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 Cloutier Williams

DELAWARE STATE SENATE
144th GENERAL ASSEMBLY

SENATE BILL NO. 300

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

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

1 Section 1. The several amounts named in this Act, or such part thereof as may be necessary and essential to the
2 proper conduct of the business of the agencies named herein, during the fiscal year ending June 30, 2009, 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 2009, 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 Title 29, Section 6521, Delaware Code.

9 The several amounts hereby appropriated are as follows:

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DEPARTMENTS

Year ending June 30, 2009

(01-00-00) LEGISLATIVE

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5				(01-01-01) General Assembly - House				
6			32.0	Personnel Costs				5,229.9
7				Travel				
8				Mileage - Legislative				58.2
9				Other - Travel				69.8
10				Contractual Services				325.0
11				Supplies and Materials				40.0
12				Other Items:				
13				Expenses - House Members				323.6
14				House Committee Expenses				15.0
15			32.0	TOTAL -- General Assembly - House				6,061.5
16								
17								
18				(01-02-01) General Assembly - Senate				
19			20.0	Personnel Costs				3,262.3
20				Travel				
21				Mileage - Legislative				52.3
22				Other - Travel				10.9
23				Contractual Services				152.0
24				Supplies and Materials				35.0
25				Capital Outlay				45.0
26				Other Items:				
27				Expenses - Senate Members				175.1
28				Senate Committee Expenses				75.0
29			20.0	TOTAL -- General Assembly - Senate				3,807.6
30								
31								
32				(01-05-01) Commission on Interstate Cooperation				
33				Travel				20.0
34				Legislative Travel				70.0
35				Contractual Services				40.0
36				Supplies and Materials				0.5
37				Other Items:				
38				Council of State Governments				81.9
39				Delaware River Basin Commission				434.0
40				National Conference of State Legislatures				89.0
41				Eastern Trade Council				5.0
42				Legislation for Gaming States				3.0
43				Interstate Agriculture Commission				25.0
44				State and Local Legal Center, NCSL				3.0
45				TOTAL -- Commission on Interstate Cooperation				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:
 Sunset Committee Expenses
 Technical Advisory Office
 Printing - Laws and Journals
TOTAL -- Research

	1,277.2
	18.3
	262.1
	119.7
	30.0
	7.5
	55.0
	38.5
	1,808.3

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

	1.0	14.0
	1.0	14.0

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

100.0	1,413.2
	14.4
	494.1
	70.0
	27.0
	8.3
	15.0
	15.0
	25.0
	5.0
	10.0
	25.0
	10.0
	10.0
	30.0
100.0	2,172.0

(01-08-03) Code Revisors

Travel
Contractual Services
Supplies and Materials
TOTAL -- Code Revisors

	1.1
	220.8
	0.5
	222.4

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

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

	17.0
	22.4
	0.2
	39.6

	1.0	31.0
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TOTAL -- Legislative Council

100.0	4,242.3
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	1.0	83.0
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TOTAL -- LEGISLATIVE

100.0	14,882.8
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(02-00-00) JUDICIAL

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
5				(02-01-00) Supreme Court				
6	11.3		27.0	Personnel Costs			9.5	2,985.7
7				Travel			6.8	16.8
8				Contractual Services			121.4	172.1
9				Energy				8.5
10				Supplies and Materials			5.0	36.4
11				Capital Outlay			6.7	
12				Other Items:				
13				Court on the Judiciary				
14	11.3		27.0	TOTAL -- Supreme Court			149.4	3,219.5
15								
16			27.0	(-10) Supreme Court	149.4	3,219.5		
17	11.3			(-40) Regulatory Arms of the Court				
18	11.3		27.0	TOTAL -- Internal Program Units	149.4	3,219.5		
19								
20				(02-02-00) Court of Chancery				
21				Personnel Costs			1,147.5	3,001.3
22		23.1	28.9	Travel			5.5	15.7
23				Contractual Services			991.8	62.1
24				Supplies and Materials			51.2	26.0
25				Capital Outlay			35.0	
26		23.1	28.9	TOTAL -- Court of Chancery			2,231.0	3,105.1
27								
28				(-10) Court of Chancery	2,231.0	3,105.1		
29		23.1	28.9	TOTAL -- Internal Program Unit	2,231.0	3,105.1		
30		23.1	28.9					
31								
32				(02-03-00) Superior Court				
33				Personnel Costs				20,827.1
34			313.5	Travel				65.1
35				Contractual Services				377.0
36				Supplies and Materials				239.6
37				Capital Outlay			37.0	56.0
38				Jury Expenses				637.8
39				TOTAL -- Superior Court			37.0	22,202.6
40			313.5					
41								
42			313.5	(-10) Superior Court	37.0	22,202.6		
43			313.5	TOTAL -- Internal Program Unit	37.0	22,202.6		
44								
45				(02-06-00) Court of Common Pleas				
46				Personnel Costs			239.2	8,861.1
47		4.0	130.0	Travel				14.7
48				Contractual Services				279.0
49				Supplies and Materials				91.0
50				Capital Outlay			15.1	14.6
51		4.0	130.0	TOTAL -- Court of Common Pleas			254.3	9,260.4
52								
53				(-10) Court of Common Pleas	254.3	9,260.4		
54		4.0	130.0	TOTAL -- Internal Program Unit	254.3	9,260.4		
55		4.0	130.0					

(02-00-00) JUDICIAL

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Personnel		
NSF	ASF	GF
	63.7	278.3
	63.7	278.3

(02-08-00) Family Court

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

TOTAL -- Family Court

\$ Program	
ASF	GF
4,080.9	19,619.9
4,080.9	19,619.9

\$ Line Item	
ASF	GF
3,566.6	19,017.3
12.3	33.4
217.5	438.0
62.2	131.2
109.0	
113.3	
4,080.9	19,619.9

	63.7	278.3
	63.7	278.3

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

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

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

TOTAL -- Justices of the Peace Courts

	9.0	247.5
	9.0	247.5

368.1	15,319.7
	12.3
51.7	1,662.9
	115.4
151.4	131.2
155.0	19.5
	0.3
726.2	17,261.3

	9.0	247.5
	9.0	247.5

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

726.2	17,261.3
726.2	17,261.3

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

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

TOTAL -- Administrative Office of the Courts - Court Services

		78.5
		78.5

	5,856.3
	37.8
	1,349.7
	5.7
	380.6
	240.9
	739.8
	60.0
	58.3
	424.8
	2,351.4
	258.3
	529.0
	50.0
	409.1
	177.6
33.4	390.7
33.4	13,320.0

(02-00-00) JUDICIAL

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Personnel		
NSF	ASF	GF
		33.0
		8.0
		34.0
		3.5
		78.5

