall be made available to school
27 students to assist in defraying out of state travel expenses associated with this program.

1 Section 292. Title 14, Del. C. § 122(e), requires the Department of Education to review all
2 regulations to ensure that all regulations are current and not burdensome, and 14 Del. C. § 122(f) and (g)
3 provide a means for districts to pursue waivers of state regulations. The Federal Education Flexibility
4 Partnership Act of 1999 allows districts to apply for waivers of federal regulation in states that have
5 adopted challenging content and performance standards, have aligned assessments to those standards,
6 have established a system of school and district accountability, and allow waiver of State statutory and
7 regulatory requirements relating to education.

8 Given federal approval of the Department of Education’s application for Ed Flex, the Department
9 may waive state statutory and regulatory requirements pursuant to the Federal Education Flexibility
10 Partnership Act of 1999. Such waivers must be applied for according to procedures and policies
11 determined by the Department of Education and must be related to Title I, Part B of Title II, Title IV,
12 Title V, Title III, and the Carl D. Perkins Career and Technical Education Act of 2006. State programs
13 for which waivers may be granted include, but are not limited to, Student Discipline, Academic
14 Excellence, and Professional and Curriculum Development.

15 Section 293. Notwithstanding any law or regulation to the contrary, all consequences related to
16 the Statewide Assessment System for individual students including summer school, Individual
17 Improvement Plans, retention, assessment retakes, retests at high school grades and the related student
18 consequences shall be eliminated until such time that the Statewide Assessment System is fully
19 implemented, as determined by the Secretary of Education, for all Delaware students.

20 Section 294. During Fiscal Year 2012, the Department of Education shall continue the needs-
21 based funding structure for all school districts and charter schools implemented during Fiscal Year 2010
22 provided those districts and charter schools shall not realize an increase or decrease in the number of units
23 earned which is greater than three units over the previous school year until a district or charter school is
24 funded fully by the needs-based formula.

25 In addition, during Fiscal Year 2012, the Department of Education, in collaboration with the
26 Governor’s Advisory Council for Exceptional Citizens, shall finalize the needs-based funding model for
27 related services units and all other entitlement funding and provide the Office of Management and Budget
28 and the Controller General’s Office with this model for approval. The Department shall also provide a

1 cost analysis of the statewide implementation of the needs-based structure to the Office of Management
2 and Budget and the Controller General's Office for review.

3 Section 295. The Delaware Code notwithstanding, during this fiscal year, the Director of the
4 Office of Management and Budget is authorized to continue funding for issues such as, but not limited to,
5 the number of administrative positions and activity busing for which the State was required to provide
6 funding as a result of a 1978 federal court order. This authorization, as it relates to administrative
7 positions, shall apply only to positions filled for employment, and shall not be considered as authorization
8 to fund any cash options pursuant to 14 Del. C. c. 13. It is the intent of the General Assembly that
9 beginning in Fiscal Year 2010, existing filled positions authorized pursuant to this section shall, upon
10 vacancy, be permanently ineligible for the state share of salary pursuant to 14 Del. C. § 1305.

11 Section 296. General Fund appropriations to Public Education in appropriation units (95-03-00),
12 (95-04-00) and the Delmar Tuition and General Contingency appropriations in appropriation units (95-01-
13 00) and (95-02-00) shall not be subject to the limitations as defined for Division I and Division II in 14
14 Del. C. § 1706 and § 1709.

15 Section 297. Notwithstanding the provisions of 14 Del. C. § 1703, the First State School
16 Program shall be guaranteed state funding based upon a minimum of two Division I units. In addition,
17 Section 1 of this Act appropriates \$314.5 to Public Education, Block Grants and Other Pass Through
18 Programs, Special Needs Programs for the First State School.

19 The Department of Education, Children Services Cost Recovery Project is authorized to pursue
20 Medicaid cost recovery for eligible services provided to Medicaid eligible children at the First State
21 School. Students in the program are considered eligible for special education services and have
22 Individual Education Programs in addition to their medical treatment plans. Any funds recovered shall be
23 utilized to offset the guaranteed 2.0 units and First State School operational costs.

24 The Department of Education is authorized to provide AI DuPont Hospital an amount not to
25 exceed \$50.0 for its program serving medically fragile students from funds appropriated in Section 1 of
26 this Act to Public Education, School District Operations, Other Items (95-02-02).

1 Section 298. Section 1 of this Act provides certain appropriations to Public Education, School
2 District Operations, Other Items. These amounts are not based on the unit system. The line item Other
3 Items in the internal program unit Other Items (95-02-02) shall be allocated as follows:

4	Caesar Rodney - Americanization	\$ 14.1
5	Red Clay - Americanization	113.6
6	Margaret S. Sterck:	
7	Residence - Other Costs	85.4
8	Consultant Services	11.0
9	Preschool Summer Program	6.9
10	Christina Autistic:	
11	Residence - Other Costs	206.5
12	Contractual Services	11.4
13	John G. Leach	50.0
14	Sussex Orthopedic School	<u>12.9</u>
15	Total	\$511.8

16 Section 299. Section 1 of this Act makes an appropriation to Public Education, School District
17 Operations, Other Items (95-02-02) of \$1,000.0 for School Improvement Funds that shall be used to
18 provide technical assistance and support to schools and districts rated as academic watch or under
19 improvement. The Department of Education shall provide a report on the use of said funds to the Office
20 of Management and Budget and the Controller General by May 1, 2012.

21 Section 300. The assessment to sales ratios used to equalize Fiscal Year 2012 tax rates for those
22 districts that cross county lines (Smyrna, Milford, Woodbridge, PolyTech) shall remain at the same ratios
23 that were in effect for Fiscal Year 2010.

24 Section 301. For Fiscal Year 2012, all school districts shall receive Equalization funding based
25 on the Fiscal Year 2009 average per unit amount for existing and new units.

