



SPONSOR: Rep. D.P. Williams & Sen. McDowell  
George Bushweller  
J. Johnson Ennis  
Mitchell McBride  
Briggs King Cloutier  
Miro Connor

HOUSE OF REPRESENTATIVES  
146th GENERAL ASSEMBLY

HOUSE BILL NO. 190

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 essential to the  
2 proper conduct of the business of the agencies named herein, during the fiscal year ending June 30, 2012, are hereby  
3 appropriated and authorized to be paid out of the Treasury of the State by the respective departments and divisions of State  
4 Government, and other specified spending agencies, subject to the limitations of this Act and to the provisions of Title 29,  
5 Part VI, Delaware Code, as amended or qualified by this Act, all other provisions of the Delaware Code notwithstanding.  
6 All parts or portions of the several sums appropriated by this Act which, on the last day of June 2010, shall not have been  
7 paid out of the State Treasury, shall revert to the General Fund; provided, however, that no funds shall revert which are  
8 encumbered pursuant to 29 Del. C. § 6521.

9            The several amounts hereby appropriated are as follows:

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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				<b>(01-01-01) General Assembly - House</b>				
6			32.0	Personnel Costs				5,254.1
7				Travel				
8				Other - Travel				44.8
9				Mileage - Legislative				70.0
10				Contractual Services				353.9
11				Supplies and Materials				40.0
12				Other Items:				
13				Expenses - House Members				363.0
14				House Committee Expenses				15.0
15			32.0	<b>TOTAL -- General Assembly - House</b>				6,140.8
16								
17				<b>(01-02-01) General Assembly - Senate</b>				
18			20.0	Personnel Costs				3,282.4
19				Travel				
20				Other - Travel				10.9
21				Mileage - Legislative				42.3
22				Contractual Services				180.4
23				Supplies and Materials				35.0
24				Capital Outlay				20.0
25				Other Items:				
26				Expenses - Senate Members				185.7
27				Senate Committee Expenses				25.0
28			20.0	<b>TOTAL -- General Assembly - Senate</b>				3,781.7
29								
30				<b>(01-05-01) Commission on Interstate Cooperation</b>				
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				Delaware River Basin Commission				447.0
38				National Conference of State Legislatures				119.5
39				State and Local Legal Center, NCSL				3.0
40				Legislation for Gaming States				3.0
41				Eastern Trade Council				5.0
42				Interstate Agriculture Commission				25.0
43				<b>TOTAL -- Commission on Interstate Cooperation</b>				771.4

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

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

		17.0
		17.0

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

	1,295.5
	18.3
	261.4
	119.7
	30.0
	38.5
	7.5
	55.0
	1,825.9

TOTAL -- Research

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

		14.0
		14.0

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

	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
	2,156.7

TOTAL -- Office of the Controller General

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

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Travel  
Contractual Services  
Supplies and Materials  
TOTAL -- Code Revisors

	1.1
	170.8
	0.5
	172.4

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

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

	17.0
	26.7
	0.2
	43.9

		31.0
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**TOTAL -- Legislative Council**

	4,198.9
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		83.0
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**TOTAL -- LEGISLATIVE**

	14,892.8
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**(02-00-00) JUDICIAL**

	<b>Personnel</b>				<b>\$ Program</b>		<b>\$ Line Item</b>	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5								
6				<b>(02-01-00) Supreme Court</b>				
7				Personnel Costs			9.3	3,009.7
8				Travel			6.8	15.8
9				Contractual Services			121.4	170.0
10				Energy				7.5
11				Supplies and Materials			5.0	36.4
12				Capital Outlay			6.7	
13				<b>TOTAL -- Supreme Court</b>			149.2	3,239.4
14								
15				(-10) Supreme Court	149.2	3,239.4		
16				(-40) Regulatory Arms of the Court				
17				<b>TOTAL -- Internal Program Units</b>	149.2	3,239.4		
18								
19				<b>(02-02-00) Court of Chancery</b>				
20				Personnel Costs			1,130.7	3,023.1
21				Travel			5.5	10.3
22				Contractual Services			992.2	63.1
23				Supplies and Materials			37.5	26.0
24				Capital Outlay			35.0	
25				<b>TOTAL -- Court of Chancery</b>			2,200.9	3,122.5
26								
27				(-10) Court of Chancery	2,200.9	3,122.5		
28				<b>TOTAL -- Internal Program Unit</b>	2,200.9	3,122.5		
29								
30				<b>(02-03-00) Superior Court</b>				
31				Personnel Costs				21,078.8
32				Travel				64.1
33				Contractual Services				294.6
34				Supplies and Materials				227.0
35				Capital Outlay				46.0
36				Jury Expenses				612.8
37				<b>TOTAL -- Superior Court</b>				22,323.3
38								
39				(-10) Superior Court		22,323.3		
40				<b>TOTAL -- Internal Program Unit</b>		22,323.3		
41								
42				<b>(02-06-00) Court of Common Pleas</b>				
43				Personnel Costs			245.4	9,048.1
44				Travel				13.7
45				Contractual Services				266.6
46				Supplies and Materials				90.6
47				Capital Outlay			4.0	14.6
48				<b>TOTAL -- Court of Common Pleas</b>			249.4	9,433.6
49								
50				(-10) Court of Common Pleas	249.4	9,433.6		
				<b>TOTAL -- Internal Program Unit</b>	249.4	9,433.6		

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

	<b>Personnel</b>				<b>\$ Program</b>		<b>\$ Line Item</b>	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
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5								
6				<b>(02-08-00) Family Court</b>				
7		67.7	274.3	Personnel Costs			3,737.9	19,230.2
8				Travel			12.3	29.8
9				Contractual Services			289.7	359.1
10				Supplies and Materials			81.8	106.2
11				Capital Outlay			48.0	
12		67.7	274.3	Child Protection Registry Appeals			113.3	
13				<b>TOTAL -- Family Court</b>			4,283.0	19,725.3
14		67.7	274.3	(-10) Family Court	4,283.0	19,725.3		
15		67.7	274.3	<b>TOTAL -- Internal Program Unit</b>	4,283.0	19,725.3		
16								
17				<b>(02-13-00) Justice of the Peace Court</b>				
18			246.5	Personnel Costs			15,692.8 5.3 1,465.7 105.8 136.7 7.5	
19			Travel					
20			Contractual Services					
21			Energy					
22			Supplies and Materials					
23			Capital Outlay			7.5		
24			246.5	<b>TOTAL -- Justice of the Peace Court</b>			17,413.8	
25								
26			246.5	(-10) Justice of the Peace Court			17,413.8	
27			246.5	<b>TOTAL -- Internal Program Unit</b>			17,413.8	
28								
29				<b>(02-15-00) COTS/Security Central Account</b>				
30		10.0		Personnel			909.5	
31				Contractual Services			729.2	
32				Supplies and Materials			263.2	
33				Capital Outlay			375.5	
34		10.0		<b>TOTAL -- COTS/Security Central Account</b>			2,277.4	
35								
36		10.0		(-10) COTS/Security Central Account	2,277.4			
37		10.0		<b>TOTAL -- Internal Program Unit</b>	2,277.4			

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

		77.5
		77.5

Personnel Costs		5,808.1
Travel		33.4
Contractual Services		1,150.5
Energy		3.1
Supplies and Materials		346.1
Capital Outlay		240.9
Other Items:		
COTS Maintenance Agreements		739.8
Retired Judges		60.0
Continuing Judicial Education		58.3
Victim Offender Mediation Program		361.1
Conflict Attorneys		2,951.4
CASA Attorneys		328.0
Family Court Civil Attorney		529.0
Elder Law Program		45.0
Interpreters		523.3
Court Appointed Attorneys/Involuntary Commitment		177.6
New Castle County Courthouse		33.4
<b>TOTAL -- Administrative Office of the Courts - Court Services</b>		<b>13,717.0</b>
	33.4	361.4
	33.4	13,717.0

		32.0
		8.0
		34.0
		3.5
		77.5

(-01) Office of the State Court Administrator	33.4	8,364.5
(-03) Office of State Court Collections Enforcement		533.6
(-04) Judicial Information Center		4,357.6
(-05) Law Libraries		461.3
<b>TOTAL -- Internal Program Units</b>	<b>33.4</b>	<b>13,717.0</b>



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

	<b>Personnel</b>				<b>\$ Program</b>		<b>\$ Line Item</b>	
	<b>NSF</b>	<b>ASF</b>	<b>GF</b>		<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>
				<b>(02-18-00) Administrative Office of the Courts -</b>				
				<b>Non-Judicial Services</b>				
		28.5		Personnel Costs			2,057.2	
				Travel			32.8	
				Contractual Services			195.0	
				Energy			4.3	
				Supplies and Materials			28.3	
				Capital Outlay			0.2	
				Other Items:				
				Special Needs Fund			0.5	
				Ivy Davis Scholarship Fund			50.0	
		28.5		<b>TOTAL -- Administrative Office of the Courts -</b>			<b>2,368.3</b>	
				<b>Non-Judicial Services</b>				
		7.0		(-01) Office of the Public Guardian		512.4		
		7.5		(-03) Child Placement Review Board		514.6		
		7.0		(-05) Office of the Child Advocate		867.5		
		6.0		(-06) Child Death, Near Death and Still Birth Commission		414.8		
		1.0		(-07) Nursing Home Residents Quality Assurance Commission		59.0		
		28.5		<b>TOTAL -- Internal Program Units</b>		<b>2,368.3</b>		
	<b>11.3</b>	<b>104.8</b>	<b>1,125.2</b>	<b>TOTAL -- JUDICIAL</b>			<b>9,193.3</b>	<b>91,343.2</b>

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

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Personnel		
NSF	ASF	GF
		24.0
		24.0

**(10-01-01) Office of the Governor**  
 Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 Other Items:  
     Woodburn Expenses  
**TOTAL -- Office of the Governor**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
			2,375.3
			8.9
			158.1
			22.3
			70.1
			2,634.7

35.1	141.1	217.8
		10.0

**(10-02-00) Office of Management and Budget**  
 Personnel Costs  
 Travel  
 Contractual Services  
 Energy  
 Supplies and Materials  
 Capital Outlay  
 Budget Administration Other Items:  
     Budget Automation - Operations  
     Trans and Invest  
 Contingencies and One-Time Items:  
     One-Time  
     Prior Years' Obligations  
     Self Insurance  
     Legal Fees  
     Personnel Costs - Salary Shortage  
     Appropriated Special Funds  
     Salary/OEC Contingency  
     KIDS Count  
     Judicial Nominating Committee  
     Elder Tax Relief and Education Expense Fund  
     Civil Indigent Services  
     Tobacco Fund: Two Year Nursing Expansion  
     Tobacco Fund: Four Year Nursing Expansion  
     ERP Operational Funds  
     Developmental Disabilities Population Contingency  
     Unemployment Insurance Contingency  
     Child Care Contingency  
     Two Year Nursing Expansion  
     Local Law Enforcement Education  
     State Police Vehicles Contingency  
 Human Resource Operations Other Items:  
     Agency Aide  
 Staff Development and Training Other Items:  
     Blue Collar  
     Retiree Conference  
 Statewide Benefits Other Items:  
     Flexible Benefits Administration

10,348.2	19,620.4
67.1	19.4
8,719.1	13,221.1
665.6	6,044.6
3,710.0	1,252.8
589.1	50.3
	35.0
500.0	
	2,423.2
	450.0
	6,250.0
	4,621.3
	400.0
38,207.5	
9,065.1	114,666.0
	86.5
	8.0
	17,224.6
	400.0
1,037.9	
500.0	
	5,900.0
	1,365.0
	3,700.0
	10,000.0
	2,209.4
	50.0
	1,000.0
	372.9
180.0	
18.0	
	128.1

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

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Personnel		
NSF	ASF	GF
	2.0	
35.1	143.1	227.8

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Pensions Other Items:				
Other Items			300.0	
Health Insurance - Retirees in Closed State Police Plan				4,212.0
Pensions - Paraplegic Veterans				51.0
Fleet Management Other Items:				
Cars and Wagons			5,506.0	
Fleet Link Expenses			377.2	
Food Distribution Other Items:				
Food Processing			700.0	
Facilities Management Other Items:				
Absalom Jones Building			364.7	
<b>TOTAL -- Office of Management and Budget</b>			<b>80,855.5</b>	<b>215,761.6</b>

5.5	6.5	16.0
1.0		8.0
2.7	15.5	34.8
	17.0	41.0
	5.0	4.0
17.0		
6.0		
0.2	56.8	
		8.0
	28.0	
	4.0	6.0
	4.0	17.0
2.7	3.3	4.0
	3.0	89.0
35.1	143.1	227.8

(-02) PHRST <i>Administration</i>	516.3	2,614.2
(-05) Administration <i>Budget Development, Planning and Administration</i>		941.2
(-10) Budget Administration	2,265.3	4,024.7
(-11) Contingencies and One-Time Items <i>Statewide Human Resources Management</i>	48,810.5	170,754.0
(-20) Human Resource Operations	1,673.6	3,583.7
(-21) Staff Development and Training <i>Benefits and Insurance Administration</i>	695.1	362.7
(-30) Statewide Benefits		128.1
(-31) Insurance Coverage Office		2,399.7
(-32) Pensions <i>Government Support Services</i>	6,105.4	4,263.0
(-40) Mail/Courier Services	2,240.1	733.7
(-42) Fleet Management	14,813.5	
(-43) Service and Information Guide		544.7
(-44) Contracting	32.7	1,473.1
(-45) Delaware Surplus Services	408.5	
(-46) Food Distribution <i>Facilities Management</i>	963.0	416.8
(-50) Facilities Management	2,331.5	23,522.0
<b>TOTAL -- Internal Program Units</b>	<b>80,855.5</b>	<b>215,761.6</b>

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(10-03-00) Delaware Economic Development Office</b>			
			<b>(10-03-01) Office of the Director</b>			
		9.0				891.2
						2.0
					102.5	
					12.7	3.3
					10.0	
		9.0			125.2	896.5
			<b>(10-03-02) Delaware Tourism Office</b>			
	9.0				636.1	
					30.0	
					694.3	
					10.0	
					10.0	
					37.5	
					200.0	
					112.5	
					6.0	
					12.0	
					20.3	
	9.0				1,768.7	
			<b>(10-03-03) Delaware Economic Development Authority</b>			
	5.0	19.0			293.7	1,688.0
					20.0	2.3
					318.0	
					1.5	
					10.0	12.4
					30.0	10.0
					400.0	121.5
					1,700.1	
					320.9	
					300.0	
	5.0	19.0			3,394.2	1,834.2
	14.0	28.0			5,288.1	2,730.7

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

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Personnel		
NSF	ASF	GF
14.0		8.0
14.0		8.0

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

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

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF
	963.0
	13.4
	2.8
	1.9
212.5	8.5
	117.2
212.5	1,106.8

		13.0
		13.0

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

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

	1,014.4
1.0	2.6
174.0	313.7
17.6	12.9
67.4	
260.0	1,343.6

1.6		5.2
1.6		5.2

**(10-07-03) Statistical Analysis Center**

Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 TOTAL -- Statistical Analysis Center

	422.9
	0.8
	102.4
	3.4
	529.5

15.6		26.2
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**TOTAL -- Criminal Justice**

472.5	2,979.9
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5.0	16.0	
5.0	16.0	

**(10-08-01) Delaware State Housing Authority**

Personnel Costs  
 Other Items:  
     Housing Development Fund  
     Home Improvement Insurance  
 TOTAL -- Delaware State Housing Authority

1,410.3	
28,801.5	4,070.0
1,665.0	
31,876.8	4,070.0

55.7	173.1	306.0
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**TOTAL -- EXECUTIVE**

118,492.9	228,176.9
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**(11-00-00) DEPARTMENT OF TECHNOLOGY AND INFORMATION**

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(11-01-00) Office of the Chief Information Officer</b>			
		2.0				543.1
						0.5
						91.0
						0.3
						20.0
		2.0				654.9
			<b>TOTAL -- Office of the Chief Information Officer</b>			
		2.0		654.9		
		2.0		654.9		
			<b>(11-02-00) Security Office</b>			
	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
			<b>TOTAL -- Security Office</b>			
	2.0	9.0	1,344.7	561.8		
	2.0	9.0	1,344.7	561.8		
			<b>(11-03-00) Operations Office</b>			
	8.0	80.0			492.2	7,869.1
					104.7	14.0
					14,481.8	1,011.6
						652.6
					92.0	181.5
					138.6	9.3
					8,909.5	11,885.5
	8.0	80.0			24,218.8	21,623.6
			<b>TOTAL -- Operations Office</b>			
		5.0	10,521.0	475.6		
	3.0	3.0	823.0	1,630.3		
	3.0	45.0	8,043.9	15,331.9		
	2.0	27.0	4,830.9	4,185.8		
	8.0	80.0	24,218.8	21,623.6		
			<b>TOTAL -- Internal Program Units</b>			

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

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Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
	6.5	99.5	<b>(11-04-00) Technology Office</b>				
			Personnel Costs			605.4	9,329.3
			Travel			70.0	1.9
			Contractual Services			3,200.0	306.8
			Supplies and Materials			10.0	5.2
			Capital Outlay				1.0
			Rental			140.0	154.8
	6.5	99.5	<b>TOTAL -- Technology Office</b>			4,025.4	9,799.0
	1.0	4.0	(-01) Chief Technology Officer	44.5	744.8		
	1.0	36.0	(-02) Senior Project Management Team	108.2	3,143.7		
		8.0	(-03) Organizational Change Management Team		372.3		
	2.0	26.0	(-04) Application Delivery	2,671.5	3,458.5		
	2.5	25.5	(-05) Systems Engineering	1,201.2	2,079.7		
	6.5	99.5	<b>TOTAL -- Internal Program Units</b>	4,025.4	9,799.0		
		22.0	<b>(11-05-00) Customer Office</b>				
			Personnel Costs				1,689.6
			Travel				0.7
			Contractual Services				70.0
			Supplies and Materials				1.2
			Rental				55.0
		22.0	<b>TOTAL -- Customer Office</b>				1,816.5
		1.0	(-01) Chief Customer Officer		131.0		
		7.0	(-02) Customer Care Center		709.6		
		14.0	(-03) DTI Service Desk		975.9		
		22.0	<b>TOTAL -- Internal Program Units</b>		1,816.5		
	16.5	212.5	<b>TOTAL -- DEPARTMENT OF TECHNOLOGY AND INFORMATION</b>			29,588.9	34,455.8

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

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5				<b>(12-01-01) Lieutenant Governor</b>				
6			6.0	Personnel Costs				547.4
7				Travel				1.4
8				Contractual Services				25.2
9				Supplies and Materials				2.3
10				Other Items:				
11				Expenses - Lieutenant Governor				7.7
12			6.0	<b>TOTAL -- Lieutenant Governor</b>				584.0
13								
14				<b>(12-02-01) Auditor of Accounts</b>				
15		7.0	20.0	Personnel Costs			486.2	2,061.1
16				Travel			5.0	1.0
17				Contractual Services			711.0	627.5
18				Supplies and Materials			8.4	10.4
19				Capital Outlay			5.4	11.9
20		7.0	20.0	<b>TOTAL -- Auditor of Accounts</b>			1,216.0	2,711.9
21								
22				<b>(12-03-00) Insurance Commissioner</b>				
23				<b>(12-03-01) Regulatory Activities</b>				
24		25.0		Personnel Costs			1,927.7	
25				Travel			4.9	
26				Contractual Services			197.6	
27				Supplies and Materials			4.5	
28				Capital Outlay			25.4	
29				Other Items:				
30				Malpractice Review			10.5	
31		25.0		<b>TOTAL -- Regulatory Activities</b>			2,170.6	
32								
33				<b>(12-03-02) Bureau of Examination,</b>				
34				<b>Rehabilitation and Guaranty</b>				
35	3.0	51.0		Personnel Costs			3,016.3	
36				Travel			50.5	
37				Contractual Services			1,417.7	
38				Supplies and Materials			29.7	
39				Capital Outlay			167.1	
40				Other Items:				
41				Captive Insurance Fund			940.6	
42				Arbitration Program			36.5	
43				Contract Examiners			16,000.0	
44				Premium Tax Evaluation			50.0	
45	3.0	51.0		<b>TOTAL -- Bureau of Examination, Rehabilitation</b>			21,708.4	
46				<b>and Guaranty</b>				
47								
48	3.0	76.0		<b>TOTAL -- Insurance Commissioner</b>			23,879.0	



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

	<b>Personnel</b>				<b>\$ Program</b>		<b>\$ Line Item</b>	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5								
6								
7		10.5	12.5	<b>(12-05-00) State Treasurer</b>				
8				<b>(12-05-01) Administration</b>				
9				Personnel Costs			766.7	944.6
10				Travel			10.0	
11				Contractual Services			293.5	171.4
12				Supplies and Materials			9.4	5.9
13				Capital Outlay			25.5	
14				Other Items:				
15				403B Plans				75.0
16				Data Processing			50.0	
17				Banking Services			2,483.3	
18		10.5	12.5	<b>TOTAL -- Administration</b>			3,638.4	1,196.9
19				<b>(12-05-03) Debt Management</b>				
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			70,565.3	
25				<b>TOTAL -- Debt Management</b>			70,565.3	146,315.9
26		10.5	12.5	<b>TOTAL -- State Treasurer</b>			74,203.7	147,512.8
27								
28								
29	3.0	93.5	38.5	<b>TOTAL -- OTHER ELECTIVE</b>			99,298.7	150,808.7

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

43.2	65.3	298.1
	2.0	
	8.0	
43.2	75.3	298.1

Personnel Costs	
Travel	
Contractual Services	
Energy	
Supplies and Materials	
Capital Outlay	
Other Items:	
Programmatic Operations	
Extradition	
Victims Rights	
Medicaid Fraud Program	
Securities Administration	
Child Support	
Consumer Protection	
AG Opinion Fund	
Transcription Services	
Tobacco Fund:	
Personnel Costs	
Victim Compensation Assistance Program:	
Personnel Costs	
Revenue Refund	
Violent Crime Grants	
<b>TOTAL -- Office of Attorney General</b>	

1,627.5	26,864.7
24.0	3.5
107.3	2,206.3
	55.8
20.0	61.4
6.0	81.0
255.4	
	60.0
465.9	
30.6	
861.8	
1,646.8	
1,324.9	
15.0	
	350.0
211.0	
454.2	
1.5	
2,500.0	
9,551.9	29,682.7

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

1.0		142.0
1.0		142.0

Personnel Costs	
Travel	
Contractual Services	
Supplies and Materials	
Capital Outlay	
<b>TOTAL -- Public Defender</b>	

	14,967.3
	10.0
	777.5
	60.8
	3.8
	15,819.4

44.2	75.3	440.1
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**TOTAL -- LEGAL**

9,551.9	45,502.1
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**(20-00-00) DEPARTMENT OF STATE**

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(20-01-00) Office of the Secretary**

	10.5	40.5
	10.5	40.5

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
    International Trade  
    International Council of Delaware  
    Italian/American Commission  
    World Trade Center

825.2	2,743.4
44.1	20.5
1,904.1	349.2
	54.4
108.3	62.0
168.0	
	192.5
	170.0
	30.0
	118.0
3,049.7	3,740.0

**TOTAL -- Office of the Secretary**

	7.0	10.0
		22.0
	3.5	1.5
		2.0
		5.0
	10.5	40.5

(-01) Administration  
(-02) Delaware Commission on Veterans Affairs  
(-06) Government Information Center  
(-08) Public Integrity Commission  
(-09) Employment Relations Boards

2,342.6	1,289.6
86.1	1,541.1
621.0	120.6
	185.9
	602.8
3,049.7	3,740.0

**TOTAL -- Internal Program Units**

**(20-02-00) Human Relations/Commission for Women**

1.0		8.0
1.0		8.0

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Human Relations Annual Conference  
    Publications

	512.6
	6.6
	61.7
	8.8
	2.0
10.0	
3.0	
13.0	591.7

**TOTAL -- Human Relations/Commission for Women**

1.0		8.0
1.0		8.0

(-01) Human Relations/Commission for Women

13.0	591.7
13.0	591.7

**TOTAL -- Internal Program Unit**

**(20-03-00) Delaware Public Archives**

	15.0	15.0
	15.0	15.0

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Delaware Heritage Office  
    Document Conservation Fund  
    Historical Marker Maintenance  
    Operations

807.3	866.7
3.8	
209.6	
47.4	
31.0	
	14.9
10.0	
15.0	
30.0	
1,154.1	881.6

**TOTAL -- Delaware Public Archives**

	15.0	15.0
	15.0	15.0

(-01) Delaware Public Archives  
**TOTAL -- Internal Program Unit**

1,154.1	881.6
1,154.1	881.6

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

	<b>Personnel</b>				<b>\$ Program</b>		<b>\$ Line Item</b>	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5								
6				<b>(20-04-00) Regulation and Licensing</b>				
7				Personnel Costs			5,757.0	
8				Travel			151.4	
9				Contractual Services			4,033.0	
10				Supplies and Materials			67.9	
11				Capital Outlay			160.4	
12				Other Items:				
13				Real Estate Guaranty Fund			100.0	
14				Examination Costs			54.5	
15				Motor Vehicle Franchise Fund			15.0	
16				<b>TOTAL -- Regulation and Licensing</b>			<b>10,339.2</b>	
17								
18				(-01) Professional Regulation	5,290.7			
19				(-02) Public Service Commission	4,264.5			
20				(-03) Public Advocate	784.0			
21				<b>TOTAL -- Internal Program Units</b>	<b>10,339.2</b>			
22								
23				<b>(20-05-00) Corporations</b>				
24				Personnel Costs			6,838.0	
25				Travel			27.0	
26				Contractual Services			2,151.0	
27				Supplies and Materials			75.2	
28				Capital Outlay			505.0	
29				Other Items:				
30				Computer Time Costs			800.0	
31				Technology Infrastructure Fund			7,387.0	
32				<b>TOTAL -- Corporations</b>			<b>17,783.2</b>	
33								
34				(-01) Corporations	17,783.2			
35				<b>TOTAL -- Internal Program Unit</b>	<b>17,783.2</b>			
36								
37				<b>(20-06-00) Historical and Cultural Affairs</b>				
38				Personnel Costs			841.7	1,904.2
39				Travel			3.2	1.3
40				Contractual Services			201.1	85.6
41				Energy			226.4	313.3
42				Supplies and Materials			14.1	39.6
43				Capital Outlay			0.2	3.0
44				Other Items:				
45				Museum Operations			29.6	24.0
46				Museum Conservation Fund				9.5
47				Conference Center Operations			32.1	
48				Dayett Mills			12.6	30.0
49				<b>TOTAL -- Historical and Cultural Affairs</b>			<b>1,361.0</b>	<b>2,410.5</b>
50								
51				(-01) Office of the Director	1,361.0	2,410.5		
				<b>TOTAL -- Internal Program Unit</b>	<b>1,361.0</b>	<b>2,410.5</b>		

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

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Personnel		
NSF	ASF	GF

3.0	2.0	3.0
3.0	2.0	3.0

3.0	2.0	3.0
3.0	2.0	3.0

7.0	4.0	4.0
7.0	4.0	4.0

7.0	4.0	4.0
7.0	4.0	4.0

9.0	207.0
9.0	207.0

9.0	207.0
9.0	207.0

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

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

**TOTAL -- Arts**

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

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

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Library Standards  
    Delaware Electronic Library  
    DELNET- Statewide  
    Public Education Project

**TOTAL -- Libraries**

(-01) Libraries  
TOTAL -- Internal Program Unit

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

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay

**TOTAL -- Veterans Home**

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

\$ Program	
ASF	GF

755.9	926.4
755.9	926.4
2,455.4	3,577.6
2,455.4	3,577.6

\$ Line Item	
ASF	GF

155.9	233.4
	0.9
	64.0
	3.0
	10.0
600.0	615.1
755.9	926.4
244.6	366.7
	0.5
	62.7
	19.6
	7.0
1,760.8	2,536.1
350.0	
50.0	585.0
50.0	
2,455.4	3,577.6
275.0	11,622.2
	3.4
30.0	1,760.9
	551.3
95.0	1,404.7
	112.0
400.0	15,454.5
400.0	15,454.5

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

	<b>Personnel</b>				<b>\$ Program</b>		<b>\$ Line Item</b>	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5				<b>(20-15-00) State Banking Commission</b>				
6		37.0		Personnel Costs			2,946.2	
7				Travel			80.0	
8				Contractual Services			755.0	
9				Supplies and Materials			20.0	
10				Capital Outlay			67.5	
11		37.0		<b>TOTAL -- State Banking Commission</b>			<b>3,868.7</b>	
12								
13		37.0		(-01) State Banking Commission	3,868.7			
14		37.0		<b>TOTAL -- Internal Program Unit</b>	<b>3,868.7</b>			
15								
16								
17	<b>16.4</b>	<b>275.6</b>	<b>305.0</b>	<b>TOTAL -- DEPARTMENT OF STATE</b>			<b>41,180.2</b>	<b>27,582.3</b>

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

	<b>Personnel</b>				<b>\$ Program</b>		<b>\$ Line Item</b>	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5								
6				<b>(25-01-00) Office of the Secretary</b>				
7			17.0	Personnel Costs				1,964.9
8				Travel				2.5
9				Contractual Services				115.7
10				Supplies and Materials				3.7
11		18.0		Other Items:				
12		20.0		Information System Development			2,843.3	
13				Escheat			2,578.0	
14			17.0	Escheat Enforcement			32,000.0	
15		38.0	17.0	<b>TOTAL -- Office of the Secretary</b>			37,421.3	2,086.8
16		38.0	17.0	(-01) Office of the Secretary	37,421.3	2,086.8		
17		38.0	17.0	<b>TOTAL -- Internal Program Unit</b>	37,421.3	2,086.8		
18								
19								
20		7.5	56.5	<b>(25-05-00) Accounting</b>				
21				Personnel Costs			616.2	4,305.3
22				Travel			12.0	1.5
23				Contractual Services			12.0	344.9
24				Supplies and Materials			1.5	10.3
25			56.5	Capital Outlay			5.0	37.8
26		7.5	56.5	<b>TOTAL -- Accounting</b>			646.7	4,699.8
27		7.5	56.5	(-01) Accounting	646.7	4,699.8		
28		7.5	56.5	<b>TOTAL -- Internal Program Unit</b>	646.7	4,699.8		
29								
30								
31			88.0	<b>(25-06-00) Revenue</b>				
32				Personnel Costs				7,152.2
33				Travel				5.0
34				Contractual Services				1,068.1
35				Energy				8.4
36				Supplies and Materials				96.4
37				Capital Outlay				58.4
38		43.0		Other Items:				
39		43.0	88.0	Delinquent Collections			4,829.0	
40		43.0	88.0	<b>TOTAL -- Revenue</b>			4,829.0	8,388.5
41		43.0	88.0	(-01) Revenue	4,829.0	8,388.5		
42		43.0	88.0	<b>TOTAL -- Internal Program Unit</b>	4,829.0	8,388.5		





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

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Personnel		
NSF	ASF	GF

73.1	34.0	479.0
73.1	34.0	479.0

3.1	1.5	29.4
70.0	32.5	171.6
		278.0
73.1	34.0	479.0

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

Personnel Costs  
 Travel  
 Contractual Services  
 Energy  
 Supplies and Materials  
 Capital Outlay  
 Tobacco Fund:  
     Money Follows the Person  
     Personnel Costs  
 Other Items:  
     DIMER Operations  
     DIDER Operations  
     Revenue Management  
     Progran Intgerity  
     Nurse Recruitment  
     Birth to Three Program  
     EBT  
     Operations  
     DHSS/IRM  
     TANF General Fund  
     IRM License and Maintenance

**TOTAL -- Administration**

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

\$ Program	
ASF	GF

248.9	3,804.4
6,728.5	17,303.8
1,406.7	16,586.7
8,384.1	37,694.9

\$ Line Item	
ASF	GF

1,820.9	25,297.1
15.5	
1,070.6	5,116.1
212.5	2.0
134.7	818.0
85.0	1.2
29.1	
57.1	
	1,650.0
	500.5
269.2	
232.8	
	15.0
400.0	2,649.2
	466.8
1,406.7	
2,650.0	
	1,115.0
	64.0
8,384.1	37,694.9

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

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(35-02-00) Medicaid and Medical Assistance</b>			
102.6		73.8				4,696.6
						0.1
						3,843.0
						30.1
						32.7
						6.6
					3,170.0	
					4,082.0	
					650.0	
	0.5				698.8	
					410.2	
					5,505.8	
					600.0	
					23,200.0	598,327.5
					47.5	
					100.0	
					2,300.0	
					1,046.7	
					800.0	
					200.0	
					600.0	
					800.0	
					275.1	
						929.5
						350.0
102.6	0.5	73.8	<b>TOTAL -- Medicaid and Medical Assistance</b>		44,486.1	608,216.1
102.6	0.5	73.8	(-01) Medicaid and Medical Assistance		44,486.1	608,216.1
102.6	0.5	73.8	<b>TOTAL -- Internal Program Unit</b>		44,486.1	608,216.1
			<b>(35-04-00) Medical Examiner</b>			
		47.0				3,681.0
						0.3
						250.3
						102.3
						494.1
						38.6
		47.0	<b>TOTAL -- Medical Examiner</b>			4,566.6
		47.0	(-01) Medical Examiner			4,566.6
		47.0	<b>TOTAL -- Internal Program Unit</b>			4,566.6

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

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
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4								
5								
6								
7	235.2	56.0	340.8	<b>(35-05-00) Public Health</b>			549.5	22,104.0
8				Personnel Costs			211.9	3,543.1
9				Contractual Services				373.0
10				Energy			60.0	937.5
11				Supplies and Materials				24.9
12				Capital Outlay				
13				Tobacco Fund:				
14				Personnel Costs			653.7	
15				Contractual Services			2,882.5	
16				Diabetes			357.4	
17				New Nurse Development			2,317.5	
18				Public Access Defibrillation Initiative			75.0	
19				Pilot Projects			529.9	
20				Cancer Council Recommendations			13,362.3	
21				Other Items:				
22				Rodent Control				50.0
23				Tuberculosis			115.0	
24				Sexually Transmitted Diseases			105.0	
25				Child Development Watch			687.7	
26				Preschool Diagnosis and Treatment			100.0	75.6
27				Home Visits			20.0	
28				Immunizations				118.2
29				School Based Health Centers			102.0	5,004.8
30				Hepatitis B				40.0
31				Needle Exchange Program				230.5
32				Rabies Control				222.0
33				Vanity Birth Certificates			14.7	
34				Public Water			60.0	
35				Medicaid Enhancements			205.0	
36				Infant Mortality			150.0	
37				Medicaid AIDS Waiver			1,500.0	
38				Children with Special Needs			45.0	
39				Developmental Screening				115.3
40				Family Planning			325.0	
41				Newborn			1,600.0	
42				Indirect Costs			431.4	
43				Child Health			1,437.3	
44				Food Inspection			21.0	
45				Food Permits			575.0	
46				Medicaid Contractors/Lab Testing and Analysis			900.0	
47				Water Operator Certification			22.0	
48				Health Statistics			1,200.0	
49				Infant Mortality Task Force				4,661.2
50				J-1 VISA			13.5	
51				Distressed Cemeteries			25.0	
52				Plumbing Inspections			400.0	
53				HFLC			30.0	
54				Uninsured Action Plan				229.5
55				Cancer Council				331.3
56				Gift of Life				35.2
57				Delaware Organ and Tissue Program				7.0
58	235.2	56.0	340.8	<b>TOTAL -- Public Health</b>			31,084.3	38,153.7