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
(-01) Office of the State Court Administrator	33.4	7,942.9		
(-03) Office of State Court Collections Enforcement		560.5		
(-04) Judicial Information Center		4,325.5		
(-05) Law Libraries		491.1		
TOTAL -- Internal Program Units	33.4	13,320.0		

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

	8.0	28.5
	8.0	28.5

Personnel Costs	465.1	2,022.2
Travel	34.0	39.9
Contractual Services	107.3	223.8
Energy		9.8
Supplies and Materials	20.0	29.8
Capital Outlay	6.0	1.6
Other Items:		
Special Needs Fund		3.0
Violent Crime Grants	2,500.0	
Ivy Davis Scholarship Fund		50.0
Revenue Refund	1.5	
TOTAL -- Administrative Office of the Courts - Non-Judicial Services	3,133.9	2,380.1

	8.0	7.0
	8.0	7.0
		7.5
		7.0
		6.0
		1.0
	8.0	28.5

(-01) Office of the Public Guardian		501.7
(-02) Violent Crimes Compensation Board	3,133.9	
(-03) Child Placement Review Board		526.6
(-05) Office of the Child Advocate		876.5
(-06) Child Death, Near Death and Still Birth Commission		418.6
(-07) Nursing Home Residents Quality Assurance Commission		56.7
TOTAL -- Internal Program Units	3,133.9	2,380.1

11.3	107.8	1,132.2
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TOTAL -- JUDICIAL

10,646.1	90,368.9
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(10-00-00) EXECUTIVE

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Personnel		
NSF	ASF	GF
	1.0	24.0
	1.0	24.0

(10-01-01) Office of the Governor

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

TOTAL -- Office of the Governor

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

78.4	2,382.8
	14.0
167.7	169.0
0.0	22.7
	43.0
	8.7
246.1	2,640.2

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

30.2	172.0	245.1
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Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Cars and Wagons
Administration Other Items:
 Trans & Invest
 Evaluation Projects
Administration - International Development Group:
 World Trade Center
 International Trade
 Taiwan Trade Office
 Italian/American Commission
Budget Commission
Statistical Analysis Center Other Items:
 Juvenile YRS
Budget Administration Other Items:
 Development Projects
 Budget Automation - Operations
Contingencies and One-Time Items:
 Livable Delaware
 Prior Years' Obligation
 Self Insurance
 Legal Fees
 Personnel Costs - Salary Shortage
 Appropriated Special Funds
 Salary/OEC Contingency
 One-Time
 KIDS Count
 Great Beginnings
 Judicial Nominating Committee
 Elder Tax Relief & Education Expense Fund
 Tax Relief & Education Expense Fund
 Civil Indigent Services
 Transition
 Local Law Enforcement Education
 Delaware Psychiatric Center
 Statewide Relocation Initiatives
 Recruitment and Retention Education and Training Fund
 4 Year Nursing Expansion
 2 Year Nursing Expansion
 Fleet Services Contingency

10,779.6	16,925.9
92.5	85.1
8,539.3	13,755.3
634.7	6,898.5
2,657.6	1,223.8
701.9	52.7
4,968.4	
500.0	350.0
	240.0
	385.0
125.0	20.0
	50.0
61.6	
	850.0
	38.0
	75.0
	450.0
	5,750.0
	4,750.0
	400.0
27,000.0	11,844.0
	3,146.8
	100.0
	26.0
	8.0
	17,224.6
	17,500.0
	275.0
	500.0
	100.0
	500.0
	500.0
	500.0
	500.0
	500.0
	3,247.3
3,000.0	1,226.4

(10-00-00) EXECUTIVE

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
						1,150.0
						452.9
						22.6
						20.0
					180.0	
						150.0
					180.0	
					10.0	
						25.0
						168.0
						98.5
					31,871.0	
					120.0	
						3,913.3
						39.0
					1,800.0	
					613.8	
						19,533.5
30.2	172.0	245.1	TOTAL -- Office of Management and Budget		93,835.4	135,070.2

5.5	6.5	15.0	(-02) PHRST	514.3	2,325.6
			<i>Administration</i>		
0.5	1.5	13.0	(-05) Administration	281.0	3,146.4
			(-06) Budget Commission		50.0
1.5		6.3	(-08) Statistical Analysis Center	61.6	671.3
			<i>Budget Development, Planning and Administration</i>		
2.7	17.0	37.3	(-10) Budget Administration	2,263.4	4,295.9
			(-11) Contingencies and One-Time Items	30,000.0	69,773.1
			<i>Statewide Human Resources Management</i>		
	17.0	46.0	(-20) Human Resource Operations	1,555.3	3,471.3
	5.0	4.0	(-21) Staff Development and Training	700.3	520.1
			<i>Benefits and Insurance Administration</i>		
18.0	0.0	0.0	(-30) Statewide Benefits		266.5
	6.0		(-31) Insurance Coverage Office	31,871.0	1,978.6
	61.0		(-32) Pensions	7,810.4	3,952.3
			<i>Government Support Services</i>		
		8.0	(-40) Mail/Courier Services	2,149.3	590.0
	16.0		(-41) Printing and Publishing	2,862.2	
	30.0		(-42) Fleet Management	10,594.8	
		6.5	(-43) Service and Information Guide		447.6
		11.0	(-44) Contracting		960.2
	5.0		(-45) Delaware Surplus Services	395.5	
2.0	4.0	4.0	(-46) Food Distribution	869.2	339.7
			<i>Facilities Management</i>		
	3.0	94.0	(-50) Facilities Management	1,907.1	42,281.6
30.2	172.0	245.1	TOTAL -- Internal Program Units	93,835.4	135,070.2

(10-00-00) EXECUTIVE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(10-03-00) Delaware Economic Development Office			
			(10-03-01) Office of the Director			
		9.0				864.1
						23.7
						102.6
						16.0
						10.0
						5.0
						5.0
						25.0
						5.5
		9.0				1,056.9
			(10-03-02) Delaware Tourism Office			
	10.0				692.9	
					20.2	
					680.5	
					8.5	
					10.0	
					0.8	
					0.8	
					45.0	
					75.0	
					200.0	
					250.0	
					45.0	
					22.0	
					6.0	
					5.0	
					200.0	
	10.0				2,261.7	
			(10-03-03) Delaware Economic Development Authority			
	5.0	27.0			300.8	2,259.9
					20.0	24.5
					313.1	
					1.5	
					10.0	12.9
					30.0	10.0
					400.0	135.0
					1,700.0	
					320.9	
					300.0	
						25.0
						1,086.9
	5.0	27.0			3,396.3	3,554.2
	15.0	36.0			5,658.0	4,611.1