26 Section 302. Section 1 of this Act makes an appropriation of \$19,531.1 to Public Education,
27 School District Operations, Other Items (95-02-02) for Full-Day Kindergarten Implementation to
28 continue the phase-in of statewide full-day Kindergarten. This appropriation will provide funding to

1 continue the existing pilot program, as awarded by the Department of Education at the Fiscal Year 2008
2 funding level, in the Indian River School District.

3 Notwithstanding 14 Del. C. § 1703, this appropriation also provides funding for the following
4 school districts/charter schools to generate Kindergarten units at a rate of 17.4: Academy of Dover, East
5 Side, Thomas Edison, Kuumba Academy, Laurel, MOT, Providence Creek, Odyssey, Seaford, Smyrna,
6 Woodbridge, Cape Henlopen, Appoquinimink, Capital, Caesar Rodney, Colonial, Newark, Brandywine,
7 Red Clay, Delaware College Preparatory Academy, Las Americas Aspira Academy, Reach Academy for
8 Girls, Christina, Lake Forest, Family Foundations and Milford. Students in Delmar will attend full-day
9 Kindergarten through an agreement with Wicomico County, Maryland.

10 The intent of full-day Kindergarten is to offer voluntary comprehensive options to parents and
11 students. When a district and/or charter school fully implements full-day Kindergarten, school districts
12 will still have to make available a half-day option if parents request it. School districts shall have the
13 flexibility to locate such half-day options at designated schools to ensure the most efficient use of state
14 and local resources. Transportation shall be made available for half-day and full-day Kindergarten
15 programs.

16 Section 303. Section 1 of this Act makes appropriations to the Department of Education, School
17 District Operations, Division Funding (95-02-01) for Division II - All Other Costs and Energy. A
18 Division II - Energy Unit shall be valued at \$2,435.00. A Division II - All Other Costs Unit shall be
19 valued at \$2,955.00.

20 Section 304. Section 1 of this Act provides an appropriation to Public Education, Block Grants
21 and Other Pass Through Programs, Adult Education Work Force Training Block Grant (95-03-10). This
22 appropriation shall be allocated by the Department of Education to the following programs/districts:

23	Adult Trade Extension/Apprentice Program (statewide)	\$1,744.7
24	James H. Groves High School (statewide)	3,571.8
25	Adult Basic Education (statewide)	457.5
26	New Castle County Learning Center (Christina School District)	224.1
27	Delaware Skills Center (N.C.C. Vo-Tech)	1,401.9
28	Alternative Secondary Education Program (statewide)	905.8

1	Marine Mechanics Apprentice Program (Sussex Vo-Tech)	21.2
2	Interagency Council on Adult Literacy	289.8
3	Diploma-at-a-Distance	<u>127.9</u>
4	Total	\$8,744.7

5 Section 305. Section 1 of this Act makes an appropriation to Public Education, Block Grants and
6 Other Pass Through Programs, Professional Accountability and Instructional Advancement Fund (95-03-
7 10).

8 (a) The following allocations shall be provided:

9 (1) \$275.0 for Alternative Routes programs. \$200.0 is provided for the Alternative Routes to
10 Certification program, to include an expansion for Special Education. The remaining
11 \$75.0 may be used for the Summer Institute program.

12 (2) \$1,566.5 shall be allocated by the Department of Education to districts for professional
13 and curriculum development activities. Districts shall submit applications to the
14 Department of Education detailing the district's plan for the utilization of these funds.
15 The Department of Education shall review and approve plans and allocate an amount not
16 to exceed \$157.00 per certified employee, based on a district's personnel complement for
17 the 2010-2011 school year. Grants are to be used for developing and implementing
18 curriculum based on the content standards established by the Curriculum Frameworks
19 Commission, as approved by the State Board of Education or for other professional
20 development activities, including, but not limited to: Discipline, Special
21 Education/Inclusion Collaboration/Consensus Building, Conflict Resolution, Shared
22 Decision Making, local school board member training, and Educational Technology.
23 Districts are encouraged to collaborate as a means of maximizing resources as well as
24 focusing district activities on consistent principles. Grants may be utilized for training,
25 planning, in-service programs and contractual services. The Department of Education is
26 authorized to transfer 50 percent of the estimated district grant amount by July 30 of the
27 fiscal year. The remaining 50 percent shall be transferred within 30 days of the final
28 approval of the district application for funding.

1 In the application, districts shall detail the proposed utilization of funds as well as
2 the incorporation of the following criteria:

3 (i) Integration of the proposal with existing resources and programs such as the
4 Comprehensive Discipline Act, Delaware Principals Academy, Delaware Teachers
5 Center, Drug Free Schools, Title I and II, Special Education and local funds
6 dedicated to Standards and Assessment.

7 (ii) Inclusion of local staff in planning of the grant proposal, with representation from all
8 involved in student learning, including all professional employees by category. The
9 plan(s) should focus on overall improved student performance, with a built in level of
10 accountability to determine effectiveness.

11 (3) \$300.0 for Professional Mentoring. The intent of this appropriation is for exemplary
12 teachers to assist new teachers through leadership and guidance, and includes a training
13 component in order for teachers to become better mentors. This funding level allows for
14 a statewide program.

15 (4) \$150.0 for the Delaware Center for Teacher Education to support professional and
16 curriculum development activities in the content areas of reading and social studies.
17 The Department of Education shall determine, in coordination with the agency (or
18 agencies) performing such activities, the training goals and objectives, including how
19 the objectives of Standards and Assessment will be furthered. The Department of
20 Education, Controller General and Director of the Office of Management and Budget
21 shall ensure that the proposed development activities are cost efficient and meet the
22 objectives outlined in this section before agreeing to transfer the appropriation from the
23 Department of Education to the operating agency.