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

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
4.0	7.0	40.0				
230.2	49.0	293.8	1,601.6	3,233.3		
1.0		7.0	29,407.7	33,753.4		
235.2	56.0	340.8	75.0	1,167.0		
			31,084.3	38,153.7		

(-10) Director's Office/Support Services  
 (-20) Community Health  
 (-30) Emergency Medical Services  
 TOTAL -- Internal Program Units

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

4.0	1.0	653.2	Personnel Costs		299.0	41,764.7
			Travel			6.9
			Contractual Services		1,569.9	29,660.4
			Energy			1,695.9
			Supplies and Materials		1,000.6	2,937.7
			Capital Outlay		9.0	184.0
			Tobacco Fund:			
			Contractual Services		142.2	
			Transitional Housing for Detoxification		177.1	
			Heroin Residential Program		327.3	
			Delaware School Study		22.8	
			Limen House		60.3	
			Other Items:			
	1.0		Medicare Part D		1,119.0	
			TEFRA		100.0	
			DPC Disproportionate Share		1,050.0	
			DPC Industries			38.1
			DOC Assessments		655.0	
			Kent/Sussex Detox Center		300.0	
			Community Placements			4,150.0
			CMH Group Homes			7,051.0
4.0	2.0	653.2	<b>TOTAL -- Substance Abuse and Mental Health</b>		6,832.2	87,488.7

1.2		60.8	(-10) Administration	60.0	4,065.9
1.0		79.0	(-20) Community Mental Health	2,305.0	35,130.9
0.8	1.0	488.4	(-30) Delaware Psychiatric Center	2,196.6	36,842.8
1.0	1.0	25.0	(-40) Substance Abuse	2,270.6	11,449.1
4.0	2.0	653.2	TOTAL -- Internal Program Units	6,832.2	87,488.7



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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(35-09-00) Long Term Care Residents Protection</b>			
16.5		35.5				2,171.5
						0.3
						123.9
						9.1
						5.9
						9.5
16.5		35.5	<b>TOTAL -- Long Term Care Residents Protection</b>			2,320.2
16.5		35.5	(-01) Long Term Care Residents Protection			2,320.2
16.5		35.5	<b>TOTAL -- Internal Program Unit</b>			2,320.2
			<b>(35-10-00) Child Support Enforcement</b>			
140.8	2.5	58.8			182.5	3,516.0
					9.6	
					794.3	521.0
					30.0	13.3
					23.0	
					162.9	
					25.0	
140.8	2.5	58.8	<b>TOTAL -- Child Support Enforcement</b>		1,227.3	4,050.3
140.8	2.5	58.8	(-01) Child Support Enforcement		1,227.3	4,050.3
140.8	2.5	58.8	<b>TOTAL -- Internal Program Unit</b>		1,227.3	4,050.3
			<b>(35-11-00) Developmental Disabilities Services</b>			
3.0	1.0	551.0			40.5	32,413.6
						1.3
					2,371.2	2,877.8
						1,042.1
						886.7
						15.0
					70.0	
						1.1
					300.0	
					2,432.3	23,176.2
						7,787.8
						526.2
3.0	1.0	551.0	<b>TOTAL -- Developmental Disabilities Services</b>		5,214.0	68,727.8
3.0	1.0	64.0	(-10) Administration		40.5	4,026.8
		264.0	(-20) Stockley Center		300.0	21,342.5
		223.0	(-30) Community Services		4,873.5	43,358.5
3.0	1.0	551.0	<b>TOTAL -- Internal Program Units</b>		5,214.0	68,727.8

**(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		5,647.5
Travel	7.8	0.1
Contractual Services	320.1	1,476.1
Energy	231.3	891.9
Supplies and Materials	64.1	80.6
Capital Outlay	39.8	7.3
Other Items:		
Family Support		386.4
Community Food Program		129.8
Emergency Assistance		1,623.2
Kinship Care		70.0
Hispanic Affairs		50.3
<b>TOTAL -- State Service Centers</b>	<b>663.1</b>	<b>10,363.2</b>

		11.0
16.0		73.6
6.0		16.0
22.0		100.6

(-20) Service Center Management	663.1	1,757.1
(-30) Community Services		6,867.2
(-40) Volunteer Services		1,738.9
<b>TOTAL -- Internal Program Units</b>	<b>663.1</b>	<b>10,363.2</b>

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

50.6		825.5
50.6	1.0	825.5

Personnel Costs		42,426.8
Travel		1.9
Contractual Services		10,525.2
Energy	25.0	2,128.5
Supplies and Materials		2,311.6
Capital Outlay		69.3
Tobacco Fund:		
Attendant Care	760.0	
Caregivers Support	178.1	
Money Follows the Person	60.2	
Respite Care	43.2	
Other Items:		
Community Based Services	500.0	3.0
Nutrition Program		789.9
Long Term Care		249.1
Long Term Care Prospective Payment	114.0	
IV Therapy	559.0	
Medicare Part D	2,009.8	
Hospice	25.0	
Respite Care		110.0
<b>TOTAL -- Services for Aging and Adults with Physical Disabilities</b>	<b>4,274.3</b>	<b>58,615.3</b>

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

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<b>Personnel</b>				<b>\$ Program</b>		<b>\$ Line Item</b>	
<b>NSF</b>	<b>ASF</b>	<b>GF</b>		<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>
50.6	1.0	49.6	(-01) Services for Aging and Adults with Physical Disabilities	1,541.5	10,168.0		
		489.1	(-20) Hospital for the Chronically Ill	2,563.4	29,568.9		
		152.8	(-30) Emily Bissell	144.4	10,327.8		
		134.0	(-40) Governor Bacon	25.0	8,550.6		
50.6	1.0	825.5	TOTAL -- Internal Program Units	4,274.3	58,615.3		
<b>870.5</b>	<b>100.0</b>	<b>3,391.2</b>	<b>TOTAL -- DEPARTMENT OF HEALTH AND SOCIAL SERVICES</b>			<b>105,842.3</b>	<b>997,995.1</b>



**(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
			<b>(37-01-00) Management Support Services</b>			
15.6	25.1	162.4	Personnel Costs		1,664.1	13,931.3
			Travel		21.7	3.0
			Contractual Services		306.8	2,721.4
			Supplies and Materials		69.9	246.2
			Capital Outlay		27.0	19.8
			Other Items:			
			MIS Development			646.6
			Agency Operations		187.0	
			Services Integration		102.1	
			Maintenance and Restoration		100.0	
15.6	25.1	162.4	<b>TOTAL -- Management Support Services</b>		2,478.6	17,568.3
3.0	2.0	5.0	(-10) Office of the Secretary		264.0	701.7
10.2	3.0	20.5	(-15) Office of the Director		386.0	1,879.9
	7.6	18.5	(-20) Fiscal Services		431.7	1,441.6
	2.0	16.0	(-25) Facilities Management		232.0	2,778.9
	2.0	19.0	(-30) Human Resources		149.7	1,520.4
	6.0	66.0	(-40) Education Services		465.9	6,429.8
2.4	2.5	17.4	(-50) Management Information Systems		549.3	2,816.0
15.6	25.1	162.4	<b>TOTAL -- Internal Program Units</b>		2,478.6	17,568.3
			<b>(37-04-00) Prevention and Behavioral Health Services</b>			
66.0	26.5	195.8	Personnel Costs		1,888.6	15,406.8
			Travel		9.6	5.8
			Contractual Services		10,296.6	13,388.0
			Energy			129.0
			Supplies and Materials		26.5	284.0
			Capital Outlay			7.7
			Tobacco Fund:			
			Prevention Programs for Youth		47.0	
			Other Items:			
			MIS Maintenance		16.0	
66.0	26.5	195.8	<b>TOTAL -- Prevention and Behavioral Health Services</b>		12,284.3	29,221.3
1.0	20.5	88.6	(-10) Managed Care Organization		1,756.1	8,965.0
65.0	6.0	9.0	(-20) Prevention/Early Intervention		605.1	1,170.7
		32.5	(-30) Periodic Treatment		3,710.2	10,205.4
		65.7	(-40) 24 Hour Treatment		6,212.9	8,880.2
66.0	26.5	195.8	<b>TOTAL -- Internal Program Units</b>		12,284.3	29,221.3

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(37-05-00) Youth Rehabilitative Services</b>			
4.0	23.0	350.1	Personnel Costs		1,288.9	22,944.6
			Travel		10.5	8.1
			Contractual Services		641.7	14,862.6
			Energy			937.2
			Supplies and Materials		84.0	1,353.4
			Capital Outlay			7.4
4.0	23.0	350.1	<b>TOTAL -- Youth Rehabilitative Services</b>		2,025.1	40,113.3
			(-10) Office of the Director		132.3	727.9
4.0	6.0	80.0	(-30) Community Services		618.8	19,250.6
	15.0	262.0	(-50) Secure Care		1,274.0	20,134.8
4.0	23.0	350.1	<b>TOTAL -- Internal Program Units</b>		2,025.1	40,113.3
			<b>(37-06-00) Family Services</b>			
31.1	23.9	285.3	Personnel Costs		1,753.7	18,971.2
			Travel		20.9	2.0
			Contractual Services		641.8	2,551.6
			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	<b>TOTAL -- Family Services</b>		2,557.4	43,783.7
			(-10) Office of the Director		382.1	5,805.5
19.7	2.4	44.5	(-30) Intake/Investigation		966.9	7,154.2
1.0	13.0	102.4	(-40) Intervention/Treatment		1,208.4	30,824.0
10.4	8.5	138.4	<b>TOTAL -- Internal Program Units</b>		2,557.4	43,783.7
31.1	23.9	285.3				
<b>116.7</b>	<b>98.5</b>	<b>993.6</b>	<b>TOTAL -- DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES</b>		<b>19,345.4</b>	<b>130,686.6</b>

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

Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF	
		320.0	<b>(38-01-00) Administration</b>					
			Personnel Costs				20,304.8	
			Travel				3.0	
			Contractual Services				1,936.8	
			Energy				183.8	
			Supplies and Materials				7,963.5	
			Capital Outlay				78.5	
			Other Items:					
			Information Technology				1,310.5	
			Emergency Preparedness				23.6	
			Drug Testing				52.3	
			Central Supply Warehouse				95.0	
		320.0	<b>TOTAL -- Administration</b>				31,951.8	
		18.0	(-01) Office of the Commissioner		1,808.6			
		68.0	(-02) Human Resources/Employee Development Center		3,822.7			
		16.0	(-10) Management Services		2,572.1			
		39.0	(-12) Central Offender Records		1,954.7			
		15.0	(-14) Information Technology		2,374.7			
		88.0	(-20) Food Services		14,284.1			
		76.0	(-40) Facilities Maintenance		5,134.9			
		320.0	<b>TOTAL -- Internal Program Units</b>		31,951.8			
		12.0	<b>(38-02-00) Correctional Healthcare Services</b>					
			Personnel Costs				1,111.6	
			Medical Services				46,092.9	
			Drug and Alcohol Treatment				4,725.5	
		12.0	<b>TOTAL -- Correctional Healthcare Services</b>				51,930.0	
		12.0	(-01) Medical Treatment and Services		51,930.0			
		12.0	<b>TOTAL -- Internal Program Unit</b>		51,930.0			

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

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Personnel		
NSF	ASF	GF

	10.0	1,611.7
	10.0	1,611.7

		7.0
		698.0
		379.0
		97.0
		356.0
		54.0
	10.0	15.0
		5.7
	10.0	1,611.7

1.0		607.0
1.0		607.0

		5.0
1.0		308.0
		39.0
		99.0
		79.0
		77.0
1.0		607.0

1.0	10.0	2,550.7
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**(38-04-00) Prisons**

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

**TOTAL -- Prisons**

(-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**

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

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay

**TOTAL -- Community Corrections**

(-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**

**TOTAL -- DEPARTMENT OF CORRECTION**

\$ Program	
ASF	GF

	963.2
	52,563.8
	28,527.0
	7,466.7
	24,841.5
	6,359.0
3,450.6	1,301.9
	971.5
3,450.6	122,994.6

	41,487.2
	10.2
478.1	4,823.8
50.0	875.3
302.4	634.1
75.0	26.4
905.5	47,857.0

	1,421.5
403.1	22,824.6
	3,778.8
	7,643.7
502.4	6,445.5
	5,742.9
905.5	47,857.0

\$ Line Item	
ASF	GF

848.6	108,932.3
19.0	14.8
880.2	3,393.6
25.3	7,573.6
1,495.5	2,934.9
182.0	20.9
	19.0
	82.5
	23.0
3,450.6	122,994.6

	41,487.2
	10.2
478.1	4,823.8
50.0	875.3
302.4	634.1
75.0	26.4
905.5	47,857.0

	1,421.5
403.1	22,824.6
	3,778.8
	7,643.7
502.4	6,445.5
	5,742.9
905.5	47,857.0

4,356.1	254,733.4
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**(40-00-00) DEPARTMENT OF NATURAL RESOURCES  
AND ENVIRONMENTAL CONTROL**

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Personnel		
NSF	ASF	GF
38.1	76.2	58.7
38.1	76.2	58.7

**(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  
    Cost Recovery  
    Green Energy Fund  
    RGGI CO2 Emissions  
    RGGI Administration  
    RGGI Reduction Project  
    Energy Assistance  
    RGGI Weatherization  
    SRF Future 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
1,054.6	105.3
77.5	655.0
157.8	82.2
81.2	
20.0	
15.0	
15.0	
105.0	
314.7	652.8
20.0	
850.0	
12,000.0	
1,200.0	
1,200.0	
	100.0
1,200.0	
5,750.0	
70.0	
27,304.2	6,930.3

1.0	16.8	20.2
14.0	3.0	6.0
	11.5	6.5
4.0	11.0	3.0
1.0	7.5	11.5
18.1	26.4	11.5
38.1	76.2	58.7

(-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

1,747.8	3,562.4
303.1	660.8
1,020.7	684.9
16,920.9	106.6
618.2	884.5
6,693.5	1,031.1
27,304.2	6,930.3

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

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Personnel		
NSF	ASF	GF
54.2	95.5	194.3
54.2	95.5	194.3

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

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Other Items:
Spraying and Insecticides
Oyster Recovery Fund
Boat Repairs
Non-Game Habitat
Natural Heritage Program
Clean Vessel Program
Duck Stamp
Junior Duck Stamp
Trout Stamp
Finfish Development
Fisheries Restoration
Northern Delaware Wetlands
Revenue Refund
Killen's Pond Water Park
Biden Center
Beach Erosion Control Program
Sand Bypass System
Tax Ditches*
Director's Office Personnel
Director's Office Operations
Wildlife and Fisheries Personnel
Wildlife and Fisheries Operations
Enforcement Personnel
Enforcement Operations
Other Items
<b>TOTAL -- Office of Natural Resources</b>

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

6,358.4	15,300.3
45.8	0.2
3,530.5	2,715.4
66.9	907.2
946.1	669.7
232.7	2.0
	597.8
10.0	
40.0	
50.0	
19.0	197.4
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	
26,478.3	20,695.0

11.5	57.5	96.0
31.8	34.0	43.2
10.9	4.0	55.1
54.2	95.5	194.3

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

10,955.2	8,853.9
6,032.8	5,220.7
9,490.3	6,620.4
26,478.3	20,695.0

\*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	4,626.7	1,079.7		
12.8	53.0	33.2	(-03) Water	4,525.0	3,854.9		
40.5	43.0	26.5	(-04) Waste Management	33,798.6	2,317.4		
70.7	137.6	69.7	TOTAL -- Internal Program Units	42,950.3	7,252.0		
<b>163.0    309.3    322.7</b>			<b>TOTAL -- DEPARTMENT OF</b>			<b>96,732.8    34,877.3</b>	
			<b>NATURAL RESOURCES AND</b>				
			<b>ENVIRONMENTAL CONTROL</b>				



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

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Personnel		
NSF	ASF	GF
41.8	10.5	47.7
41.8	10.5	47.7

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

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Police Training Council  
    Real Time Crime Reporting  
    Local Emergency Planning Councils  
    ITC Funds  
    Community Firearm Recovery Program  
    System Support  
    Hazardous Waste Cleanup  
    Resale - Communication Parts  
    Other Items

**TOTAL -- Office of the Secretary**

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

1,396.2	3,797.1
39.0	2.9
811.5	490.4
15.0	
47.0	48.0
299.4	0.1
	13.1
	48.1
	50.0
	15.0
	100.0
500.0	
100.0	
336.0	
0.7	
3,544.8	4,564.7

1.0		14.0
	3.5	22.5
31.8		8.2
5.0		2.0
4.0		
		1.0
	7.0	
41.8	10.5	47.7

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

100.0	1,656.1
1,629.8	1,850.8
	739.8
	161.9
	18.0
	138.1
1,815.0	
3,544.8	4,564.7

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

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Special Duty

**TOTAL -- Capitol Police**

		75.0
		75.0

	4,263.1
	0.5
	321.1
	40.8
	30.9
36.0	
36.0	4,656.4

		75.0
		75.0

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

36.0	4,656.4
36.0	4,656.4



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

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Personnel		
NSF	ASF	GF

45.2	59.0	842.8
45.2	59.0	842.8

		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

87.0	77.5	982.5
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**(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

**TOTAL -- State Police**

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

\$ Program	
ASF	GF

611.7	30,003.9
	496.0
3,853.0	40,236.4
903.8	17,974.0
317.2	5,942.8
	3,916.5
874.1	980.5
1,507.8	3,126.1
304.6	1,879.9
332.7	7,682.9
533.6	7,215.6
68.6	919.2
9,307.1	120,373.8

\$ Line Item	
ASF	GF

3,605.6	84,744.4
66.8	
813.3	4,493.7
	75.0
1,204.9	5,555.1
321.9	2,331.6
112.5	
	23,064.0
	110.0
3,182.1	
9,307.1	120,373.8

**TOTAL -- DEPARTMENT OF SAFETY AND HOMELAND SECURITY**

13,773.7	130,941.4
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**(55-00-00) DEPARTMENT OF TRANSPORTATION**

Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			<b>(55-01-00) Office of the Secretary</b>	
			<b>(55-01-01) Office of the Secretary</b>	
	8.0		Personnel Costs	836.9
			Travel	10.1
			Contractual Services	10.8
			Supplies and Materials	3.0
			Salary Contingency	366.8
	8.0		<b>TOTAL -- Office of the Secretary</b>	<b>1,227.6</b>
			<b>(55-01-02) Finance</b>	
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		<b>TOTAL -- Finance</b>	<b>3,388.6</b>
			<b>(55-01-03) Public Relations</b>	
	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		<b>TOTAL -- Public Relations</b>	<b>1,171.7</b>
			<b>(55-01-04) Human Resources</b>	
	24.0		Personnel Costs	1,515.5
			Travel	8.2
			Contractual Services	280.0
			Supplies and Materials	93.2
	24.0		<b>TOTAL -- Human Resources</b>	<b>1,896.9</b>
1.0	80.0		<b>TOTAL -- Office of the Secretary</b>	<b>7,684.8</b>
			<b>(55-02-01) Technology and Support Services</b>	
	89.0		Personnel Costs	6,629.2
			Travel	71.2
			Contractual Services	10,253.8
			Energy	1,468.6
			Supplies and Materials	631.0
			Capital Outlay	361.9
	89.0		<b>TOTAL -- Technology and Support Services</b>	<b>19,415.7</b>
			<b>(55-03-01) Planning</b>	
	62.0	24.0	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	24.0	<b>TOTAL -- Planning</b>	<b>6,325.9</b>

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

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Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			<b>(55-04-00) Maintenance and Operations</b>	
			<b>(55-04-01) Office of the Director</b>	
	20.0	1.0	Personnel Costs	1,121.1
			Contractual Services	13.3
			Supplies and Materials	39.8
			Capital Outlay	14.6
	20.0	1.0	TOTAL -- Office of the Director	1,188.8
			<b>(55-04-70) Maintenance Districts</b>	
	677.0	26.0	Personnel Costs	36,585.6
			Travel	16.9
			Contractual Services	5,833.8
			Energy	2,289.5
			Supplies and Materials	8,652.0
			Capital Outlay	229.9
			Snow/Storm Contingency	3,277.4
	677.0	26.0	TOTAL -- Maintenance Districts	56,885.1
	697.0	27.0	<b>TOTAL -- Maintenance and Operations</b>	<b>58,073.9</b>
			<b>(55-06-01) Delaware Transportation Authority</b>	
			Delaware Transit Corporation	
	1.0		Transit Operations	75,833.7
			Taxi Services Support "E & H"	148.5
			Newark Transportation	139.2
			Kent and Sussex Transportation "E & H"	1,394.3
			TOTAL -- Delaware Transit Corporation	77,515.7
			DTA Indebtedness	
			Debt Service	
			Transportation Trust Fund	134,270.0
			General Obligation	377.0
			TOTAL -- DTA Indebtedness	134,647.0
	1.0		<b>TOTAL -- Delaware Transportation Authority*</b>	<b>212,162.7</b>

\*Delaware Transportation Authority, 2 Del. C. c. 13

These funds, except the Regulatory Revolving Funds, are not deposited with the State Treasurer.

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

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3	<b>Personnel</b>				<b>\$ Line Item</b>
4	<b>NSF</b>	<b>TFO</b>	<b>TFC</b>		<b>TFO</b>
5				<b>(55-08-00) Transportation Solutions</b>	
6				<b>(55-08-10) Project Teams</b>	
7		16.0	113.0	Personnel Costs	849.9
8		16.0	113.0	TOTAL -- Project Teams	849.9
9					
10				<b>(55-08-20) Design/Quality</b>	
11		12.0	99.0	Personnel Costs	1,093.2
12		12.0	99.0	TOTAL -- Design/Quality	1,093.2
13					
14				<b>(55-08-30) Engineering Support</b>	
15		19.0	35.0	Personnel Costs	1,733.3
16				Travel	41.0
17				Contractual Services	159.7
18				Energy	6.9
19				Supplies and Materials	173.6
20				Capital Outlay	58.4
21		19.0	35.0	TOTAL -- Engineering Support	2,172.9
22					
23				<b>(55-08-40) Traffic</b>	
24		125.0	3.0	Personnel Costs	7,559.6
25				Contractual Services	2,263.6
26				Energy	552.3
27				Supplies and Materials	558.1
28				Capital Outlay	22.7
29		125.0	3.0	TOTAL -- Traffic	10,956.3
30					
31		172.0	250.0	<b>TOTAL -- Transportation Solutions</b>	<b>15,072.3</b>

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

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Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			<b>(55-11-00) Motor Vehicles</b>	
			<b>(55-11-10) Administration</b>	
	19.0		Personnel Costs	1,529.3
			Travel	6.1
			Contractual Services	446.0
			Supplies and Materials	23.1
			Capital Outlay	118.1
			Motorcycle Safety	154.0
	19.0		<b>TOTAL -- Administration</b>	<b>2,276.6</b>
			<b>(55-11-20) Driver Services</b>	
	88.0		Personnel Costs	4,074.0
			Contractual Services	166.9
			Supplies and Materials	36.3
			CDL Fees	207.3
	88.0		<b>TOTAL -- Driver Services</b>	<b>4,484.5</b>
			<b>(55-11-30) Vehicle Services</b>	
	165.0		Personnel Costs	7,295.7
			Contractual Services	779.7
			Supplies and Materials	1,010.9
			Capital Outlay	25.0
			Odometer Forms	6.0
			Special License Plates	25.0
			DMVT	150.0
	165.0		<b>TOTAL -- Vehicle Services</b>	<b>9,292.3</b>
			<b>(55-11-50) Transportation Services</b>	
1.0	22.0		Personnel Costs	1,367.6
			Travel	32.0
			Contractual Services	265.2
			Supplies and Materials	23.1
1.0	22.0		<b>TOTAL -- Transportation Services</b>	<b>1,687.9</b>
			<b>(55-11-60) Toll Administration</b>	
	121.0		Personnel Costs	6,400.4
			Travel	6.0
			Contractual Services	1,876.9
			Energy	531.3
			Supplies and Materials	246.3
			Capital Outlay	41.0
			Contractual - EZPass Operations	8,402.2
	121.0		<b>TOTAL -- Toll Administration</b>	<b>17,504.1</b>
1.0	415.0		<b>TOTAL -- Motor Vehicles</b>	<b>35,245.4</b>
2.0	1,516.0	301.0	<b>TOTAL -- DEPARTMENT OF TRANSPORTATION</b>	<b>353,980.7</b>

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
<b>(60-01-00) Administration</b>						
13.0	27.7	2.3			1,810.2	194.0
					13.0	
					1,089.6	185.8
						1.7
					86.0	15.0
					60.5	
13.0	27.7	2.3	<b>TOTAL -- Administration</b>		3,059.3	396.5
<b>(60-06-00) Unemployment Insurance</b>						
129.0	4.0				182.0	
					0.1	
					240.9	
					1.0	
					2.5	
					2.2	
					41.9	
129.0	4.0		<b>TOTAL -- Unemployment Insurance</b>		470.6	
<b>(60-07-00) Industrial Affairs</b>						
9.0	50.0	11.0			4,055.5	627.1
					33.8	
					1,070.3	63.9
						5.8
					45.0	
					43.6	
9.0	50.0	11.0	<b>TOTAL -- Industrial Affairs</b>		5,248.2	696.8
<b>(-10) Office of the Secretary</b>			1,175.3	396.5		
<b>(-20) Office of Occupational and Labor Market Information</b>						
<b>(-40) Administrative Support</b>			1,884.0			
13.0	27.7	2.3	3,059.3	396.5	<b>TOTAL -- Internal Program Units</b>	
<b>(-01) Unemployment Insurance</b>			470.6			
129.0	4.0		470.6		<b>TOTAL -- Internal Program Unit</b>	
<b>(-01) Office of Workers' Compensation</b>			3,719.0			
<b>(-02) Office of Labor Law Enforcement</b>			1,418.0	389.7		
<b>(-03) Occupational Safety and Health Administration/Bureau of Labor Statistics</b>			111.2			
<b>(-04) Anti-Discrimination</b>				307.1		
9.0	50.0	11.0	5,248.2	696.8	<b>TOTAL -- Internal Program Units</b>	



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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
<b>(60-08-00) Vocational Rehabilitation</b>						
129.4	5.6	2.0			477.2	120.7
						0.5
					321.2	2,496.0
					75.0	76.9
						560.7
129.4	5.6	2.0	<b>TOTAL -- Vocational Rehabilitation</b>		873.4	3,254.8
80.4	5.6	2.0	(-10) Vocational Rehabilitation Services		873.4	3,254.8
49.0			(-20) Disability Determination Services			
129.4	5.6	2.0	<b>TOTAL -- Internal Program Units</b>		873.4	3,254.8
<b>(60-09-00) Employment and Training</b>						
71.6	4.0	19.4			224.6	1,129.2
					5.0	3.4
					99.2	314.6
						0.9
					7.0	11.4
					15.2	
						525.0
						959.0
71.6	4.0	19.4	<b>TOTAL -- Employment and Training</b>		3,500.0	
					3,851.0	2,943.5
71.6	4.0	19.4	(-20) Employment and Training Services		3,851.0	2,943.5
71.6	4.0	19.4	<b>TOTAL -- Internal Program Unit</b>		3,851.0	2,943.5
<b>352.0</b>	<b>91.3</b>	<b>34.7</b>	<b>TOTAL -- DEPARTMENT OF LABOR</b>		<b>13,502.5</b>	<b>7,291.6</b>

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

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Personnel		
NSF	ASF	GF
15.2	44.0	82.8
15.2	44.0	82.8

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

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			4,147.1	6,226.1
Travel			120.0	5.2
Contractual Services			1,640.2	522.2
Energy			16.1	18.7
Supplies and Materials			210.2	118.2
Capital Outlay			308.5	26.0
Other Items:				
Information, Education and Certification				172.5
Nutrient Management Planning				411.8
Poultry Litter Transport				246.0
Agriculture Advertising				25.0
Agriculture Development Program				16.7
Alternative Agriculture Projects				15.0
Plant Pest Survey and Control				10.0
Educational Assistance			15.0	
Revenue Refund			7.7	
Fingerprints			76.0	
Fingerprinting			75.5	
Equine Drug Testing			1,225.0	
Research and Development			75.0	
<b>TOTAL -- Agriculture</b>			<b>7,916.3</b>	<b>7,813.4</b>

	2.0	15.0
		7.0
6.2	11.0	5.8
4.0	2.5	16.5
1.0	10.0	
2.0	6.0	
0.5		4.5
1.0	0.5	10.5
	1.0	7.0
	9.0	
		9.0
0.5		3.5
	2.0	
		4.0
15.2	44.0	82.8

(-01) Administration	314.3	1,838.2
(-02) Agriculture Compliance		498.1
(-03) Food Products Inspection	932.1	453.1
(-04) Forest Service	654.5	1,137.7
(-05) Harness Racing Commission	2,478.1	
(-06) Pesticides	523.7	
(-07) Planning		422.3
(-08) Plant Industries	122.8	778.7
(-09) Animal Health	565.7	595.3
(-10) Thoroughbred Racing Commission	1,766.6	
(-11) Weights and Measures		634.3
(-12) Nutrient Management		1,150.9
(-13) Agricultural Lands Preservation Foundation	498.2	
(-14) Marketing and Promotion	60.3	304.8
<b>TOTAL -- Internal Program Units</b>	<b>7,916.3</b>	<b>7,813.4</b>

15.2	44.0	82.8
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**TOTAL -- DEPARTMENT OF AGRICULTURE**

7,916.3	7,813.4
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**(70-00-00) DEPARTMENT OF ELECTIONS**

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
5				<b>(70-01-01) State Election Commissioner</b>				
6			12.0	Personnel Costs				705.2
7				Contractual Services				142.3
8				Energy				10.0
9				Supplies and Materials				10.4
10				Capital Outlay				0.8
11				Other Items:				
12				Voter Purging				15.0
13				Technology Development				20.0
14			12.0	Voting Machines				115.0
15				<b>TOTAL -- State Election Commissioner</b>				<b>1,018.7</b>
16								
17			15.0	<b>(70-02-01) Department of Elections for New Castle County</b>				
18				Personnel Costs				1,033.4
19				Travel				6.0
20				Contractual Services				248.8
21				Energy				22.3
22				Supplies and Materials				7.7
23				Other Items:				
24			15.0	School Elections				158.4
25				<b>TOTAL -- Department of Elections for New Castle County</b>				<b>1,476.6</b>
26								
27			8.0	<b>(70-03-01) Department of Elections for Kent County</b>				
28				Personnel Costs				555.9
29				Contractual Services				161.7
30				Energy				12.0
31				Supplies and Materials				3.5
32				Other Items:				
33				Mobile Registration				2.0
34			8.0	School Elections				37.8
35				<b>TOTAL -- Department of Elections for Kent County</b>				<b>772.9</b>
36								
37			7.0	<b>(70-04-01) Department of Elections for Sussex County</b>				
38				Personnel Costs				573.0
39				Travel				2.2
40				Contractual Services				29.1
41				Supplies and Materials				12.7
42				Capital Outlay				2.0
43				Other Items:				
44				Mobile Registration				2.1
45			7.0	School Elections				38.8
46				<b>TOTAL -- Department of Elections for Sussex County</b>				<b>659.9</b>
47								
48								
49			42.0	<b>TOTAL -- DEPARTMENT OF ELECTIONS</b>				<b>3,928.1</b>

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

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(75-01-01) Office of the State Fire Marshal</b>			
	27.2	27.8			1,671.8	2,154.5
					34.0	
					366.8	103.8
						71.8
					81.0	23.4
					311.0	105.0
						2.0
	27.2	27.8			1.5	
					2,466.1	2,460.5
			<b>(75-02-01) State Fire School</b>			
0.5		18.5				1,660.0
						183.6
						232.5
						35.0
						4.6
						70.0
					50.0	
0.5		18.5			50.0	2,185.7
			<b>(75-03-01) State Fire Prevention Commission</b>			
		1.0				78.4
						14.5
						84.3
						13.1
						71.6
					7.0	4.7
					4.0	
		1.0			11.0	266.6
<b>0.5</b>	<b>27.2</b>	<b>47.3</b>	<b>TOTAL -- FIRE PREVENTION COMMISSION</b>		<b>2,527.1</b>	<b>4,912.8</b>

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

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(76-01-01) Delaware National Guard</b>			
80.0		29.0				2,927.5
						5.0
						292.2
						726.7
						140.0
						3.0
						12.2
						300.0
						2.0
<b>80.0</b>		<b>29.0</b>	<b>TOTAL -- DELAWARE NATIONAL GUARD</b>			<b>4,408.6</b>

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

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Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			<b>(77-01-01) Advisory Council For Exceptional Citizens</b>				
		3.0	Personnel Costs				151.8
			Travel				3.5
			Contractual Services				10.4
			Supplies and Materials				3.6
			<b>TOTAL -- ADVISORY COUNCIL FOR EXCEPTIONAL CITIZENS</b>				<b>169.3</b>

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

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

Operations		86,711.6
Scholarships		10,115.3
Agricultural Programs		4,192.1
Other Programs		10,505.1
The College School		78.0
<b>TOTAL -- University of Delaware</b>		<b>111,602.1</b>

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

Operations		1,585.9
River Master Program		91.9
<b>TOTAL -- Delaware Geological Survey</b>		<b>1,677.8</b>

**TOTAL -- University of Delaware**

	<b>113,279.9</b>
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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
Energy		2,195.9
<b>TOTAL -- Operations</b>		<b>32,196.0</b>

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

**TOTAL -- Delaware State University**

	<b>32,196.0</b>
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**(90-00-00) HIGHER EDUCATION**