(10-00-00) EXECUTIVE

	Personnel			\$ Program		\$ Line Item	
	NSF	ASF	GF	ASF	GF	ASF	GF
5							
6		1.0	4.0				
7							
8							
9							
10							
11							
12						57.1	
13						1,250.0	
14							
15							5.0
16							37.5
17							250.0
18							2,130.0
19							698.0
20		1.0	4.0			1,307.1	3,553.6
21							
22		1.0	4.0			1,307.1	725.6
23							
24							2,130.0
25							
26							698.0
27							
28		1.0	4.0			1,307.1	3,553.6
29							
30							
31	14.0		10.0				917.1
32							0.0
33							24.7
34							3.8
35							
36							12.2
37						205.8	
38							24.6
39							
40							117.2
41	14.0		10.0			205.8	1,099.6
42							
43							
44			12.0				941.5
45						1.0	6.0
46						164.0	340.2
47						17.6	14.9
48						67.4	
49			12.0			250.0	1,302.6
50							
51	14.0		22.0			455.8	2,402.2

(10-00-00) EXECUTIVE

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Personnel		
NSF	ASF	GF
5.0	29.0	
5.0	29.0	

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

\$ Line Item	
ASF	GF
2,187.8	
123.6	
968.3	
80.0	
108.0	
305.0	
28,800.0	4,070.0
500.0	
1,665.0	
	25.0
	517.5
34,737.7	4,612.5

49.2	218.0	331.1
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TOTAL -- EXECUTIVE

136,240.1	152,889.8
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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
			(11-01-00) Office of the Chief Information Officer					
		4.0	Personnel Costs					673.9
			Travel					3.9
			Contractual Services					250.2
			Supplies and Materials					1.0
			Dynamic Compentencies					34.4
			Rental					20.0
		4.0	TOTAL -- Office of the Chief Information Officer					983.4
		4.0	(-01) Chief Information Officer			983.4		
		4.0	TOTAL -- Internal Program Unit			983.4		
			(11-02-00) Technology Office					
	2.0	12.0	Personnel Costs				175.3	755.5
			Travel				25.0	2.3
			Contractual Services				400.0	32.0
			Supplies and Materials				48.5	2.5
			Rental					35.0
	2.0	12.0	TOTAL -- Technology Office				648.8	827.3
	2.0	12.0	(-01) Chief Security Officer		648.8	827.3		
	2.0	12.0	TOTAL -- Internal Program Unit		648.8	827.3		
			(11-03-00) Operations Office					
	9.5	103.5	Personnel Costs				504.0	9,028.9
			Travel				104.7	50.7
			Contractual Services				14,480.6	1,178.6
			Energy					501.9
			Supplies and Materials				92.0	303.0
			Capital Outlay				138.6	9.3
			Debt Service					336.2
			Rental				8,859.5	16,134.7
	9.5	103.5	TOTAL -- Operations Office				24,179.4	27,543.3
		5.0	(-01) Chief Operating Officer		10,521.0	357.8		
	3.5	8.5	(-02) Controller's Office		826.0	2,050.9		
		8.0	(-03) Customer Care Center			971.3		
	4.0	54.0	(-04) Data Center and Operations		7,999.8	19,575.7		
	2.0	28.0	(-05) Telecommunications		4,832.6	4,587.6		
	9.5	103.5	TOTAL -- Internal Program Units		24,179.4	27,543.3		

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

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Personnel		
NSF	ASF	GF
	6.5	100.5
	6.5	100.5

(11-04-00) Office of Major Projects

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Rental

\$ Line Item	
ASF	GF
620.0	9,074.6
70.0	68.0
3,200.0	444.8
10.0	7.8
	1.0
140.0	155.0
4,040.0	9,751.2

TOTAL -- Office of Major Projects

	1.0	4.0
	1.0	34.0
		7.0
	2.0	28.0
	2.5	27.5
	6.5	100.5

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

ASF	GF
45.6	831.0
110.8	2,679.8
	296.2
2,675.9	3,670.9
1,207.7	2,273.3
4,040.0	9,751.2

	18.0	220.0
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TOTAL -- DEPARTMENT OF TECHNOLOGY AND INFORMATION

28,868.2	39,105.2
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(12-00-00) OTHER ELECTIVE

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Personnel		
NSF	ASF	GF
		6.0
		6.0

(12-01-01) Lieutenant Governor

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

TOTAL -- Lieutenant Governor

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

	540.0
	5.6
	28.9
	2.8
	7.7
	585.0

	9.0	21.0
	9.0	21.0

(12-02-01) Auditor of Accounts

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay

TOTAL -- Auditor of Accounts

501.8	2,033.5
5.0	23.4
459.9	624.0
8.4	12.9
5.4	31.9
980.5	2,725.7

(12-03-00) Insurance Commissioner

(12-03-01) Regulatory Activities

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Other Items:
Malpractice Review

TOTAL -- Regulatory Activities

	25.0
	25.0

2,000.2	
6.5	
309.3	
5.5	
30.2	
10.5	
2,362.2	

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

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Other Items:
Captive Insurance Fund
Arbitration Program
Contract Examiners

**TOTAL -- Bureau of Examination, Rehabilitation
and Guaranty**

2.0	54.0
2.0	54.0

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

2.0	79.0
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TOTAL -- Insurance Commissioner

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					(12-05-00) State Treasurer	
					(12-05-01) Administration	
1.0	9.5	14.5			730.1	1,083.4
					20.2	6.7
					115.6	192.6
					9.4	10.4
					25.5	
					2,483.3	
					50.0	
					70.0	
1.0	9.5	14.5	TOTAL -- Administration		3,504.1	1,293.1
					(12-05-03) Debt Management	
					46,541.6	354.1
						29,272.5
						130.0
			TOTAL -- Debt Management		46,541.6	29,756.6
1.0	9.5	14.5	TOTAL -- State Treasurer		50,045.7	31,049.7
3.0	97.5	41.5	TOTAL -- OTHER ELECTIVE		76,639.7	34,360.4

(15-00-00) LEGAL

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Personnel		
NSF	ASF	GF
48.2	58.9	300.0
	2.0	
48.2	60.9	300.0

(15-01-01) Office of Attorney General

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

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF
749.0	26,568.7
0.1	14.5
230.3	2,629.2
	53.0
0.3	61.4
75.1	17.0
204.6	
	60.0
452.8	
30.6	
861.8	
15.0	
1,646.2	
1,310.6	
5,576.4	29,403.8