24 (5) \$921.0 for Reading Cadre. This appropriation will provide each local school district,
25 excluding charter schools, with the state share of salaries in accordance with 14 Del. C.
26 § 1305 and the state share of the Division III Equalization Unit amount as defined in 14
27 Del. C. § 1707 for one 10 month Reading Specialist. The purpose of this Specialist
28 will be the creation of a Reading to Reading Cadre which will provide assistance to

1 districts in designing, demonstrating and implementing best practices in reading
2 instruction. Such position shall be responsible for curriculum alignment and
3 professional development in reading for district educators.

4 (6) \$75.0 for Models of Excellence. These funds shall be used to identify the
5 achievements of Delaware schools, to learn from program success in improving student
6 achievement and to recognize and share best practices among districts.

7 (b) Any funds remaining subsequent to these allocations may be disbursed at the discretion of the
8 Department of Education for professional accountability and instructional advancement activities.

9 Section 306. Section 1 of this Act makes an appropriation to Public Education, Block Grant and
10 Other Pass Through Programs, Academic Excellence Block Grant (95-03-10). Of the amount
11 appropriated, \$33,852.4 shall be used to fund units for academic excellence in the school districts in
12 accordance with 14 Del. C. § 1716.

13 Section 307. For the fiscal year beginning July 1, 2011, any local school district that has had two
14 consecutive failed current expense tax referendums during the time period July 1, 2009 to January 1,
15 2012, is authorized to exercise the cash option on Academic Excellence units up to the total number of
16 units provided under that program. This provision will apply for Fiscal Year 2012 only. In addition,
17 districts meeting this criteria are authorized to utilize funds derived from this cash option to pay local
18 salary supplements. Any district that has had a successful current expense tax referendum subsequent to
19 two consecutive failed current expense tax referendums is ineligible for the provisions of this section.

20 Section 308. Section 1 of this Act provides an appropriation of \$106.8 to Public Education,
21 Block Grants and Other Pass Through Programs, K-12 Pass Through Programs (95-03-15) for the
22 Delaware Institute for Arts in Education. Of this appropriation, \$21.8 shall be used for the Wolf Trap
23 program. The Department of Education shall transfer this appropriation to the University of Delaware,
24 which acts as the fiscal agent for this statewide program.

25 Section 309. Section 1 of this Act provides an appropriation of \$105.6 to Public Education,
26 Block Grants and Other Pass Through Programs, K-12 Pass Through Programs (95-03-15) for the Urban
27 Community Empowerment Initiative demonstration pilot program “Achievement Matters Campaign”.
28 The purpose of the Campaign is to build the competencies and achievement level of middle school

1 students to provide a bridge from middle school to high school. These funds shall be used exclusively for
2 direct program expenses and may not be used for salaries and benefits for existing staff of the
3 Metropolitan Wilmington Urban League.

4 Section 310. Section 1 of this Act makes an ASF appropriation to Public Education, Block
5 Grants and Other Pass Through Programs, Special Needs Programs (95-03-20) for the Children
6 Services Cost Recovery Project (CSCRCP). All local school districts shall fully participate in the
7 implementation and operation of the project for the fiscal year ending June 30. Local school district
8 participation shall be on a district-wide basis.

9 The following resources are appropriated to operate the Children Services Cost Recovery Project
10 during the fiscal year ending June 30. No appropriation is made for the purchase of additional state-
11 owned vehicles pursuant to this section. The appropriated funds for supplies and in-state travel which,
12 pursuant to this section, are passed through to the local school district shall be dedicated to implementing
13 the Children Services Cost Recovery Project.

14 In addition, 13.0 FTEs staff positions are appropriated to support this project: 2.0 FTEs shall be
15 located at the Department of Education. The Department of Education is hereby permitted to authorize
16 the hiring of up to 11.0 FTEs in the local school districts for the sole purpose of implementing this
17 section. The 11.0 FTEs in the local school districts shall be paid in accordance with the Financial
18 Secretary Salary Schedules 1308 and 1309 including the local salary supplement in place at the
19 employing school districts. At the discretion of the Department of Education, 1.0 FTE may be paid in
20 accordance with the Administrative Secretary Salary Schedules as defined in 14 Del. C. § 1308 and §
21 1309, including the local salary supplement in place at the employing local school district.

22 When it is deemed in the best interest of the program to have positions transferred between school
23 districts, the employees in those positions will be compensated in accordance with the local salary
24 supplement in place at the new district. However, should the new district's local salary supplement be
25 less than that of the transferring employee, the employee's local supplement will be frozen until the new
26 district supplement meets or exceeds the amount of the original supplement. The employees may elect to
27 have their sick and annual leave balances transfer with them between districts.

1 When any of the 11.0 positions authorized to the local school districts become vacant, the
2 position shall be re-assigned to the Department of Education and compensated in accordance with the
3 Department of Education compensation plan.

4 All revenue generated through the cost recovery project from local school district sources will,
5 after the deduction of all operational project costs, be divided between the State General Fund and the
6 local school district's operating funds in a proportion that equals the original sharing of expenses. Any
7 funds returned to a local school district that were generated through recovery on non-transportation
8 services provided by a tuition-based special school must be made available to the special school for
9 expenditure at the special school.

10 Audit exceptions, including any penalties and fees, will be covered from drawdowns on future
11 recoveries on a similar basis as indicated above.

12 Section 311. For the purpose of participating in the Children Services Cost Recovery Project,
13 provisions of the Delaware Code to the contrary notwithstanding, school psychologists certified or
14 otherwise licensed by the Department of Education in accordance with the provisions 14 Del. C.
15 § 1092, shall be considered in compliance with qualification standards equivalent to state licensure to
16 practice psychology as set forth in 24 Del. C. § 3508. Such equivalent state licensure status shall be
17 limited to the delivery of services related to the Department of Education or local school district
18 approved school programs conducted within the course of the regular school day at a Department of
19 Education or local school district approved school site or least restrictive environment location. The
20 provisions of this section shall in no way be construed as entitling a person not otherwise qualified to do
21 so to represent himself to the public by any title or description of services incorporating the words
22 "psychology," "psychological," and/or "psychologist" within the meaning of 24 Del. C. § 3502, except
23 as may be herein specifically provided.