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(90-04-00) Delaware Technical and Community College</b>			
			<b>(90-04-01) Office of the President</b>			
20.0		49.0				8,060.2
						39.3
						50.0
						293.3
						1,624.7
20.0		49.0	TOTAL -- Office of the President			10,067.5
			<b>(90-04-02) Owens Campus</b>			
65.0	14.0	201.0				16,628.9
						48.2
						250.0
						244.8
						31.2
65.0	14.0	201.0	TOTAL -- Owens Campus			17,203.1
			<b>(90-04-04) Wilmington Campus</b>			
59.0		159.0				12,857.1
						199.8
						32.5
						40.1
59.0		159.0	TOTAL -- Wilmington Campus			13,129.5
			<b>(90-04-05) Stanton Campus</b>			
64.0	9.0	192.0				15,719.4
						184.8
						27.5
						41.1
64.0	9.0	192.0	TOTAL -- Stanton Campus			15,972.8
			<b>(90-04-06) Terry Campus</b>			
85.0	13.0	136.0				10,783.9
						218.3
						21.7
						21.0
85.0	13.0	136.0	TOTAL -- Terry Campus			11,044.9
			<b>TOTAL -- Delaware Technical and Community College</b>			67,417.8
			<b>(90-07-01) Delaware Institute of Veterinary Medical Education</b>			
						300.0
			<b>TOTAL -- Delaware Institute of Veterinary Medical Education</b>			300.0
293.0	36.0	737.0	<b>TOTAL -- HIGHER EDUCATION</b>			213,193.7



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

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5				<b>(95-01-00) Department of Education</b>				
6	53.3	3.0	122.7	Personnel Costs				16,052.5
7				Travel				14.5
8				Contractual Services				602.9
9				Supplies and Materials				38.4
10				Capital Outlay				37.6
11				Energy				75.0
12			1.0	State Board of Education				207.4
13				Other Items:				
14				Foreign Language Expansion				1,938.9
15				Odyssey of the Mind				51.0
16				Infrastructure Capacity				600.0
17				Educator Accountability				1,342.9
18				Pupil Accounting				1,073.5
19				Private Business and Trade School				2.0
20				P-20 Council				20.0
21				Evaluation - Higher Education				1.0
22				Teacher of the Year				58.6
23				Computing Center			215.0	510.7
24				Educator Certification and Development				160.8
25			1.0	Professional Standards Board				149.4
26				School Profiles				100.0
27				Delaware Comprehensive Assessment System				6,050.1
28				Student Standards and Assessment			100.0	329.6
29				Department of Education Library			34.0	
30				Physical Fitness Assessments				20.0
31				Trailer Rental Fund			27.5	
32				Department of Education Publications			15.0	
33		2.0		Delaware Interscholastic Athletic Fund			775.0	
34			7.0	Delaware Science Coalition			1,442.0	1,010.3
35				Parents as Teachers				1,121.6
36				Student Organization				172.4
37	53.3	5.0	131.7	<b>TOTAL -- Department of Education</b>			2,608.5	31,741.1
38								
39	53.3	5.0	131.7	(-01) Department of Education	2,608.5	31,741.1		
40	53.3	5.0	131.7	TOTAL -- Internal Program Unit	2,608.5	31,741.1		

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

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1	<b>(95-02-00) School District Operations</b>							
2				Division I Units (8,319):				
3			13,425.0	Personnel Costs				718,545.7
4				Cafeteria Funds				12,815.2
5				Division II Units (9,529):				
6				All Other Costs				28,165.1
7				Energy				23,211.7
8				Division III:				
9				Equalization				79,974.7
10				Other Items:				
11				General Contingency				7,850.4
12				School Improvement Funds				1,000.0
13				Other Items				511.8
14				Delmar Tuition				2,536.7
15				Skills, Knowledge and Responsibility Pay Supplements				6,300.0
16				Full-Day Kindergarten Implementation				19,531.1
17			13,425.0	<b>TOTAL -- School District Operations</b>				900,442.4
18								
19			13,425.0	(-01) Division Funding		862,712.4		
20				(-02) Other Items		37,730.0		
21			13,425.0	<b>TOTAL -- Internal Program Units</b>		900,442.4		
22								
23								
24								
25								



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

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5				<b>(95-06-00) Delaware Advisory Council on</b>				
6				<b>Career and Technical Education</b>				
7			3.0	Personnel Costs				256.0
8				Travel				2.8
9				Contractual Services				57.2
10				Supplies and Materials				3.3
11			3.0	<b>TOTAL -- Delaware Advisory Council on</b>				319.3
12				<b>Career and Technical Education</b>				
13								
14			3.0	(-01) Advisory Council				319.3
15			3.0	<b>TOTAL -- Internal Program Unit</b>				319.3
16								
17								
18				<b>(95-07-00) Delaware Center for Educational</b>				
19				<b>Technology</b>				
20			7.0	Personnel Costs				681.6
21				Operations				148.8
22			7.0	<b>TOTAL -- Delaware Center for Educational</b>				830.4
23				<b>Technology</b>				
24								
25			7.0	(-01) Delaware Center for Educational				830.4
26				Technology				
27			7.0	<b>TOTAL -- Internal Program Unit</b>				830.4
28								
29								
30				<b>(95-08-00) Delaware Higher Education Office</b>				
31	1.0		6.0	Personnel Costs				580.3
32				Operations				301.2
33				Scholarships and Grants				3,130.8
34				Michael C. Ferguson Awards				300.0
35				INSPIRE				707.0
36				SEED Scholarship				4,374.0
37	1.0		6.0	<b>TOTAL -- Delaware Higher Education Office</b>				9,393.3
38								
39	1.0		6.0	(-01) Delaware Higher Education				9,393.3
40				Commission				
41	1.0		6.0	<b>TOTAL -- Internal Program Unit</b>				9,393.3
42								
43								
44	<b>54.3</b>	<b>9.0</b>	<b>13,627.4</b>	<b>TOTAL -- DEPARTMENT OF EDUCATION</b>			<b>4,733.1</b>	<b>1,109,671.9</b>

Year ending June 30, 2012

Personnel				
TFO	TFC	NSF	ASF	GF
1,516.0	301.0	1,818.5	1,644.1	11,151.3
		293.0	36.0	737.0
		54.3	9.0	13,627.4
<b>1,516.0</b>	<b>301.0</b>	<b>2,165.8</b>	<b>1,689.1</b>	<b>25,515.7</b>

TOTALS

**TOTAL -- DEPARTMENTS**

**TOTAL -- HIGHER EDUCATION**

**TOTAL -- PUBLIC EDUCATION**

**GRAND TOTAL**

\$		
TFO	ASF	GF
353,980.7	670,903.8	2,185,694.5
		213,193.7
	4,733.1	1,109,671.9
<b>353,980.7</b>	<b>675,636.9</b>	<b>3,508,560.1</b>

1 **GENERAL**

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 18.76 percent.  
2 The components of the rate are 9.27 percent for the pension liability, 8.09 percent for retiree health  
3 insurance costs, 0.90 percent for the Other Post-Employment Benefits fund and 0.50 percent for the Post-  
4 Retirement Increase fund.

5 (f) Section 1 of this Act provides funding for a judicial pension rate of 32.53 percent.

6 (g) Section 1 of this Act provides funding for a new State Police pension rate of 18.36 percent.

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

9 GF – General Fund

10 ASF – Appropriated Special Funds

11 NSF – Non-appropriated Special Funds

12 TFO – Trust Fund Operations

13 TFC – Trust Fund Capital

14 FTE – Full-time Equivalent

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

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

17 (a) All provisions of Subsections (a)(1), (a) (2), (b), (c), and (i) through (l) of this Section shall  
18 not apply to those Merit System employees who are covered by a final collective bargaining  
19 agreement under 19 Del. C. § 1311A. The effective dates of agreements pursuant to 19 Del.  
20 C. § 1311A shall occur simultaneously with the fiscal year following final agreement  
21 between the State of Delaware and ratification of that agreement by the respective certified  
22 bargaining unit provided funds are appropriated in Section 1 of this Act for said agreements.  
23 Section 1 of this Act makes no appropriation, and no subsequent appropriation shall be made  
24 during the fiscal year, for any compensation items as defined in 19 Del. C. § 1311A reached  
25 as a result of negotiations, mediation or interest arbitration. Should a bargaining agreement  
26 not be finalized by December 1 of each fiscal year, employees represented by the bargaining  
27 unit negotiating said agreement shall receive compensation pursuant to the provisions of this  
28 Section until such time as an agreement takes effect. A final bargaining agreement shall be

1 defined as an agreement between the State of Delaware and a certified bargaining unit which  
 2 is not retroactive and in which the agreement's completion is achieved through ratification by  
 3 the respective bargaining unit, mediation or binding interest arbitration.

4 (1) Effective July 1, 2011 through December 31, 2011, the following pay plans are established for state  
 5 merit system employees:

6 Annual Salary

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

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

38 \* - Annual Salary in Whole Dollars.

39 \*\* - 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.

1 (2) Effective January 1, 2012, the following pay plans are established for state merit system

2 employees:

3 Annual Salary

4 STATE OF DELAWARE PAY PLAN\*  
5 (Standard Work Schedule of 37.5 Hours per Work Week)

6	PAY	80% of	100% of	120% of
7	GRADE	Midpoint	Midpoint	Midpoint
8				
9	1	17,870**	21,163	25,396
10	2	18,115	22,644	27,173
11	3	19,388	24,235	29,082
12	4	20,740	25,925	31,110
13	5	22,196	27,745	33,294
14	6	23,749	29,686	35,623
15	7	25,409	31,761	38,113
16	8	27,186	33,983	40,780
17	9	29,093	36,366	43,639
18	10	31,129	38,911	46,693
19	11	33,305	41,631	49,957
20	12	35,638	44,547	53,456
21	13	38,134	47,667	57,200
22	14	40,798	50,997	61,196
23	15	43,657	54,571	65,485
24	16	46,717	58,396	70,075
25	17	49,985	62,481	74,977
26	18	53,482	66,852	80,222
27	19	57,226	71,533	85,840
28	20	61,236	76,545	91,854
29	21	65,520	81,900	98,280
30	22	70,106	87,633	105,160
31	23	75,016	93,770	112,524
32	24	80,270	100,337	120,404
33	25	85,886	107,357	128,828
34	26	91,896	114,870	137,844

35 \* - Annual Salary in Whole Dollars.

36 \*\* - Minimum State Salary.

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

3	PAY	80% of	100% of	120% of
4	GRADE	Midpoint	Midpoint	Midpoint
5				
6	1	18,058	22,573	27,088
7	2	19,323	24,154	28,985
8	3	20,677	25,846	31,015
9	4	22,122	27,653	33,184
10	5	23,674	29,593	35,512
11	6	25,330	31,663	37,996
12	7	27,103	33,879	40,655
13	8	29,002	36,252	43,502
14	9	31,032	38,790	46,548
15	10	33,203	41,504	49,805
16	11	35,525	44,406	53,287
17	12	38,014	47,518	57,022
18	13	40,674	50,842	61,010
19	14	43,523	54,404	65,285
20	15	46,569	58,211	69,853
21	16	49,830	62,288	74,746
22	17	53,316	66,645	79,974
23	18	57,048	71,310	85,572
24	19	61,042	76,303	91,564
25	20	65,318	81,648	97,978
26	21	69,890	87,362	104,834
27	22	74,783	93,479	112,175
28	23	80,014	100,018	120,022
29	24	85,617	107,021	128,425
30	25	91,610	114,512	137,414
31	26	98,023	122,529	147,035

32 \* - Annual Salary in Whole Dollars.

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

36	<u>DEPARTMENT</u>	<u>CLASS SERIES</u>
37	Department of State	Drug Control Administrator
38	Department of Finance	Gaming Inspector I, II
39		Gaming Inspection Supervisor
40	Department of Correction	Quality Improvement Program Administrator
41		Community Work Program Coordinator
42		Correctional Food Services Administrator
43		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) Effective July 1, 2011 through December 31, 2011, all classes assigned to Selective  
6 Market Variation shall have their Selective Market Variation pay ranges remain the same  
7 as Fiscal Year 2011 amounts. Effective January 1, 2012, Selective Market Variation pay  
8 ranges shall increase by 2%. All classes shall remain on Selective Market until the  
9 selective market ranges meet the merit pay plan ranges or until such time as the classes  
10 become covered by a collective bargaining agreement pursuant to the provisions of 19  
11 Del. C. § 1311A.

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

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

17 (1) The amount appropriated for salaries in Section 1 of this Act provides salary adjustments  
18 for departments 01 through 77 and Delaware Technical and Community College Plan B  
19 as follows:

20 (i) Effective January 1, 2012, the salary of each employee shall be increased by 2  
21 percent.

22 (ii) The salary of employees who after the application of the general increase in Section  
23 8 (c) (1) (i) is below the minimum salary of the assigned pay grade of the pay plan  
24 shall be raised to the minimum salary.

25 (iii) Salaries of employees employed in accordance with 29 Del. C. § 5903(17) shall be  
26 excluded from Subsection (c)(1)(i) of this Section and may receive a salary increase  
27 at the discretion of the agency.

- 1 (2) (i) The provisions of Subsection (c) of this Section shall not apply to the employees of  
2 the General Assembly-House or the General Assembly-Senate. Salaries for those  
3 employees will be established by the Speaker of the House of Representatives and the  
4 President Pro-tempore of the Senate, respectively.
- 5 (ii) The provisions of Subsection (c) of this Section shall not apply to the Governor,  
6 Uniformed State Police, all full-time and regular part-time non-merit  
7 Telecommunications Specialists, Senior Telecommunications Central Control  
8 Specialists and Telecommunications Central Control Shift Supervisors employed in  
9 the Communications Section of the Division of State Police in the Department of  
10 Safety and Homeland Security, and non-uniformed support staff within the Delaware  
11 State Police covered under the Communication Workers of America, employees of  
12 the Department of Technology and Information, employees of the University of  
13 Delaware, Delaware State University and members and employees of the Delaware  
14 National Guard, excluding the Adjutant General. Funds have been appropriated in  
15 Section 1 of this Act for Delaware State University and for the University of  
16 Delaware to provide for a 2 percent increase in salaries paid from General Funds.
- 17 (iii) Any Merit System employee who is denied the salary increase referred to in Section  
18 6 8(c)(1)(i) due to an unsatisfactory performance rating in accordance with Merit  
19 Rule 13.3 shall become eligible for the salary increase upon meeting job  
20 requirements as defined by their supervisor, but the salary increase will not be  
21 retroactive.
- 22 (iv) Notwithstanding Chapters 4.0 and 5.0 of the Merit Rules, any Merit System  
23 employee who is covered by the Department of Natural Resources and  
24 Environmental Control Competency-based Pay Plan provided to the Controller  
25 General's Office on June 8, 1998 shall receive a 2 percent increase effective January  
26 1, 2012. This plan shall continue in Fiscal Year 2012 as it was established in 71 Del.  
27 Laws, c. 354, § 247. In addition, the salary levels established in the Competency-  
28 based Pay Plan shall be increased by 2 percent effective January 1, 2012.



1 (v) Notwithstanding Chapters 4.0 and 5.0 of the Merit Rules, any attorney covered under  
2 the salary matrices approved for the Attorney General and the Public Defender shall  
3 receive a 2 percent salary increase effective January 1, 2012. The salary plans  
4 approved for the Office of the Attorney General and the Public Defender shall  
5 continue as established. In addition, the matrices approved for said plans shall be  
6 increased by 2 percent effective January 1, 2012.

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

8 (i) Statutory step increases for the Department of Education and Delaware Technical and  
9 Community College plans A and D, as provided in Title 14.

10 (ii) Negotiated, collective bargaining increases for Uniformed members of the Delaware  
11 State Police and full-time and regular part-time non-merit Telecommunications  
12 Specialists, Senior Telecommunications Specialists, Telecommunication Shift  
13 Supervisors, Telecommunication Central Control Specialists, Senior  
14 Telecommunications Central Control Specialists and Telecommunications Central  
15 Control Shift Supervisors employed in the Communications Section of the Division of  
16 State Police in the Department of Safety and Homeland Security, and non-uniformed  
17 support staff within the Delaware State Police covered under the Communication  
18 Workers of America;

19 (iii) Delaware National Guard employees will be paid consistent with the federal salary  
20 plan.

21 **(d) MAINTENANCE REVIEWS.**

22 (1) Any such reclassifications/regrades that the Director of the Office of Management and  
23 Budget determines to be warranted as a result of the classification maintenance reviews  
24 regularly scheduled by the Office of Management and Budget shall be designated to  
25 become effective July 1, 2011, provided that such reclassifications/regrades have been  
26 processed as part of the regular budgetary process and the funds for such  
27 reclassifications/regrades have been appropriated. Maintenance review classification

1 determinations may be appealed to the Merit Employee Relations Board in accordance  
2 with 29 Del. C. § 5915. Pay grade determinations shall not be appealed.

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

13 **(e) CRITICAL RECLASSIFICATIONS.**

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

19 **(f) OTHER RECLASSIFICATIONS.**

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

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

23 Teachers and administrators employed by state agencies and who are paid based on the Basic  
24 Schedule contained in 14 Del. C. § 1305, as amended by this Act, shall receive as a salary an amount  
25 equal to the index value specified in the appropriate training and experience cell multiplied by the base  
26 salary amount defined in 14 Del. C. § 1305(b), divided by 0.7 for 10 months employment. If employed  
27 on an 11 or 12 month basis, the 10 month amount shall be multiplied by 1.1 or 1.2, respectively. In  
28 addition to the above calculation, teachers and administrators qualifying for professional development

1 clusters in accordance with 14 Del. C. § 1305(l) shall receive an additional amount equal to the approved  
2 cluster percentage multiplied by the base salary amount defined in 14 Del. C. § 1305(b). This calculation  
3 shall not be increased for 11 or 12 month employment. The percentage shall only be applied to the base  
4 10 month salary for 10, 11 and 12 month employees. In accordance with 14 Del. C. § 1305(p), the cluster  
5 percentage is capped at 15 percent. The provisions of this Subsection shall not apply to those Merit  
6 System employees who are covered by a collective bargaining agreement which has met all provisions of  
7 19 Del. C. § 1311A.

8 **(h) ADMINISTRATIVE REGULATIONS.**

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

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

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

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

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

1           **(j) OVERTIME.**

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

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

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

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

25          (iii) Delaware Emergency Management Agency personnel responding to emergencies or  
26          working at the State Emergency Operations Center (EOC) during activation for  
27          weather, technological, or terrorist-related incidents, who are not covered by the Fair  
28          Labor Standards Act, shall be entitled to receive compensation at their normal rate of

1 pay for all overtime services beyond the standard work week. This shall be in effect  
2 only when there is a Declared State of Emergency by the Governor, the State receives  
3 a presidential Disaster Declaration, and federal funds are made available to  
4 compensate for the overtime worked.

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

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

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

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

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

16 Salary schedules and staffing formulas contained in 14 Del. C. c. 13 shall be revised as specified  
17 in this subsection.

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

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

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

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

3 (5) Section 1 of this Act provides an amount for salaries and other employment costs for  
4 Formula Employees in Public Education. Additional amounts are included in some  
5 Block Grants and Other Programs (95-03-00). Local school districts must charge  
6 payroll for local share salary supplements and other employment costs and fringe  
7 benefits simultaneously with state-share charges. The amount of salary and other  
8 employment costs that can be charged to state appropriations for any one-day period or  
9 for any one individual cannot exceed the amount the individual is entitled to receive  
10 based on the state salary schedules provided by this Act and 14 Del. C. c. 13, divided  
11 by the number of pays the individual has chosen to schedule per year. The provisions  
12 of this Section do not apply to Division III - Equalization (Appropriation 05186)  
13 which may be charged for local contractual obligations before local current operating  
14 funds are used.

1 Salary schedules and staffing formulas contained in 14 Del. C. c. 13, shall be revised as specified  
 2 in this subsection and are effective July 1, 2011 through December 31, 2011.

3 (6) Amend 14 Del. C. § 1305(a), by striking the salary schedule contained in said  
 4 subsection in its entirety and by substituting in lieu thereof the following:

5	“Step	No	Bach.	Bach.	Bach.	Mast.	Mast.	Mast.	Mast.	Doctor’s	Yrs
6		Degree	Degree	Degree	Degree	Degree	Degree	Degree	Degree	Degree	Of
7				Plus 15	Plus 30		Plus 15	Plus 30	Plus 45		Exp.
8			Grad	Grad		Grad	Grad	Grad			
9			Credits	Credits		Credits	Credits	Credits			
10	1	0.9610	1.0000	1.0390	1.0780	1.1365	1.1755	1.2145	1.2536	1.2926	0
11	2	0.9707	1.0098	1.0488	1.0878	1.1463	1.1853	1.2243	1.2633	1.3023	1
12	3	0.9795	1.0195	1.0585	1.0975	1.1560	1.1950	1.2340	1.2731	1.3121	2
13	4	1.0146	1.0536	1.0926	1.1317	1.1902	1.2292	1.2682	1.3072	1.3462	3
14	5	1.0439	1.0800	1.1151	1.1512	1.2038	1.2389	1.2828	1.3218	1.3608	4
15	6	1.0800	1.1151	1.1512	1.1863	1.2389	1.2750	1.3101	1.3462	1.3813	5
16	7	1.1151	1.1512	1.1863	1.2214	1.2750	1.3101	1.3462	1.3813	1.4164	6
17	8	1.1512	1.1863	1.2214	1.2575	1.3101	1.3462	1.3813	1.4164	1.4525	7
18	9	1.1863	1.2214	1.2575	1.2926	1.3989	1.4340	1.4700	1.5052	1.5412	8
19	10	1.2214	1.2575	1.2926	1.3277	1.4340	1.4700	1.5052	1.5412	1.5763	9
20	11	1.2575	1.2947	1.3277	1.3638	1.4700	1.5052	1.5412	1.5763	1.6115	10
21	12			1.3638	1.3989	1.5052	1.5412	1.5763	1.6115	1.6475	11
22	13			1.4009	1.4340	1.5412	1.5763	1.6115	1.6475	1.6826	12
23	14				1.4700	1.5763	1.6115	1.6475	1.6826	1.7177	13
24	15				1.5069	1.6115	1.6475	1.6826	1.7177	1.7538	14
25	16					1.6475	1.6843	1.7177	1.7538	1.7889	15
26	17							1.7535	1.7907	1.8247	16”

1 (7) Amend 14 Del. C. § 1308(a), by striking the salary schedule contained in said subsection in its

2 entirety and by substituting in lieu thereof the following:

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

30 \* - Annual Salary in Whole Dollars.”



1 (8) Amend 14 Del. C. § 1311(a), by striking the salary schedule contained in said

2 subsection in its entirety and by substituting in lieu thereof the following:

3	Step*	Custodian*	Custodian	Chief	Chief	Maintenance	Skilled	Yrs of
4			Firefighter*	Custodian 5	Custodian 6	Mechanic	Craftsperson	Exp.
5				Or Fewer	Or More			
6				Custodians	Custodians			
7	1	18,201	18,717	18,979	20,016	20,497	20,954	0
8	2	18,590	19,107	19,369	20,406	20,984	21,542	1
9	3	18,979	19,496	19,758	20,811	21,497	22,125	2
10	4	19,368	19,886	20,146	21,248	22,003	22,709	3
11	5	19,758	20,274	20,538	21,689	22,447	23,295	4
12	6	20,146	20,661	20,956	22,129	23,021	23,879	5
13	7	20,538	21,104	21,397	22,564	23,531	24,463	6
14	8	20,956	21,544	21,833	23,001	24,040	25,048	7
15	9	21,397	21,980	22,273	23,441	24,550	25,633	8
16	10	21,833	22,419	22,709	23,879	25,056	26,219	9
17	11	22,273	22,857	23,149	24,318	25,568	26,802	10
18	12	22,709	23,298	23,589	24,754	26,076	27,388	11
19	13	23,157	23,750	24,039	25,198	26,597	27,988	12
20	14	23,614	24,211	24,501	25,652	27,128	28,602	13
21	15	24,080	24,682	24,974	26,115	27,671	29,231	14
22	16	24,557	25,161	25,454	26,585	28,224	29,873	15

23 \* - Annual Salary in Whole Dollars.”

1 (9) Amend 14 Del. C. § 1322(a), by striking the salary schedule contained in said

2 subsection in its entirety and by substituting in lieu thereof the following:

3 "SCHOOL FOOD SERVICE MANAGERS\*

4 Number of Pupils in School Served by Cafeteria

5	Step	Below	351-500	501-800	801-1200	1201-1600	1601-2000	2000+	Yrs of
6		351							Exp.
7	1	16,908	17,856	18,802	19,746	20,677	21,824	22,393	0
8	2	17,381	18,325	19,275	20,220	21,104	21,964	22,823	1
9	3	17,856	18,802	19,746	20,677	21,533	22,393	23,252	2
10	4	18,325	19,275	20,220	21,104	21,964	22,823	23,681	3
11	5	18,802	19,746	20,677	21,553	22,393	23,252	24,111	4
12	6	19,275	20,220	21,104	21,964	22,823	23,681	24,541	5
13	7	19,746	20,677	21,533	22,393	23,252	24,111	25,007	6
14	8	20,220	21,104	21,964	22,823	23,681	24,541	25,481	7
15	9	20,677	21,533	22,393	23,252	24,111	25,007	25,957	8
16	10	21,104	21,964	22,823	23,681	24,541	25,481	26,430	9
17	11	21,533	22,393	23,252	24,111	25,007	25,957	26,901	10
18	12	21,964	22,823	23,681	24,541	25,481	26,430	27,374	11
19	13	22,393	23,252	24,111	25,007	25,957	26,901	27,850	12
20	14	22,823	23,681	24,541	25,481	26,430	27,374	28,322	13
21	15	23,252	24,111	25,007	25,957	26,901	27,850	28,800	14
22	16	23,681	24,541	25,481	26,430	27,374	28,322	29,275	15
23	17	24,123	25,023	25,965	26,913	27,858	28,804	29,759	16
24	18	24,574	25,520	26,460	27,405	28,353	29,294	30,253	17
25	19	25,035	26,028	26,965	27,907	28,857	29,793	30,755	18
26	20	25,503	26,547	27,478	28,418	29,370	30,301	31,265	19

27 \* - Annual Salary in Whole Dollars.”

1 (10) Amend 14 Del. C. § 1322(c), by striking the salary schedule contained in said

2 subsection in its entirety and by substituting in lieu thereof the following:

3 "SCHOOL LUNCH COOKS AND GENERAL WORKERS

4	Step	General Worker	Cook/Baker	Years of Experience
5	1	10.62	11.44	0
6	2	10.75	11.56	1
7	3	10.91	11.69	2
8	4	11.00	11.79	3
9	5	11.12	11.93	4
10	6	11.29	12.11	5
11	7	11.43	12.21	6
12	8	11.53	12.29	7
13	9	11.61	12.39	8
14	10	11.71	12.52	9
15	11	11.82	12.67	10
16	12	12.02	12.79	11
17	13	12.14	12.93	12
18	14	12.26	13.06	13
19	15	12.39	13.16	14
20	16	12.52	13.31	15
21	17	12.68	13.47	16
22	18	12.81	13.57	17
23	19	12.96	13.66	18
24	20	13.12	13.77	19
25	21	13.26	13.87	20
26	22	13.41	13.98	21

27 \* - Annual Salary in Whole Dollars."

1 (11) Amend 14 Del. C. § 1324(b), by striking the salary schedule contained in said

2 subsection in its entirety and by substituting in lieu thereof the following:

3	“Step	Service	Instructional	Years of
4		Aides	Aides	Experience
5	1	15,020	17,670	0
6	2	15,600	18,080	1
7	3	15,936	18,492	2
8	4	16,273	18,904	3
9	5	16,614	19,318	4
10	6	16,950	19,729	5
11	7	17,286	20,144	6
12	8	17,623	20,556	7
13	9	17,961	20,969	8
14	10	18,298	21,379	9
15	11	18,637	21,792	10
16	12	18,973	22,203	11
17	13	19,308	22,581	12
18	14	19,648	22,954	13
19	15	19,984	23,330	14
20	16	20,320	23,702	15
21	17	20,658	24,081	16
22	18	20,996	24,454	17
23	19	21,333	24,830	18
24	20	21,670	25,203	19
25	21	22,006	25,579	20
26	22	22,312	25,954	21
27	23	22,625	26,337	22
28	24	22,945	26,766	23
29	25	23,270	27,202	24
30	26	23,599	27,646	25

31 \* - Annual Salary in Whole Dollars.”

32 Salary schedules and staffing formulas contained in 14 Del. C. c. 13, shall be revised as

33 specified in this subsection and effective as of January 1, 2012.

1 (12) Amend 14 Del. C. § 1305(b), by deleting the first sentence and inserting in lieu  
 2 thereof the following sentence: “The base salary amount for this section, from January  
 3 1, 2012 through June 30, 2012, shall be \$27,506.”

4 (13) Amend 14 Del. C. § 1305(a), by striking the salary schedule contained in said  
 5 subsection in its entirety and by substituting in lieu thereof the following:

6	“Step	No	Bach.	Bach.	Bach.	Mast.	Mast.	Mast.	Mast.	Doctor’s	Yrs
7		Degree	Degree	Degree	Degree	Degree	Degree	Degree	Degree	Degree	Of
8				Plus 15	Plus 30		Plus 15	Plus 30	Plus 45		Exp.
9				Grad	Grad		Grad	Grad	Grad		
10				Credits	Credits		Credits	Credits	Credits		
11	1	0.9610	1.0000	1.0390	1.0780	1.1365	1.1755	1.2145	1.2536	1.2926	0
12	2	0.9707	1.0098	1.0488	1.0878	1.1463	1.1853	1.2243	1.2633	1.3023	1
13	3	0.9795	1.0195	1.0585	1.0975	1.1560	1.1950	1.2340	1.2731	1.3121	2
14	4	1.0146	1.0536	1.0926	1.1317	1.1902	1.2292	1.2682	1.3072	1.3462	3
15	5	1.0439	1.0800	1.1151	1.1512	1.2038	1.2389	1.2828	1.3218	1.3608	4
16	6	1.0800	1.1151	1.1512	1.1863	1.2389	1.2750	1.3101	1.3462	1.3813	5
17	7	1.1151	1.1512	1.1863	1.2214	1.2750	1.3101	1.3462	1.3813	1.4164	6
18	8	1.1512	1.1863	1.2214	1.2575	1.3101	1.3462	1.3813	1.4164	1.4525	7
19	9	1.1863	1.2214	1.2575	1.2926	1.3989	1.4340	1.4700	1.5052	1.5412	8
20	10	1.2214	1.2575	1.2926	1.3277	1.4340	1.4700	1.5052	1.5412	1.5763	9
21	11	1.2575	1.2947	1.3277	1.3638	1.4700	1.5052	1.5412	1.5763	1.6115	10
22	12			1.3638	1.3989	1.5052	1.5412	1.5763	1.6115	1.6475	11
23	13			1.4009	1.4340	1.5412	1.5763	1.6115	1.6475	1.6826	12
24	14				1.4700	1.5763	1.6115	1.6475	1.6826	1.7177	13
25	15				1.5069	1.6115	1.6475	1.6826	1.7177	1.7538	14
26	16					1.6475	1.6843	1.7177	1.7538	1.7889	15
27	17							1.7535	1.7907	1.8247	16”

1 (14) Amend 14 Del. C. § 1308(a), by striking the salary schedule contained in said

2 subsection in its entirety and by substituting in lieu thereof the following:

3	“Step	Clerk*	Secretary*	Senior	Financial	Administrative	Years of
4				Secretary*	Secretary*	Secretary*	Experience
5	1	15,508	17,062	17,906	18,372	19,146	0
6	2	16,076	17,630	18,430	18,900	19,680	1
7	3	16,642	18,152	18,956	19,428	20,215	2
8	4	17,211	18,675	19,480	19,954	20,749	3
9	5	17,743	19,197	20,005	20,482	21,346	4
10	6	18,246	19,721	20,531	21,035	21,948	5
11	7	18,747	20,243	21,086	21,631	22,553	6
12	8	19,248	20,763	21,680	22,226	23,155	7
13	9	19,751	21,349	22,272	22,821	23,760	8
14	10	20,253	21,939	22,864	23,416	24,362	9
15	11	20,755	22,528	23,455	24,014	24,966	10
16	12	21,317	23,117	24,047	24,609	25,568	11
17	13	21,883	23,706	24,640	25,202	26,172	12
18	14	22,450	24,296	25,233	25,799	26,775	13
19	15	23,017	24,886	25,823	26,396	27,377	14
20	16	23,584	25,477	26,416	26,988	27,984	15
21	17	24,151	26,064	27,009	27,583	28,587	16
22	18	24,720	26,655	27,602	28,180	29,188	17
23	19	25,285	27,244	28,194	28,773	29,792	18
24	20	25,852	27,835	28,785	29,372	30,396	19
25	21	26,417	28,423	29,377	29,967	30,998	20
26	22	26,997	29,026	29,982	30,575	31,615	21
27	23	27,592	29,643	30,601	31,196	32,245	22
28	24	28,201	30,273	31,233	31,830	32,889	23
29	25	28,823	30,915	31,879	32,477	33,547	24

30 \* - Annual Salary in Whole Dollars.”

1 (15) Amend 14 Del. C. § 1311(a), by striking the salary schedule contained in said

2 subsection in its entirety and by substituting in lieu thereof the following:

3	Step*	Custodian*	Custodian	Chief	Chief	Maintenance	Skilled	Yrs of
4			Firefighter*	Custodian 5	Custodian 6	Mechanic	Craftsperson	Exp.
5				Or Fewer	Or More			
6				Custodians	Custodians			
7	1	18,565	19,091	19,359	20,416	20,907	21,373	0
8	2	18,962	19,489	19,756	20,814	21,404	21,973	1
9	3	19,359	19,886	20,153	21,227	21,927	22,568	2
10	4	19,755	20,284	20,549	21,673	22,443	23,163	3
11	5	20,153	20,679	20,949	22,123	22,896	23,761	4
12	6	20,549	21,074	21,375	22,572	23,481	24,357	5
13	7	20,949	21,526	21,825	23,015	24,002	24,952	6
14	8	21,375	21,975	22,270	23,461	24,521	25,549	7
15	9	21,825	22,420	22,718	23,910	25,041	26,146	8
16	10	22,270	22,867	23,163	24,357	25,557	26,743	9
17	11	22,718	23,314	23,612	24,804	26,079	27,338	10
18	12	23,163	23,764	24,061	25,249	26,598	27,936	11
19	13	23,620	24,225	24,520	25,702	27,129	28,548	12
20	14	24,086	24,695	24,991	26,165	27,671	29,174	13
21	15	24,562	25,176	25,473	26,637	28,224	29,816	14
22	16	25,048	25,664	25,963	27,117	28,788	30,470	15

23 \* - Annual Salary in Whole Dollars.”