TOTAL -- Office of Attorney General

(15-02-01) Public Defender

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay

5.0		145.0
5.0		145.0

TOTAL -- Public Defender

	14,268.4
	9.1
	808.0
	61.8
	3.8
	15,151.1

(15-03-01) Board of Parole

Personnel Costs
Travel
Contractual Services
Supplies and Materials

		7.0
		7.0

TOTAL -- Board of Parole

	569.4
	15.0
	58.1
	6.4
	648.9

53.2	60.9	452.0
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TOTAL -- LEGAL

5,576.4	45,203.8
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(20-00-00) DEPARTMENT OF STATE

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Personnel		
NSF	ASF	GF

	13.5	45.5
	13.5	45.5

	10.0	7.0
		7.0
		10.0
		6.0
		2.0
	3.5	1.5
		2.0
		6.0
		1.0
		3.0
	13.5	45.5

1.0		8.0
1.0		8.0

1.0		8.0
1.0		8.0

	5.0	30.0
	5.0	30.0

	5.0	30.0
	5.0	30.0

\$ Program	
ASF	GF

1,926.4	709.2
	608.2
70.0	690.9
16.0	444.8
	168.4
628.4	121.2
	194.2
	545.1
	138.4
3.0	324.9
2,643.8	3,945.3

\$ Line Item	
ASF	GF

916.5	3,062.5
44.1	49.2
1,391.9	486.6
	81.0
108.3	119.4
180.0	6.5
	68.1
3.0	
	72.0
2,643.8	3,945.3

(20-01-00) Office of the Secretary

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Debt Service
Other Items:
 Publications
 Delaware Heritage Commission

TOTAL -- Office of the Secretary

(-01) Administration
(-02) Delaware Commission on Veterans Affairs
(-03) Delaware Veterans Memorial Cemetery
(-04) Veterans Cemetery Georgetown
(-05) Delaware Heritage Commission
(-06) Government Information Center
(-08) Public Integrity Commission
(-09) Public Employment Relations Board
(-10) Merit Employee Relations Board
(-11) Commission for Women

TOTAL -- Internal Program Units

(20-02-00) Office of Human Relations

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

TOTAL -- Office of Human Relations

(-01) Office of Human Relations

TOTAL -- Internal Program Unit

(20-03-00) Delaware Public Archives

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Other Items:
 Document Conservation Fund
 Historical Marker Maintenance
Debt Service

TOTAL -- Delaware Public Archives

(-01) Delaware Public Archives

TOTAL -- Internal Program Unit

(20-00-00) DEPARTMENT OF STATE

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

	78.0	
	78.0	

(20-04-00) Regulation and Licensing

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

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

TOTAL -- Regulation and Licensing

	36.0	
	36.0	
	6.0	
	78.0	

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

3,897.8	
4,530.0	
791.3	
9,219.1	

(20-05-00) Corporations

	114.0	
	114.0	

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

7,002.8	
27.0	
2,854.0	
70.6	
505.0	
1,300.0	
5,425.0	
17,184.4	

TOTAL -- Corporations

	114.0	
	114.0	

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

17,184.4	
17,184.4	

(20-06-00) Historical and Cultural Affairs

6.9	1.5	41.1
6.9	1.5	41.1

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

89.4	2,550.8
	16.0
	218.8
	349.4
	51.4
	11.2
	8.5
20.0	29.0
	8.0
	37.0
84.7	
1.0	5.0
13.1	
83.9	
1.5	
3.0	
10.0	
23.5	40.0
19.6	
	145.8
349.7	3,470.9

TOTAL -- Historical and Cultural Affairs

(20-00-00) DEPARTMENT OF STATE

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

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

\$ Program	
ASF	GF
193.7	702.6
	362.2
156.0	2,406.1
349.7	3,470.9

\$ Line Item	
ASF	GF

(20-07-00) Arts

3.0		6.0
3.0		6.0

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

	438.8
	2.4
	74.2
	3.0
	1,442.5
	10.0
	1,970.9

3.0		6.0
3.0		6.0

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

	1,970.9
	1,970.9

(20-08-00) Libraries

8.0		12.0
8.0		12.0

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

	720.5
	4.0
	154.6
	31.1
	21.6
	7.0
	4,569.5
	450.0
	635.0
	100.0
	949.6
	7,642.9

8.0		12.0
8.0		12.0

(-01) Libraries
TOTAL -- Internal Program Unit

	7,642.9
	7,642.9

(20-09-00) Veterans Home

		262.5
		262.5

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

	10,972.0
	20.8
	1,552.3
	533.4
	1,406.2
	115.0
	14,599.7

		262.5
		262.5

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

	14,599.7
	14,599.7

(20-00-00) DEPARTMENT OF STATE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					(20-15-00) State Banking Commission	
	38.0				2,919.9	
					80.0	
					455.2	
					20.0	
					67.5	
	38.0		TOTAL -- State Banking Commission		3,542.6	
	38.0		(-01) State Banking Commission		3,542.6	
	38.0		TOTAL -- Internal Program Unit		3,542.6	
18.9	250.0	405.1	TOTAL -- DEPARTMENT OF STATE		33,291.4	34,665.7

(25-00-00) DEPARTMENT OF FINANCE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(25-01-00) Office of the Secretary			
		20.0				1,912.0
						11.9
						164.1
						11.7
						1.5
					1,682.5	
						48.0
						2,017.1
		20.0			1,682.5	4,166.3
TOTAL -- Office of the Secretary						
		20.0	1,682.5	4,166.3		
		20.0	1,682.5	4,166.3		
			(25-05-00) Accounting			
	7.0	43.0			453.9	2,671.3
					12.0	19.6
					12.0	526.5
					1.5	33.1
					5.0	69.1
						5.0
	7.0	43.0			484.4	3,324.6
TOTAL -- Accounting						
	7.0	43.0	484.4	3,324.6		
	7.0	43.0	484.4	3,324.6		
			(25-06-00) Revenue			
	1.0	174.0			36.2	11,757.2
						27.4
						1,385.4
						4.5
						99.9
						60.5
	14.0				1,500.5	
	15.0				2,331.8	
	30.0	174.0			3,868.5	13,334.9
TOTAL -- Revenue						
	30.0	174.0	3,868.5	13,334.9		
	30.0	174.0	3,868.5	13,334.9		

(25-00-00) DEPARTMENT OF FINANCE

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
49				(25-07-00) State Lottery Office				
50		29.0		Personnel Costs			2,025.6	
51				Travel			50.0	
52				Contractual Services			52,353.6	
53				Supplies and Materials			47.9	
54				Capital Outlay			217.0	
55		29.0		TOTAL -- State Lottery Office			54,694.1	
56								
57		29.0		(-01) State Lottery Office	54,694.1			
58		29.0		TOTAL -- Internal Program Unit	54,694.1			
59								
60		66.0	237.0	TOTAL -- DEPARTMENT OF FINANCE			60,729.5	20,825.8