24 Section 312. Section 1 of this Act makes an appropriation to Public Education, Block Grants and
25 Other Pass Through Programs, Special Needs Programs (95-03-20) for the Student Discipline Program.

26 (a) A total of \$4,000.2 is allocated for the statewide implementation of programs for severe
27 discipline cases. Of that amount, a total of \$2,400.0 will be allocated to the three counties in the
28 following manner: 50 percent to New Castle County, 25 percent to Kent County and 25 percent to Sussex

1 County. Of the \$2,400.0, \$150.0 in New Castle County and \$75.0 in both Kent and Sussex counties must
2 be utilized for transitional services. A total of \$1,020.0 will be disbursed on a competitive basis among
3 the existing school district consortiums or to individual school districts. Of the \$1,020.0, \$820.0 will be
4 utilized for improvement of academic programs and \$200.0 will be utilized for extended year
5 opportunities. A total of \$580.2 is allocated to increase resources for programs in Kent and Sussex
6 Counties and shall be equally divided between the two programs as follows: \$330.2 in Kent and \$250.0
7 in Sussex. If funds are used for personnel costs, they may only be used for the state share in accordance
8 with the schedules contained in 14 Del. C. c. 13.

9 Programs receiving funds under this section may utilize no more than \$300.0 in total from Pupil
10 Transportation (95-04-01) for transportation expenses.

11 (b) For the purpose of facilitating the continuation of services, districts receiving an allocation
12 under the provisions of subsections (a) and (b) of this section, may receive 50 percent of the prior year's
13 base grant allocation at the outset of each fiscal year. These districts are required to present program
14 proposals to the Department of Education no later than November 15 each year. Upon Department of
15 Education approval, adjustments to program allocations will be made.

16 (c) The Department of Education shall determine common data definitions and data collection
17 methodologies for each program in this section. Districts shall use such definitions and methodologies
18 and shall provide information as requested by the Department of Education. This information shall
19 include but not be limited to the following: the number of students served, reasons for service, measures
20 of behavioral improvement, measures of academic improvement as appropriate, rates of recidivism within
21 programs, and number and types of referrals for additional services. The Department of Education shall
22 prepare a statewide management report to identify needs for program improvement and best practice.

23 (d) A total of \$4,186.1 is authorized for prevention components administered by the Department
24 of Education and the Department of Services for Children, Youth and Their Families. Funding shall be
25 provided as follows:

26 (i) \$4,186.1 to provide early intervention services through the Department of Services for
27 Children, Youth and Their Families, Family Crisis Therapist Program. Services are
28 intended for grades K-5 and shall address but not be limited to, problems such as Early

1 Onset Conduct Disorder. The Department of Services for Children, Youth and Their
2 Families may enter into contractual agreements, may employ casual/seasonal personnel, or
3 may create the necessary positions with the approval of the Delaware State Clearinghouse
4 Committee and maintain an ASF or NSF account with sufficient spending authority to
5 operate the program.

6 (ii) For purposes of implementing (i) above, the Department of Education and the Department
7 of Services for Children, Youth and Their Families shall administer a competitive
8 Request for Proposal (RFP) process to determine grant awards to local districts. Grant
9 awards shall be for a period of 12 months. Factors that may be utilized in the evaluation
10 of proposals can be, but are not limited to, the following: links to other district resources;
11 the use of collaborative partnerships; the relative need of the local school district
12 community; and the recognition within a proposal of the need to provide services to meet
13 the presenting problems of both the child and the family. To the extent possible, the
14 Department of Services for Children, Youth and Their Families is authorized to pursue
15 Medicaid cost recovery for eligible services provided to Medicaid eligible children.
16 Funds resulting from these efforts may be used to expand these services with prior
17 approval of the Director of the Office of Management and Budget and the Controller
18 General.

19 (e) Based on the recommendations that resulted from House Joint Resolution 25 of the 139th
20 General Assembly, a total of \$1,325.0 shall be allocated for the continued operation of the alternative
21 school program. The program shall be developed utilizing research based best-practice models. The
22 program shall provide year-round services as deemed appropriate and determined by the consortium
23 board and the Department of Education within the prescribed state appropriation. This program shall be
24 considered a special school for the purposes of charging tuition payments to be made by school districts
25 of residence under the statutory provisions of 14 Del. C. c. 6, such that the districts shall fund at least 30
26 percent of the total cost of the program. The New Castle County Consortium and the Department of
27 Education shall oversee administration of the program, and may enter into contractual arrangements to

1 operate the program. Such oversight shall include an annual evaluation of the program to be submitted to
2 the Department of Education.

3 Section 313. Section 1 of this Act provides an appropriation to Public Education, Block Grants
4 and Other Pass Through Programs, Special Needs Programs (95-03-20) for Exceptional Student Unit -
5 Vocational. This appropriation shall be used to continue the program of vocational education for
6 handicapped students. The funds appropriated shall provide for Divisions I, II, and III funding for a
7 maximum of six units, prior to application of the vocational deduct, units in a single program. The unit
8 shall be based upon 13,500 pupil minutes per week of instruction or major fraction thereof after the first
9 full unit and shall be in addition to the funding otherwise provided under 14 Del. C. § 1703(d).

10 Section 314. Section 1 of this Act appropriates 40.7 FTEs, of which up to 4.0 shall be authorized
11 as teachers/supervisors, 32.7 authorized as teachers, 3.0 authorized as secretaries for the Department of
12 Education, and 1.0 Education Associate to operate the Prison Education Program. The qualification of
13 employees for the prison education program shall be the same as the qualification for employees in the
14 public high schools. Teachers/supervisors shall have teaching responsibilities as defined by job
15 responsibilities and duties developed by the Department of Education.