1 (16) Amend 14 Del. C. § 1322(a), by striking the salary schedule contained in said

2 subsection in its entirety and by substituting in lieu thereof the following:

3 "SCHOOL FOOD SERVICE MANAGERS\*

4 Number of Pupils in School Served by Cafeteria

5	Step	Below	351-500	501-800	801-1200	1201-1600	1601-2000	2000+	Yrs of
6		351							Exp.
7	1	17,246	18,213	19,178	20,141	21,091	22,260	22,841	0
8	2	17,729	18,692	19,661	20,624	21,526	22,403	23,279	1
9	3	18,213	19,178	20,141	21,091	21,964	22,841	23,717	2
10	4	18,692	19,661	20,624	21,526	22,403	23,279	24,155	3
11	5	19,178	20,141	21,091	21,984	22,841	23,717	24,593	4
12	6	19,661	20,624	21,526	22,403	23,279	24,155	25,032	5
13	7	20,141	21,091	21,964	22,841	23,717	24,593	25,507	6
14	8	20,624	21,526	22,403	23,279	24,155	25,032	25,991	7
15	9	21,091	21,964	22,841	23,717	24,593	25,507	26,476	8
16	10	21,526	22,403	23,279	24,155	25,032	25,991	26,959	9
17	11	21,964	22,841	23,717	24,593	25,507	26,476	27,439	10
18	12	22,403	23,279	24,155	25,032	25,991	26,959	27,921	11
19	13	22,841	23,717	24,593	25,507	26,476	27,439	28,407	12
20	14	23,279	24,155	25,032	25,991	26,959	27,921	28,888	13
21	15	23,717	24,593	25,507	26,476	27,439	28,407	29,376	14
22	16	24,155	25,032	25,991	26,959	27,921	28,888	29,861	15
23	17	24,605	25,523	26,484	27,451	28,415	29,380	30,354	16
24	18	25,065	26,030	26,989	27,953	28,920	29,880	30,858	17
25	19	25,536	26,549	27,504	28,465	29,434	30,389	31,370	18
26	20	26,013	27,078	28,028	28,986	29,957	30,907	31,890	19

27 \* - Annual Salary in Whole Dollars."

28 (17) Amend 14 Del. C. § 1322(c), by striking the salary schedule contained in said

29 subsection in its entirety and by substituting in lieu thereof the following:

30 "SCHOOL LUNCH COOKS AND GENERAL WORKERS

31	Step	General	Cook/Baker	Years of Experience
32		Worker		
33	1	10.83	11.67	0
34	2	10.97	11.79	1
35	3	11.13	11.92	2
36	4	11.22	12.03	3
37	5	11.34	12.17	4
38	6	11.52	12.35	5
39	7	11.66	12.45	6
40	8	11.76	12.54	7
41	9	11.84	12.64	8
42	10	11.94	12.77	9
43	11	12.06	12.92	10
44	12	12.26	13.05	11
45	13	12.38	13.19	12



1	14	12.51	13.32	13
2	15	12.64	13.42	14
3	16	12.77	13.58	15
4	17	12.93	13.74	16
5	18	13.07	13.84	17
6	19	13.22	13.93	18
7	20	13.38	14.05	19
8	21	13.53	14.15	20
9	22	13.68	14.26	21

10 \* - Annual Salary in Whole Dollars.”

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

3	“Step	Service	Instructional	Years of
4		Aides	Aides	Experience
5	1	15,895	18,545	0
6	2	16,475	18,955	1
7	3	16,811	19,367	2
8	4	17,148	19,779	3
9	5	17,489	20,193	4
10	6	17,825	20,604	5
11	7	18,161	21,019	6
12	8	18,498	21,431	7
13	9	18,836	21,844	8
14	10	19,173	22,254	9
15	11	19,512	22,667	10
16	12	19,848	23,078	11
17	13	20,183	23,456	12
18	14	20,523	23,829	13
19	15	20,859	24,205	14
20	16	21,195	24,577	15
21	17	21,533	24,956	16
22	18	21,871	25,329	17
23	19	22,208	25,705	18
24	20	22,545	26,078	19
25	21	22,881	26,454	20
26	22	23,187	26,829	21
27	23	23,500	27,212	22
28	24	23,820	27,641	23
29	25	24,145	28,077	24
30	26	24,474	28,521	25

31 \* - Annual Salary in Whole Dollars

1           Section 9.Salaries and wage rates for state employees who are not covered by the provisions of 14

2 Del. C. c. 13, 19 Del. C. § 1311A, or by the Merit System, excluding employees of the General  
3 Assembly-House or the General Assembly-Senate, Uniformed State Police, all full-time and regular part-  
4 time non-Merit Telecommunications Specialists, Senior Telecommunications Specialists,  
5 Telecommunication Shift Supervisors, Telecommunications Central Control Specialists, Senior  
6 Telecommunications Central Control Specialists and Telecommunications Central Control Shift  
7 Supervisors employed in the Communications Section of the Department of Safety and Homeland  
8 Security, Delaware State Police, employees of the University of Delaware, employees of Delaware State  
9 University, employees of Delaware Technical and Community College who are paid on the  
10 Administrative Salary Plan or Faculty Plan, Plans D and A, respectively, Executive Director of the  
11 Delaware Center for Educational Technology, members and employees of the Delaware National Guard  
12 and employees whose salaries are governed by Section 10 of this Act, shall have the following:

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

1 and position classification questionnaires describing the duties and responsibilities of each of the  
2 positions. The certification of comparability by the Director of the Office of Management and Budget  
3 shall not be withheld unreasonably. Those positions assigned on a list of comparability that are assigned  
4 a comparable class and/or pay grade in the Merit System shall be paid in accordance with Sections 8(b)  
5 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  
6 given to such employees unless specifically authorized in this Act.

7 (b) The salary of employees whose salary in effect as of June 30, 2011, is below the minimum  
8 salary of the assigned pay grade of the pay plan shall be raised to the minimum salary. The salary of  
9 employees whose salary in effect as of January 1, 2012, is below the minimum salary of the assigned pay  
10 grade of the pay plan shall be raised to the minimum salary.

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

1            Section 10.(a) For the fiscal year ending June 30, 2012, the salaries displayed below represent the  
 2 salary effective on July 1, 2011 through December 31, 2011.

		General Funds	All Other Funds
3			
4	<u>Budget Unit</u>		
5	(01-01-01)	\$ 42,750	
6	(01-02-01)	42,750	
7	(02-00-00)	47,850	
8	(02-00-00)	50,050	
9	(02-01-00)	194,750	
10	(02-01-00)	185,050	
11	(02-01-00)	50,650	
12	(02-01-00)	50,050	
13	(02-02-00)	185,750	
14	(02-02-00)	174,950	
15	(02-03-00)	185,750	
16	(02-03-00)	174,950	
17	(02-03-00)	104,250	
18	(02-03-00)	65,550	
19	(02-03-00)	58,550	
20	(02-03-00)	58,550	
21	(02-06-00)	183,650	
22	(02-06-00)	168,850	
23	(02-06-00)	104,250	
24	(02-08-00)	183,650	
25	(02-08-00)	168,850	
26	(02-08-00)	104,250	
27	(02-13-00)	121,750	
28	(02-13-00)	70,750	

			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(02-13-00)	Magistrate - Justice of the Peace Court - 2nd Term	73,250	
4	(02-13-00)	Magistrate - Justice of the Peace Court - 3rd Term	75,550	
5	(02-13-00)	Judicial Secretary to the Chief Magistrate	47,850	
6	(02-17-00)	State Court Administrator - Office of the State Court	126,550	
7		Administrator		
8	(02-17-00)	Judicial Secretary to the State Court Administrator	50,050	
9	(02-18-00)	Public Guardian	68,750	
10	(02-18-00)	Executive Director - Child Placement Review Board	62,550	
11	(10-01-01)	Governor	171,000	
12	(10-02-00)	Director - Office of Management and Budget	143,050	
13	(10-02-50)	Executive Secretary - Architectural Accessibility Board	50,450	
14	(10-03-01)	Director - Delaware Economic Development Office	123,850	
15	(10-07-01)	Executive Director - CJC	91,050	
16	(10-07-01)	Director - Domestic Violence Coordinating Council	67,750	
17	(10-07-02)	Executive Director - DELJIS	83,350	
18	(10-08-01)	Director - Delaware State Housing Authority		115,550
19	(11-00-00)	Chief Information Officer	155,450	
20	(12-01-01)	Lieutenant Governor	76,250	
21	(12-02-01)	Auditor	105,350	
22	(12-03-01)	Insurance Commissioner		105,350
23	(12-05-01)	State Treasurer	110,050	
24	(15-01-01)	Attorney General	140,950	
25	(15-01-01)	Chief Deputy Attorney General	124,050	
26	(15-02-01)	Public Defender	136,050	
27	(15-02-01)	Chief Deputy Public Defender	124,050	
28	(20-01-00)	Secretary - State	123,850	

			General	All Other
	<u>Budget Unit</u>	<u>Line Item</u>	<u>Funds</u>	<u>Funds</u>
1				
2				
3	(20-01-00)	Executive Director - Employment Relations Boards	87,500	
4	(20-02-00)	Director - Human Relations/Commission for Women	76,930	
5	(20-03-00)	Director - Division of Archives	76,930	
6	(20-04-00)	Public Advocate		87,500
7	(20-04-00)	Director - Public Service Commission		103,500
8	(20-04-00)	Director - Professional Regulation		94,850
9	(20-05-00)	Director - Corporations		110,750
10	(20-06-00)	Director - Historical and Cultural Affairs	91,250	
11	(20-07-00)	Director - Arts	79,050	
12	(20-08-00)	State Librarian	81,350	
13	(20-15-00)	State Banking Commissioner		108,150
14	(25-01-00)	Secretary - Finance	143,050	
15	(25-05-00)	Director - Accounting	103,850	
16	(25-06-00)	Director - Revenue	120,950	
17	(25-07-00)	Director - State Lottery		102,250
18	(35-01-00)	Secretary - Health and Social Services	143,050	
19	(35-01-00)	Director - Management Services	100,305	11,145
20	(35-02-00)	Director - Medicaid and Medical Assistance	55,825	55,825
21	(35-04-00)	Chief Medical Examiner	192,702	
22	(35-05-00)	Director - Public Health	165,000	
23	(35-06-00)	Director - Substance Abuse and Mental Health	139,500	
24	(35-07-00)	Director - Division of Social Services	55,825	55,825
25	(35-08-00)	Director - Visually Impaired	85,750	
26	(35-09-00)	Director - Long-term Care Residents Protection	89,950	
27	(35-10-00)	Director - Child Support Enforcement	29,650	60,200
28	(35-11-00)	Director - Developmental Disabilities Services	111,550	
29	(35-12-00)	Director - State Service Centers	89,950	

			General	All Other
	<u>Budget Unit</u>	<u>Line Item</u>	<u>Funds</u>	<u>Funds</u>
1				
2				
3	(35-14-00)	Director - Services for Aging and Adults	89,950	
4		with Physical Disabilities		
5	(37-01-00)	Secretary - Services for Children,	128,850	
6		Youth and Their Families		
7	(37-01-00)	Director - Management Services	101,650	
8	(37-04-00)	Director - Prevention and Behavioral Health Services	101,650	
9	(37-05-00)	Director - Youth Rehabilitative Services	101,650	
10	(37-06-00)	Director - Family Services	101,650	
11	(38-01-00)	Commissioner - Correction	143,050	
12	(38-01-00)	Bureau Chief - Management Services	99,550	
13	(38-02-00)	Bureau Chief - Correctional Healthcare Services	106,350	
14	(38-04-00)	Bureau Chief - Prisons	111,550	
15	(38-06-00)	Bureau Chief - Community Corrections	106,350	
16	(40-01-00)	Secretary - Natural Resources and	123,850	
17		Environmental Control		
18	(40-01-00)	Deputy Secretary - Natural Resources	103,950	
19		and Environmental Control		
20	(40-03-02)	Director - Parks and Recreation	96,350	
21	(40-03-03)	Director - Fish and Wildlife	47,825	47,825
22	(40-03-04)	Director - Watershed Stewardship	93,250	
23	(40-04-02)	Director - Air Quality	93,250	
24	(40-04-03)	Director - Water	95,650	
25	(40-04-04)	Director - Waste Management	95,650	
26	(45-01-00)	Secretary - Safety and Homeland Security	128,850	
27	(45-01-00)	Director - Del. Emergency Management Agency	40,025	40,025
28	(45-03-00)	Commissioner - Alcoholic Beverage Control	111,250	
29	(45-04-00)	Director - Alcohol and Tobacco Enforcement	78,900	
30	(45-06-00)	Superintendent - State Police	147,087	



			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(45-06-00)	Assistant Superintendent - State Police	134,942	
4	(55-01-01)	Secretary - Transportation		133,950
5	(55-01-02)	Director - Finance		112,650
6	(55-02-01)	Director - Technology and Support Services		113,150
7	(55-03-01)	Director - Planning		113,150
8	(55-04-01)	Director - Maintenance and Operations		113,150
9	(55-06-01)	Director - Delaware Transit Corporation		113,150
10	(55-08-30)	Chief Engineer		119,050
11	(55-11-10)	Director - Motor Vehicles		113,150
12	(60-01-00)	Secretary - Labor	11,555	103,995
13	(60-06-00)	Director - Unemployment Insurance		95,750
14	(60-07-00)	Director - Industrial Affairs		93,250
15	(60-08-00)	Director - Vocational Rehabilitation		93,250
16	(60-09-00)	Director - Employment and Training		93,250
17	(65-01-00)	Secretary - Agriculture	115,550	
18	(65-01-00)	Deputy Secretary - Agriculture	83,650	
19	(70-01-01)	State Election Commissioner	78,750	
20	(70-02-01)	Director, Department of Elections for New Castle County	74,550	
21	(70-02-01)	Deputy Director, Department of Elections for	73,050	
22		New Castle County		
23	(70-03-01)	Director, Department of Elections for Kent County	74,550	
24	(70-03-01)	Deputy Director, Department of Elections for	73,050	
25		Kent County		
26	(70-04-01)	Director, Department of Elections for Sussex County	74,550	
27	(70-04-01)	Deputy Director, Department of Elections for	73,050	
28		Sussex County		
29	(75-01-01)	State Fire Marshal	56,270	26,480
30	(75-02-01)	Director - State Fire School	82,750	

			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(76-01-01)	Adjutant General	118,250	
4	(95-01-00)	Secretary of Education	155,450	
5	(95-01-00)	Deputy Secretary of Education	127,250	
6	(95-06-00)	Executive Secretary - Advisory Council on Career and Technical Education	95,150	
7				
8	(b) The salaries displayed below represent the salary effective on January 1, 2012.			
9	(01-01-01)	Representative	\$ 43,605	
10	(01-02-01)	Senator	43,605	
11	(02-00-00)	Judicial Secretaries	48,807	
12	(02-00-00)	Judicial Secretaries to Presiding Judges	51,051	
13	(02-01-00)	Chief Justice - Supreme Court	198,645	
14	(02-01-00)	Justice - Supreme Court	188,751	
15	(02-01-00)	Judicial Secretary to the Chief Justice	51,663	
16	(02-01-00)	Supreme Court Judicial Secretary	51,051	
17	(02-02-00)	Chancellor - Court of Chancery	189,465	
18	(02-02-00)	Vice Chancellor - Court of Chancery	178,449	
19	(02-03-00)	President Judge - Superior Court	189,465	
20	(02-03-00)	Associate Judge - Superior Court	178,449	
21	(02-03-00)	Commissioner - Superior Court	106,335	
22	(02-03-00)	New Castle County Prothonotary	66,861	
23	(02-03-00)	Kent County Prothonotary	59,721	
24	(02-03-00)	Sussex County Prothonotary	59,721	
25	(02-06-00)	Chief Judge - Court of Common Pleas	187,323	
26	(02-06-00)	Judge - Court of Common Pleas	172,227	
27	(02-06-00)	Commissioner - Court of Common Pleas	106,335	
28	(02-08-00)	Chief Judge - Family Court	187,323	

		General		All Other
	<u>Budget Unit</u>	<u>Line Item</u>	<u>Funds</u>	<u>Funds</u>
3	(02-08-00)	Associate Judge - Family Court	172,227	
4	(02-08-00)	Commissioner - Family Court	106,335	
5	(02-13-00)	Chief Magistrate - Justice of the Peace Court	124,185	
6	(02-13-00)	Magistrate - Justice of the Peace Court - 1st Term	72,165	
7	(02-13-00)	Magistrate - Justice of the Peace Court - 2nd Term	74,715	
8	(02-13-00)	Magistrate - Justice of the Peace Court - 3rd Term	77,061	
9	(02-13-00)	Judicial Secretary to the Chief Magistrate	48,807	
10	(02-17-00)	State Court Administrator - Office of the State Court	129,081	
11		Administrator		
12	(02-17-00)	Judicial Secretary to the State Court Administrator	51,051	
13	(02-18-00)	Public Guardian	70,125	
14	(02-18-00)	Executive Director - Child Placement Review Board	63,801	
15	(10-01-01)	Governor	171,000	
16	(10-02-00)	Director - Office of Management and Budget	145,911	
17	(10-02-50)	Executive Secretary - Architectural Accessibility Board	51,459	
18	(10-03-01)	Director - Delaware Economic Development Office	126,327	
19	(10-07-01)	Executive Director - CJC	92,871	
20	(10-07-01)	Director - Domestic Violence Coordinating Council	69,105	
21	(10-07-02)	Executive Director - DELJIS	85,017	
22	(10-08-01)	Director - Delaware State Housing Authority		117,861
23	(11-00-00)	Chief Information Officer	158,559	
24	(12-01-01)	Lieutenant Governor	77,775	
25	(12-02-01)	Auditor	107,457	
26	(12-03-01)	Insurance Commissioner		107,457
27	(12-05-01)	State Treasurer	112,251	
28	(15-01-01)	Attorney General	143,769	
29	(15-01-01)	Chief Deputy Attorney General	126,531	

			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(15-02-01)	Public Defender	138,771	
4	(15-02-01)	Chief Deputy Public Defender	126,531	
5	(20-01-00)	Secretary - State	126,327	
6	(20-01-00)	Executive Director - Employment Relations Boards	89,250	
7	(20-02-00)	Director - Human Relations/Commission for Women	78,469	
8	(20-03-00)	Director - Division of Archives	78,469	
9	(20-04-00)	Public Advocate		89,250
10	(20-04-00)	Director - Public Service Commission		105,570
11	(20-04-00)	Director - Professional Regulation		96,747
12	(20-05-00)	Director - Corporations		112,965
13	(20-06-00)	Director - Historical and Cultural Affairs	93,075	
14	(20-07-00)	Director - Arts	80,631	
15	(20-08-00)	State Librarian	82,977	
16	(20-15-00)	State Banking Commissioner		110,313
17	(25-01-00)	Secretary - Finance	145,911	
18	(25-05-00)	Director - Accounting	105,927	
19	(25-06-00)	Director - Revenue	123,369	
20	(25-07-00)	Director - State Lottery		104,295
21	(35-01-00)	Secretary - Health and Social Services	145,911	
22	(35-01-00)	Director - Management Services	102,311	11,368
23	(35-02-00)	Director - Medicaid and Medical Assistance	56,942	56,942
24	(35-04-00)	Chief Medical Examiner	196,556	
25	(35-05-00)	Director - Public Health	168,300	
26	(35-06-00)	Director - Substance Abuse and Mental Health	142,290	
27	(35-07-00)	Director - Division of Social Services	56,942	56,942
28	(35-08-00)	Director - Visually Impaired	87,465	
29	(35-09-00)	Director - Long-term Care Residents Protection	91,749	

			General	All Other
	<u>Budget Unit</u>	<u>Line Item</u>	<u>Funds</u>	<u>Funds</u>
1				
2				
3	(35-10-00)	Director - Child Support Enforcement	30,243	61,404
4	(35-11-00)	Director - Developmental Disabilities Services	113,781	
5	(35-12-00)	Director - State Service Centers	91,749	
6	(35-14-00)	Director - Services for Aging and Adults	91,749	
7		with Physical Disabilities		
8	(37-01-00)	Secretary - Services for Children,	131,427	
9		Youth and Their Families		
10	(37-01-00)	Director - Management Services	103,683	
11	(37-04-00)	Director - Prevention and Behavioral Health Services	103,683	
12	(37-05-00)	Director - Youth Rehabilitative Services	103,683	
13	(37-06-00)	Director - Family Services	103,683	
14	(38-01-00)	Commissioner - Correction	145,911	
15	(38-01-00)	Bureau Chief - Management Services	101,541	
16	(38-02-00)	Bureau Chief - Correctional Healthcare Services	108,477	
17	(38-04-00)	Bureau Chief - Prisons	113,781	
18	(38-06-00)	Bureau Chief - Community Corrections	108,477	
19	(40-01-00)	Secretary - Natural Resources and	126,327	
20		Environmental Control		
21	(40-01-00)	Deputy Secretary - Natural Resources	106,029	
22		and Environmental Control		
23	(40-03-02)	Director - Parks and Recreation	98,277	
24	(40-03-03)	Director - Fish and Wildlife	48,782	48,782
25	(40-03-04)	Director - Watershed Stewardship	95,115	
26	(40-04-02)	Director - Air Quality	95,115	
27	(40-04-03)	Director - Water	97,563	
28	(40-04-04)	Director - Waste Management	97,563	
29	(45-01-00)	Secretary - Safety and Homeland Security	131,427	
30	(45-01-00)	Director - Del. Emergency Management Agency	40,826	40,826

			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(45-03-00)	Commissioner - Alcoholic Beverage Control	113,475	
4	(45-04-00)	Director - Alcohol and Tobacco Enforcement	80,478	
5	(45-06-00)	Superintendent - State Police	147,087	
6	(45-06-00)	Assistant Superintendent - State Police	134,942	
7	(55-01-01)	Secretary - Transportation		136,629
8	(55-01-02)	Director - Finance		114,903
9	(55-02-01)	Director - Technology and Support Services		115,413
10	(55-03-01)	Director - Planning		115,413
11	(55-04-01)	Director - Maintenance and Operations		115,413
12	(55-06-01)	Director - Delaware Transit Corporation		115,413
13	(55-08-30)	Chief Engineer		121,431
14	(55-11-10)	Director - Motor Vehicles		115,413
15	(60-01-00)	Secretary - Labor	11,786	106,075
16	(60-06-00)	Director - Unemployment Insurance		97,665
17	(60-07-00)	Director - Industrial Affairs		95,115
18	(60-08-00)	Director - Vocational Rehabilitation		95,115
19	(60-09-00)	Director - Employment and Training		95,115
20	(65-01-00)	Secretary - Agriculture	117,861	
21	(65-01-00)	Deputy Secretary - Agriculture	85,323	
22	(70-01-01)	State Election Commissioner	80,325	
23	(70-02-01)	Director, Department of Elections for New Castle County	76,041	
24	(70-02-01)	Deputy Director, Department of Elections for	74,511	
25		New Castle County		
26	(70-03-01)	Director, Department of Elections for Kent County	76,041	
27	(70-03-01)	Deputy Director, Department of Elections for	74,511	
28		Kent County		
29	(70-04-01)	Director, Department of Elections for Sussex County	76,041	
30	(70-04-01)	Deputy Director, Department of Elections for	74,511	
31		Sussex County		

	<u>Budget Unit</u>	<u>Line Item</u>	<u>General Funds</u>	<u>All Other Funds</u>
1				
2				
3	(75-01-01)	State Fire Marshal	57,395	27,010
4	(75-02-01)	Director - State Fire School	84,405	
5	(76-01-01)	Adjutant General	120,615	
6	(95-01-00)	Secretary of Education	158,559	
7	(95-01-00)	Deputy Secretary of Education	129,795	
8	(95-06-00)	Executive Secretary - Advisory Council on Career	97,053	
9		and Technical Education		

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

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

21 (iii) Regardless of the provisions of this Act, any state employee who is offered a promotional  
22 opportunity to become a division level manager shall be eligible for a 5 percent  
23 promotional salary increase. This eligibility shall be conditioned on a determination that  
24 the duties and responsibilities of the division level manager position are at least one pay  
25 grade higher than the position proposed to be vacated based on a comparison of  
26 equivalent value. For the purpose of this subsection, the equivalent value of one pay  
27 grade is defined as 7 percent difference in the constant fiscal year dollar value of the  
28 evaluated pay range midpoint of the division level manager position compared to the  
29 position that the employee is vacating. The appointing authority may request a  
30 promotional increase in excess of 5 percent based upon the qualifications of the selected

1 candidate. The request and appropriate justification shall be submitted to the Director of  
2 the Office of Management and Budget. In reviewing requests made pursuant to this  
3 paragraph, the Director of the Office of Management and Budget shall provide an  
4 analysis of the request, and shall solicit the advice and written consent of the Controller  
5 General.

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

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

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

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



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

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

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

		<u>July 1, 2011</u>	
<u>Budget Unit</u>	<u>Line Item</u>	<u>General Funds</u>	<u>All Other Funds</u>
(10-02-32)	Board Members - Pensions		15.0
(10-02-50)	Board Members - Architectural Accessibility Board	2.3	
(15-01-01)	Board Members - Consumer Protection	3.5	
(20-01-00)	Board Members - Public Employment Relations Board	7.4	
(20-01-00)	Board Members - Merit Employee Relations Board	20.0	
(20-02-00)	Board Members - Human Relations	2.5	
(20-04-00)	Board Members - Professional Regulation		71.5
(20-04-00)	Board Members - Public Service Commission		155.0
(25-01-00)	Board Members - Revenue	33.0	
(38-04-00)	Board Members - Institutional Classification	12.0	
(45-04-00)	Board Members - Alcoholic Beverage Control Commission	8.6	

			General	All Other
	<u>Budget Unit</u>	<u>Line Item</u>	<u>Funds</u>	<u>Funds</u>
1				
2				
3	(60-07-00)	Board Members - Industrial Accident Board		230.0
4	(65-01-05)	Harness Racing Commission		13.6
5	(65-01-10)	Thoroughbred Racing Commission		13.6
6	(65-01-12)	Nutrient Management Commission	22.4	
7	(70-02-01)	Board Members - Department of Elections for New Castle	21.5	
8		County		
9	(70-03-01)	Board Members - Department of Elections for Kent County	13.0	
10	(70-04-01)	Board Members - Department of Elections for Sussex County	13.0	
11	(95-01-01)	Board Members - State Board of Education	16.8	

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 Section 24. Amend 29 Del. C. § 5201 (a) by deleting it in its entirety and replacing it with the  
14 following:

15 (a) An “eligible child dependent” is one who is (i) the child of a regular officer, employee or  
16 eligible pensioner or spouse of a regular officer, employee or eligible pensioner, either by birth or  
17 adoption, who is under the age of 26 or is unmarried, regardless of age, and incapable of self support  
18 because of a mental or physical incapacity which existed before age 21 or (ii) an unmarried child under  
19 the age of 19 years or the age of 24 if a full time student who depends for support upon and resides with a  
20 regular officer, employee or eligible pensioner in a regular parent-child relationship and qualifies as a  
21 dependent of the regular officer, employee or eligible pensioner under Internal Revenue Code § 105.”.

22 Section 25. Amend 29 Del. C. §5202(b)(2) [Effective July 1, 2012] by adding the words “and  
23 their eligible dependents” immediately after the words “For eligible pensioners who are eligible for  
24 federal Medicare”.

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

1           Section 27. Notwithstanding the provisions of any other law, any non-state organizations  
2 identified in 29 Del. C. § 5209 and not participating in the State Group Health Insurance Program as of  
3 June 30, 2011, shall be prohibited from participation for the fiscal year ending June 30, 2012.

4           Section 28. Notwithstanding any provision in the Delaware Code to the contrary, for the  
5 purposes of developing and implementing the Enterprise Resource Planning (ERP) Financial  
6 Reengineering Project's PeopleSoft Financials application, necessary adjustments to existing state  
7 accounting, budgeting and financial reporting processes and practices may be implemented during Fiscal  
8 Year 2012 with the written approval of the Director of the Office of Management and Budget, Controller  
9 General, Secretary of Finance and Chief Information Officer.

10          Section 29. The responsibilities and authorities established by 75 Del. Laws c. 243 shall remain  
11 in effect through Fiscal Year 2012 or until a bill codifying energy procurement is signed into law. The  
12 following provisions shall apply:

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

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

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

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

1           Section 30.(a) For the purposes of meeting the public notice and advertising requirements of 29  
2 Del. C. c. 69, the announcement of bid solicitations and associated notices for the required duration on  
3 [www.bids.delaware.gov](http://www.bids.delaware.gov) shall satisfy the public notice and advertisement requirements under this chapter.

4           (b) In continuation of the cost efficiency opportunities identified by the Leadership for  
5 Education Achievement in Delaware (LEAD), the Department of Education shall identify and provide to  
6 the Office of Management and Budget, annually no later than September 30, a list of five contracts for  
7 commodities, goods, products or services not currently offered through Central Statewide contracts that  
8 are procured by the School Districts. If such a list has not been provided by the Department of Education  
9 by September 30, then the Office of Management and Budget shall identify five contracts for  
10 commodities, goods, products or services as required by this section. The Office of Management and  
11 Budget shall solicit and implement a contract for these commodities, goods, products or services, where  
12 savings opportunities exist as determined by the Office of Management and Budget. For the purposes of  
13 these awarded contracts, School Districts shall be considered “Covered Agencies” and the exemption  
14 defined in 29 Del. C. § 6902 shall not apply.

15           Section 31. Notwithstanding the provisions of the Administrative Procedures Act, 29 Del. C. c.  
16 101 or any other laws to the contrary, the State Employee Benefits Committee is authorized to amend the  
17 rules for Employees Eligible to Participate in the State Group Health Insurance Program and the State  
18 Disability Insurance Program by approving such amendments and causing the amendments to be  
19 published in the Register of Regulations with such amendments to be effective as of the date of such  
20 publication unless otherwise specified by the State Employee Benefits Committee.

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

24           Section 33. Section 1 of this Act contains funding for provider increases as defined by the  
25 Department of Health and Social Services (35-00-00), the Department of Children, Youth and Their  
26 Families (37-00-00), and the Department of Corrections (38-00-00). Only 12% of the funding may be  
27 used by the provider for administrative costs. The balance of the funding must be used for wage increases  
28 for staff providing direct services, and/or enhancement of the provider’s workforce through initiatives



1 such as training or education. An annual expenditure report shall be prepared by the provider and  
2 submitted to the Office of Management and Budget, and the Office of the Controller General by May 1<sup>st</sup>.

3 Section 34. Section 1 of this Act, in the state agencies indicated below, provides funding to the  
4 following “pass through” organizations. The primary state agencies listed below shall evaluate each  
5 “pass through” organization/program and develop appropriate performance measures, reporting  
6 requirements and program evaluation metrics for their respective programs/organizations; each  
7 program/organization shall be evaluated against these measures and metrics. Cabinet Secretaries and  
8 agency heads shall report to the Director of the Office of Management and Budget and the Controller  
9 General by October 1 on the development of these measures for discussion during the public budget  
10 hearing process. Subsequent reports detailing progress toward these measures shall be provided by the  
11 “pass through” organization to the Director of the Office of Management and Budget, the Controller  
12 General and state agency on or before December 1 to cover period of July 1 to October 31 and May 1 to  
13 cover period of November 1 to March 31 of each fiscal year. Reports shall also include a description of  
14 all additional state and non-state funding provided to the “pass through” organization and the annual  
15 budget and expenditures of the organization. A report detailing year end expenditures and progress  
16 toward performance measures shall be provided to the Director of the Office of Management and Budget,  
17 the Controller General and state agency on or before September 1 of each fiscal year. The Cabinet  
18 Secretary or agency head shall incorporate into their budget request a section regarding “pass through”  
19 organization funding, performance and service delivery options.