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

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5				(35-01-00) Administration				
6	69.3	35.6	467.7	Personnel Costs			1,932.6	26,126.7
7				Travel			12.7	5.2
8				Contractual Services			419.1	5,811.9
9				Energy				214.0
10				Supplies and Materials			98.5	952.2
11				Capital Outlay			65.0	21.2
12				Other Items:				
13				Revenue Management			269.2	
14				Program Integrity			232.8	
15				Nurse Recruitment				20.0
16				Birth to Three Program			300.0	2,878.9
17				EBT				549.2
18				Operations			1,200.0	
19				DHSS/IRM			650.0	
20				TANF General Fund				1,115.0
21				Debt Service				181.9
22	69.3	35.6	467.7	TOTAL -- Administration			5,179.9	37,876.2
23								
24	69.3	35.6	9.0	(-10) Office of the Secretary	97.1	749.2		
25			166.7	(-20) Management Services	3,882.8	19,685.4		
26			292.0	(-30) Facility Operations	1,200.0	17,441.6		
27	69.3	35.6	467.7	TOTAL -- Internal Program Units	5,179.9	37,876.2		

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

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Personnel		
NSF	ASF	GF
106.5		78.4
2.0	2.0	
108.5	2.0	78.4

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
(35-02-00) Medicaid and Medical Assistance				
Personnel Costs				4,738.8
Travel				7.0
Contractual Services				3,846.8
Energy				41.0
Supplies and Materials				34.0
Capital Outlay				6.6
Tobacco Fund:				
Contractual Services			83.3	
Prescription Drug Program			4,250.0	
Former SSI Beneficiaries			2,295.0	
Medicaid			600.0	
Medicaid Buy In			475.1	
Money Follows the Person			605.8	
Cancer Council Recommendations:				
Breast and Cervical Cancer Treatment			200.0	
Other Items:				
Medicaid			16,400.0	521,903.8
Medical Assistance Trust Fund			40,565.3	
Medicaid Buy In			47.5	223.7
Medicaid/NonState			100.0	
DOC Medicaid			2,000.0	
Medicaid Other			1,046.7	
TANF General Fund				350.0
DPH Fees			800.0	
School Based Health Centers			600.0	
Delaware Healthy Children Program				4,415.7
Delaware Healthy Children Program Premiums			600.0	
Delaware Healthy Children Program - DSCYF			585.2	
Legal Non-Citizen Health Care				1,570.0
Cost Recovery			75.1	
Renal				950.0
TOTAL -- Medicaid and Medical Assistance			71,329.0	538,087.4

108.5	2.0	78.4
108.5	2.0	78.4

(-01) Medicaid and Medical Assistance	71,329.0	538,087.4
TOTAL -- Internal Program Unit	71,329.0	538,087.4

		49.0
		49.0

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
(35-04-00) Medical Examiner				
Personnel Costs				3,582.9
Travel				22.6
Contractual Services				251.0
Energy				115.2
Supplies and Materials				495.7
Capital Outlay				38.6
Debt Service				13.5
TOTAL -- Medical Examiner				4,519.5

		49.0
		49.0

(-01) Medical Examiner		4,519.5
TOTAL -- Internal Program Unit		4,519.5

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

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(35-05-00) Public Health			
247.7	60.0	1,201.6			610.4	65,503.7
						19.9
					201.7	8,908.5
					25.0	2,726.0
					60.0	3,798.2
						119.1
					653.7	
					5,272.8	
					500.0	
					2,336.7	
					250.0	
					10,774.5	
					114.0	
						50.0
					115.0	
					105.0	
					687.7	
					100.0	78.0
					20.0	
						236.5
					102.0	5,472.8
						40.0
						128.2
						230.5
						222.0
					14.7	
					60.0	
					205.0	
					150.0	
					1,500.0	
	1.0				1,109.8	
					45.0	
					325.0	
					1,600.0	
					431.4	
					1,437.3	
					21.0	
					575.0	
					900.0	
					22.0	
					559.0	
					1,200.0	
						5,310.2
					13.5	
						46.0
					30.0	
						5,188.5
					25.0	
						50.6
						10.9
247.7	61.0	1,201.6	TOTAL -- Public Health		32,152.2	98,139.6

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

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Personnel		
NSF	ASF	GF
4.0	9.0	55.0
242.7	51.0	303.3
1.0		9.0
	1.0	535.9
		162.4
		136.0
247.7	61.0	1,201.6

	\$ Program	
	ASF	GF
(-10) Director's Office/Support Services	1,606.2	4,093.6
(-20) Community Health	28,463.2	41,014.7
(-30) Emergency Medical Services	250.0	1,601.2
(-40) Delaware Hospital for the Chronically Ill	1,663.4	32,503.5
(-50) Emily Bissell	144.4	10,641.0
(-60) Governor Bacon	25.0	8,285.6
TOTAL -- Internal Program Units	32,152.2	98,139.6

\$ Line Item	
ASF	GF

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

5.8	5.0	759.4
	1.0	
5.8	6.0	759.4

Personnel Costs	306.2	48,610.9
Travel		25.2
Contractual Services	1,719.9	34,821.2
Energy		1,559.0
Supplies and Materials	300.6	4,485.4
Capital Outlay	9.0	184.0
Tobacco Fund:		
Contractual Services	163.5	
Transitional Housing for Detoxification	203.7	
Heroin Residential Program	550.0	
Delaware School Study	44.1	
Limen House	69.4	
Other Items:		
Medicare Part D	1,119.0	
TEFRA	1,000.0	
DPC Industries		38.1
DOC Assessments	655.0	
Clinical Care		347.5
Kent/Sussex Detox Center	300.0	
Debt Service		22.1
TOTAL -- Substance Abuse and Mental Health	6,440.4	90,093.4

3.0		63.0
1.0		110.0
0.8	1.0	549.4
1.0	5.0	37.0
5.8	6.0	759.4

(-10) Administration	60.0	5,301.0
(-20) Community Mental Health	2,505.0	31,846.5
(-30) Delaware Psychiatric Center	1,296.6	41,467.4
(-40) Substance Abuse	2,578.8	11,478.5
TOTAL -- Internal Program Units	6,440.4	90,093.4