16 Salary for employees in the prison education program when paid from funds of this State, shall be
17 in accordance with the regularly adopted salary schedules set forth in 14 Del. C. c. 13. The salary so
18 computed shall be divided by 0.7 for 10 months employment. If employed on an 11 or 12 month basis,
19 the 10 month amount shall be multiplied by 1.1 or 1.2 respectively. In addition to the above calculation,
20 teachers and administrators qualifying for professional development clusters in accordance with 14 Del.
21 C. § 1305(l) shall receive an additional amount equal to the approved cluster percentage multiplied by the
22 base salary amount defined in 14 Del. C. § 1305(b). This calculation shall not be increased for 11 or 12
23 month employment. The percentage shall only be applied to the base 10 month salary for 10, 11 and 12
24 month employees. In accordance with 14 Del. C. § 1305(p), the cluster percentage is capped at 15
25 percent. Employees whose primary job location is onsite within the institution shall also receive
26 hazardous duty supplements as provided in the Merit System. Teachers/supervisors shall receive an
27 administrative supplement of 4 to 8 percent to be determined by the Department of Education with the
28 approval of the Co-Chairs of the Joint Finance Committee.

1 Students served under this program shall not be included in the calculation for unit count
2 purposes as defined in 14 Del. C. c. 17. The Director of the Office of Management and Budget and
3 Controller General may transfer funds between lines and departments to pay for this program.

4 Section 315. Any provisions of the Delaware Code to the contrary notwithstanding, the
5 Department of Education with the approval of the Director of the Office of Management and Budget and
6 Controller General is authorized and directed to provide aides for the purpose of providing mainstreaming
7 services to deaf students.

8 Section 316. Section 1 of this Act makes an appropriation to Public Education, Block Grants and
9 Other Pass Through Programs, Special Needs Programs (95-03-20), for Tech Prep 2+2. A Delaware
10 Tech Prep Consortium is formed to provide for overall program development and management,
11 coordination and technical assistance. The Consortium will review and provide technical assistance and
12 in-service training for each proposal submitted to the Department of Education by any partnership
13 initiating or operating a Tech Prep Program. The Consortium will adopt rules and regulations consistent
14 with state regulations and federal legislation.

15 The Consortium Board of Directors shall include: the President or designee of the Delaware
16 Technical and Community College; the Superintendents of New Castle County Vocational-Technical
17 School District, Polytech School District and the Sussex County Technical School District; the State
18 Director of Vocational Education, Department of Education, (Ex-Officio); the Executive Director of
19 Delaware Advisory Council on Career and Vocational Education; President or designee, Delaware
20 State University and Wilmington University and one representative of business and industry. The
21 superintendent or designee of two comprehensive local school districts will also be appointed
22 consistent with the rules and regulations of the Consortium. Programs will be conducted in all three
23 counties, on all campuses of Delaware Technical and Community College and other postsecondary
24 institutions as specified by the Consortium consistent with federal legislation. All secondary schools
25 are eligible.

26 Polytech School District will act as financial agent for the Consortium and an annual financial
27 and program report will be submitted to the Co-Chairs of the Joint Finance Committee.

1 The Consortium may select another member to serve as the financial agent in a subsequent year
2 consistent with the rules and procedures it adopts.

3 Section 317. Section 1 of this Act provides an appropriation of \$56.3 to Public Education, Block
4 Grants and Other Pass Through Programs, K-12 Pass Through Programs (95-03-15) for Career Transition
5 to support recommendations that resulted from House Resolution #36 of the 143rd General Assembly –
6 Special Education Mentor Task Force. The Department of Education and the Division of Vocational
7 Rehabilitation, Department of Labor shall oversee administration of the program. Such oversight shall
8 include an annual evaluation of the program. The Departments of Education and/or Labor may enter into
9 contractual arrangements to operate the program.

10 Section 318. Section 1 of this Act makes an appropriation to Public Education, Block Grants and
11 Other Pass Through Programs, Special Needs Programs (95-03-20) for Early Childhood Initiatives.
12 These funds are to be used to support Delaware Stars for Early Success, the State’s quality rating
13 improvement system for early care and education. Funding will also support professional development
14 activities for practitioners in early care and education and activities related to strengthening the State’s
15 comprehensive early childhood system as outlined in *Early Success*, compiled through the efforts of the
16 Delaware Early Childhood Council and the Interagency Resource Management Committee managed
17 through the Delaware Department of Education, Early Development and Learning Resources office.

18 Section 319. (a) Section 1 of this Act provides an appropriation of \$1,848.6 to Public Education,
19 Pupil Transportation (95-04-01) for Non-Public School Transportation Reimbursements. This
20 appropriation shall be allocated for qualifying non-public, non-profit schools, based on the procedure
21 adopted by the Joint Finance Committee on April 16, 1981. The Public School Transportation
22 Committee, consisting of representatives from the Department of Education, Controller General’s Office,
23 Office of Management and Budget and representatives for bus contractors and school district
24 transportation supervisors shall make recommendations to the Director of Office of Management and
25 Budget and Controller General for revisions to components of the transportation formula no later than
26 April 1, 2012.

27 (b) Transportation funds for public school districts during the fiscal year ending June 30, 2012,
28 shall be allocated and shall not exceed \$77,680.6, according to bus contract or district transportation

1 formula, as adopted by the State Board of Education on July 23, 1987, subject to the following
2 amendments and procedural modifications:

3 (1) The per gallon price used to calculate the fuel allowance shall be based on the state
4 contract bid price for fuel plus \$0.07 per gallon for districts and plus \$0.31 per gallon for
5 contractors. For districts and contractors north of the Chesapeake and Delaware Canal,
6 the per gallon price shall be based on delivery to a large-sized tank (5,000 or more
7 gallons). In the case of contractors located south of the Chesapeake and Delaware Canal,
8 the per gallon price shall be based on delivery to a small-sized tank (275 - 1,900 gallons).
9 Upon determination by the Department of Education that a contractor located North of
10 the Chesapeake and Delaware Canal and operating five or fewer buses does not have
11 existing storage capacity in the large tank range, the per gallon price shall be based on the
12 smaller tank size.