20	(02-17-01) Community Legal Aid Society (Elder Law)	\$ 45.0
21	(10-02-11) KIDS Count	86.5
22	(10-03-02) Kalmar Nyckel	112.5
23	(10-03-02) National High School Wrestling Tournament	20.3
24	(10-03-03) Delaware Small Business Development Center	81.0
25	(15-01-01) Child Inc. (Family Violence Prevention Program)	724.5
26	(15-01-01) People's Place II (Family Violence Prevention Program)	550.4
27	(20-01-01) World Trade Center	118.0
28	(20-01-01) Italian/American Commission	30.0

1	(20-01-02)	Assistance for Needy and Homeless Veterans	44.9
2	(35-05-10)	Non-Public School Nursing	446.4
3	(35-05-20)	Gift of Life Program	35.2
4	(35-05-20)	Delaware Organ and Tissue Program	7.0
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)	58.8
14	(40-04-03)	Center for Inland Bays	190.0
15	(40-04-03)	Delaware Estuary	65.0
16	(40-04-03)	Water Resources Agency	197.5
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	(95-03-15)	Delaware Teacher Center	404.1
21	(95-03-15)	On-Line Periodicals	549.0
22	(95-03-15)	Teacher in Space	96.4
23 24	(95-03-15)	Achievement Matters Campaign - Metropolitan Wilmington Urban League	105.6
25	(95-03-15)	Career Transition	56.3
26	(95-03-15)	Delaware Geographic Alliance	34.1

1            Section 35.(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	2011	01-01-01-00141	Leg-Travel
7	2011	01-01-01-00150	Contractual
8	2010/11	01-01-01-00160	Supplies
9	2007/08/09/10/11	01-02-01-00140	Travel
10	2009/10/11	01-02-01-00141	Leg-Travel
11	2009/10/11	01-02-01-00150	Contractual
12	2010/11	01-02-01-00160	Supplies
13	2008/09/10/11	01-02-01-00170	Capital
14	2009/10/11	01-02-01-00180	Committee Expenses
15	2008	01-02-01-00181	Ad Substance Abuse
16	2010/11	01-05-01-00140	Travel
17	2008/09/10/11	01-05-01-00141	Leg-Travel
18	2008/09/10/11	01-05-01-00150	Contractual
19	2009/10/11	01-05-01-00160	Supplies
20	2008/09/10/11	01-05-01-00429	State Governments
21	2011	01-05-01-00432	Interstate Cooperation
22	2010/11	01-08-01-00150	Contractual
23	2007/08/09/10/11	01-08-01-00152	Print Laws
24	2011	01-08-01-00170	Capital
25	2011	01-08-01-00185	Sunset
26	2009/10/11	01-08-02-00140	Travel
27	2007/08/09/10/11	01-08-02-00150	Contractual
28	2008/09/10/11	01-08-02-00160	Supplies

1	2009/10/11	01-08-02-00170	Capital
2	2007	01-08-02-00175	One Time
3	2006/09	01-08-02-00186	TriCent Committee
4	2007/08/09/10/11	01-08-02-00189	Contingency - Legislative
5	2008/09/10/11	01-08-02-00190	Family Law Commission
6	2010/11	01-08-02-00191	Formula Update
7	2009	01-08-02-00192	Juvenile Detention Oversight Committee
8	2009	01-08-02-00194	Neighborhood Schools
9	2008/09/10/11	01-08-02-00195	Clean Air
10	2008/11	01-08-02-00196	JFC/CIP Contingency
11	2010/11	01-08-02-00197	Contingency - Intern
12	2008/09/10/11	01-08-02-00199	Security
13	2008	01-08-02-08003	JFC CIP Contingency
14	2009/10/11	01-08-03-00150	Contractual
15	2009/10/11	01-08-06-00140	Travel
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	2011	02-06-10-00175	One Time
20	2004/11	02-17-01-00201	COTS Support
21	2011	02-17-01-00203	Retired Judges
22	2011	02-17-01-00206	Conflict Attorneys
23	2011	02-17-01-00207	CASA Attorneys
24	2011	02-17-01-00208	Family Court Civil Attorneys
25	2011	02-17-01-00210	Court Appointed Attorneys
26	2011	02-17-01-00211	Interpreters
27	2011	02-17-01-00212	New Castle County Courthouse
28	2011	02-17-03-00175	One Time

1	2010	02-17-03-00571	OSCCE - Sussex Office
2	2010/11	02-18-01-00216	Special Needs
3	2010	10-02-06-00224	Contingency Fund
4	2009	10-02-10-00226	Data Development
5	2010/11	10-02-10-00227	Budget Automation
6	2008	10-02-11-00175	One Time
7	2010/11	10-02-11-00230	Legal Fees
8	2010/11	10-02-11-00232	Salary/OEC
9	2011	10-02-11-00237	Judicial Nominating Committee
10	2011	10-02-11-00238	Institutional Evaluation
11	2011	10-02-11-00563	ERP Operational Fund
12	2011	10-02-11-00573	Fish and Wildlife
13	2007	10-02-20-00245	Recruit and Retention
14	2011	10-02-31-00150	Contractual
15	2011	10-02-31-00262	Self Insurance
16	2011	10-07-01-00540	Local Law Enforcement Education Fund
17	2011	12-05-03-00178	Debt Service
18	2011	20-01-01-00221	International Trade
19	2007	20-03-01-00175	One Time
20	2011	20-03-01-00287	DE Heritage
21	2011	20-07-01-00296	Delaware Arts
22	2011	20-08-01-00297	Library Standards
23	2011	20-08-01-00300	DELNET
24	2010/11	35-01-10-00548	DIMER Operations
25	2010/11	35-01-10-00549	DIDER Operations
26	2009	35-01-20-00175	One Time
27	2011	35-02-01-00428	Title XIX
28	2011	35-05-20-00316	Immunization

1	2011	35-05-20-00317	Hepatitis B
2	2011	35-05-30-08014	Paramedic
3	2011	35-06-20-00521	Group Homes
4	2010	35-06-40-00562	Ellendale Renovations
5	2011	35-07-01-00330	Child Care
6	2007	35-10-01-10120	DASCES IV
7	2010/11	35-11-30-00335	Community Services
8	2010/11	35-11-30-00336	Purchase of Care
9	2010	35-12-30-00572	Weatherization Continuing
10	2010	35-12-30-00578	Weatherization GF
11	2006	37-01-20-00350	CAP Phase 2
12	2011	37-01-50-00351	MIS Development
13	2010/11	37-06-40-00354	Child Welfare
14	2006/08	38-01-01-00356	Sustainability Contingency
15	2010/11	38-01-01-00551	Emergency Preparedness
16	2011	38-01-14-00552	Info Technology
17	2011	38-01-20-00358	Warehouse
18	2008	38-02-01-00226	Data Development
19	2011	38-02-01-00359	Medical Services
20	2011	38-02-01-00361	Drug Treatment
21	2009	38-02-01-00553	Maintenance and Restoration
22	2011	40-03-03-00371	Spraying and Insecticides
23	2011	45-01-01-00383	Real Time Crime Reporting
24	1986	45-01-01-00384	Hazardous Waste Revolving Fund
25	2010/11	45-06-01-00390	Fire Lane Enforcement
26	2009	45-06-01-00391	DSP Recruitment
27	2010	55-01-02-93082	Prior Year Operations
28	2011	60-09-20-00397	Summer Youth Program

1	2011	70-01-01-00179	Primary and General Election
2	2007	70-01-01-00488	HAVA Repayment
3	2011	70-01-01-00592	HAVA Match
4	2011	70-02-01-00176	Technology
5	2011	70-02-01-00179	Primary and General Election
6	2010/11	70-02-01-00412	School Elections
7	2011	70-03-01-00179	Primary and General Election
8	2011	70-03-01-00418	School Elections
9	2011	70-04-01-00176	Technology
10	2011	70-04-01-00179	Primary and General Election
11	2011	70-04-01-00412	School Elections
12	2011	76-01-01-00427	Education Assistance
13	2011	95-01-01-00561	DCAS Computers
14	2011	95-01-01-00582	Confucius Classrooms Network
15	2011	95-01-01-05131	Parents As Teachers
16	2011	95-01-01-05191	State Board of Education
17	2010/11	95-01-01-05193	Standards and Assessment
18	2011	95-01-01-05199	Educator Certification and Development
19	2010/11	95-01-01-05214	Infrastructure Capacity
20	2009/11	95-01-01-05215	Educator Accountability
21	2011	95-01-01-05275	DE Science Coalition
22	2011	95-01-01-05277	DCAS
23	2011	95-01-01-05285	Professional Standards Board
24	2011	95-01-01-05286	Pupil Accounting
25	2011	95-02-02-05244	School Improvement
26	2010/11	95-03-10-05205	Professional Development
27	2010/11	95-03-20-05236	Prison Education
28	2011	95-07-01-05213	Operations

1	2011	95-08-01-05213	Operations
2	2010/11	95-08-01-05247	Scholarship
3	2008/09/10/11	95-08-01-05248	Ferguson DSTP Scholarship
4	2010/11	95-08-01-05249	Physician Loan Repayment
5	2008	95-08-01-05250	Legislative Essay
6	2007	95-13-00-05244	School Improvement
7	2007	95-16-00-05244	School Improvement
8	2007	95-24-00-05244	School Improvement
9	2007	95-32-00-05244	School Improvement
10	2007	95-71-00-05244	School Improvement

11 (b) Funds appropriated for the Professional and Curriculum Development (appropriation 05205),  
12 Driver Education (appropriation 05142) and Standards and Assessment (appropriation 05193 for districts  
13 and 05195 for charter schools) programs shall be appropriated on a 15 month basis and not be subject to  
14 reversion until September 30, 2012. Program expenses may not be incurred subsequent to the start of the  
15 regular 2012-2013 school year.

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

19 (d) For the fiscal year ending June 30, 2011, any sums for Fiscal Year 2011 Division II - All  
20 Other Costs (appropriation 05165), Division II - All Other Costs for Vocational Education (appropriation  
21 05265), Division II - Energy (appropriation 00159), Division III - Equalization (appropriation 05186), and  
22 Teacher of the Year (appropriation 05162) shall become a continuing appropriation in each local school  
23 district for the period of one fiscal year.

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



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

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

1 **TOBACCO – MASTER SETTLEMENT AGREEMENT**

2 Section 36.(a) Section 1 of this Act includes Appropriated Special Funds of \$40,786.0 from funds  
3 received as a result of the Master Settlement Agreement on tobacco funds. These funds are allocated as  
4 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

11 \$ 29.1 Money Follows the Person

12 (35-01-10) Health and Social Services – Office of the Secretary – Health Care Commission

13 \$ 57.1 1.0 ASF FTE - Assistance to the Commission on health issues

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 \$ 410.2 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 \$ 529.9 Uninsured Action Plan

27 \$ 357.4 Diabetes

28 \$ 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 \$1,862.5 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 \$ 36.0 First Responders Vaccinations
- 11 \$ 75.0 Hepatitis B Vaccines
- 12 \$ 52.4 American Lung Association - Asthma Project
- 13 \$ 24.2 Neonatal Intensive Care Unit Family Support Project - March of Dimes
- 14 \$ 10.0 AIDS Delaware

15 Also appropriated in this Act is \$13,962.3 for Cancer Council Recommendations, of this amount  
16 \$1,000.0 is dedicated to cancer screening and diagnosis; in addition, funding is included for the  
17 following agencies:

- 18 \$ 600.0 Breast and Cervical Cancer Treatment (35-02-01)
- 19 \$ 161.0 The Wellness Community
- 20 \$ 120.8 Cancer Care Connection
- 21 \$ 80.5 Delaware Breast Cancer Coalition

22 (35-05-30) Health and Social Services - Emergency Medical Services

- 23 \$ 75.0 Public Access Defibrillation initiative

24 (35-06-40) Health and Social Services - Substance Abuse and Mental Health

- 25 \$ 327.3 Heroin Residential Program
- 26 \$ 177.1 Transitional housing for persons completing detoxification
- 27 \$ 142.2 Brandywine Counseling
- 28 \$ 60.3 Limen House

1	\$ 22.8	University of Delaware - Delaware School Survey
2		<u>(35-07-01) Health and Social Services - Social Services</u>
3	\$1,240.4	SSI Supplement
4		<u>(35-11-30) Health and Social Service - Community Services</u>
5	\$ 70.0	Family Support Services
6		<u>(35-14-01) Health and Social Services - Services for Aging and Adults with Physical Disabilities</u>
7	\$ 760.0	Attendant Care
8	\$ 178.1	Caregiver Support
9	\$ 43.2	Easter Seals - Respite Care Services
10	\$ 60.2	Money Follows the Person
11		<u>(37-04-02) Services for Children, Youth and Their Families - Prevention and Behavioral Health Services</u>
12	\$ 47.0	Tobacco Prevention Programs for Youth
13		<u>(45-04-10) Safety and Homeland Security - Alcoholic Beverage Control and Tobacco Enforcement</u>
14	\$ 527.2	Enhanced Enforcement and 3.0 FTE Agents and 1.0 FTE Clerical

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

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

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

24 Section 37. Section 1 of this Act makes an ASF appropriation to the Department of Health and  
25 Social Services, Division of Medicaid and Medical Assistance (35-02-00) for the Prescription Assistance  
26 Program and other programs funded with Tobacco Settlement funds. These funds may be used for both  
27 the client services and administrative costs of the programs.

1           Section 38. The Delaware Health Fund Advisory Committee is directed to submit their proposed  
2 recommendations each fiscal year to the Office of Management and Budget no later than November 15  
3 per Senate Bill 8 as amended of the 140 General Assembly. It is the intent of the General Assembly that  
4 the Delaware Health Fund Advisory Committee will present their proposed recommendations before the  
5 Joint Finance Committee in a public budget hearing.

1 **LEGISLATIVE**

2 Section 39. 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 40. 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 41. 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 42. The Controller General shall receive compensation at a rate of a Tier 2 level Cabinet  
16 position as determined by the Compensation Commission. Such compensation may be adjusted by the  
17 Legislative Council as defined in 29 Del. C. § 1110(e).

## JUDICIAL

1  
2       Section 43. Upon the approval of a plan submitted to the Director of the Office of Management  
3 and Budget, Controller General and the Co-Chairs of the Joint Finance Committee, the Chief Justice shall  
4 have the flexibility to transfer positions from individual courts to the Administrative Office of the Courts  
5 for the purpose of further centralizing personnel, finance, collections and filing/records management  
6 functions therein. Notwithstanding any other provisions of this Act or the Delaware Code to the contrary,  
7 positions and related operating funds may be transferred from Supreme Court (02-01-00), Court of  
8 Chancery (02-02-00), Superior Court (02-03-00), Court of Common Pleas (02-06-00), Family Court (02-  
9 08-00) and Justice of the Peace Court (02-13-00) to the Administrative Office of the Courts, Office of the  
10 State Court Administrator (02-17-01), the Administrative Office of the Courts, Office of State Court  
11 Collections Enforcement (02-17-03) or the Administrative Office of the Courts, Judicial Information  
12 Center (02-17-04). Only positions from the courts or other judicial positions located in New Castle  
13 County may be considered for transfer under this section. In the cases where Merit System positions are  
14 transferred, the incumbents shall retain their Merit System status.

15       Section 44. This Act appropriates Appropriated Special Funds to the Court of Chancery (02-02-  
16 00) and to the Court of Common Pleas (02-06-00). Notwithstanding other statutes to the contrary, the  
17 Court of Chancery is authorized to retain a portion of the fees, costs and interest it will collect in an  
18 amount sufficient to cover the personnel and operating costs of the statewide Register in Chancery office.  
19 Notwithstanding other statutes to the contrary, the Court of Common Pleas is authorized to retain a  
20 portion of the fines and fees it will collect in an amount sufficient to cover the personnel and operating  
21 costs of three Judicial Case Processors and one Controller. Adjustments to the Appropriated Special  
22 Fund spending authority for these courts may be made upon the concurrence and approval of the Director  
23 of the Office of Management and Budget and the Controller General.

24       Section 45. The positions of Master in Chancery/Chief Staff Attorney (BP#s 56683 and 100226),  
25 as well as any additional Master in Chancery/Chief Staff Attorney position(s) that may be established in  
26 the future for the Court of Chancery (02-02-10), shall receive the same salary as Commissioner in the  
27 Superior Court.

1           Section 46. Section 1 of this Act appropriates \$65.9 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 47. Section 1 of this Act appropriates \$400.0 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 48.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 49. 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,  
26 2006. Notwithstanding 29 Del. C. c. 69, or any other law to the contrary, the AOC is authorized to enter  
27 into 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 50. 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 51. 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 (4) An officer may be reimbursed under this program for only two classes or courses of  
2 instruction for undergraduate study or one class or course for graduate study each  
3 grading period. The classes will be reimbursed at 100 percent of the tuition paid  
4 following the completion of the course with a grade of 'C' or better at a college or  
5 university within the State for classes related to Corrections, Public Safety, Criminal  
6 Justice, Computer Science, Psychology, Sociology, Education and related fields.  
7 Related fields shall include any courses necessary to complete a degree program in  
8 Criminal Justice, Corrections, Public Safety, Computer Science, Psychology,  
9 Sociology, and Education.
- 10 (5) A class or course of instruction taken under this Section must:
- 11 (i) improve an officer's competence and capacity in employment;
- 12 (ii) have direct value to the State; and
- 13 (iii) provide knowledge or skills that are not available through in-service or other  
14 professional training.
- 15 (6) In order to receive tuition reimbursement for a post-secondary class or course of  
16 instruction authorized by this Section, an officer must:
- 17 (i) Earn a grade no lower than a 2.0 on a 4.0 scale, or its equivalent, for each class or  
18 course of instruction for which the tuition reimbursement is granted. In any class or  
19 course of instruction for which a specific grade is not issued, the officer must show  
20 documentation to verify satisfactory completion; and
- 21 (ii) Submit to the Director of the Criminal Justice Council or the Director's designee  
22 within 30 days after completing a class or course of instruction proof of:
- 23 (1) the course title and grade received;
- 24 (2) the amount of tuition paid for the course; and
- 25 (3) the name of the post-secondary institution where the course was taken.
- 26 (7) The Director of the Criminal Justice Council or the designee shall adopt rules and  
27 regulations as deemed necessary and proper for the efficient administration of this  
28 Section. The rules and regulations must contain appeal procedures.

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

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

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

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

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

19 (iii) the total amount required to be repaid to the State by defaulting officers during the  
20 year; and Intergovernmental Voucher the total amount actually repaid by defaulting  
21 officers during the year.

22 Section 56. Effective July 1, 2006, BP #879 shall receive compensation at a rate of a tier 3 level  
23 Cabinet position as determined by the Compensation Committee.

24 Section 57. The Director of the Office of Management and Budget, upon concurrence of the  
25 Controller General and the Co-Chairs of the Joint Finance Committee, may restructure internal program  
26 units to create greater efficiencies within the Office of Management and Budget.

27 Section 58. (a) Section 1 of this Act appropriates \$1,037.9 ASF to the Office of Management and  
28 Budget, Contingencies and One-Time Items (10-02-11) from Tobacco Settlement Funds for Two Year

1 Nursing Expansion Initiative. Said funds shall be used to address Delaware Technical and Community  
2 College's (DTCC) recommendations to mitigate the shortage in the nursing and allied healthcare fields.  
3 Said funds maybe used to hire up to 36 faculty and staff FTEs relevant to meeting said nursing shortage  
4 and shall be transferred to DTCC upon approval of the Director of the Office of Management and Budget,  
5 Controller General and Co-Chairs of the Joint Finance Committee.

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

9 Section 59. Section 1 of this Act appropriates \$500.0 ASF to the Office of the Management and  
10 Budget, Contingencies and One-Time Items (10-02-11) from Tobacco Settlement Funds for Four Year  
11 Nursing Expansion Initiative. Of the amount appropriated, \$250.0 shall be allocated to the University of  
12 Delaware and \$250.0 shall be allocated to Delaware State University to expand their nursing programs.  
13 Both universities shall provide a detailed expansion plan to the Director of the Office of Management and  
14 Budget and Controller General no later than July 31, 2011. Said funds shall be transferred to the  
15 University of Delaware and Delaware State University upon approval of the Director of the Office of  
16 Management and Budget, Controller General and the Co-Chairs of the Joint Finance Committee.

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

20 Section 61. The General Assembly finds that the establishment of the federal Temporary Aid to  
21 Needy Families (TANF) block grant has left the State vulnerable to deficits from caseload increases  
22 attributable to an economic downturn. In order to minimize such exposure, the funds within the Reserve  
23 Account for Children Services Cost Recovery Program (CSCR) Disallowances (10-02-10-20268) shall  
24 be available to mitigate to the extent possible, projected deficits in TANF supported programs within the  
25 Department of Health and Social Services. The use of such funds for such purposes shall require the  
26 approval of the Director of the Office of Management and Budget and Controller General.

27 Section 62. The amount appropriated to the Office of Management and Budget, Contingencies  
28 and One-Time Items, Prior Years' Obligations, shall be used to pay Personnel Costs, reimbursement of

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

14 Section 63. (a) For Fiscal Year 2012, 29 Del. C. § 6529 is interpreted to include the ability to  
15 implement a hiring review process. All state agencies with the exception of Legislative, Judicial, Higher  
16 Education and school districts shall be subject to the provisions of 29 Del. C. § 6529 as interpreted by this  
17 section. Implementation of a hiring review process shall require all positions to be reviewed and  
18 approved by the Director of the Office of Management and Budget prior to filling. All non-cabinet  
19 agency hiring requests shall also require the review and approval of the Controller General prior to filling.

20 (b) In the event the authority granted in subsection (a) of this section is implemented, Chapters  
21 3.0 and 13.0 of the Merit Rules notwithstanding, the Director of the Office of Management and Budget  
22 shall have the authority to extend temporary promotions based on agency need until the hiring review  
23 process has ended. At the time the hiring review process has ended, those temporary promotions granted  
24 during the hiring review process shall be subject to the limitations identified in the Merit Rules governing  
25 the duration of temporary promotions.

26 Section 64. For Fiscal Year 2012, the Director of the Office of Management and Budget,  
27 pursuant to 29 Del. C. § 6529, may implement an overtime management practices review process for all  
28 state agencies with the exception of Legislative, Judicial, Higher Education and school districts. Said

1 review shall include, but not be limited to, operational guidelines, guidelines to prohibit excessive  
2 utilization, staffing ratios, and standard work week schedules for employees. The Director of the Office  
3 of Management and Budget shall report to the Governor and the Co-Chairs of the Joint Finance  
4 Committee no later than May 1 of each fiscal year on the status of any review process implemented  
5 pursuant to this Section.

6 Section 65. The appropriation in Section 1 of this Act to the Office of Management and Budget,  
7 Contingencies and One-Time Items (10-02-11) for Contingency, Appropriated Special Funds for  
8 \$38,207.5 shall be used to make adjustments in the amount of state special fund appropriations in the  
9 event additional state special funds are received which were not previously anticipated. Such adjustments  
10 shall be made in accordance with the approval of the Director of the Office of Management and Budget  
11 and the Controller General.

12 Section 66. Notwithstanding 29 Del. C. c. 60B or any other provision of the Delaware Code or  
13 this Act to the contrary, the First State Quality Improvement Fund shall be suspended beginning July 1,  
14 2009. It is the intent of the General Assembly that this program be reinstated when funding becomes  
15 available.

16 Section 67. The Director of the Office of Management and Budget is authorized to create a State  
17 of Delaware Merit Employee Mediation Program within state agencies selected by the Director and,  
18 notwithstanding Chapters 12 and 18 of the Merit Rules and/or any provision of Delaware Code to the  
19 contrary, the Director of the Office of Management and Budget is further authorized to promulgate rules  
20 and regulations to implement the said program. Matters that may be grieved shall be eligible for  
21 mediation. Matters that are otherwise not subject to the merit grievance procedure may be eligible for the  
22 Mediation Program. With the consent of the employee and employing agency, participation in the  
23 Mediation Program will be offered as a voluntary alternative to the ordinary grievance procedure. All  
24 mediation proceedings shall be deemed confidential. If a grievance is subjected to mediation pursuant to  
25 this section, normal timelines associated with the filing of a grievance shall be tolled pending the  
26 completion of mediation. If an employee has filed a formal grievance, subsequent mutual consent to  
27 mediation will cause the grievance to be held in abeyance pending completion of mediation and the  
28 timelines that would otherwise have applied to the grievance shall likewise be tolled pending completion

1 of mediation. Upon completion of mediation, an employee may continue to grieve and the normal  
2 timelines provided for grievances shall then apply. The Mediation Program is not intended to limit other  
3 dispute resolution procedures available to an agency or an employee or to deny a person a right granted  
4 under federal or other state law, including the right to an administrative or judicial hearing.

5 Section 68.Section 1 of this Act provides an appropriation to Office of Management and Budget,  
6 Contingencies and One-Time Items (10-02-11). It is the intent that the appropriation for One-Time items  
7 in the amount of \$2,423.2 shall be non-recurring expenditure items. The Director of the Office of  
8 Management and Budget shall transfer the appropriations as itemized to the departments. Each receiving  
9 department shall identify the line item, account code and, for all practical purposes, complete and separate  
10 accountability for each appropriation amount transferred. No appropriation shall be transferred without  
11 the Director of the Office of Management and Budget and Controller General approvals. Any one-time  
12 appropriation for computer hardware, software and telecommunications, which contemplates the  
13 development of computer-related systems, shall be transferred into the line Computer One-Time Projects  
14 in Office of Management and Budget, Budget Administration (10-02-10). The expenditure of computer  
15 or computer related funds shall be subject to the restrictions of the Development Fund.

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

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

20	(02-17-03)	Equipment Kent County Courthouse	\$ 20.0
21	(02-17-05)	Equipment Renovated Kent County Courthouse	46.0
22	(15-01-01)	Foreclosure Legislation	7.2
23	(15-01-01)	Child Predator Task Force	250.0
24	(20-03-01)	Historical Marker	3.0
25	(40-03-02)	Park Equipment	75.0
26	(45-06-01)	Promotional Testing	222.0
27	(95-01-01)	Delaware Comprehensive Assessment System	1,800.0



1           Section 69. Section 1 of this Act appropriates \$10,000.0 to Office of Management and Budget,  
2 Contingencies and One-Time Items (10-02-11) for Child Care Contingency. This fund will be used to  
3 support a tiered reimbursement system for the Delaware Stars for Early Success program, the State’s  
4 quality rating improvement system for early care education and/or the increase in funding to 65 percent of  
5 2011 fair market rates for purchase of care. Child care facilities that receive purchase of care  
6 reimbursement will be eligible for a greater percentage of the 2011 fair market rate based on the star level  
7 of the facility. Greater reimbursement rates will begin for those facilities that have earned a star rating of  
8 3, 4, or 5.

9           Section 70. The Director of the Office of Management and Budget shall continue to assume the  
10 central leadership role for the Executive branch over all matters relating to Senate Bill 36, of the 144<sup>th</sup>  
11 General Assembly, and any other personnel and labor relations matters affecting the Executive branch  
12 and its departments and agencies, including collective bargaining negotiations with employee  
13 organizations, labor arbitration, Public Employment Relations Board, Department of Labor, Equal  
14 Employment Opportunity Commission, and other administrative proceedings. The Director of the Office  
15 of Management and Budget shall also, on behalf of the State, approve and sign all collective bargaining  
16 agreements and any other agreement or arrangements made involving employee organizations that  
17 represent employees subject to Executive branch authority.

18           Section 71. For Fiscal Year 2012, funding appropriated for 16 Del. C. c. 102 shall be suspended.  
19 If non-state funding sources become available during the fiscal year, the program shall be reinstated with  
20 the approval of the Director of the Office of Management and Budget and the Controller General.

21           Section 72. Notwithstanding any provision of the Delaware Code to the contrary, the Office of  
22 Management and Budget is authorized to analyze and implement the most appropriate mechanism to  
23 cover any liabilities as a result of Senate Bill 29 of the 144<sup>th</sup> General Assembly. Such mechanism may  
24 include but not be limited to self-insurance, a fully insured proposal, or some other means to insure  
25 against any potential liability.

26           Section 73. (a) Amend 11 Del. C. § 8901 by striking subsection (a) in its entirety and substituting  
27 in lieu thereof “(a) The Statistical Analysis Center is hereby located within the Criminal Justice Council.  
28 The Director of the Statistical Analysis Center shall be qualified by education or experience to carry out

1 the mission of the Statistical Analysis Center and shall report to the Director of the Criminal Justice  
2 Council.”.

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

6 Section 74. Any other statutory provision notwithstanding, any change to the Merit Rules  
7 required by an Act of Legislature, shall be codified in the Merit Rules by the Office of Management and  
8 Budget.

9 Section 75. Notwithstanding any provision to the contrary, for the purposes of developing,  
10 implementing and upgrading PHRST Time & Labor, and other PeopleSoft modules, necessary  
11 adjustments to existing state human resource, benefits and payroll procedures shall be implemented  
12 during Fiscal Year 2012 with the written approval of the Co-Chairs of the Joint Finance Committee, the  
13 Director of the Office of Management and Budget and the Controller General.

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

16 Section 76. Whenever the annual valuation of the market value of the assets of the Special  
17 Pension Fund exceeds the actuarial value of benefits available to persons entitled to receive special  
18 pensions by a factor of at least 20 percent, the Board of Pension Trustees may transfer the excess over 20  
19 percent or any part of it to the State Employees Pension Fund for the benefit of that Fund.

20 Section 77. The Board of Pension Trustees may allocate the pension/health insurance monies  
21 received from the State during any month to ensure that funds are available to pay health insurance  
22 premiums for retirees in each month.

23 Section 78. During the fiscal year, the Office of Management and Budget Management, Facilities  
24 Management (10-02-50), shall retain rental fees as Appropriated Special Funds. The retained portion  
25 must be deposited as per state laws and shall be disbursed per Section 1 of this Act.

26 Section 79. Section 1 of this Act makes an appropriation of \$105.0 ASF in Personnel Costs,  
27 \$795.2 ASF in Contractual Services, \$295.6 ASF in Supplies and Materials and \$624.7 ASF in Energy to  
28 the Office of Management and Budget, Facilities Management (10-02-50) for maintenance costs

1 associated with the state-wide operations of Division of Motor Vehicles, the Transportation Mobile  
2 Center and the DelDOT Administration Building. The Department of Transportation shall remit \$910.3  
3 to the Office of Management and Budget on July 15 and \$910.2 on December 15 of each fiscal year to  
4 cover the operational costs associated with maintaining these facilities. In addition, the Office of  
5 Management and Budget shall be responsible for the reconciliation of the account with the Department of  
6 Transportation.

7 Section 80. For energy backcharge purposes, the Office of Management and Budget, Facilities  
8 Management (host department) current fiscal year Energy Budget assumes that Motor Fuel Tax uses ten  
9 percent of the Public Safety Building, for which energy payment is the responsibility of the host  
10 department. The Department of Transportation is responsible for paying the Motor Fuel Tax portion of  
11 the energy bills upon request for payment by the host department.

12 Section 81. Notwithstanding the provisions of 29 Del. C. § 5117, state agencies may pay for  
13 employee parking in the Government Center Parking Garage as long as such payments are continuances  
14 of payments made prior to May 31, 1998. Such payments shall cease when the employee leaves the  
15 position he or she occupied prior to May 31, 1998.

16 Section 82. The Office of State Planning Coordination, while remaining in the Office of  
17 Management and Budget for structural and budgetary purposes, shall report directly to the Office of the  
18 Governor. This reporting structure shall permit the Governor to directly and actively manage all statutory  
19 and functional operations of the Office of State Planning Coordination. The mission of the Office of State  
20 Planning Coordination shall remain the continuous improvement of the coordination and effectiveness of  
21 land use decisions made by state, county and municipal governments, while building and maintaining a  
22 high quality of life in the State of Delaware.

23 Section 83. Section 1 of this Act appropriates \$3,700.0 to the Office of Management and Budget,  
24 Contingencies and One-Time Items (10-02-11) for interest accrued as the result of a federal government  
25 loan associated with the Unemployment Insurance Trust Fund (UITF). Said funds shall be reverted to the  
26 General Fund should the federal government enact legislation waiving UITF interest.

1           Section 84. (a) The Delaware Economic Development Office; Economic Development Authority  
2 (10-03-03) will continue to use revenue from the Blue Collar Training Fund for the Workforce  
3 Development Grant. Funding for this grant shall be maintained at current levels.

4           (b) Section 1 of this Act appropriates \$1,768.7 ASF to the Delaware Tourism Office. Of this  
5 amount, \$388.3 shall be allocated to "Other Items" as designated in Section 1 of this Act and payable by  
6 the Delaware Tourism Office in quarterly allotments. The first installment shall be paid by September 30  
7 of each fiscal year or as otherwise approved by the Director of the Office of Management and Budget and  
8 the Controller General.

9           Section 85. Notwithstanding the provisions of any other law, for the fiscal year ending June 30,  
10 2012, interest earnings of the Delaware Strategic Fund as provided for in 29 Del. C. § 5027, shall to the  
11 extent of such interest earnings, be used in the following order and manner, not to exceed the amounts so  
12 noted:

13           (1) The first \$446.1 shall be used for the general operating expenses of the Delaware Economic  
14 Development Office, as determined by the Director of the Delaware Economic  
15 Development Office. Should interest earnings not be available by September 1, funding  
16 shall be made available directly from the Strategic Fund.

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

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

1 General Assembly that the Delaware Business Marketing Program shall continue to fully  
2 operate using only the interest earnings on the Delaware Strategic Fund as provided for in  
3 29 Del. C. § 5027.

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

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

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

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

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

26 Section 86. Notwithstanding the provisions of 30 Del. C. § 6102, any Public Accommodations  
27 Tax revenue collected in Fiscal Year 2012 in excess of the \$1,768.7 ASF appropriated in Section 1 of this  
28 Act to the Delaware Tourism Office (10-03-02) shall be deposited to the General Fund.

1           Section 87. Section 1 of this Act authorizes ASF positions and funding to the Delaware Tourism  
2 Office (10-03-02). Should said ASF authorization prove inadequate to support the authorized positions as  
3 contained in Section 1 at any time during Fiscal Year 2012, the Director of the Office of Management and  
4 Budget and Controller General are hereby authorized to transfer sufficient funding from any other source  
5 to Tourism's Personnel Costs line.

6           Section 88. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-  
7 02) pursuant to 30 Del. C. § 6102 (b) contained in Section 1 of this Act, \$112.5 is authorized for the  
8 Kalmar Nyckel. During the period beginning July 1, 2011, and ending on June 30, 2012, the State of  
9 Delaware, through the Delaware Tourism Office, and the Riverfront Development Corporation, shall be  
10 entitled to charter the Kalmar Nyckel. Said use is to include docked guest entertaining privileges and /or  
11 day sails at no cost for as many State of Delaware guests as is consistent with Kalmar Nyckel safety  
12 policies. Scheduling for State and Riverfront Development Corporation use of the Kalmar Nyckel shall  
13 be at mutually agreeable times and locations to the Kalmar Nyckel, the Delaware Tourism Office on  
14 behalf of the State of Delaware and the Riverfront Development Corporation.

15           Section 89. The Kalmar Nyckel Foundation shall provide to the Office of Management and  
16 Budget and the Controller General's Office financial reports detailing year to date expenditures and  
17 revenues as well projected expenditures and revenues for the remainder of the fiscal year. Such reports  
18 shall be due October 1, and March 1 of each fiscal year.

19           Section 90. Section 1 of this Act appropriates funding for a 1.0 FTE Senior Secretary in Criminal  
20 Justice Council (10-07-01) to be used as dedicated secretarial support for the Executive Director of the  
21 Domestic Violence Coordinating Council. This position shall be an exempt position and shall be  
22 excluded from classified service as defined under 29 Del. C. § 5903.

23           Section 91. (a) Section 1 of this Act includes non-appropriated special fund positions funded  
24 through grants administered by the Criminal Justice Council (10-07-01). Further, the Delaware State  
25 Clearinghouse Committee may, during the fiscal year, approve additional non-appropriated special fund  
26 positions supported by Criminal Justice Council administered grants. By virtue of said positions being  
27 included in the Annual Appropriations Act and/or approved by the Clearinghouse Committee does not  
28 guarantee future state funding upon expiration of federal grants supporting the positions. Any requests

1 for state funding for said positions shall be prioritized by the affected department in its budget request for  
2 Fiscal Year 2013.

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

7 Section 92. The Statistical Analysis Center, Criminal Justice Council (10-07-03), shall submit by  
8 July 15 an annual project schedule for the fiscal year that details the staff workload and time allocation.  
9 Requests for (special) projects to be included in this schedule should be made in advance to the Statistical  
10 Analysis Center. This schedule shall be reviewed by the Criminal Justice Council and approved by the  
11 Director of the Office of Management and Budget and the Controller General. No changes shall be made  
12 to the annual project schedule without the approval of the Director of the Criminal Justice Council. After  
13 July 15, all ad hoc requests for projects seeking completion during the fiscal year shall be reviewed by the  
14 Director of the Criminal Justice Council. Work shall not commence on these projects without the  
15 approval of the Director of the Criminal Justice Council.

16 Section 93. Section 1 of this Act authorizes the Delaware Justice Information System (10-07-02)  
17 to spend up to \$260.0 in Appropriated Special Funds. Notwithstanding any provision of the Delaware  
18 Code or this Act to the contrary, DELJIS is authorized to utilize these funds to undertake expenditures  
19 relating to operational costs.