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					(35-07-00) Social Services	
214.8		206.9				11,464.2
						3.0
						2,811.9
						67.1
						88.5
						66.3
					1,240.4	
					75.1	
						4,547.5
						5,347.5
						14,432.4
					1,200.0	
						13,006.5
						1,078.9
						2,499.8
214.8		206.9			2,515.5	55,413.6
					TOTAL -- Social Services	
214.8		206.9	2,515.5	55,413.6		
214.8		206.9	2,515.5	55,413.6		
					(-01) Social Services	
					TOTAL -- Internal Program Unit	
					TOTAL--Temporary Assistance to Needy Families and Their Children (TANF) NSF appropriation	
					32,291.0	
					(35-08-00) Visually Impaired	
26.3	3.0	40.7			108.5	2,829.6
						3.1
					1.5	446.5
						88.3
						108.2
					4.0	39.1
					175.0	
					450.0	
					425.0	
26.3	3.0	40.7			1,164.0	3,514.8
					TOTAL -- Visually Impaired	
26.3	3.0	40.7	1,164.0	3,514.8		
26.3	3.0	40.7	1,164.0	3,514.8		
					(-01) Visually Impaired Services	
					TOTAL -- Internal Program Unit	
					(35-09-00) Long Term Care Residents Protection	
19.7		40.3				2,658.0
						3.3
						529.8
						8.4
						15.8
						20.3
19.7		40.3				3,235.6
					TOTAL -- Long Term Care Residents Protection	
19.7		40.3		3,235.6		
19.7		40.3		3,235.6		
					(-01) Long Term Care Residents Protection	
					TOTAL -- Internal Program Unit	

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

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Personnel		
NSF	ASF	GF
133.3	27.2	67.5
133.3	27.2	67.5

(35-10-00) Child Support Enforcement

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

TOTAL -- Child Support Enforcement

\$ Program	
ASF	GF
2,459.8	4,559.4
2,459.8	4,559.4

\$ Line Item	
ASF	GF
1,415.8	3,880.2
9.6	
793.5	652.3
30.0	15.0
23.0	9.8
162.9	2.1
25.0	
2,459.8	4,559.4

133.3	27.2	67.5
133.3	27.2	67.5

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

(35-11-00) Developmental Disabilities Services

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

TOTAL -- Developmental Disabilities Services

3.0	1.0	617.6
3.0	1.0	617.6

41.0	33,881.6
	22.6
2,342.0	3,615.4
	801.8
	1,255.8
	91.6
70.0	
	30.0
	1.1
300.0	
2,094.0	26,190.3
	5,090.9
	526.2
	5.0
4,847.0	71,512.3

3.0	1.0	85.0
		296.0
		236.6
3.0	1.0	617.6

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

41.0	5,125.1
300.0	22,154.8
4,506.0	44,232.4
4,847.0	71,512.3

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

22.5		111.1
22.5		111.1

(35-12-00) State Service Centers

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

	5,917.5
7.8	6.1
319.7	1,710.6
231.3	907.4
64.1	58.3
39.8	17.3
	387.6
	129.8
	1,668.9
	70.0
	50.3
	2,000.0
	14.0
662.7	12,937.8

TOTAL -- State Service Centers

10.3		78.3
6.2		2.8
6.0		18.0
22.5		111.1

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

	5,165.3
662.7	1,825.7
	4,043.3
	1,903.5
662.7	12,937.8

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

57.7	1.5	69.6
1.5	1.5	
59.2	1.5	69.6

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

	3,989.5
	9.1
	5,156.9
	13.9
	57.8
	6.8
760.0	
178.1	
43.2	
85.2	
261.0	3.0
	789.9
	249.1
	110.0
1,327.5	10,386.0

TOTAL -- Services for Aging and Adults with Physical Disabilities

59.2	1.5	69.6
59.2	1.5	69.6

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

1,327.5	10,386.0
1,327.5	10,386.0

910.1	137.3	3,709.8
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TOTAL -- DEPARTMENT OF HEALTH AND SOCIAL SERVICES

128,078.0	930,275.6
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**(37-00-00) DEPARTMENT OF SERVICES FOR CHILDREN,
YOUTH AND THEIR FAMILIES**

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Personnel		
NSF	ASF	GF
79.9	33.5	177.2
79.9	33.5	177.2

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

\$ Line Item	
ASF	GF
2,294.7	13,724.9
20.9	12.8
437.1	4,185.8
66.7	228.4
27.0	26.3
110.0	
	646.6
187.0	
102.1	
100.0	
	2,350.0
	2.5
3,345.5	21,177.3

4.0	5.0	22.0
	1.0	2.0
10.3	9.0	23.0
2.0	3.0	22.0
	2.0	13.0
	6.0	64.0
2.6	2.5	19.2
61.0	5.0	12.0
79.9	33.5	177.2

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

435.0	4,661.8
113.3	379.1
494.9	1,359.0
534.1	3,516.3
134.7	938.9
475.4	6,233.5
555.2	2,881.0
602.9	1,207.7
3,345.5	21,177.3

6.0	24.0	196.8
6.0	24.0	196.8

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

1,549.1	14,300.6
8.4	15.4
10,165.3	13,484.5
	276.0
24.7	278.3
	7.7
16.0	
11,763.5	28,362.5

6.0	24.0	95.1
		34.5
		67.2
6.0	24.0	196.8

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

1,841.4	8,643.1
3,709.3	9,898.5
6,212.8	9,820.9
11,763.5	28,362.5

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

	22.0	367.6
	22.0	367.6

(37-05-00) Youth Rehabilitative Services

Personnel Costs		1,258.8	22,830.4
Travel		10.5	21.3
Contractual Services		641.7	16,058.6
Energy			1,131.8
Supplies and Materials		84.0	1,375.4
Capital Outlay			17.5
Debt Service			1,296.3
TOTAL -- Youth Rehabilitative Services		1,995.0	42,731.3

	1.0	11.1
	6.0	92.5
	15.0	264.0
	22.0	367.6

(-10) Office of the Director	68.5	953.4
(-30) Community Services	519.3	20,633.8
(-50) Secure Care	1,407.2	21,144.1
TOTAL -- Internal Program Units	1,995.0	42,731.3

(37-06-00) Family Services

32.8	25.5	302.0
32.8	25.5	302.0

Personnel Costs	1,713.5	19,001.5
Travel	24.9	3.7
Contractual Services	636.6	2,164.0
Energy		30.4
Supplies and Materials	24.7	82.3
Capital Outlay	6.0	14.3
Child Welfare/Contractual Services		21,954.8
Pass Throughs		1,456.3
Other Items:		
Emergency Material Assistance		31.0
DFS Decentralization	113.3	
TOTAL -- Family Services	2,519.0	44,738.3

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

(-10) Office of the Director	422.1	6,585.7
(-30) Intake/Investigation	940.2	6,982.8
(-40) Intervention/Treatment	1,156.7	31,169.8
TOTAL -- Internal Program Units	2,519.0	44,738.3