13 The initial fuel rates shall be based on the state contract bid price as of June 1 of the
14 preceding fiscal year. Funding adjustment will be made when the annual average price
15 increases or decreases by at least five cents per gallon. The first review will be based on
16 the annual averages through December 31 of each year and additional reviews will be
17 conducted each month thereafter until April 30. Reviews may also be conducted at any
18 time upon the request of the Director of Office of Management and Budget and
19 Controller General.

20 (2) For this Fiscal Year, the operating allowance shall remain at the Fiscal Year 2011 level.

21 (3) For the fiscal year ending June 30, 2012, the allowable cost of a new unused bus that was
22 purchased by a contractor and put on contract and that was produced between January 1,
23 2010 and December 31, 2011 (as noted on the school bus identification plate) shall begin
24 its seven-year capital allowance schedule using the 2011 state bid price for new school
25 buses, minus two percent for salvage value, plus eleven percent to account for dealer
26 charges and profits not reflected in the state bid price due to the higher number of buses
27 being purchased and the lag time between ordering and delivery. Any bus produced on
28 or after January 1, 2011 must meet the 2011 Federal emissions requirements in order to

1 receive a capital allowance. Any bus produced and placed in service after January 1,
2 2011 shall be entitled to an allowance based on the 2011 state bid price.

3 A used bus placed in service shall utilize the allowance schedule which would have
4 been allowed had the bus been placed in service when new based on its production date.
5 The bus shall receive the remaining years of capital allowance. The Department of
6 Education shall continue to utilize the procedures developed in Fiscal Year 1989 for
7 determining the allowable cost for any size bus that it did not bid in Fiscal Year 2011. In
8 addition to the procedure for establishing the allowable cost of a new bus specified
9 above, the Department of Education is requested to structure its bids for buses in the
10 fiscal year ending June 30, 2012, in such a manner that public school bus contractors will
11 be permitted to purchase buses from the successful lower bidder at the same price as the
12 State of Delaware. If a contractor elects to purchase a bus at the bid price, the lowest
13 base bid of an awarded contract minus two percent for salvage value will be the
14 allowable cost in subsequent reimbursements to the contractor.

15 (4) In Fiscal Year 2012, the school bus contractor insurance allowance shall remain at the
16 Fiscal Year 2011 level.

17 (c) Except as specified in this section, or for changes in the price of fuel, or for the
18 adjustments of those items changed by state or federal laws, the Department of Education shall not
19 change the transportation formula unless the change has been authorized by the General Assembly and
20 an appropriation therefore has been made by the General Assembly.

21 (d) Beginning in Fiscal Year 2012, the Department of Education shall calculate the formula
22 amounts for each district as provided herein but shall only provide 90 percent of such calculation to
23 each school district.

24 (e) Of the appropriation allocated for public school districts, \$96.0 is allocated to purchase a
25 maximum of 12 air conditioned buses to transport special need students. The Department of Education is
26 authorized to amend its formula to allow the purchase of air conditioned buses which may be required to
27 transport special education students that have a medical need for air conditioning (specified by a
28 physician), and that go to a special education school.

1 Section 320. Beginning in Fiscal Year 2012, all school districts shall be required to utilize
2 Trapeze, a computerized routing system for school bus transportation, provided by the Department of
3 Education to create school bus routes. Schools are encouraged to maximize the capabilities of this system
4 to derive transportation efficiencies to contain increasing costs.

5 Section 321. Notwithstanding any other provisions of the Delaware Code or this Act to the
6 contrary, the Department of Education is authorized to approve and provide funding for additional
7 transportation routes necessary to support the Seaford School District's pilot implementation of a
8 balanced calendar schedule, beginning in Fiscal Year 2003.

9 Section 322. Notwithstanding the provisions of any state law or regulation to the contrary, the
10 Colonial School District is hereby directed to provide bus transportation for public school students who
11 attend the Panda Early Education Center at 1169 South DuPont Highway in New Castle to and from
12 Kathleen H. Wilbur Elementary School and Southern Elementary School. The Colonial School district is
13 authorized to utilize state transportation dollars to fund the transportation of students as directed herein.

14 Section 323. Notwithstanding the provisions of any state law to the contrary, the Red Clay
15 Consolidated School District is authorized to utilize state transportation dollars to fund students traveling
16 from routes to and from the Cab Calloway School of the Arts and Brandywine Spring Elementary School
17 and the Indian River School District is authorized to utilize state transportation dollars to fund students
18 traveling from routes to and from the Southern Delaware School of the Arts.

19 Section 324. During the fiscal year, the Department of Education will continue and broaden
20 implementation of the computerized routing system for school bus transportation. During this
21 implementation, the Department is directed to continue to provide bus transportation services to any
22 residential area which has received transportation services since October 1, 1977.

23 Section 325. Section 1 of this Act provides an appropriation to Department of Education, Pupil
24 Transportation (95-04-00) for Public School Transportation. Notwithstanding the provisions of 21 Del.
25 C. § 4366, the following reimbursement methodology is in effect:

26 (a) For those school districts or private contractors who are operating school buses equipped with
27 cellular phone technology or have no radio or telephonic communication equipment, the Department of
28 Education is authorized to bring said districts and contractors under a State negotiated cellular phone

1 contract such that the State shall pay one-half of the costs associated with the monthly connect charge,
2 subject to the availability of funds.

3 (b) For those school districts or private contractors who are operating school buses equipped with
4 radio equipment, the department is authorized to reimburse said districts or contractors one-half of the
5 installation cost of the radio equipment on a one-time basis.