20 Section 94. There is hereby established the Criminal Justice Statistical Review Committee. The  
21 Criminal Justice Statistical Review Committee shall have the following membership:

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

1 (7) A Member of the public appointed by the Chairperson of the Criminal Justice  
2 Statistical Review Committee.

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

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

18 Section 95. (a) Section 1 of this Act includes an Appropriated Special Fund appropriation within  
19 Delaware State Housing Authority (10-08-01). Of these funds, up to \$25.0 ASF shall be used to extend  
20 the contractual administration for the Neighborhood Assistance Tax Credit Act (Senate Bill 248) of the  
21 140<sup>th</sup> General Assembly through the fiscal year ending June 30, 2012. The Neighborhood Assistance Tax  
22 Credit Program is intended to foster business investment in low-income communities through financial  
23 support to neighborhoods as well as job training, education, crime prevention and community services.

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



1 **TECHNOLOGY AND INFORMATION**

2 Section 96. 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 97. 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 98. 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 99. (a) Effective January 1, 2012, the Department of Technology and Information (11-  
19 00-00) shall receive a lump sum appropriation calculated as a fixed percentage of all salaries as  
20 appropriated to the Department in Section 1 of this Act. The lump sum amount shall be the product of the  
21 general salary increase in Section 8 of this Act and Personnel Costs lines less non-salary-driven Other  
22 Employment Costs components. Overtime and casual/seasonal components of the Personnel Costs lines  
23 shall not be part of the calculation. The resultant lump sum amount may be distributed to employees as  
24 determined by the Chief Information Officer. However, in no case shall individually awarded increases  
25 exceed 10 percent of an individual's base salary, nor shall the aggregate amount awarded exceed the  
26 product of the calculation as described above. Further, in no case shall individually awarded amounts be  
27 given retroactively.

1 (b) Structural adjustments to the ranges of the Department of Technology and Information pay  
2 scale will mirror those made to the ranges of the Merit System employee pay scale. No other adjustments  
3 to the Department of Technology and Information pay scale will be made during the fiscal year without  
4 the approval of the Director of the Office of Management and Budget, the Controller General and the  
5 Director of Human Resource Management.

6 Section 100. The Department of Technology and Information shall provide the Director of the  
7 Office of Management and Budget and the Controller General a complete accounting of all direct and  
8 indirect charges to state agencies and total revenue derived for the prior fiscal year by September 15. No  
9 direct or indirect rates may be increased nor may additional charges be levied on a state agency without  
10 prior approval by the Office of Management and Budget and the Controller General.

1 **OTHER ELECTIVE**

2 Section 101. Section 1 of this Act reflects for the Auditor of Accounts (12-02-01) sufficient  
3 state-match funding for federally-mandated audit services. If, during the first three months of any fiscal  
4 year, the State Auditor should experience a cash flow deficit in fulfillment of federal audit  
5 responsibilities, the Director of the Office of Management and Budget, upon the request of the State  
6 Auditor, shall attempt to advance sufficient funding from the Indirect Cost Account.

7 Section 102. For the purpose of the audits contracted by the Auditor of Accounts, agencies will  
8 be responsible for the cost of the audit written into the signed contract, if the agency was consulted and  
9 agreed to the costs prior to the contract being signed. Any overages billed by the contracted audit will be  
10 the responsibility of the Auditor of Accounts office unless the agency was made aware of the additional  
11 time needed for the audit and approved the time and the additional costs.

12 Section 103. Section 1 of this Act contains ASF position authorizations and associated  
13 appropriations for the Insurance Commissioner, Bureau of Examination, Rehabilitation and Guaranty (12-  
14 03-02). Said authorizations and appropriations include an authorization for 1.0 Director of  
15 Administration and 1.0 Arbitration Secretary, both of which shall be exempt.

16 Section 104. Notwithstanding the provisions of 18 Del. C. § 305, the Insurance Commissioner  
17 Regulatory Revolving Fund is authorized to carry an additional \$1,207.5 into Fiscal Year 2012. Funds  
18 shall be transferred from appropriation 2012-12-00-00-30003 and allocated in the following manner:

19	Elections Presidential Primary Election costs	\$700.0
20	DIMER	480.0
21	DIDER	27.5

22 Section 105. Section 1 of this Act provides \$3,638.4 ASF to the State Treasurer, Administration  
23 (12-05-01), Cash Management Policy Board, authorized by 29 Del. C. c. 27, for the purpose of providing  
24 staff support and operational expenses, including payment of fees for banking services. The \$3,638.4 in  
25 interest income on bank deposits shall be coded as special fund revenue to provide funds for operation of  
26 the Cash Management Policy Board.

27 Section 106. The State Treasurer's Office shall develop a rate for the purpose of recovering costs  
28 associated with the State's acceptance of funds through the use of credit, debit and purchasing cards.

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

9 Section 107. The State Treasurer’s Office, with the assistance of the Department of Technology  
10 and Information and the Delaware Government Information Center, where appropriate, shall evaluate and  
11 approve the payment component of all new web-based technology initiatives involving the electronic  
12 remittance of funds to the State. Specifically, those projects promoting the use of online credit card  
13 payment, online debit card payment, Automated Clearing House payments, “e-checks” and other forms of  
14 electronic funds transfer shall be subject to this joint review and approval process. For those agencies that  
15 already use online credit card payment, online debit card payment, Automated Clearing House payment,  
16 “e-check” or other forms of electronic funds transfer, those agencies shall be exempt from this  
17 requirement unless and until such time as their current electronic payment component must undergo any  
18 type of upgrade or the contract is due to expire at which point the agency shall investigate the feasibility  
19 of implementing the State’s designated payment component. A standard evaluation form will be designed  
20 by the State Treasurer’s Office with the assistance of the Department of Technology and Information and  
21 the Government Information Center, where appropriate, and approved by the Office of Management and  
22 Budget.

23 Section 108. (a) Amend 29 Del. C. § 6102(u) by deleting the third sentence from said subsection,  
24 which reads as follows: “Such amounts provide financing for the local share of said capital projects.”.

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 Section 112. Section 1 of this Act appropriates Personnel Costs and 22.0 split-funded FTEs (66  
25 percent ASF and 34 percent GF) to the Office of the Attorney General (15-01-01) to support the Child  
26 Support Enforcement function. The Child Support Enforcement function in the Attorney General's Office  
27 will operate on a reimbursement basis, wherein the State makes the initial expenditures and is reimbursed  
28 from federal funds controlled by the Department of Health and Social Services. The reimbursement rate

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

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

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

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

17 Section 113. Section 1 of this Act includes Personnel Costs and 1.0 ASF FTE Administrative  
18 Specialist II (BP #8131) in the Office of the Attorney General (15-01-01). In order to provide funding for  
19 this position, the Department of Natural Resources and Environmental Control (40-00-00) shall allocate  
20 monies to the Office of the Attorney General by July 15 of each fiscal year.

21 Section 114. Section 1 of this Act includes Personnel Costs in Consumer Protection and 3.0 ASF  
22 FTEs in the Office of the Attorney General (15-01-01) for activities associated with the regulation of  
23 credit counseling and debt management companies as authorized in 6 Del. C. c. 24A, the Delaware  
24 Uniform Debt-Management Services Act.

25 Section 115. Notwithstanding any other provision of the Delaware Code, the merit positions  
26 Administrative Specialist II (BP #839) and Investigator II (BP #840 and BP #841) shall become exempt  
27 at such time as the current incumbent vacates such position. If the Office of the Attorney General plans to  
28 assign the position new or additional responsibilities, then a list of duties shall be submitted to the Office



1 of Management and Budget for review and approval of a new comparable class/pay grade prior to  
2 recruiting and hiring an exempt employee.

3 Section 116. (a) Notwithstanding any other provisions of the Delaware Code to the contrary,  
4 \$655.0 ASF shall be transferred from the Victims Compensation Fund for the following purposes: \$230.2  
5 ASF shall be transferred to Contractual Services in the Office of the Attorney General (15-01-01) to fund  
6 family violence services in Kent and Sussex counties; \$273.8 ASF Victims' Rights in the Office of the  
7 Attorney General; and \$151.0 ASF Contractual Services in the Department of Correction, Community  
8 Corrections, Probation and Parole (38-06-02) to support a community restorative justice program in New  
9 Castle County.

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

13 Section 117. Effective November 1, 2011, all funds remaining in the Conflict Attorneys  
14 appropriation within the Administrative Office of the Courts, Office of State Court Administrator (02-17-  
15 01) shall be transferred to Legal, Public Defender (15-02-01) for a new appropriation entitled Conflict  
16 Attorneys. This reflects the permanent transfer of the administration of the Conflict Attorneys Program to  
17 the Public Defender. The administrator of the Conflict Attorneys Program, Assistant Public Defender V  
18 (BP# 85743), may decide upon, but is not limited to, the following options: implement new contract rates,  
19 including setting regional or market-based contract rate structures; increase the number of contracts;  
20 and/or split full-time contracts into part-time contracts. Upon the approval by the Director of the Office  
21 of Management and Budget and the Controller General, the administrator of the Conflict Attorneys  
22 Program may implement any combination of these or other reasonable options in an effort to maximize  
23 the recruitment of qualified attorneys to serve the Conflict Attorneys Program.

1 **STATE**

2 Section 118. (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 \$118.0 in World Trade Center, \$170.0 for International Council of Delaware and \$30.0 in  
5 Italian/American Commission in the Department of State, Administration (20-01-01). The affected  
6 employees will remain exempt from classified service in accordance with 29 Del. C. § 5903, and will  
7 retain current compensation levels in addition to enacted 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 119. 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 120. 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 121. 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 122. 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 123. 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 124. 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 125. 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 126. 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 \$429.6  
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 127. 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 128. 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 129. 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.

1 **FINANCE**

2 Section 130. 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 \$2,843.3. 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 131. 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 132. 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 133. 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 134. 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 135. (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 136. 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 137. 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.

## HEALTH AND SOCIAL SERVICES

Section 138. Notwithstanding any other provisions of the Delaware Code, the Department of Health and Social Services shall have the authority to fill vacant positions with qualified applicants for the Certified Nursing Assistant, Active Treatment Facilitator, Activity Therapist, Licensed Practical Nurse, Registered Nurse, Physician, Dentist and Psychiatrist classifications by agency recruitment efforts unless an eligibility list is required by federal law for that position.

Section 139. Section 1 of this Act appropriates funding and 0.5 ASF and 0.5 NSF position to the Department of Health and Social Services, Administration, Office of the Secretary (35-01-10) for a Home and Community-Based Services Ombudsman (HCBSO). This position will report directly to the State Long-Term Care Ombudsman and will serve as a principal point of contact for adult home and community-based consumers. The HCBSO will function as a mediator and facilitate conflict resolution relative to services for adults residing in home and community-based settings and/or receiving services from providers licensed to provide home and community-based services in the State of Delaware. In addition, the HCBSO will contribute to the development of state long-term care policy by means of sharing data, information, and funding from an array of home and community-based service system monitoring and related activities.

Section 140. Amend 16 Del. C. § 1150 by deleting the following words: “Division of Services for Aging and Adults with Physical Disabilities” and replace with the following words: “Division of Administration”.

Section 141. (a) Results of investigations conducted by the Audit and Recovery Management Services concerning any and all public welfare programs administered by the Department of Health and Social Services that indicate possible error or fraud shall be transmitted to the Office of the Attorney General directly by the Secretary of the Department of Health and Social Services. The Office of the Attorney General shall prosecute those cases deemed actionable and return the rest to the Department of Health and Social Services for collection of overpayment. The Secretary of the Department of Health and Social Services shall file an annual report directly with the Director of the Office of Management and Budget and the Controller General.



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

6 Section 142. (a) Section 1 of this Act appropriates \$500.5 to the Department of Health and Social  
7 Services, Office of the Secretary, Delaware Institute of Dental Education and Research (DIDER) (35-01-  
8 10). This amount shall be allocated as follows:

9 Temple University School of Dentistry	\$262.5
10 General Practice Residents Support	148.0
11 Loan Repayment Program	90.0

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

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

20 (d) \$262.5 of the allocation identified above shall be used to support twenty-one dental slots at  
21 the Temple University School of Dentistry.

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

1           Section 143. The General Assembly directs the Department of Health and Social Services, Office  
2 of the Secretary, Health Care Commission to require DIDER loan repayment recipients to agree to  
3 provide preventive dental care to eligible clients of the Division of Developmental Disabilities Services.  
4 The Secretary of Department of Health and Social Services shall work with the DIDER board to  
5 determine eligibility and the number of clients to be served.

6           Section 144. Section 1 of this Act appropriates \$1,650.0 to the Department of Health and Social  
7 Services, Office of the Secretary, Delaware Institute of Medical Education and Research (DIMER) (35-  
8 01-10). This amount shall be allocated as follows:

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

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

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

25          Section 145. (a) Section 1 of this Act appropriates \$2,649.2 in the Department of Health and  
26 Social Services, Administration, Management Services (35-01-20) under Early Intervention for the Part C  
27 Birth to Three Program and \$227.7 in the Department of Education, Block Grants and Other Pass Through  
28 Programs, Special Needs Program (95-03-20) for the Interagency Resource Management Committee

1 (IRMC). The Interagency Resource Management Committee shall consult and advise the lead agency in  
2 setting program eligibility standards and shall have the authority to allocate such funds, and may advise on  
3 the use of other funds specifically designated for this project. Section 1 of this Act includes 33.5 FTEs in  
4 Department of Health and Social Services, Public Health, Community Health (35-05-20), 2.0 FTEs in  
5 Department Services for Children, Youth and Their Families, Prevention and Behavioral Health Services,  
6 Prevention/Early Intervention (37-04-20), and 2.0 FTEs in Department of Education,-Block Grants and  
7 Other Pass Through Programs, Special Needs Program (95-03-20) to provide appropriate services for  
8 Children Birth to Three, selected through the early intervention process and to ensure coordination with the  
9 Program for Children with Disabilities. In addition, the IRMC may recommend the transfer of General  
10 Fund positions and/or General Fund dollars from the Department of Health and Social Services as  
11 necessary to operate this program.

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

20 Section 146. Section 1 of this Act makes an appropriation the Department of Health and Social  
21 Services, Administration, Management Services (35-01-20) for the Early Intervention Program. Of that  
22 amount, \$150.0 is appropriated to provide evaluation and direct services for children.

23 Section 147. The Department of Health and Social Services is authorized to contract with a  
24 cooperative Multi-State purchasing contract alliance for the procurement of pharmaceutical products,  
25 services and allied supplies. The provisions of 29 Del. C. c. 69 shall not apply to such contract. Prior to  
26 entering into any such contracts the department will obtain the approval of the Director of the Office of  
27 Management and Budget.

1           Section 148. (a) The amount appropriated by Section 1 of this Act to the Department of Health  
2 and Social Services for Title XIX Federal Programs Medicaid shall be expended solely in accordance  
3 with the 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 149. 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 determines  
3 is in the best interests of the citizens who are being served. The rebate amount shall be calculated using  
4 the full methodology prescribed by the federal government for the Medicaid program. In addition, the  
5 division is authorized to negotiate rebates with drug companies for both Medicaid and other programs.  
6 Notwithstanding any provisions of the Delaware Code to the contrary, the division shall deposit any drug  
7 rebate funds received as well as third party insurance collections (minus retention amounts) and other  
8 collections into the appropriate Medicaid and Medical Assistance program account and use them to meet  
9 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 150. 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. In an effort to address  
20 the impact of rising health care costs on the budget, the General Assembly hereby establishes the  
21 Commission on Medicaid Cost/Health Care Containment. The Commission shall consist of the current  
22 membership of the Medicaid Medical Care Advisory Committee, two senators and two representatives  
23 from the Joint Finance Committee appointed by the chairs of the Joint Finance Committee, the Director of  
24 the Office of Management and Budget or their designee, and the Controller General or their designee.  
25 The Commission will identify cost drivers and develop health cost containment strategies to include but  
26 not limited to benefit limits, co-payments, increasing long term care community placements and targeted  
27 provider rate reductions. The Commission shall also explore health care cost innovations including but

1 not limited to Employer Group Waiver Plans (EGWP), Healthpacs and single payer options. The  
2 Department of Health and Social Services shall provide staff support for the Commission.

3 The Commission shall present their findings to the Governor and the General Assembly no later  
4 than December 15, 2011.

5 Section 151. The Department of Health and Social Services shall work with appropriate providers  
6 to study utilization of emergency departments, physical therapy and outpatient services. The goal of the  
7 study shall be to ascertain possible strategies for ensuring individuals who utilize these services for  
8 repetitive non-urgent cases are provided medical care in a setting appropriate to their medical need. The  
9 group will further assess the definition(s) of urgent and non-urgent use of the emergency department as  
10 well as the timely availability of care in alternative settings. This effort shall include an examination of  
11 the study conducted at Christiana Care Health System which focused on Emergency Department  
12 utilization by those with mental health and substance abuse issues entitled *Implementation of a Pain*  
13 *Protocol Reduces Emergency Department Visits For "Super Users"* with the goal of assessing this  
14 particular protocol and its applicability for state wide implementation. A study group called the  
15 Utilization Study Group shall be formed to undertake this study. Appointments are to be made as  
16 follows: The Department of Health and Social Services shall appoint three individuals; the Medical  
17 Society of Delaware shall appoint one individual; the Delaware Chapter of the American College of  
18 Emergency Physicians shall appoint one individual and the Delaware Healthcare Association shall  
19 appoint three individuals to the Study Group. The Secretary of the Department of Health and Social  
20 Services will appoint the chair of the Study Group. The Study Group is to report its findings to the  
21 Controller General by December 1, 2011.

22 Section 152. In order to increase the availability of community-based long term care services and  
23 supports and reduce reliance on more expensive institutional care, Medicaid and Medical Assistance (35-  
24 02-01) will proceed with the implementation of an Integrated Long Term Care program.

25 Section 153. The Department of Health and Social Services is authorized to contract for the  
26 procurement of managed care services for the Delaware Medical Assistance Program. The provisions of  
27 29 Del. C. c. 69 shall not apply to such contracts.

1           Section 154. Section 1 of this Act provides an appropriation to the Department of Health and  
2 Social Services, Medicaid and Medical Assistance (35-02-01) for Renal Disease.

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

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

16           Section 155. Section 1 of this Act includes 2.0 NSF FTEs in the Department of Health and Social  
17 Services, Social Services (35-07-01). These Medicaid Eligibility Specialist positions will be funded  
18 through voluntary contributions from medical facilities and from federal matching funds. These positions  
19 will expedite the Medicaid Eligibility application process for Medicaid clients, and will ensure that these  
20 clients apply for services through Medicaid, if appropriate, thereby maximizing federal revenues for the  
21 State of Delaware. Other medical facilities throughout the State may participate in this program.

22           Section 156. Section 1 of this Act includes an appropriation to the Department of Health and  
23 Social Services, Public Health, Director's Office/Support Services (35-05-10) for Contractual Services.  
24 Of that amount, \$446.4 shall be used for the purpose of providing school nursing services five days a  
25 week to non-public schools in New Castle County and Kent County.

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

1           Section 157. Section 1 of this Act provides an appropriation of \$36.0 ASF in Contractual  
2 Services from the Tobacco Master Settlement Agreement to the Department of Health and Social  
3 Services, Public Health, Community Health (35-05-20) to provide vaccinations to individuals who are  
4 members of volunteer ambulance companies or volunteer fire companies acting as “first responders” in  
5 the State of Delaware. Public Health shall purchase vaccine and administer or contract vaccine at local  
6 fire stations or other sites mutually agreed upon by the fire companies and Public Health. No such  
7 vaccinations shall be furnished until after certification by the volunteer fire or ambulance company on a  
8 form provided by Public Health, indicating that the person for whom the vaccination is desired, is a  
9 member in good standing of a volunteer ambulance or volunteer fire company in the State of Delaware.  
10 A record of the names and addresses of all persons immunized shall be maintained by Public Health. To  
11 insure the success of this program, Public Health and representatives of the Delaware Volunteer  
12 Firemen’s Association shall work collaboratively in the best interests of all parties. Public Health may  
13 promulgate reasonable rules and regulations regarding the vaccination of volunteer firemen and  
14 individuals who volunteer for ambulance companies. If resources allow, after the needs of the volunteer  
15 community have been met, similar assistance may be offered to other fire and ambulance companies such  
16 as the Wilmington City fire company. Such funds, as are necessary from this fund, may also be spent to  
17 provide any required post vaccination antibody testing in order to assure adequate protection has been  
18 achieved.

19           Section 158. Section 1 of this Act appropriates \$229.5 to the Department of Health and Social  
20 Services, Public Health, Community Health (35-05-20) for the Uninsured Action Plan. It is the intent of  
21 the Administration and the General Assembly that these funds shall be used for the continuation of the  
22 services provided under the plan after all other available funds for this purpose have been exhausted. The  
23 Commission shall submit a report to the Director of the Office of Management and Budget and the  
24 Controller General no later than October 15 of each fiscal year detailing the plan for the expenditure of  
25 these funds.

26           Section 159. Section 1 of this Act provides an appropriation for the Department of Health and  
27 Social Services, Public Health, Community Health (35-05-20) to provide Hepatitis B and other necessary



1 childhood vaccinations for children between infancy and young adulthood who are uninsured, are not  
2 eligible for any Federal program providing the vaccination, and are otherwise medically indigent.

3 Section 160. Section 1 of this Act makes an appropriation of \$75.0 ASF in Contractual Services  
4 from the Tobacco Settlement Agreement to the Department of Health and Social Services, Public Health,  
5 Community Health (35-05-20) to implement a Hepatitis B Vaccination Program for Correctional Officers  
6 and Probation and Parole Officers within the Department of Correction. For the purpose of this program,  
7 Correctional Officers shall be defined as any employee within the Correctional Officer Series through  
8 Captain and Probation and Parole Officers shall be defined as Probation and Parole Officers I through  
9 Senior Probation and Parole Officers. Public Health shall purchase and administer the vaccine upon  
10 request. It is the intent of the General Assembly that in Fiscal Year 2010 the Correctional Officers and  
11 Probation and Parole Officers with the most direct prisoner contact will receive the vaccination series and  
12 in subsequent years the remaining staff shall be vaccinated.

13 Section 161. The State desires to establish a permanent funding program for rodent control  
14 activities at the local level by providing the City of Wilmington \$15.0; New Castle County \$15.0; Kent  
15 County \$10.0; and Sussex County \$10.0. The Department of Health and Social Services, Public Health,  
16 Community Health (35-05-20) shall dispense these funds to local governments in lump sum payments to  
17 be made no later than September 1 of each fiscal year; establish program objectives and spending  
18 guidelines; require regular expenditure reporting to the State; and allow unexpended funds to carry over at  
19 the local level into the next fiscal year.

20 Section 162. The Department of Health and Social Services, Public Health, Community Health  
21 (35-05-20) will receive a portion of the Federal Medicaid reimbursement for services to Medicaid and  
22 CHIP eligible students in School Based Health Centers. The division shall be allowed to collect and  
23 deposit up to \$102.0 of the revenue into an ASF account entitled School Based Health Centers to support  
24 the cost of this initiative. Up to \$200.0 of the remaining revenue will be deposited into an ASF account in  
25 Medicaid and Medical Assistance (35-02-01) and used for expenses associated with the normal operations  
26 of the Medicaid program. This amount may be increased subject to approval from the Director of the  
27 Office of Management and Budget and Controller General.

1           Section 163. Section 1 of this Act makes an appropriation to the Department of Health and Social  
2 Services, Public Health, Community Health (35-05-20) for supplies and materials. Of that appropriation,  
3 \$10.0 is to be used to purchase chemical reference materials and \$5.0 for the restoration/maintenance of  
4 the unit response vehicle for the Office of Environmental Health Evaluation.

5           Section 164. (a) Section 1 of this Act provides funding for the Department of Health and Social  
6 Services, Public Health, Community Health, Office of Drinking Water (35-05-20) to administer the  
7 Drinking Water State Revolving Fund (DWSRF). This Fund consists of funding from the State Twenty  
8 First Century Fund and United States Environmental Protection Agency and includes appropriations for  
9 technical assistance and water operator training for drinking water systems in the State. The  
10 Environmental Training Center at the Delaware Technical and Community College and the Delaware  
11 Rural Water Association are the current providers of water operator training and drinking water system  
12 technical assistance in Delaware. Therefore, available funding through the DWSRF for training and  
13 technical assistance shall be distributed appropriately to these agencies.

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

18           Section 165. Section 1 of this Act appropriates funds to the Department of Health and Social  
19 Services, Public Health, Community Health (35-05-20) and to the Administrative Office of the Courts,  
20 Non-Judicial Services, Child Death, Near Death and Stillbirth Commission (02-18-06) for infant  
21 mortality. More specifically, the funds are to implement recommendations of the Infant Mortality Task  
22 Force. Included are \$4,661.2 in the Infant Mortality Task Force and 3.0 FTEs in Community Health (35-  
23 05-20) and funding for Personnel Costs in the Infant Mortality Task Force in Child Death, Near Death  
24 and Stillbirth Commission (02-18-06). The Department of Health and Social Services shall submit an  
25 update on the spending plan for these funds to the Director of the Office of Management and Budget and  
26 Controller General no later than November 1 of each fiscal year.

27           Section 166. Of the funds derived from those State Lottery funds transferred to the Department  
28 of Health and Social Services, Substance Abuse and Mental Health Services pursuant to 29 Del. C. §

1 4815 (b)(2), \$20.0 ASF shall be used by the division to create and/or continue an Addiction Prevention  
2 Program in all Delaware high schools on the subject of compulsive gambling. These funds shall provide,  
3 but not be limited to, the following:

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

8 Section 167. The Department of Health and Social Services, Substance Abuse and Mental Health  
9 (35-06-00) is encouraged, where appropriate, to reallocate resources so as to create a balanced system of  
10 services and treatment for persons with mental illness. Such reallocation initiatives must be made within  
11 the total division's appropriation limit with the approval of the Director of the Office of Management and  
12 Budget and the Controller General. These reallocation initiatives shall not compromise the standard of  
13 care of the division's clients.

14 Section 168. Section 1 of this Act appropriates \$3,500.0 in Community Placements in Health and  
15 Social Services, Substance Abuse and Mental Health, Community Mental Health (35-06-20). The  
16 department shall utilize the funds to transition Delaware Psychiatric Center residents into the community.  
17 As a result, the department shall realize savings in future fiscal years through analyzing staffing and  
18 operational needs.

19 Section 169. The Merit Rules notwithstanding, Department of Health and Social Services  
20 employees designated as Psychiatrists, as well as the Chief Psychiatrist in the Delaware Psychiatric  
21 Center (35-06-30) shall be eligible for standby pay and call back pay.

22 Section 170. Section 1 of this Act provides an appropriation to the Department of Health and  
23 Social Services, Substance Abuse and Mental Health, Delaware Psychiatric Center (35-06-30), for  
24 Contractual Services. Of that amount, \$41.2 shall be made available for a Direct Patient Care Education  
25 Program to enable direct care professionals to take courses to increase their skills in specialty areas.

26 It is understood that participants in this program will provide clinical services with compensation  
27 to Delaware Psychiatric Center during the duration of their education. It is further understood that these  
28 individuals shall remain employees of Delaware Psychiatric Center for a minimum of one year after

1 graduation or shall reimburse the State for any and all tuition received. It is further understood that any  
2 individuals who do not successfully complete their courses shall be required to reimburse the State for the  
3 cost of the tuition per divisional policy.

4 Section 171. Section 1 of this Act provides an appropriation to the Department of Health and  
5 Social Services, Social Services (35-07-00) for Contractual Services. Of that amount, \$750.0 is for DCIS  
6 II system maintenance. Social Services shall have the authority to contract for positions needed to  
7 provide system maintenance. The division shall also have the authority, with approval from the Director  
8 of the Office of Management and Budget and Controller General, to transfer a portion of these funds to  
9 Personnel Costs and establish up to 2.1 positions and 1.8 NSF positions in order to support DCIS II  
10 system maintenance.

11 Section 172. Section 1 of this Act provides an appropriation of \$1,200.0 ASF to the Department  
12 of Health and Social Services, Social Services (35-07-01) for TANF Cash Assistance Pass Through. The  
13 division shall be allowed to collect and deposit funds into this account as a result of child support  
14 payments collected by the Division of Child Support Enforcement on behalf of TANF clients. These  
15 funds will be used by Social Services to make supplemental payments to clients who are eligible to retain  
16 a portion of their child support under State and Federal TANF budgeting rules.

17 Section 173. Notwithstanding any provisions of the Delaware Code to the contrary, the  
18 Department of Health and Social Services, Social Services (35-07-01) is authorized to make such policy  
19 changes in the administration of the Temporary Assistance for Needy Families (TANF) and Child Care  
20 Development Block Grant programs as may be necessary to assure that Delaware will qualify for the full  
21 amount of its federal block grant entitlement funds. Any changes require the prior approval of the  
22 Director of the Office of Management and Budget and Controller General.

23 Section 174. Section 1 of this Act appropriates Personnel Costs and 33.8 FTEs to the Department  
24 of Health and Social Services, Visually Impaired (35-08-00). This section authorizes 1.0 FTE in addition  
25 to the 7.0 FTEs itinerant teachers available to meet caseload requirements for the Braille Literacy Act.  
26 This additional FTE may be filled if the current fiscal year September educational unit count indicates the  
27 number of teachers required to meet caseloads for visually impaired students is greater than the current  
28 fiscal year complement of teachers.

1           Section 175. Section 1 of this Act provides an appropriation to the Department of Health and  
2 Social Services, Visually Impaired (35-08-01) for Contractual Services. Of that amount, \$15.9 shall be  
3 used to compensate correctional inmates for the purpose of producing Braille materials for visually  
4 impaired school children.

5           Section 176. Section 1 of this Act provides an appropriation of \$1,227.3 ASF in the Department  
6 of Health and Social Services, Child Support Enforcement (35-10-00) for the operation of the division.  
7 Revenue from child support collections shall fund this account and the related 2.5 ASF FTEs. The  
8 department shall continue its efforts to maintain collections related to child support programs, and all  
9 revenue in excess of the division's ASF authority shall be deposited as designated by 29 Del. C. § 6102.

10          Section 177. Section 1 of this Act provides an appropriation to the Department of Health and  
11 Social Services, Child Support Enforcement (35-10-00) for Contractual Services. Of that amount, \$211.1  
12 is for programming costs for the DACSES Redevelopment Project. Child Support Enforcement shall  
13 have the authority to contract for IT resources needed to augment existing programming staff for the  
14 duration of this project. At the project's conclusion, the division shall have the authority, with approval  
15 from the Director of the Office of Management and Budget and Controller General, to transfer these  
16 funds to Personnel Costs and establish up to 3.0 positions and 5.0 NSF positions in order to support  
17 DACSES system maintenance.

18          Section 178. The Department of Health and Social Services, Developmental Disabilities Services  
19 (35-11-00) may rebase, once every one to three years, its Inventory for Client and Agency Planning  
20 (ICAP) based rate setting system. This rebasing will be predicated on raising the direct care staff wage  
21 and mirroring elements in the model to keep pace with changing economic conditions on regional and  
22 national level that will ensure a livable wage for workers and provide continuity of care to individuals  
23 with developmental disabilities.

24          Section 179. The Department of Health and Social Services, Developmental Disabilities Services  
25 (35-11-00) is encouraged, where appropriate, to reallocate resources so as to maximize community-based  
26 residential placements for persons with developmental disabilities. Such reallocation initiatives must be  
27 made within the total division's appropriation limit with the approval of the Director of the Office of

1 Management and Budget and the Controller General. These reallocation initiatives shall not compromise  
2 the standard of care of the remaining Stockley Center population.

3 Section 180. Section 1 of this Act makes an appropriation to the Department of Health and Social  
4 Services, Developmental Disabilities Services (35-11-00) for Purchase of Care. Of that appropriation,  
5 \$50.0 is appropriated to support individuals receiving respite care services at the Fiscal Year 2005  
6 contract levels.

7 Section 181. The Department of Health and Social Services, Developmental Disabilities  
8 Services, Community Services (35-11-30) receives Medicaid reimbursement for the provision of day  
9 rehabilitation services provided in state operated day centers. Notwithstanding the provisions of 29 Del.  
10 C. § 6102, the division shall be allowed to collect and deposit the Medicaid reimbursement in an  
11 Appropriated Special Fund. Receipts in the account may be used to fund community residential, day  
12 program, respite and other related contracts currently funded out of the Purchase of Care and Purchase of  
13 Community Services lines.

14 Section 182. Section 1 of this Act provides an appropriation of \$2,432.3 ASF to the Department  
15 of Health and Social Services, Developmental Disabilities Services, Community Services (35-11-30) for  
16 Purchase of Care. The division shall be allowed to collect and deposit funds into this account as a result  
17 of revenue from implementation of a sliding fee scale, Medicaid transportation reimbursements, patient  
18 payments and tenant fees and Medicaid receipts from state operated group homes and state operated  
19 apartments.

20 Section 183. Section 1 of this Act includes funding for Contractual Services for Department of  
21 Health and Social Services, State Service Centers, Community Services (35-12-30). Of this amount,  
22 \$175.1 shall be used for the Delaware Helpline. Available funds designated for the Delaware Helpline  
23 may be distributed annually in a lump sum at the beginning of the contract year.

24 Section 184.Contingent upon an agreement executed by the United Way of Delaware and  
25 Delaware Helpline Inc./211, any funds appropriated in Senate Bill 310 and Senate Bill 315 of the 145<sup>th</sup>  
26 General Assembly, shall be transferable to the United Way of Delaware for the sole purpose of  
27 administering Delaware Helpline Inc./211 .

1           Section 185. Section 1 of this Act appropriates \$3.0 in Contractual Services to the Department of  
2 Health and Social Services, State Service Centers, Community Services (35-12-30). These funds are to  
3 be used to reimburse emergency shelters for housing homeless women in Kent County during Code  
4 Purple conditions. Code Purple is defined as nights when the temperature is 25 degrees or below or in  
5 emergency weather conditions such as an ice storm or a blizzard.

6           Section 186. The Department of Health and Social Services, Services for Aging and Adults with  
7 Physical Disabilities (35-14-00) is encouraged, where appropriate, to reallocate resources so as to create a  
8 balanced system of services and treatment among the internal program units: Delaware Hospital for the  
9 Chronically Ill (35-14-20), Emily Bissell (35-14-30), Governor Bacon (35-14-40) and community-based  
10 services for persons aging and/or with physical disabilities. Such reallocation initiatives must be made  
11 within the total division's appropriation limit with the approval of the Director of the Office of  
12 Management and Budget and the Controller General. These reallocation initiatives shall not compromise  
13 the standard of care of the remaining Long Term Care population.