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

118.7	105.0	1,043.6
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19,623.0	137,009.4
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(38-00-00) DEPARTMENT OF CORRECTION

Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF	
		292.0	(38-01-00) Administration					
			Personnel Costs				19,809.2	
			Travel				21.8	
			Contractual Services			25.0	2,224.3	
			Energy				101.5	
			Supplies and Materials				8,425.6	
			Capital Outlay				61.2	
			Other Items:					
			Medical Services				41,555.5	
			AIDS Education and Counseling				80.0	
			Drug and Alcohol Treatment Services				5,392.0	
			Contingency - Shakedowns				15.4	
			Contingency - Sustainability Initiative				1,522.5	
			Management Information System				1,401.1	
			Drug Testing				52.3	
			Warehouse				96.0	
		292.0	TOTAL -- Administration			25.0	80,758.4	
		23.0	(-01) Office of the Commissioner	25.0	3,691.6			
		50.0	(-02) Human Resources/Employee Development Center		3,513.6			
		50.0	(-10) Management Services		5,909.8			
		82.0	(-20) Food Services		14,127.4			
		11.0	(-30) Medical/Treatment Services		43,106.3			
			(-31) Drug and Alcohol Treatment Services		5,392.0			
		76.0	(-40) Facilities Maintenance		5,017.7			
		292.0	TOTAL -- Internal Program Units	25.0	80,758.4			

(38-00-00) DEPARTMENT OF CORRECTION

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Personnel		
NSF	ASF	GF
	8.0	1,693.7
	8.0	1,693.7

(38-04-00) Prisons

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

TOTAL -- Prisons

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		753.0	106,569.4
		9.0	20.0
		847.4	3,062.6
		15.3	8,987.4
		1,322.2	3,437.8
		177.0	25.0
			558.2
		200.0	
			19.0
			70.0
			23.0
			30.0
			7,257.0
		3,323.9	130,059.4

		8.0
		729.0
		398.0
		101.0
		376.0
		54.0
	8.0	19.0
		8.7
	8.0	1,693.7

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

	1,753.4
1.0	56,034.4
	28,728.1
2.7	8,591.0
	26,386.7
	5,944.2
3,319.2	1,380.2
1.0	1,241.4
3,323.9	130,059.4

(38-00-00) DEPARTMENT OF CORRECTION

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Personnel		
NSF	ASF	GF
		623.0
		623.0

(38-06-00) Community Corrections

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			0.5	40,887.6
Travel				33.6
Contractual Services			441.1	4,853.3
Energy			15.0	916.3
Supplies and Materials			242.4	817.1
Capital Outlay			31.0	26.4
Debt Service				736.8
TOTAL -- Community Corrections			730.0	48,271.1

		5.0
		311.0
		39.0
		105.0
		82.0
		81.0
		623.0

TOTAL -- Community Corrections

(-01) Bureau Chief - Community Corrections	120.9	1,473.2
(-02) Probation and Parole	403.1	23,073.2
(-04) House Arrest		3,566.5
(-06) New Castle County Community Corrections	2.0	7,751.9
(-07) Sussex County Community Corrections	200.0	6,537.4
(-08) Kent County Community Corrections	4.0	5,868.9
TOTAL -- Internal Program Units	730.0	48,271.1

	8.0	2,608.7
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TOTAL -- DEPARTMENT OF CORRECTION

4,078.9	259,088.9
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**(40-00-00) DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL**

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Personnel		
NSF	ASF	GF
5.6	32.8	44.6
5.6	32.8	44.6

(40-01-00) Office of the Secretary

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

TOTAL -- Office of the Secretary

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

1,652.9	3,724.8
16.9	14.4
296.8	82.1
52.5	603.7
72.8	43.2
7.2	
20.0	
15.0	
55.0	
105.0	
314.7	816.1
850.0	0.0
	38.3
3,458.8	5,322.6

18.3	24.7
1.0	4.0
3.6	4.4
1.0	11.5
5.6	44.6

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

1,794.4	3,819.3
109.9	412.0
922.3	217.3
632.2	874.0
3,458.8	5,322.6

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

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Personnel		
NSF	ASF	GF
31.2	40.8	60.0
31.2	40.8	60.0

(40-05-00) Fish and Wildlife

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

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		1,811.7	4,422.6
		27.5	12.3
		2,979.4	557.9
		2.3	170.7
		456.3	197.8
		1,271.5	
			789.9
		10.0	
		40.0	
		50.0	
		19.0	197.0
		32.4	
		180.0	
		5.0	
		50.0	
		130.0	
		600.0	
		277.5	
		15.0	
			151.5
			2.0
		7,957.6	6,501.7

	1.0	1.5
26.6	32.5	15.9
0.5	0.5	17.0
4.1	6.8	25.6
31.2	40.8	60.0

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

125.9	199.6
4,268.8	1,999.7
357.1	2,223.2
2,247.4	
958.4	2,079.2
7,957.6	6,501.7

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

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Personnel		
NSF	ASF	GF
11.0	64.0	122.0
11.0	64.0	122.0

(40-06-00) Parks and Recreation

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Other Items:
Killen's Pond Water Park
Biden Center
Other Items
Debt Service

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		6,262.3	7,381.8
		30.8	5.2
		2,090.9	1,104.5
		56.9	785.7
		886.1	426.9
		246.1	
		440.0	
		90.0	
		823.4	
			1,069.7
		10,926.5	10,773.8

TOTAL -- Parks and Recreation

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

(-01) Management and Support -
Parks and Recreation
(-02) Operations and Maintenance
(-03) Cultural and Recreational Services
(-04) Planning, Preservation and
Development
(-05) Wilmington State Parks
(-06) Indian River Marina
TOTAL -- Internal Program Units

1,165.3	638.9
7,504.7	5,073.3
1,205.1	646.3
906.3	1,250.0
145.1	3,165.3
10,926.5	10,773.8

(40-07-00) Soil and Water Conservation

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Other Items:
New Castle County Dredge
Beach Erosion Control Program
Sand Bypass System
Tax Ditches*
Debt Service

255.5	3,535.8
5.0	5.9
1,352.4	1,005.0
	73.9
44.0	236.6
39.0	
	225.0
8,000.0	
	95.0
	225.0
	1,047.6
9,695.9	6,449.8

TOTAL -- Soil and Water Conservation

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

(-01) Management and Support -
Soil and Water
(-02) Drainage and Stormwater
(-03) Shoreline and Waterway
Management
(-04) District Operations
(-05) Delaware Coastal Programs
TOTAL -- Internal Program Units