6 Section 326. Section 1 of this Act provides an appropriation to the Department of Education,
7 Delaware Center for Education Technology (DCET). It is the intent of the General Assembly that DCET
8 be responsible for and engage in activities related to total project needs and budgets for statewide
9 education technology projects, the establishment of cost-sharing policies, the initiation and delivery of
10 instructional technology programs, implementation on an on-going basis of professional training
11 programs related to statewide education technology and providing technical assistance to the Department
12 of Education for the initiation of system-wide applications including administrative and curriculum
13 development.

14 The Department of Technology and Information shall support and enhance statewide education
15 technology issues and network. In addition, DTI will collaborate with the Department of Education to
16 provide professional training programs related to using technology in schools which promote and support
17 Delaware's education standards initiative.

18 Section 327. The provisions of this Act to the contrary notwithstanding, consistent with the
19 provisions of 14 Del. C. § 509(b), charter schools eligible to receive allocations from the Professional
20 Accountability and Instructional Advancement fund, Academic Excellence and Minor Capital
21 Improvements program will not be required to submit an application to the Department of Education.
22 Any funds received as a result of the allocation of these programs may be used for current operations,
23 Minor Capital Improvements or tuition payments.

24 Section 328. Notwithstanding 14 Del. C. § 508 or any regulation to the contrary, a charter school
25 may negotiate a contract (multi-year, if desired) for contractor payment for school transportation up to the
26 maximum rate specified which is currently 70 percent of the average cost per student of transportation
27 within the vocational district in which the charter school is located or the charter school may publicly bid
28 the transportation routes. If the actual negotiated or bid costs are lower than the maximum rate specified

1 above, the charter school may keep the difference. If the charter school includes a fuel adjustment
2 contract provision, the charter school shall be responsible for increased payments to the contractor or it
3 may keep funds taken back from the contractor.

4 Section 329. Section 1 of this Act makes an appropriation to the Department of Education,
5 Delaware Higher Education Office (95-08-01) for Scholarships and Grants. Of that amount, \$36.7 shall
6 be used for the Herman M. Holloway, Sr. Scholarship Program per the provisions of 14 Del. C. c. 34;
7 \$255.0 shall be used for the FAME Scholarship Program; \$30.0 shall be used for the MERIT Scholarship
8 Program; \$275.0 shall be used for the Professional Librarian/Archives Incentive Program; \$64.2 for the
9 Charles L. Hebner Scholarship; \$125.0 for Critical Teacher Scholarships; \$250.0 for Delaware Teacher
10 Corps and \$40.0 for the Washington Center for Internships. Any funds excluding the Herman Holloway
11 Sr. Scholarship Program remaining after payment to the prescribed Scholarships and Grants provided in
12 this appropriation may be awarded to students with financial need who applied to the Scholarship
13 Incentive Program. Any Herman M. Holloway Sr. Scholarship Program funds remaining after payment
14 of the Holloway Scholarships may be awarded to Delaware State University students with financial need
15 who applied to the Scholarship Incentive Program.

16 Section 330. The Delaware Higher Education Office (DHEO) in the initial award cycle of the
17 SCIP Program shall not exceed 120 percent of the annual SCIP appropriation. Funds unused in any given
18 fiscal year may be carried over into a reserve account to be utilized for SCIP awards in the subsequent
19 year with approval of the Department of Education. In the event that actual awards exceed projected
20 award amounts, spring awards may be reduced to cover the difference.

21 Section 331. During the fiscal year, the Department of Education, with the approval of the State
22 Board of Education, is authorized to establish and maintain procedures, by regulation pursuant to 14 Del.
23 C. § 3110(c), for the conduct of expedited due process hearings which shall be available to children with
24 disabilities and their parents where required by federal or state law, and/or departmental regulation. For
25 the purposes of such expedited due process hearings, during each fiscal year the Department of Education
26 is authorized to engage the professional services of a cadre of single hearing officers to preside over such
27 hearings.

1 Section 332. The Brandywine School District Board shall maintain as a stand alone program its
2 Gifted and Talented Program (also known as the Odyssey Program, formally known as the Brandywine
3 Academically Gifted Program) at least through the end of the 2012-2013 school year. The program shall
4 be fully maintained at Mt. Pleasant Elementary School and Claymont Elementary School and expanded to
5 PS DuPont Middle school in the 2010-2011 school year. During this time, the District shall fully support
6 the Odyssey Program in terms of outreach, recruitment, assessment of students for entry into the program,
7 curriculum development, teacher assignment and other support elements as currently exist.

8 Section 333. The Department of Education shall continue to work towards the collection of
9 school-level financial data. To this end, when processing transactions in the First State Financials, local
10 school districts shall use a standard set of program codes as established by the Department of Education
11 effective July 1, 2003.

12 Section 334. Notwithstanding the provisions of 14 Del. C. § 203, § 604 or any sections of this
13 Act to the contrary, the Christina School District is authorized to operate the Sarah Pyle Academy as a
14 special program and charge tuition for the support of the Academy as provided in 14 Del. C. § 604 during
15 the 2011-2012 school year. The Academy shall operate as an academic recovery, drop-out prevention
16 pilot at no additional cost to the State. The students attending this program shall continue to be counted
17 in the enrollment of their regular school, however, the state funding associated with these students as
18 determined by the Secretary of Education shall be utilized by the Sarah Pyle Academy. This program
19 shall be for the express purpose of providing educational services for students in high school who are no
20 less than 16 years of age, who have less than five credits toward graduation, and have a documented
21 family or personal situation that indicates traditional school enrollment is not feasible. This program shall
22 not be a discipline program as defined or authorized by 14 Del. C. c. 16. An independent evaluation, with
23 oversight by the Department of Education, shall be conducted at the expense of the Christina School
24 District. A final report shall be provided to the Secretary of Education, the Director of the Office of
25 Management and Budget, the Controller General, and the Co-Chairs of the Joint Finance Committee by
26 June 15 of each fiscal year.