14           Section 187. Department of Health and Social Services, Services for Aging and Adults with  
15 Physical Disabilities (35-14-00) will receive Medicaid reimbursement for the administration of  
16 community based services for the Aging and Adults with Physical Disabilities population.  
17 Notwithstanding the provisions of 29 Del. C. § 6102, the division shall be allowed to collect and deposit  
18 the Medicaid reimbursement in an Appropriated Special Fund account entitled "Community Based  
19 Services Reimbursement." Receipts in the account may be used to maintain existing services and provide  
20 additional services for adults with physical disabilities. Such services are not to exceed the estimated  
21 annualized revenue, and are subject to initial and on-going review by the Director of the Office of  
22 Management and Budget and the Controller General.

23           Section 188. Section 1 of this Act makes an appropriation to the Department of Health and Social  
24 Services, Services for Aging and Adults with Physical Disabilities (35-14-00) for Respite Care. Of that  
25 appropriation, \$110.0 is appropriated to support families provided respite care services through the  
26 Caregiver Program.

27           Section 189. Section 1 of this Act includes \$25.0 ASF in the Department of Health and Social  
28 Services, Services for Aging and Adults with Physical Disabilities, Delaware Hospital for the Chronically

1     III (35-14-20) for Hospice. The division shall be allowed to collect and deposit funds into this account as  
2     a result of revenue generated from pharmaceuticals associated with Hospice services being provided.

3             Section 190. Any non-state agency whose employees are required to receive criminal  
4     background checks pursuant to 16 Del. C. § 1141 and § 1145, shall provide to the Department of Health  
5     and Social Services (DHSS) quarterly reports including a list of all employees hired over the proceeding  
6     quarter for the purposes of verification. DHSS shall review those lists to ensure compliance with 16 Del.  
7     C. § 1141 and § 1145.



## CHILDREN, YOUTH AND THEIR FAMILIES

Section 191. 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 192. 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 193. Section 1 of this Act provides an appropriation of \$588.5 and \$284.3 ASF to the Department of Services for Children, Youth and Their Families, Prevention and Behavioral Health Services (37-04-00). These funds shall be used to operate a Drug Court Program with Family Court. In addition, recovered Medicaid funds will be directed towards the Drug Court Program. Said funds are intended to serve 140 youth during this fiscal year, with a maximum of 70 youth at any one time.

Section 194. 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 195. (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 196. 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 197. 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 198. (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 199. If the quarterly average daily population at the New Castle County Detention Center  
24 is below 114, the Director of the Office of Management and Budget and the Controller General may  
25 reduce the number of casual/seasonal or full-time positions through attrition.

1 **CORRECTION**

2 Section 200. (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 201. 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 202. 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 203. 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 204. 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 205. 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 206. 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 207. 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 208. 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 209. (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 \$407.0 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 up to \$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 210. 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 an annual report  
13 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. This report is due on December 31 of each fiscal year.

16 Section 211. (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 212. 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 213. 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. In the event,  
24 the Director of the Office of Management and Budget proposes or implements a position attrition or  
25 complement reduction initiative, the Director shall clearly indicate to the Co-Chairs of the Joint Finance  
26 Committee when positions outlined in this section are included in said initiative(s).

27

1           Section 214. The Department of Correction, Community Corrections, House Arrest (38-06-04)  
2 shall provide 24-hour, 7 day a week supervision of community correction's offenders. The department  
3 shall determine the number of employees needed on duty throughout each 24-hour period and arrange  
4 staff coverage accordingly. At no time shall the ratio of Probation Officers I's to other staff exceed 50  
5 percent during night time and weekend hours.

6           Section 215. The Merit Rules notwithstanding, Department of Correction employees designated  
7 as Correctional Emergency Response Team (CERT) members, as well as the Chief of Security and  
8 Inspections (BP #61023) in the Office of the Commissioner (38-01-01), and Treatment Administrators  
9 (BP #67423 and 99247) in Medical Treatment and Services (38-02-01) shall be eligible for standby pay  
10 regardless of their classification.

11           Section 216. The Department of Correction is hereby authorized to review the current security  
12 status classification of its facilities and submit a report, including but not limited to, any proposed security  
13 level changes deemed necessary and appropriate to accommodate the needs of the Department. Such  
14 report shall be submitted to the Director of the Office of Management and Budget and the Controller  
15 General no later than January 1 of each fiscal year. No change shall be made to the security status of the  
16 facility without the prior approval of the Director of the Office of Management and Budget and the  
17 Controller General.

18           Section 217. Section 1 of this Act appropriates \$51,930.0 to the Department of Correction,  
19 Correctional Healthcare Services, Medical Treatment and Services (38-02-01). The Department of  
20 Correction shall provide quarterly reports relating to medical vendor performance to the Chairs of the  
21 Joint Finance Committee, the Chairs of the House and Senate Correction Committees, the Controller  
22 General and the Director of the Office of Management and Budget. Reports shall include, but not be  
23 limited to, medical staffing levels, overall performance and plans for improvement.

1                                   **NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**

2                   Section 218. 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 219. 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 220.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 221. 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 222. The Office of Natural Resources, Division of Fish and Wildlife is authorized to  
23 expend FY 2011 Office of Management and Budget’s Contingencies and One-Time Items (10-02-11-  
24 0573 – Fish and Wildlife) for Beaver Control, Phragmites, and Deer Management.

25                   Section 223. Section 1 of this Act authorizes the Office of Natural Resources, Division of Fish  
26 and Wildlife (40-03-03) to spend up to \$6,032.8 in Appropriated Special Funds. Within this amount, the  
27 division is authorized to undertake capital expenditures to maintain/develop fish and wildlife recreational  
28 areas. These expenditures should be in accordance with the Capital Development Plan for the division,



1 submitted as an attachment to the department's Annual Fiscal Year Capital Improvement Program. Any  
2 deviation from the listed projects must be approved by the Director of the Office of Management and  
3 Budget and the Controller General.

4 Section 224. Section 1 of this Act appropriates funds for Contractual Services in the Office of  
5 Natural Resources, Division of Parks and Recreation (40-03-02). Of this amount, \$14.4 ASF shall be  
6 used for the leasing of an enforcement vehicle and Interpretive Program vehicle at Killens Pond State  
7 Park.

8 Section 225. Section 1 of this Act makes an appropriation to the Department of Natural  
9 Resources, Office of Natural Resources, Division of Parks and Recreation (40-03-02). Of this amount,  
10 \$17.3 ASF shall be used to fund casual/seasonal positions for Killens Pond Waterpark and \$8.5 ASF shall  
11 be used for program services and contractual services at the Bellevue State Park system.

12 Section 226. Section 1 of this Act makes an appropriation to the Department of Natural  
13 Resources and Environmental Control, Office of Natural Resources, Division of Parks and Recreation  
14 (40-03-02). Of that appropriation \$10.1 ASF is to be spent on promotion and programs for Trap Pond  
15 State Park as follows: \$5.0 ASF for Contractual Services, \$5.0 ASF for Supplies and Materials and \$0.1  
16 ASF for Travel.

17 Section 227. Section 1 of this Act makes an appropriation to the Office of Natural Resources,  
18 Division of Parks and Recreation (40-03-02). Of this amount, \$35.0 shall be used for monument and  
19 general maintenance within the parks, including the maintenance of war memorials and ball fields.

20 Section 228. Section 1 of this Act provides an appropriation and 1.0 FTE to the Office of Natural  
21 Resources, Division of Parks and Recreation (40-03-02) to fund a Park Technician II. This position shall  
22 be dedicated primarily to the South Park Drive area and the Brandywine Zoo with additional duties  
23 throughout Wilmington State Parks.

24 Section 229. Section 1 of this Act makes an appropriation to the Office of Natural Resources,  
25 Division of Watershed Stewardship (40-03-04) for Contractual Services. Of that amount, \$180.0 shall be  
26 used for additional field staff personnel for the preparation of nutrient management plans.

1           Section 230. Section 1 of this Act makes an appropriation to the Department of Natural  
2 Resources and Environmental Control, Office of Environmental Protection, Division of Water (40-04-03).  
3 Of that amount, \$1.0 shall be set aside for the Environmental Science Scholarship program.

4           Section 231. It is intent of the General Assembly that the Department of Natural Resources and  
5 Environmental Control shall be required, pending legal review, to post on its Internet website within three  
6 working days, all unclassified misdemeanors issued by the Office of the Secretary, Community Services  
7 (40-01-03) Enforcement Officers after such citations have been entered in the courts.

8           Section 232. Section 1 of this Act appropriates funds to support 2.0 FTEs within the Department  
9 of Natural Resources and Environmental Control, Office of Environmental Protection, Division of Air  
10 Quality (40-04-02). One position is an Engineer assigned to the Delaware City Petro Chemical Complex.  
11 The second position is an Engineer assigned to Claymont/Edgemoor Industrial Complex. The  
12 incumbents shall each submit an annual report to the Joint Finance Committee on February 1 of each  
13 year, which summarizes the complaints and activities of the previous calendar year. These positions will  
14 respond to and provide follow-up on complaints from the community on the air quality throughout New  
15 Castle County.

16           Section 233. Section 1 of this Act appropriates funds to the Hazardous Substance Cleanup Act  
17 (HSCA) Cleanup Fund in the Office of Environmental Protection, Division of Waste Management (40-  
18 04-04). Funds to address orphan underground storage tank (UST) system removal and any remediation of  
19 any resulting contamination from UST systems will be established pursuant to the annual expenditure  
20 plan for the HSCA Cleanup Fund as required under 7 Del. C § 9104(c)(2). The term orphan UST system  
21 shall be defined by the Department's Fund for the Inability to Rehabilitate Storage Tanks (FIRST) Fund  
22 policy and include but not be limited to, situations where the tank owner or responsible party has shown  
23 to the satisfaction of the Department that they do not have the ability to pay for the necessary UST system  
24 removal and the remediation of any contamination. In such case, the Department shall not seek cost  
25 recovery of the funds expended under the HSCA fund.

26           Section 234. The General Assembly herein acknowledges that certain programs within the  
27 Department are funded all or in part by fee-based revenues. Every two years the Secretary shall perform  
28 a review of fees assessed and collected by the Department to determine the revenue sufficiency of the fees

1 and programs they support and a report shall be submitted to the Director of the Office of Management  
2 and Budget and the Controller General by October 1, 2012.

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

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

10 Section 235. The Department of Natural Resources and Environmental Control, in addition to the  
11 exempt line item positions in Section 10, is authorized five exempt administrative management positions  
12 per the Fiscal Year 2010 complement.

13 Section 236. The Department of Natural Resources and Environmental Control shall submit an  
14 annual report on the Weatherization Assistance Program (WAP) to the Director of the Office of  
15 Management and Budget and the Controller General on or before March 15. The report shall provide a  
16 synopsis of year to date activity, planned activity for the remainder of the fiscal year, proposed activity  
17 for the next fiscal year and an assessment of the program to date. Activity shall include an itemized list of  
18 funding received, total expenditures for each funding source, eligibility compliance and the number of  
19 units completed from each funding source. Program assessment shall include the percentage of  
20 completed units monitored, subgrantee evaluations (i.e. number of contractors, contractor procurement  
21 methods, training administered, documentation retained as required and general contract compliance),  
22 estimated energy savings for units completed and reporting metrics as required by the U.S. Department of  
23 Energy.

24 Section 237. Section 1 of this Act makes an appropriation to Salary/OEC Contingency in the  
25 Office of Management and Budget, Contingencies and One-Time Items (10-02-11). Of the total amount,  
26 \$18.1 and \$7.9 ASF is allocated for the Department of Natural Resources and Environmental Control to  
27 annualize the competency-based pay project. Notwithstanding Chapters 5.0 and 6.0 of the Merit Rules,  
28 this pay plan is intended for the enforcement classes within the Department of Natural Resources and

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

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

16 Career advancement to the next highest performance level will be a paper process unless the  
17 Board believes an oral interview is necessary for clarification. The employee requesting a promotion for  
18 a higher pay grade will not be required to attend the Enforcement Career Board review process unless the  
19 Board requests the employee's attendance.

1 **SAFETY AND HOMELAND SECURITY**

2 Section 238. 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 239. 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 240. 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 241. 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 242. 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 243. 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 244. 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 245. 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 246. 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 247. 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 248. 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 249. (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 250. 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.

17           Section 251. Section 1 of this Act appropriates \$1,000.0 to the Office of Management and  
18 Budget, Contingencies and One-Time Items (10-02-11) for the purchase of additional State Police  
19 vehicles. Of the additional vehicles, at least 8 shall be 4x4 SUVs.

20           Section 252. Amend 29 Del. C. § 8235(2) by deleting the phrase “Department of Finance Form  
21 RS-1 and applicable directives” and replacing it with “an Intergovernmental Voucher as described in the  
22 State’s Budget and Accounting Policy Manual.”

1 **TRANSPORTATION**

2 Section 253. 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&D” are intended for continuation of  
9 transportation service for the elderly and disabled 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&D” 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&D” 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 254. 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 255. Section 1 of this Act makes an appropriation of \$1,283.3 TFO to Planning (55-03-  
13 01) for “contractual services”

14 (a) Of this amount, \$62.5 TFO shall be used for infrastructure research and forums  
15 through the University of Delaware, Institute for Public Administration. An additional \$50.0 TFO shall  
16 be allocated for the purposes set forth in this Section to be funded from eligible Federal Funds. These  
17 activities funded by this appropriation shall be approved by the Secretary of the Department of  
18 Transportation.

19 (b) Of this amount, \$250.0 TFO shall be used for the purposes of funding research  
20 programs of the Delaware Center for Transportation. Use of these program funds is subject to prior  
21 approval of the research approach and specific research projects of the Center by existing Policy  
22 Committee for the Center, which shall include representation from the Department of Transportation,  
23 University of Delaware, the Chairperson of the House Transportation and Infrastructure Committee, and  
24 the Chairperson of the Senate Highways and Transportation Committee and/or the Energy and Transit  
25 Committee.

26 Section 256.Section 1 of this Act makes an appropriation in the amount of \$56,885.1 TFO to  
27 Maintenance and Operations, Maintenance Districts (55-04-70) and \$17,504.1 TFO to Motor Vehicles,  
28 Toll Administration (55-11-60).

1 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	7,273.1		13,673.5
Travel	6.0				6.0
Contractual Services	1,272.7	604.2	520.6	8,402.2	10,799.7
Supplies and Materials	105.1	141.2	1,482.0		1,728.3
Energy	146.5	384.8	443.4		974.7
Capital Outlay	41.0		50.0		91.0
TOTALS	4,713.2	4,388.7	9,769.1	8,402.2	27,273.2
FTEs	57.0	64.0	149.0		270.0

2 Section 257. The Department of Transportation and/or its E-ZPass contractor is prohibited from  
3 monitoring the speed of motor vehicles through E-ZPass toll booths for the purpose of issuing traffic  
4 citations or the suspension of E-ZPass privileges. Nothing in this section shall prohibit the State Police  
5 from enforcing traffic laws including speed enforcement at the E-ZPass toll booths.

6 Section 258. Section 1 of this Act makes an appropriation to Maintenance and Operations,  
7 Maintenance Districts (55-04-70) in the amount of \$3,277.4 TFO to establish a Special Line called  
8 Snow/Storm Contingency that will provide for the expenses of weather/emergency operations.  
9 Notwithstanding any other provision of the law to the contrary, any sums in this account not expended by  
10 the end of a fiscal year shall be carried over for use in future fiscal years, with appropriate transfers to  
11 current fiscal year accounts. The department shall be allowed to transfer funds from this account to  
12 divisions on an as-needed basis for expenditures incurred. The department may also transfer funds to  
13 municipalities and other qualified entities to reimburse them pursuant to contracts entered into by the  
14 department and the municipality to keep transit routes open during snow and storm emergencies. The  
15 transfer of funds from this account shall not require the approval of the Director of the Office of  
16 Management and Budget or the Controller General. The department shall provide quarterly reports each  
17 fiscal year to the Director of the Office of Management and Budget and the Controller General.

18 Section 259. In addition to the positions authorized in Section 1 of this Act for the Department of  
19 Transportation, Technology and Support Services (55-02-01), 1.0 TFO FTE is authorized in Delaware  
20 Transportation Authority (55-06-01) for the purpose of information technology support. As this position  
21 appropriated for the purpose of information technology support becomes vacant, the position and its  
22 associated funding from the Delaware Transportation Authority may be reallocated to continue the

1 centralization of the information technology function within Technology and Support Services (55-02-  
2 01). The Director of the Office of Management and Budget and Controller General may authorize this  
3 reallocation accordingly.

4 Section 260. During the fiscal year, the Department of Transportation shall be prohibited from  
5 changing its departmental policy regarding access pipe installation on private homeowner entrances.  
6 Specifically, the department shall not charge said homeowners for the labor costs associated with the  
7 installation of the access pipe.

8 Section 261. Notwithstanding any other provisions of the Delaware Code, the Department of  
9 Transportation, Motor Vehicles (55-11-00) shall have the authority to charge state agencies for state  
10 identification cards, not to exceed \$20 per card. The amount to be reimbursed shall be determined by  
11 Motor Vehicles and will be deposited into a holding account coded as special fund revenue and shall not  
12 be subject to General Fund deposit or Transportation Trust Fund deposit at any time.

13 Section 262. Notwithstanding the provisions of 2 Del. C. § 1325 or 29 Del. C. § 7106(d) the  
14 employees in the Delaware Transit Corporation that are riders of the State van pool program known as  
15 Fleetlink, effective March 1, 2007 may remain in this program provided that they remain on a single van,  
16 that the necessary liability policy as defined by the Insurance Risk Office of the Office of Management  
17 and Budget is provided and maintained in good standing by the Delaware Transit Corporation, and that  
18 riders continue to pay the fees associated with participation in this program. Such eligibility shall be  
19 continuous for these individuals until and unless these conditions are not met.

20 Section 263. The General Assembly directs the Department of Agriculture, the Department of  
21 Transportation and the Delaware Economic Development Office to promulgate regulations defining  
22 agritourism as a cultural and recreational interest for benefit of adoption into the Brown Sign Program.  
23 Final adoption of these regulations is contingent upon approval by the Federal Highway Administration  
24 (FHWA) under the Manual for Uniform Traffic Control Devices.

25 Section 264. Notwithstanding the provisions of 17 Del. C. or any regulation to the contrary, the  
26 Department of Transportation shall permit an existing church, school or fire department sign, located on  
27 the premises of such church, school or fire department, presently located within 25 feet of the right-of-  
28 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 265. 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 266. (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 267. (a) Section 1 of this Act provides an appropriation of \$525.0 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)	\$ 86.1
City of Wilmington	317.1
Kent County	60.9
Sussex County	60.9

(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 268. Section 1 of this Act makes an appropriation of \$498.2 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 269. 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 270. 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 271. 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 272. 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 273. Section 1 of this Act appropriates \$51.1 ASF to Animal Health (65-01-09) for the  
4 Spay/Neuter Program. Notwithstanding the Delaware Code or any other provision of this Act to the  
5 contrary, the Department of Agriculture is authorized to fund the Spay/Neuter Administrator from the  
6 special fund revenues received during the course of the fiscal year.

## ELECTIONS

1  
2       Section 274. 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 275. 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 276. 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 277. Any state agency, office or department is prohibited from publishing or funding the  
21 publication of voter guides.

22       Section 278. 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 279. 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**

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2

Section 280. Section 1 of this Act appropriates \$2.0 to the Office of the State Fire Marshal (75-01-01) for the purchase of smoke detectors and educational materials for the Juvenile Firesetter Intervention Program.

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Section 281. Section 1 of this Act provides an appropriation of \$71.6 to the State Fire Prevention Commission (75-03-01) in the line item Statewide Fire Safety Education. These funds are to be matched by members of the Delaware Volunteer Firemen’s Association and are to be used for the purpose of operating a statewide Fire Safety Education Program.

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**NATIONAL GUARD**

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Section 282. 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 283. (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 284. Section 1 of this Act appropriates \$2.0 to Delaware National Guard (76-01-01) for Service Members' Group Life Insurance (SGLI). These funds are for the purpose of reimbursing insurance premiums for active duty Delaware National Guard members.

1 **HIGHER EDUCATION**

2 Section 285. Section 1 of this Act provides an appropriation for Operations of the University of  
3 Delaware (90-01-01) and an appropriation for Operations of the Delaware Geological Survey (90-01-02).  
4 This figure includes total state assistance for University operations costs as well as funds required to be  
5 appropriated by 29 Del. C. § 5505(6).

6 Section 286. Section 1 of this Act provides an appropriation to the University of Delaware for the  
7 College of Agriculture and Natural Resources. Within that appropriation are sufficient funds to fully fund  
8 1.0 Agriculture Extension Agent and 2.0 Cooperative Extension Agents per county and 1.0 Agricultural  
9 Extension Engineer for the program statewide.

10 Section 287. Section 1 of this Act appropriates amounts for Agricultural Programs and Other  
11 Programs to the University of Delaware (90-01-01). Those amounts shall be allocated as follows:

12 Agricultural Programs:

13	Agricultural Experimental Station	\$ 542.9
14	Agricultural Cooperative Extension	915.6
15	Agricultural Research and Education Center	456.1
16	Poultry Disease Research	939.5
17	Crop Extension	321.7
18	Agricultural Environmental Quality	172.4
19	Soil Testing and Pesticide Program	323.3
20	Carvel Research Center	349.3
21	Diagnostic Poultry Program	<u>171.3</u>
22	Total	\$ 4,192.1

23 Other Programs:

24	Sea Grant	\$ 475.1
25	Urban Agent Program	115.3
26	Public Service and Applied Research Projects	385.0
27	Diversity Enhancement	249.0
28	Local Government Research and Assistance	202.9

1	Graduate Education (Southern Delaware)	31.7
2	Library Automation	44.2
3	Nurse Practitioner	228.7
4	Science, Engineering and Technology Service Program	132.9
5	Molecular Biology/Biotechnology Program	424.3
6	Math/Science Education for DE Teachers	867.1
7	Center for Community Development and Family Policy	222.0
8	Training and Research (Educational Management)	396.7
9	Computer Aided Math Instruction	68.0
10	Delaware Center for Teacher Education	557.6
11	Research on School Finance Issues	76.9
12	Delaware Education Research and Development Center	199.8
13	Milford Professional Development School	99.6
14	Information Technology Partnership	2,160.1
15	Biotechnology	624.2
16	Computer Aided Instruction, Arts & Science	85.0
17	Clinical Instruction in Teacher Education	202.7
18	Early Childhood Education	97.1
19	Civics Education for Teachers	85.0
20	Biotechnology Institute	497.1
21	Software License Support	267.4
22	Associate in Arts Degree	144.6
23	Early Learning Center	359.9
24	Nursing Program Expansion	270.9
25	Improved Campus Security	86.4
26	Coastal Community Development	257.5
27	Center for Translational Research	310.4
28	Undergraduate Multimedia Instruction	172.0

1	Secondary Clinical Teacher Education	<u>108.0</u>
2	Total	\$10,505.1

3 Section 288. Section 1 of this Act provides funding to the University of Delaware for the Milford  
4 Professional Development School. The University and the Milford School District shall submit to the  
5 Controller General and the Director of the Office of Management and Budget, by March 1, 2012, a report  
6 detailing the status of this program as it relates to the appropriation herein.

7 Section 289. Section 1 of this Act makes an appropriation to Delaware State University,  
8 Operations (90-03-01), for General Scholarships. Of that amount, \$22.0 shall be for state scholarships for  
9 high ability students, \$20.0 shall be for departmental scholarships to attract high achievers into the  
10 sciences, \$200.0 shall be for scholarships to attract high ability students into the teaching program, and  
11 \$100.0 shall be for scholarships for female athletes.

12 Section 290. For the fiscal year covered by this Act, in order to continue the assessment of  
13 procedures implemented during Fiscal Year 1993 intended to reduce the administrative burden incurred  
14 as a result of processing accounting transaction data into two independent accounting systems, the  
15 Director of the Office of Management and Budget has authorized Delaware State University to:

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

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

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

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

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

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

10           Section 291. Section 1 of this Act provides an appropriation to Delaware Technical and  
11 Community College, Office of the President (90-04-01), for Associate in Arts Program - Operations and  
12 Associate in Arts Program - Academic. This appropriation is to assist in the provision of the Delaware  
13 Technical/University of Delaware Associate in Arts Program which will be operated jointly by the two  
14 institutions under a contract initiated by Delaware Technical and Community College. Under this  
15 contract, the University of Delaware will teach students at Delaware Technical and Community College  
16 facilities. Future budget requests will be made jointly by Delaware Technical and Community College  
17 and the University of Delaware, and budget cuts, if necessary, will be shared on a pro rata basis.  
18 Approval of tuition and other fees will be made by the Board of Trustees of the institution that delivers  
19 the relevant service and after the institutions have reached an agreement for tuition sharing.  
20 Representatives from both institutions will meet at least once each semester to review program  
21 operations.

22           Section 292. Section 1 of this Act contains an appropriation of \$300.0 for the Delaware Institute  
23 of Veterinary Medical Education (DIVME), (90-07-01). Notwithstanding current Laws of Delaware  
24 relating to the DIVME Program, these funds shall be used to provide tuition support for six Delaware  
25 residents studying at the veterinary medicine program at the University of Georgia, four Delaware  
26 residents studying at the veterinary medicine program at Oklahoma State University, plus two additional  
27 students accepted to a veterinary medicine program for the coming year.

1           Section 293. All higher education institutions in Delaware must be contracted members of the  
2 National Student Clearinghouse and be required to input data. Participation will allow the Department of  
3 Education to track Delaware's students as they enroll or transfer into Delaware higher education  
4 institutions or other member higher education institutions across the country. Membership requires  
5 higher education institutions to report data elements to the National Student Clearinghouse.

6           Section 294. Beginning in Fiscal Year 2011, the requirements of 14 Del. C. § 5302 and § 6511  
7 shall be waived until such time that State funding is appropriated for said program.





1 that the percentage difference between steps on the Instructional Aides and Service Aides salary  
2 schedules are equal percentage amounts as specified in the recommendation found in the aforementioned  
3 report.

4 Section 299. Section 1 of this Act appropriates \$1,938.9 to Department of Education, Department  
5 of Education (95-01-01) for Foreign Language Expansion. To provide an opportunity for students to  
6 become more competitive in the global economy, this appropriation shall assist in evaluating and  
7 implementing additional foreign language offerings in schools. Prior to the expenditure of any funds, the  
8 Department shall submit an expenditure plan to the Director of the Office of Management and Budget and  
9 the Controller General for approval. Beginning September 1, 2011 the Department shall submit quarterly  
10 reports indicating program expenditures and accomplishments to date.

11 Section 300. Notwithstanding the provisions of 14 Del. C. § 1305(m), (o) and (p), for those  
12 employees who have achieved certification from the National Board for Professional Teaching Standards  
13 and serve as teacher or lead mentors, the mentor stipend payment for such service will be excluded from  
14 the 15 percent salary supplement limit only.

15 Section 301. (a) For this fiscal year, employees who have been issued an initial license and are  
16 in a third or fourth year extension due to failure to pass Praxis I shall receive a 10 percent salary  
17 reduction. Employees currently on an emergency certificate as a result of being assigned to an area  
18 outside the area of certification shall not receive a 10 percent salary reduction.

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

23 (c) Beginning May 21, 2008, and notwithstanding the provisions of 14 Del C. c. 13, a  
24 moratorium has been implemented for all new participation in professional development clusters, the  
25 National Board for Professional Teaching Standards (NBPTS) certification program and all national  
26 certification supplements. This moratorium is effective for any new cluster applications, replications and  
27 all previously approved cluster slots. Any employee completing a cluster that began before May 21, 2008  
28 or currently receiving a stipend will continue to receive payment of the appropriate amount for the

1 appropriate duration. Teachers or specialists who obtained NBPTS or other national certification in  
2 another state prior to May 21, 2008, may receive the appropriate stipend upon beginning employment in a  
3 Delaware school district. Any teacher or specialist currently in the process of completing a NBPTS or  
4 other national certification as of May 21, 2008 will receive the appropriate supplement when the  
5 certification is awarded including certification renewals. If a participant chooses to pursue NBPTS  
6 certification independently during the moratorium period, they will not be eligible for retroactive  
7 payments should funding be restored during the certification period but they would be eligible for the  
8 supplement for the remainder of the certification. Any teacher or specialist currently receiving a stipend  
9 for a national certification under 14 Del. C. § 1305(l) shall continue to receive it as long as the  
10 certification is kept current through the appropriate national organization.

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

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

18 Section 302. Section 1 of this Act makes an appropriation of \$775.0 ASF and 2.0 ASF FTEs to  
19 the Department of Education (95-01-01) for the Delaware Interscholastic Athletic Fund. The Association  
20 shall not operate any accounts outside of the state accounting system and the Fund shall be interest  
21 bearing.

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

25 Section 303. For this fiscal year, the inflation factor for the local per pupil payments required  
26 under the state's Enrollment Choice Program, as specified in 14 Del. C. § 408(e), and for the local per  
27 pupil payments required under the State's Charter School Program, as specified in 14 Del. C. § 509(d),  
28 shall be 2%.

1           Section 304. Section 1 of this Act makes several appropriations to the Department of Education  
2 (95-01-01) for Educator Certification and Development activities, Standards and Assessment,  
3 Infrastructure Capacity, and Educator Accountability. Based upon federal guidance related to the federal  
4 Race to the Top competitive grant program, as appropriated under the American Recovery and  
5 Reinvestment Act of 2009, the State of Delaware received approximately \$119,000.0 over 4 years for  
6 educational reform efforts. These reform areas include: (1) adopting standards and assessments that  
7 prepare students to succeed in college and the workplace and to compete in the global economy; (2)  
8 building data systems that measure student growth and success, and inform teachers and principal about  
9 how they can improve instruction; (3) recruiting, developing, retaining and rewarding effective teachers  
10 and principals; and (4) turning around low achieving schools. The Secretary of Education, upon approval  
11 of the Office of Management and Budget and the Controller General, may use said appropriations for  
12 departmental initiatives and technology infrastructure to implement provisions of the Race to the Top  
13 application.

14           Section 305. Section 1 of this Act makes an appropriation of \$51.0 to the Department of  
15 Education (95-01-01) for Odyssey of the Mind. This appropriation shall be made available to school  
16 students to assist in defraying out of state travel expenses associated with this program.

17           Section 306. Title 14, Del. C. § 122(e), requires the Department of Education to review all  
18 regulations to ensure that all regulations are current and not burdensome, and 14 Del. C. § 122(f) and (g)  
19 provide a means for districts to pursue waivers of state regulations. The Federal Education Flexibility  
20 Partnership Act of 1999 allows districts to apply for waivers of federal regulation in states that have  
21 adopted challenging content and performance standards, have aligned assessments to those standards,  
22 have established a system of school and district accountability, and allow waiver of State statutory and  
23 regulatory requirements relating to education.

24           Given federal approval of the Department of Education’s application for Ed Flex, the Department  
25 may waive state statutory and regulatory requirements pursuant to the Federal Education Flexibility  
26 Partnership Act of 1999. Such waivers must be applied for according to procedures and policies  
27 determined by the Department of Education and must be related to Title I, Part B of Title II, Title IV,  
28 Title V, Title III, and the Carl D. Perkins Career and Technical Education Act of 2006. State programs

1 for which waivers may be granted include, but are not limited to, Student Discipline, Academic  
2 Excellence, and Professional and Curriculum Development.

3 Section 307. Notwithstanding any law or regulation to the contrary, all consequences related to  
4 the Statewide Assessment System for individual students including summer school, Individual  
5 Improvement Plans, retention, assessment retakes, retests at high school grades and the related student  
6 consequences shall be eliminated until such time that the Statewide Assessment System is fully  
7 implemented, as determined by the Secretary of Education, for all Delaware students.

8 Section 308. The Delaware Code notwithstanding, during this fiscal year, the Director of the  
9 Office of Management and Budget is authorized to continue funding for issues such as, but not limited to,  
10 the number of administrative positions and activity busing for which the State was required to provide  
11 funding as a result of a 1978 federal court order. This authorization, as it relates to administrative  
12 positions, shall apply only to positions filled for employment, and shall not be considered as authorization  
13 to fund any cash options pursuant to 14 Del. C. c. 13. It is the intent of the General Assembly that  
14 beginning in Fiscal Year 2010, existing filled positions authorized pursuant to this section shall, upon  
15 vacancy, be permanently ineligible for the state share of salary pursuant to 14 Del. C. § 1305.

16 Section 309. General Fund appropriations to Public Education in appropriation units (95-03-00),  
17 (95-04-00) and the Delmar Tuition and General Contingency appropriations in appropriation units (95-01-  
18 00) and (95-02-00) shall not be subject to the limitations as defined for Division I and Division II in 14  
19 Del. C. § 1706 and § 1709.

20 Section 310. Notwithstanding the provisions of 14 Del. C. § 1703, the First State School  
21 Program shall be guaranteed state funding based upon a minimum of two Division I units. In addition,  
22 Section 1 of this Act appropriates \$314.5 to Public Education, Block Grants and Other Pass Through  
23 Programs, Special Needs Programs for the First State School.

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

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

4 Section 311. Section 1 of this Act provides certain appropriations to Public Education, School  
5 District Operations, Other Items. These amounts are not based on the unit system. The line item Other  
6 Items in the internal program unit Other Items (95-02-02) shall be allocated as follows:

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

19 Section 312. Section 1 of this Act makes an appropriation to Public Education, School District  
20 Operations, Other Items (95-02-02) of \$1,000.0 for School Improvement Funds that shall be used to  
21 provide technical assistance and support to schools and districts rated as academic watch or under  
22 improvement. The Department of Education shall provide a report on the use of said funds to the Office  
23 of Management and Budget and the Controller General by May 1, 2012.

24 Section 313.The assessment to sales ratios used to equalize Fiscal Year 2012 tax rates for those  
25 districts that cross county lines (Smyrna, Milford, Woodbridge, PolyTech) shall remain at the same ratios  
26 that were in effect for Fiscal Year 2010.

27 Section 314. For Fiscal Year 2012, all school districts shall receive Equalization funding based  
28 on the Fiscal Year 2009 average per unit amount for existing and new units.

1           Section 315. Amend 14 Del. C. §1321(e) by adding subsection (e)(16) to read as follows:

2           “(16) Beginning with the fiscal year commencing July 1, 2011, 40% of positions generated at a  
3 rate of 1 for every group of 57 children counted in the K-3, grades 4-12 (regular education) and the basic  
4 units under for paragraph (e)(10) of this subsection shall qualify the local school district to receive the  
5 state share of the Division III Equalization unit amount as defined in §1707 of this title.”

6           Section 316. Section 1 of this Act makes an appropriation of \$19,531.1 to Public Education,  
7 School District Operations, Other Items (95-02-02) for Full-Day Kindergarten Implementation to  
8 continue the phase-in of statewide full-day Kindergarten. This appropriation will provide funding to  
9 continue the existing pilot program, as awarded by the Department of Education at the Fiscal Year 2008  
10 funding level, in the Indian River School District.

11           Notwithstanding 14 Del. C. § 1703, this appropriation also provides funding for the following  
12 school districts/charter schools to generate Kindergarten units at a rate of 16.2: Academy of Dover, East  
13 Side, Thomas Edison, Kuumba Academy, Laurel, MOT, Providence Creek, Odyssey, Seaford, Smyrna,  
14 Woodbridge, Cape Henlopen, Appoquinimink, Capital, Caesar Rodney, Colonial, Newark, Brandywine,  
15 Red Clay, Delaware College Preparatory Academy, Las Americas Aspira Academy, Reach Academy for  
16 Girls, Christina, Lake Forest, Family Foundations and Milford. Students in Delmar will attend full-day  
17 Kindergarten through an agreement with Wicomico County, Maryland.

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

24           Section 317. Section 1 of this Act makes appropriations to the Department of Education, School  
25 District Operations, Division Funding (95-02-01) for Division II - All Other Costs and Energy. A  
26 Division II - Energy Unit shall be valued at \$2,435.00. A Division II - All Other Costs Unit shall be  
27 valued at \$2,955.00.

1           Section 318. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
2 and Other Pass Through Programs, Adult Education Work Force Training Block Grant (95-03-10). This  
3 appropriation shall be allocated by the Department of Education to the following programs/districts:

4           Adult Trade Extension/Apprentice Program (statewide)	\$1,744.7
5           James H. Groves High School (statewide)	3,571.8
6           Adult Basic Education (statewide)	457.5
7           New Castle County Learning Center (Christina School District)	224.1
8           Delaware Skills Center (N.C.C. Vo-Tech)	1,401.9
9           Alternative Secondary Education Program (statewide)	905.8
10          Marine Mechanics Apprentice Program (Sussex Vo-Tech)	21.2
11          Interagency Council on Adult Literacy	289.8
12          Diploma-at-a-Distance	127.9
13          Total	8,744.7

14           Section 319. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
15 Other Pass Through Programs, Professional Accountability and Instructional Advancement Fund (95-03-  
16 10).

17           (a) The following allocations shall be provided:

18           (1) \$275.0 for Alternative Routes programs. \$200.0 is provided for the Alternative Routes to  
19           Certification program, to include an expansion for Special Education. The remaining  
20           \$75.0 may be used for the Summer Institute program.

21           (2) \$1,566.5 shall be allocated by the Department of Education to districts for professional  
22           and curriculum development activities. Districts shall submit applications to the  
23           Department of Education detailing the district's plan for the utilization of these funds.  
24           The Department of Education shall review and approve plans and allocate an amount not  
25           to exceed \$157.00 per certified employee, based on a district's personnel complement for  
26           the 2010-2011 school year. Grants are to be used for developing and implementing  
27           curriculum based on the content standards established by the Curriculum Frameworks  
28           Commission, as approved by the State Board of Education or for other professional



1 development activities, including, but not limited to: Discipline, Special  
2 Education/Inclusion Collaboration/Consensus Building, Conflict Resolution, Shared  
3 Decision Making, local school board member training, and Educational Technology.  
4 Districts are encouraged to collaborate as a means of maximizing resources as well as  
5 focusing district activities on consistent principles. Grants may be utilized for training,  
6 planning, in-service programs and contractual services. The Department of Education is  
7 authorized to transfer 50 percent of the estimated district grant amount by July 30 of the  
8 fiscal year. The remaining 50 percent shall be transferred within 30 days of the final  
9 approval of the district application for funding.

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

- 12 (i) Integration of the proposal with existing resources and programs such as the  
13 Comprehensive Discipline Act, Delaware Principals Academy, Delaware Teachers  
14 Center, Drug Free Schools, Title I and II, Special Education and local funds  
15 dedicated to Standards and Assessment.
- 16 (ii) Inclusion of local staff in planning of the grant proposal, with representation from all  
17 involved in student learning, including all professional employees by category. The  
18 plan(s) should focus on overall improved student performance, with a built in level of  
19 accountability to determine effectiveness.
- 20 (3) \$300.0 for Professional Mentoring. The intent of this appropriation is for exemplary  
21 teachers to assist new teachers through leadership and guidance, and includes a training  
22 component in order for teachers to become better mentors. This funding level allows for  
23 a statewide program.
- 24 (4) \$150.0 for the Delaware Center for Teacher Education to support professional and  
25 curriculum development activities in the content areas of reading and social studies.  
26 The Department of Education shall determine, in coordination with the agency (or  
27 agencies) performing such activities, the training goals and objectives, including how  
28 the objectives of Standards and Assessment will be furthered. The Department of

1 Education, Controller General and Director of the Office of Management and Budget  
2 shall ensure that the proposed development activities are cost efficient and meet the  
3 objectives outlined in this section before agreeing to transfer the appropriation from the  
4 Department of Education to the operating agency.

5 (5) \$921.0 for Reading Cadre. This appropriation will provide each local school district,  
6 excluding charter schools, with the state share of salaries in accordance with 14 Del. C.  
7 § 1305 and the state share of the Division III Equalization Unit amount as defined in 14  
8 Del. C. § 1707 for one 10-month Reading Specialist. The purpose of this Specialist  
9 will be the creation of a Reading to Reading Cadre which will provide assistance to  
10 districts in designing, demonstrating and implementing best practices in reading  
11 instruction. Such position shall be responsible for curriculum alignment and  
12 professional development in reading for district educators.

13 (6) \$75.0 for Models of Excellence. These funds shall be used to identify the  
14 achievements of Delaware schools, to learn from program success in improving student  
15 achievement and to recognize and share best practices among districts.

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

18 Section 320. Section 1 of this Act makes an appropriation to Public Education, Block Grant and  
19 Other Pass Through Programs, Academic Excellence Block Grant (95-03-10). Of the amount  
20 appropriated, \$33,852.4 shall be used to fund units for academic excellence in the school districts in  
21 accordance with 14 Del. C. § 1716.

22 Section 321. For the fiscal year beginning July 1, 2011, any local school district that has had two  
23 consecutive failed current expense tax referendums during the time period July 1, 2009 to January 1,  
24 2012, is authorized to exercise the cash option on Academic Excellence units up to the total number of  
25 units provided under that program. This provision will apply for Fiscal Year 2012 only. In addition,  
26 districts meeting this criteria are authorized to utilize funds derived from this cash option to pay local  
27 salary supplements. Any district that has had a successful current expense tax referendum subsequent to  
28 two consecutive failed current expense tax referendums is ineligible for the provisions of this section.

1           Section 322. Section 1 of this Act provides an appropriation of \$106.8 to Public Education,  
2 Block Grants and Other Pass Through Programs, K-12 Pass Through Programs (95-03-15) for the  
3 Delaware Institute for Arts in Education. Of this appropriation, \$21.8 shall be used for the Wolf Trap  
4 program. The Department of Education shall transfer this appropriation to the University of Delaware,  
5 which acts as the fiscal agent for this statewide program.

6           Section 323. Section 1 of this Act provides an appropriation of \$105.6 to Public Education,  
7 Block Grants and Other Pass Through Programs, K-12 Pass Through Programs (95-03-15) for the Urban  
8 Community Empowerment Initiative demonstration pilot program “Achievement Matters Campaign”.  
9 The purpose of the Campaign is to build the competencies and achievement level of middle school  
10 students to provide a bridge from middle school to high school. These funds shall be used exclusively for  
11 direct program expenses and may not be used for salaries and benefits for existing staff of the  
12 Metropolitan Wilmington Urban League.

13           Section 324. Section 1 of this Act makes an ASF appropriation to Public Education, Block  
14 Grants and Other Pass Through Programs, Special Needs Programs (95-03-20) for the Children Services  
15 Cost Recovery Project (CSCR). All local school districts shall fully participate in the implementation  
16 and operation of the project for the fiscal year ending June 30. Local school district participation shall be  
17 on a district-wide basis.

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

23           In addition, 13.0 FTEs staff positions are appropriated to support this project: 2.0 FTEs shall be  
24 located at the Department of Education. The Department of Education is hereby permitted to authorize  
25 the hiring of up to 11.0 FTEs in the local school districts for the sole purpose of implementing this  
26 section. The 11.0 FTEs in the local school districts shall be paid in accordance with the Financial  
27 Secretary Salary Schedules 1308 and 1309 including the local salary supplement in place at the  
28 employing school districts. At the discretion of the Department of Education, 1.0 FTE may be paid in

1 accordance with the Administrative Secretary Salary Schedules as defined in 14 Del. C. § 1308 and §  
2 1309, including the local salary supplement in place at the employing local school district.

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

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

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

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

20           Section 325. For the purpose of participating in the Children Services Cost Recovery Project,  
21 provisions of the Delaware Code to the contrary notwithstanding, school psychologists certified or  
22 otherwise licensed by the Department of Education in accordance with the provisions 14 Del. C. § 1092,  
23 shall be considered in compliance with qualification standards equivalent to state licensure to practice  
24 psychology as set forth in 24 Del. C. § 3508. Such equivalent state licensure status shall be limited to the  
25 delivery of services related to the Department of Education or local school district approved school  
26 programs conducted within the course of the regular school day at a Department of Education or local  
27 school district approved school site or least restrictive environment location. The provisions of this  
28 section shall in no way be construed as entitling a person not otherwise qualified to do so to represent

1 himself to the public by any title or description of services incorporating the words "psychology,"  
2 "psychological," and/or "psychologist" within the meaning of 24 Del. C. § 3502, except as may be herein  
3 specifically provided.

4 Section 326. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
5 Other Pass Through Programs, Special Needs Programs (95-03-20) for the Student Discipline Program.

6 (a) A total of \$4,000.2 is allocated for the statewide implementation of programs for severe  
7 discipline cases. Of that amount, a total of \$2,400.0 will be allocated to the three counties in the  
8 following manner: 50 percent to New Castle County, 25 percent to Kent County and 25 percent to Sussex  
9 County. Of the \$2,400.0, \$150.0 in New Castle County and \$75.0 in both Kent and Sussex counties must  
10 be utilized for transitional services. A total of \$1,020.0 will be disbursed on a competitive basis among  
11 the existing school district consortiums or to individual school districts. Of the \$1,020.0, \$820.0 will be  
12 utilized for improvement of academic programs and \$200.0 will be utilized for extended year  
13 opportunities. A total of \$580.2 is allocated to increase resources for programs in Kent and Sussex  
14 Counties and shall be equally divided between the two programs as follows: \$330.2 in Kent and \$250.0  
15 in Sussex. If funds are used for personnel costs, they may only be used for the state share in accordance  
16 with the schedules contained in 14 Del. C., c. 13.

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

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

24 (c) The Department of Education shall determine common data definitions and data collection  
25 methodologies for each program in this section. Districts shall use such definitions and methodologies  
26 and shall provide information as requested by the Department of Education. This information shall  
27 include but not be limited to the following: the number of students served, reasons for service, measures  
28 of behavioral improvement, measures of academic improvement as appropriate, rates of recidivism within

1 programs, and number and types of referrals for additional services. The Department of Education shall  
2 prepare a statewide management report to identify needs for program improvement and best practice.

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

6 (i) \$4,186.1 to provide early intervention services through the Department of Services for  
7 Children, Youth and Their Families, Family Crisis Therapist Program. Services are  
8 intended for grades K-5 and shall address but not be limited to, problems such as Early  
9 Onset Conduct Disorder. The Department of Services for Children, Youth and Their  
10 Families may enter into contractual agreements, may employ casual/seasonal personnel, or  
11 may create the necessary positions with the approval of the Delaware State Clearinghouse  
12 Committee and maintain an ASF or NSF account with sufficient spending authority to  
13 operate the program.

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

27 (e) Based on the recommendations that resulted from House Joint Resolution 25 of the 139<sup>th</sup>  
28 General Assembly, a total of \$1,325.0 shall be allocated for the continued operation of the alternative

1 school program. The program shall be developed utilizing research based best-practice models. The  
2 program shall provide year-round services as deemed appropriate and determined by the consortium  
3 board and the Department of Education within the prescribed state appropriation. This program shall be  
4 considered a special school for the purposes of charging tuition payments to be made by school districts  
5 of residence under the statutory provisions of 14 Del. C. c. 6, such that the districts shall fund at least 30  
6 percent of the total cost of the program. The New Castle County Consortium and the Department of  
7 Education shall oversee administration of the program, and may enter into contractual arrangements to  
8 operate the program. Such oversight shall include an annual evaluation of the program to be submitted to  
9 the Department of Education.

10 (f) Any funds remaining subsequent to these allocations may be used at the discretion of  
11 the Department of Education for activities related to school climate and discipline.

12 Section 327. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
13 and Other Pass Through Programs, Special Needs Programs (95-03-20) for Exceptional Student Unit -  
14 Vocational. This appropriation shall be used to continue the program of vocational education for disabled  
15 students. The funds appropriated shall provide for Divisions I, II, and III funding for a maximum of six  
16 units, prior to application of the vocational deduct, units in a single program. The unit shall be based  
17 upon 13,500 pupil minutes per week of instruction or major fraction thereof after the first full unit and  
18 shall be in addition to the funding otherwise provided under 14 Del. C. § 1703(d).

19 Section 328. Section 1 of this Act appropriates 40.7 FTEs, of which up to 4.0 shall be authorized  
20 as teachers/supervisors, 32.7 authorized as teachers, 3.0 authorized as secretaries for the Department of  
21 Education, and 1.0 Education Associate to operate the Prison Education Program. The qualification of  
22 employees for the prison education program shall be the same as the qualification for employees in the  
23 public high schools. Teachers/supervisors shall have teaching responsibilities as defined by job  
24 responsibilities and duties developed by the Department of Education.

25 Salary for employees in the prison education program when paid from funds of this State, shall be  
26 in accordance with the regularly adopted salary schedules set forth in 14 Del. C. c. 13. The salary so  
27 computed shall be divided by 0.7 for 10 months employment. If employed on an 11 or 12 month basis,  
28 the 10 month amount shall be multiplied by 1.1 or 1.2 respectively. In addition to the above calculation,

1 teachers and administrators qualifying for professional development clusters in accordance with 14 Del.  
2 C. § 1305(l) shall receive an additional amount equal to the approved cluster percentage multiplied by the  
3 base salary amount defined in 14 Del. C. § 1305(b). This calculation shall not be increased for 11 or 12  
4 month employment. The percentage shall only be applied to the base 10 month salary for 10, 11 and 12  
5 month employees. In accordance with 14 Del. C. § 1305(p), the cluster percentage is capped at 15  
6 percent. Employees whose primary job location is onsite within the institution shall also receive  
7 hazardous duty supplements as provided in the Merit System. Teachers/supervisors shall receive an  
8 administrative supplement of 4 to 8 percent to be determined by the Department of Education with the  
9 approval of the Co-Chairs of the Joint Finance Committee.

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

13 In the event, the Director of the Office of Management and Budget proposes or implements a  
14 position attrition or complement reduction initiative, the Director shall clearly indicate to the Co-Chairs of  
15 the Joint Finance Committee when positions outlined in this section are included in said initiative(s).

16 Section 329. Any provisions of the Delaware Code to the contrary notwithstanding, the  
17 Department of Education with the approval of the Director of the Office of Management and Budget and  
18 Controller General is authorized and directed to provide aides for the purpose of providing mainstreaming  
19 services to deaf students.

20 Section 330. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
21 Other Pass Through Programs, Special Needs Programs (95-03-20), for Tech Prep 2+2. A Delaware  
22 Tech Prep Consortium is formed to provide for overall program development and management,  
23 coordination and technical assistance. The Consortium will review and provide technical assistance and  
24 in-service training for each proposal submitted to the Department of Education by any partnership  
25 initiating or operating a Tech Prep Program. The Consortium will adopt rules and regulations consistent  
26 with state regulations and federal legislation.

27 The Consortium Board of Directors shall include: the President or designee of the Delaware  
28 Technical and Community College; the Superintendents of New Castle County Vocational-Technical



1 School District, Polytech School District and the Sussex County Technical School District; the State  
2 Director of Vocational Education, Department of Education, (Ex-Officio); the Executive Director of  
3 Delaware Advisory Council on Career and Vocational Education; President or designee, Delaware  
4 State University and Wilmington University and one representative of business and industry. The  
5 superintendent or designee of two comprehensive local school districts will also be appointed  
6 consistent with the rules and regulations of the Consortium. Programs will be conducted in all three  
7 counties, on all campuses of Delaware Technical and Community College and other postsecondary  
8 institutions as specified by the Consortium consistent with federal legislation. All secondary schools  
9 are eligible.

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

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

14 Section 331. Section 1 of this Act provides an appropriation of \$56.3 to Public Education, Block  
15 Grants and Pass Through Other Programs, K-12 Pass Through Programs (95-03-15) for Career Transition  
16 to support recommendations that resulted from House Resolution #36 of the 143rd General Assembly –  
17 Special Education Mentor Task Force. The Department of Education and the Division of Vocational  
18 Rehabilitation, Department of Labor shall oversee administration of the program. Such oversight shall  
19 include an annual evaluation of the program. The Departments of Education and/or Labor may enter into  
20 contractual arrangements to operate the program.

21 Section 332. Section 1 of this Act appropriates \$3,300.0 to Public Education, Block Grants and  
22 Other Pass Through Programs, Special Needs Programs (95-03-20) for Early Childhood Initiatives.  
23 These funds are to be used to support the Delaware Stars for Early Success, the State's quality rating  
24 improvement system for early care and education. Funding will also support professional development  
25 activities for practitioners in early care and education and activities related to strengthening the State's  
26 comprehensive early childhood system as outlined in *Early Success*, compiled through the efforts of the  
27 Delaware Early Childhood Council and the Interagency Resource Management Committee managed  
28 through the Delaware Department of Education, Early Development and Learning Resources office.

1           Section 333. Notwithstanding the provisions of the Department of Education’s Administrative  
2 Code, Delaware nonpublic school (private and homeschool) students shall not be subject to a tuition-  
3 based driver education program for the program’s initial offering at rates approved by the Co-Chairs of  
4 the Joint Finance Committee. The fee for Fiscal Year 2012 shall be zero.

5           Section 334. (a) Section 1 of this Act provides an appropriation of \$1,848.6 to Public Education,  
6 Pupil Transportation (95-04-01) for Non-Public School Transportation Reimbursements. This  
7 appropriation shall be allocated for qualifying non-public, non-profit schools, based on the procedure  
8 adopted by the Joint Finance Committee on April 16, 1981. The Public School Transportation  
9 Committee, consisting of representatives from the Department of Education, Controller General’s Office,  
10 Office of Management and Budget and representatives for bus contractors and school district  
11 transportation supervisors shall make recommendations to the Director of Office of Management and  
12 Budget and Controller General for revisions to components of the transportation formula no later than  
13 April 1, 2012.

14           (b) Transportation funds for public school districts during the fiscal year ending June 30, 2012,  
15 shall be allocated and shall not exceed \$81,280.6 according to bus contract or district transportation  
16 formula, as adopted by the State Board of Education on July 23, 1987, subject to the following  
17 amendments and procedural modifications:

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

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

8                   (2) For Fiscal Year 2012, the operating allowance shall be increased by 2.5%.

9                   (3) For the fiscal year ending June 30, 2012, the allowable cost of a new unused bus that was  
10 purchased by a contractor and put on contract and that was produced between January 1,  
11 2010 and December 31, 2011 (as noted on the school bus identification plate) shall begin  
12 its seven-year capital allowance schedule using the 2011 state bid price for new school  
13 buses, minus two percent for salvage value, plus eleven percent to account for dealer  
14 charges and profits not reflected in the state bid price due to the higher number of buses  
15 being purchased and the lag time between ordering and delivery. Any bus produced on  
16 or after January 1, 2011 must meet the 2011 Federal emissions requirements in order to  
17 receive a capital allowance. Any bus produced and placed in service after January 1,  
18 2011 shall be entitled to an allowance based on the 2011 state bid price.

19                   A used bus placed in service shall utilize the allowance schedule which would have  
20 been allowed had the bus been placed in service when new based on its production date.  
21 The bus shall receive the remaining years of capital allowance. The Department of  
22 Education shall continue to utilize the procedures developed in Fiscal Year 1989 for  
23 determining the allowable cost for any size bus that it did not bid in Fiscal Year 2011. In  
24 addition to the procedure for establishing the allowable cost of a new bus specified  
25 above, the Department of Education is requested to structure its bids for buses in the  
26 fiscal year ending June 30, 2012, in such a manner that public school bus contractors will  
27 be permitted to purchase buses from the successful lower bidder at the same price as the  
28 State of Delaware. If a contractor elects to purchase a bus at the bid price, the lowest

1 base bid of an awarded contract minus two percent for salvage value will be the  
2 allowable cost in subsequent reimbursements to the contractor.

3 (4) For this Fiscal Year, the school bus contractor insurance allowance shall be increased  
4 by five percent.

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

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

12 (e) Of the appropriation allocated for public school districts, \$64.0 is allocated to purchase a  
13 maximum of 8 air conditioned buses to transport special need students. The Department of Education is  
14 authorized to amend its formula to allow the purchase of air conditioned buses which may be required to  
15 transport special education students that have a medical need for air conditioning (specified by a  
16 physician), and that go to a special education school.

17 Section 335. (a) Beginning in Fiscal Year 2012, all school districts shall be required to utilize  
18 Trapeze, a computerized routing system for school bus transportation, provided by the Department of  
19 Education to create school bus routes. Schools are encouraged to maximize the capabilities of this system  
20 to derive transportation efficiencies to contain increasing costs.

21 (b) The Department is directed to continue to provide bus transportation services to any  
22 residential area which has received transportations services since October 1, 1977.

23 Section 336. Notwithstanding any other provisions of the Delaware Code or this Act to the  
24 contrary, the Department of Education is authorized to approve and provide funding for additional  
25 transportation routes necessary to support the Seaford School District's pilot implementation of a  
26 balanced calendar schedule, beginning in Fiscal Year 2003.

1           Section 337. (a) During the fiscal year, local school districts are hereby directed to provide at the  
2 local school district's cost bus transportation of public school students previously declared ineligible by  
3 the Unique Hazards Committee, including the following:

- 4           (1) Students attending the Stanton Middle School who are now forced to walk along  
5           Telegraph Road with a constant threat of injury.
- 6           (2) Students attending Mt. Pleasant High School who are now forced to walk along Marsh  
7           Road with a constant threat of injury.
- 8           (3) Students in the town of Seaford, living west of Conrail and north of the Nanticoke River,  
9           who attend the Seaford schools, grades K-6.
- 10          (4) Students attending Seaford Central Elementary who live in the area east of Conrail, north  
11          of the Nanticoke River, and west of Williams Pond, within the Seaford city limits.
- 12          (5) Students attending the Cab Calloway School of the Arts and Wilmington Charter School  
13          on Lancaster Avenue to Delaware Avenue in the north-south grid and on Jackson Street  
14          to duPont Street on the east-west grid.
- 15          (6) Students attending Newark High School who live in Windy Hills and are forced to walk  
16          along Kirkwood Highway with a constant threat of injury.
- 17          (7) Students attending schools in Laurel living in the areas of Lakeside Manor, Route 24 east  
18          of Laurel town limits, Route 13A South of Laurel town limits and Dogwood Acres.
- 19          (8) Students attending Delcastle Technical High School who live in Newport and are forced  
20          to walk along Centerville Road (Rt. 141) with a constant threat of injury.
- 21          (9) Students attending Woodbridge Junior-Senior High School who must travel along Route  
22          13A south of Bridgeville, and students living west of Bridgeville who must travel along  
23          Route 404 or Route 18.
- 24          (10) Students attending Smyrna Middle School who reside in the Sunnyside Acres area  
25          between Sunnyside Road and U.S. 13 and who would otherwise be required to walk  
26          along U.S. 13 in order to reach school.

- 1 (11) Students attending the Concord High School who live south of Naamans Road in the  
2 Talleybrook-Chalfonte, Brandywood, Brandon and Beacon Hill areas who must walk  
3 along Grubb and/or Naamans Road with a constant threat of injury.
- 4 (12) Students attending the Laurel Elementary Schools in Grades K-6 who live in the Town of  
5 Laurel and the surrounding areas.
- 6 (13) Students attending Dover High School who live in Old Sherwood, south of Waples  
7 Avenue.
- 8 (14) Students attending the Mt. Pleasant Elementary School, who would be forced to walk  
9 along Bellevue Road.
- 10 (15) Students attending the Mt. Pleasant Elementary School, who would be forced to cross  
11 over and/or walk along River Road between Lore and Bellevue.
- 12 (16) Students attending the Douglas Kindergarten Center, who would be forced to walk along  
13 Route 2 (Union Street) or through Canby Park via the paths, with a constant threat of  
14 injury.
- 15 (17) K-3 - New Todd Estates Development to Jeannie Smith Elementary School - because of  
16 hazards of Route 4 at Pierson Drive intersection.
- 17 (18) Children living in West Wilmington Manor who walk to Wilmington Manor Elementary  
18 School.
- 19 (19) Woodbridge Elementary School students living in the town of Greenwood, west of the  
20 railroad tracks.
- 21 (20) Woodbridge Jr./Sr. High School students living on Route 13A from Route 13 north of  
22 Bridgeville to Bridgeville north of town limits including streets with access to that part of  
23 Route 13A.
- 24 (21) Talley Jr. High School students who reside in the Ashbourne Hills, Greentree, Stoney  
25 Brook areas, students who reside in the Woodacre Apartments and students who live  
26 along Peachtree Road.
- 27 (22) Springer Middle School students residing in Eden Ridge III, Tavistock, Sharpley and  
28 Eden Ridge who must cross Concord Pike.

- 1 (23) Georgetown Elementary School students who live east of Bedford Street.
- 2 (24) Lombardy Elementary School students who must cross Foulk Road.
- 3 (25) Central Middle School students who reside in the vicinity of 1508 Dinahs Corner Road.
- 4 (26) Students attending Central Middle School, living in the area south of Kent General  
5 Hospital, to include students living along and south of Westview Terrace, Dover Street,  
6 Hope Street and Sackarackin Avenue.
- 7 (27) Students of the Appoquinimink School District who reside in Odessa Heights.
- 8 (28) Students attending Brandywine High School who live in Concord Manor and are forced  
9 to walk along Shellpot Drive and Windley Hill.
- 10 (29) Students attending Clayton Elementary, North Elementary or the Bassett Middle School  
11 in the Smyrna School District who live on Buresch Drive.
- 12 (30) Notwithstanding the construction of any sidewalk or footpath along Grubb Road between  
13 Naamans Road and Marsh Road, any child currently receiving bus transportation by the  
14 Brandywine School district who lives along Grubb Road (between Naamans Road and  
15 Marsh Road) or lives in a neighborhood which enters directly onto Grubb Road (between  
16 Naamans Road and Marsh Road) shall continue to receive bus transportation to and from  
17 school.
- 18 (31) Students residing in Brookview Apartments and lower Ashbourne Hills who attend  
19 Darley Road Elementary School.
- 20 (32) Stanton Middle School students residing in Kiamensi Gardens, Kiamensi Heights and  
21 Westfield who must cross Limestone Road.
- 22 (33) Students attending Warner Elementary or Warner Kindergarten who also attend the  
23 Brandywine Day Care Center.
- 24 (34) Students attending Brandywine Springs Elementary School who live along Newport Gap  
25 Pike.
- 26 (35) Students attending Mt. Pleasant High School who reside in the vicinity of Rysing Drive  
27 in Edgemoor Gardens, in the vicinity of Rysing Drive in the Village of Woods Edge, and

1 in the vicinity of Edgemoor Road in Edgemoor Terrace, and the Village of Fox Point on  
2 The Governor Printz Boulevard.

3 (36) Students attending the Woodbridge School District, who live in the Canterbury  
4 Apartments in Bridgeville, will embark and disembark in the parking lot of the apartment  
5 complex in lieu of the bus stop area along the heavily traveled U.S. 13.

6 (37) Students attending McCullough Middle School living along and east of Route 9 from I-  
7 295 north to district boundary.

8 (38) Students attending Talley Middle School who can walk without hazard to the corner of  
9 Yardley Lane and Silverside Road.

10 (39) All students attending Kathleen H. Wilbur Elementary School in the Colonial School  
11 district.

12 Section 338. Notwithstanding the provisions of any state law or regulation to the contrary, the  
13 Colonial School District is hereby directed to provide bus transportation for public school students who  
14 attend the Panda Early Education Center at 1169 South DuPont Highway in New Castle to and from  
15 Kathleen H. Wilbur Elementary School and Southern Elementary School. The Colonial School district is  
16 authorized to utilize state transportation dollars to fund the transportation of students as directed herein.

17 Section 339. Notwithstanding the provisions of any state law to the contrary, the Red Clay  
18 Consolidated School District is authorized to utilize state transportation dollars to fund students traveling  
19 from routes to and from the Cab Calloway School of the Arts and Conrad Schools of Science and the  
20 Indian River School District is authorized to utilize state transportation dollars to fund students traveling  
21 from routes to and from the Southern Delaware School of the Arts.

22 Section 340. Section 1 of this Act provides an appropriation to Department of Education, Pupil  
23 Transportation (95-04-00) for Public School Transportation. Notwithstanding the provisions of 21 Del.  
24 C. § 4366, the following reimbursement methodology is in effect:

25 (a) For those school districts or private contractors who are operating school buses equipped with  
26 cellular phone technology or have no radio or telephonic communication equipment, the Department of  
27 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 341. 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 342. 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 343. 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 344. 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 \$305.0 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 345. 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 346. 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 hearing, 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 347. 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 2013-2014 school year. The program shall  
4 be fully maintained at Mt. Pleasant Elementary School, the Claymont Elementary School and the PS  
5 DuPont Middle School. During this time, the District shall fully support the Odyssey Program in terms of  
6 outreach, recruitment, assessment of students for entry into the program, curriculum development, teacher  
7 assignment and other support elements as currently exist.

8           Section 348. 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 349. 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 350. 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 351. 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. Notwithstanding the provisions of Title 14 §3405A, funding will be available for all new and  
16 returning students that meet the eligibility criteria referenced above. The Institutions are responsible for  
17 requesting a transfer of funds from the Department of Education based on the enrollment of students  
18 receiving the SEED Scholarship. Funds awarded under the SEED program are portable in the event that  
19 an eligible student transfers between the two eligible institutions.

20 Section 352. Section 1 of this Act makes an appropriation to the Department of Education,  
21 Delaware Higher Education Office (95-08-01) for the Delaware State University INSPIRE Scholarship  
22 Program. This appropriation shall be used to award scholarships to graduates of Delaware public and  
23 nonpublic high schools who meet the eligibility criteria pursuant to the provisions of 14 Del. C. c. 34  
24 Subchapter XIV. Delaware State University has established regulations for the implementation and  
25 administration of the INSPIRE Program. Notwithstanding the provisions of Title 14 §3413A, funding  
26 will be available for all new and returning students that meet the eligibility criteria referenced above.  
27 Delaware State University shall be responsible for requesting a transfer of funds from the Department of  
28 Education based on the enrollment of students receiving the INSPIRE Scholarship.

1           Section 353. Delaware graduates of public and nonpublic high schools who meet the eligibility  
2 criteria and are awarded either the SEED or INSPIRE scholarship shall receive their earned scholarship  
3 award regardless of the appropriated amount in Section 1. Shortfalls which occur as a result of increased  
4 demand shall be funded by the Department of Education.

5           Section 354. The Department of Education shall evaluate the effectiveness of the Delaware  
6 Adolescent Program and provide a recommendation no later than October 1, 2011, to the Director of the  
7 Office of Management and Budget and the Controller General regarding the funding level of this  
8 program.

9           Section 355. The Department of Education is hereby directed to maintain the Sussex County  
10 Learning Center at its current location at the Delaware Technical and Community College Owens  
11 Campus in the amount of \$60.9 which includes one Resource Center Manager position.

12           Section 356. Beginning in Fiscal Year 2009, all school districts and charter schools shall access  
13 the data services and technical assistance of the New Castle County Data Service Center (DSC) for  
14 compliance with the provisions of 14 Del. C. § 122(11). Such access shall ensure that all financial reports  
15 remain available in the new financial system and are accessible by the Department of Education, Office of  
16 Management and Budget and Controller General's Office. Services provided by the DSC, which is  
17 owned and operated by the Colonial and Red Clay Consolidated School Districts, for compliance with  
18 this section shall be provided through a contract with the State of Delaware.

19           Section 357. Beginning in Fiscal Year 2010, for purposes of 14 Del C. § 1321 (e) (11), § 1321  
20 (e) (12), § 1716 and § 1716A, a school district electing to take a cash option or contractual option shall  
21 submit the required application to the Department of Education no later than January 31 of the current  
22 fiscal year. The Department of Education shall provide a report on the use of said cash/contractual  
23 options to the Office of Management and Budget and the Controller General by May 1, 2012.

24           Section 358. It is the intent of the General Assembly that the Department of Education shall be  
25 permitted to exercise its authority pursuant to 14 Del. C. § 515(g) to directly manage a school to be  
26 operated at the location currently served by the Maurice J. Moyer Academy. The Department's authority  
27 will take effect on July 1, 2010, immediately following the expiration of Moyer Academy's charter, and  
28 will extend until June 30, 2012. The Department shall have the authority to contract with K-12

1 Classroom DE, LLC to operate the school from July 1, 2010 through June 30, 2011, notwithstanding the  
2 provisions of 29 Del. C. c. 69, and to take all other actions necessary to operate the school. The  
3 Department shall issue a request for proposals for a third party to operate the school from July 1, 2011  
4 through June 30, 2012. Said school shall be funded pursuant to charter school funding laws, including the  
5 provisions of 14 Del. C. § 508 and § 509.

6 Section 359. a) Pursuant to provisions of 14 Del. C. § 1902(b), school districts shall be allowed  
7 to continue their Fiscal Year 2010 local match as it relates to Reading Resource Teachers and  
8 Mathematics Resource Teachers/Specialists and their Fiscal Year 2008 local match as it relates to Extra  
9 Time.

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

### **SYNOPSIS**

This Bill is the Fiscal Year 2012 Appropriation Act.

Joint Finance Committee, Author