27 Section 335. A school district operating a tuition eligible program or school may not reallocate
28 state units earned for the special school or program, if such reallocation requires an increase in the tuition

1 tax rate or tuition billing amount. If a reallocation of state units earned will not require such an increase,
2 districts may reallocate positions as necessary to ensure the most efficient delivery of services, except for
3 those instances currently prohibited by Delaware Code.

4 Additionally the Department of Education shall be authorized to promulgate rules and regulations
5 pertaining to tuition billings and tuition payments to include, but not be limited to, procedures to
6 implement a specific billing and payment schedule; procedures for justification accounting for any
7 increases from estimated to actual per pupil amounts billed; and procedures for the review of included
8 costs to ensure appropriateness as it relates to the ratio of state to local resources.

9 Section 336. (a) Section 1 of this Act makes an appropriation to the Department of Education,
10 Delaware Higher Education Office (95-08-01) for SEED (Student Excellence Equals Degree)
11 Scholarship. This appropriation shall be used to award scholarships to graduates of Delaware public and
12 nonpublic high schools who meet the eligibility criteria pursuant to the provisions of 14 Del. C. c. 34
13 Subchapter XIV. Delaware Technical and Community College and the University of Delaware (The
14 Institutions) have established regulations for the implementation and administration of the SEED
15 Program. In accordance with 14 Del. C. § 3405A, the funding available will be limited to the
16 appropriated amount each fiscal year. Therefore, based on prior years utilization of fund the University of
17 Delaware will be eligible for 20 percent of the appropriation while Delaware Technical and Community
18 College will be eligible for the remaining 80 percent. Excess funds are eligible for transfer between the
19 Institutions. The Institutions are responsible for requesting a transfer of funds from the Department of
20 Education based on the enrollment of students receiving the SEED Scholarship. Funds awarded under the
21 SEED program are portable in the event that an eligible student transfers between the two eligible
22 institutions.

23 (b) Delaware Technical and Community College shall provide the Director of the Office of
24 Management and Budget with quarterly reports on the status of the SEED program.

25 Section 337. The Department of Education is hereby directed to maintain the Sussex County
26 Learning Center at its current location at the Delaware Technical and Community College Owens
27 Campus in the amount of \$60.9 which includes one Resource Center Manager position.

1 Section 338. Beginning in Fiscal Year 2009, all school districts and charter schools shall access
2 the data services and technical assistance of the New Castle County Data Service Center (DSC) for
3 compliance with the provisions of 14 Del. C. § 122(11). Such access shall ensure that all financial reports
4 remain available in the new financial system and are accessible by the Department of Education, Office of
5 Management and Budget and Controller General’s Office. Services provided by the DSC, which is
6 owned and operated by the Colonial and Red Clay Consolidated School Districts, for compliance with
7 this section shall be provided through a contract with the State of Delaware.

8 Section 339. Notwithstanding the provisions of 14 Del C. c. 13, any reference to years of
9 experience for the purpose of determining placement on a salary schedule will equate to steps in the new
10 state payroll system, when it becomes operational, where zero years of experience will be the equivalent
11 of step one, one year of experience will be the equivalent of step two and so forth to align with the current
12 salary schedules. This change in language shall not be interpreted to increase the number of levels of
13 compensation provided on any given salary schedule.

14 Section 340. The Department of Education is authorized to study the provisions of 14 DE
15 Administrative Code 506 Policies for Dual Enrollment and Awarding Dual Credit and make
16 recommendations to the Office of Management and Budget and Controller General’s Office on the
17 development of a statewide policy to address the costs of said provision by December 1, 2011.

18 Section 341. Beginning in Fiscal Year 2010, for purposes of 14 Del C. § 1321(11), § 1321(12),
19 § 1716 and § 1716A, a school district electing to take a cash option or contractual option shall submit the
20 required application to the Department of Education no later than January 31 of the current fiscal year.
21 The Department of Education shall provide a report on the use of said cash/contractual options to the
22 Office of Management and Budget and the Controller General by May 1, 2012.

23 Section 342. It is the intent of the General Assembly that the Department of Education shall be
24 permitted to exercise its authority pursuant to 14 Del. C. § 515(g) to directly manage a school to be
25 operated at the location currently served by the Maurice J. Moyer Academy. The Department’s authority
26 will take effect on July 1, 2010, immediately following the expiration of Moyer Academy’s charter, and
27 will extend until June 30, 2012. The Department shall have the authority to contract with K-12
28 Classroom DE, LLC to operate the school from July 1, 2010 through June 30, 2011, notwithstanding the

1 provisions of 29 Del. C. c. 69, and to take all other actions necessary to operate the school. The
2 Department shall issue a request for proposals for a third party to operate the school from July 1, 2011
3 through June 30, 2012. Said school shall be funded pursuant to charter school funding laws, including the
4 provisions of 14 Del. C. § 508 and § 509.

5 Section 343. (a) Pursuant to provisions of 14 Del. C. § 1902(b), school districts shall be allowed
6 to continue their Fiscal Year 2010 local match as it relates to Reading Resource Teachers and
7 Mathematics Resource Teachers/Specialists and their Fiscal Year 2008 local match as it relates to Extra
8 Time.

9 (b) In addition, pursuant to provisions of 14 Del. C. § 1902(b), local districts shall be allowed to
10 continue their Fiscal Year 2010 local match as it relates to Technology Block Grant, provided the local
11 match does not exceed those established under 71 Del Laws c. 378. The matching provisions provided in
12 this section shall not be interpreted to provide duplicative rate increases. The department shall be charged
13 with the authority to verify the use of the funds and shall require each school district to annually report on
14 expenditures of the funds.

SYNOPSIS

This Bill is the Fiscal Year 2012 Appropriation Act.