300.0	468.1
241.3	2,680.5
9,069.6	2,193.2
75.0	1,020.5
10.0	87.5
9,695.9	6,449.8

*Pursuant to 7 Del. C. § 3921

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

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Personnel		
NSF	ASF	GF
29.7	57.1	68.2
29.7	57.1	68.2

(40-08-00) Water Resources

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

TOTAL -- Water Resources

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

2,534.1	5,435.4
38.0	40.2
996.0	1,416.4
1.5	13.0
219.0	91.9
241.0	40.0
	144.2
	35.0
65.1	
	258.1
	40.0
750.0	
14.0	
	380.6
4,858.7	7,894.8

8.9	11.9	8.2
0.5	20.5	14.0
2.0	6.0	6.0
4.0	12.0	11.0
6.3	2.7	9.0
7.0		16.0
1.0	4.0	4.0
29.7	57.1	68.2

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

1,230.5	1,781.7
1,506.3	1,331.1
541.0	669.5
813.2	686.6
277.2	718.9
	2,253.2
490.5	453.8
4,858.7	7,894.8

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

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Personnel		
NSF	ASF	GF
62.7	96.5	53.8
62.7	96.5	53.8

(40-09-00) Air and Waste Management

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

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		4,227.1	4,474.2
		78.0	16.7
		1,320.0	265.2
		40.0	108.8
		335.9	91.7
		242.0	4.9
		300.0	
		225.0	
		25,310.5	
		2,398.0	
		30.0	14.4
		350.0	
		100.0	
		75.0	
		180.9	
		525.8	
		164.8	
		241.2	
		50.0	
			50.0
		834.8	
		20.0	
		500.0	
		1,500.0	
		39,049.0	5,025.9

TOTAL - Air and Waste Management

3.0	14.0	11.0
17.2	46.0	11.8
41.5	34.5	21.0
1.0	2.0	10.0
62.7	96.5	53.8

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

1,718.0	1,084.6
4,524.9	1,236.2
31,419.4	1,857.5
1,386.7	847.6
39,049.0	5,025.9

TOTAL -- Internal Program Units

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

163.6	295.2	398.2
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75,946.5	41,968.6
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(45-00-00) DEPARTMENT OF SAFETY AND HOMELAND SECURITY

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Personnel		
NSF	ASF	GF

40.4	3.5	54.1
40.4	3.5	54.1

		18.0
	3.5	23.5
31.8		8.2
4.6		2.4
4.0		
		2.0
40.4	3.5	54.1

		67.0
		67.0

		67.0
		67.0

(45-01-00) Office of the Secretary

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

TOTAL -- Office of the Secretary

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

TOTAL -- Internal Program Units

(45-02-00) Capitol Police

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

(-10) Capitol Police

TOTAL -- Internal Program Unit

\$ Program	
ASF	GF

100.0	1,669.9
1,354.7	2,088.4
	777.5
	163.7
	20.0
	137.8
1,454.7	4,857.3

	3,870.6
	3,870.6

\$ Line Item	
ASF	GF

162.2	3,750.8
4.0	9.1
331.8	756.8
10.0	51.2
10.0	0.1
	15.0
	112.1
	50.0
	15.0
500.0	
100.0	
336.0	
0.7	
	97.2
1,454.7	4,857.3

	3,451.9
	4.5
	342.3
	41.0
	30.9
	3,870.6

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

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

(45-06-00) State Police

45.2	60.0	818.8
45.2	60.0	818.8

Personnel Costs
 Travel
 Contractual Services
 Supplies and Materials
 Capital Outlay
 Other Items:
 Other Items
 DSP Recruitment
 Pension - 20 Year Retirees
 Crime Reduction Fund
 Career Development
 Handicapped/Fire Lane Enforcement
 Special Duty Fund
 Debt Service

4,036.6	80,585.6
66.8	44.8
812.9	5,084.6
1,084.9	4,982.2
321.9	906.8
112.5	
	50.0
	21,775.0
	110.0
	15.0
	90.0
3,145.1	
	939.5
9,580.7	114,583.5

TOTAL -- State Police

		64.0
		8.0
2.0	23.0	356.0
34.0		149.0
1.0	7.0	41.0
		24.0
6.2	11.0	10.8
2.0	15.0	41.0
		12.0
	4.0	85.0
		15.0
		13.0
45.2	60.0	818.8

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

607.8	28,655.2
	1,419.7
3,886.6	38,225.6
739.7	17,297.3
1,097.1	5,735.9
	4,379.6
997.3	943.3
1,129.0	2,977.2
264.6	1,895.6
337.2	7,037.4
453.6	5,133.9
67.8	882.8
9,580.7	114,583.5

TOTAL - Internal Program Units

TOTAL -- DEPARTMENT OF

85.6	69.5	959.9
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SAFETY AND HOMELAND SECURITY

11,773.5	124,813.4
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(55-00-00) DEPARTMENT OF TRANSPORTATION

Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			(55-01-00) Office of the Secretary	
			(55-01-01) Office of the Secretary	
	9.0		Personnel Costs	882.3
			Operations/Capital	29.7
			Salary Contingency	2,349.8
	9.0		TOTAL -- Office of the Secretary	3,261.8
			(55-01-02) Finance	
1.0	35.0		Personnel Costs	2,238.6
			Operations/Capital	1,338.5
1.0	35.0		TOTAL -- Finance	3,577.1
			(55-01-03) Public Relations	
	15.0		Personnel Costs	978.4
			Operations/Capital	112.2
	15.0		TOTAL -- Public Relations	1,090.6
			(55-01-04) Human Resources	
	29.0		Personnel Costs	1,604.5
			Travel	102.3
			Contractual/Supplies	615.5
	29.0		TOTAL -- Human Resources	2,322.3
1.0	88.0		TOTAL -- Office of the Secretary	10,251.8
			(55-02-01) Technology and Support Services	
	94.0		Personnel Costs	6,807.2
			Travel	51.0
			Energy	1,314.7
			Capital Outlay	361.9
			Contractual/Supplies	10,699.9
	94.0		TOTAL -- Technology and Support Services	19,234.7
			(55-03-01) Planning	
	68.0	27.0	Personnel Costs	4,756.0
			Operations/Capital	1,504.6
	68.0	27.0	TOTAL -- Planning	6,260.6

(55-00-00) DEPARTMENT OF TRANSPORTATION

Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			(55-04-00) Maintenance and Operations	
			(55-04-01) Office of the Director	
	24.0	3.0	Personnel Costs	1,575.8
			Operations/Capital	94.6
	24.0	3.0	TOTAL -- Office of the Director	1,670.4
			(55-04-70) Maintenance Districts	
	723.0	38.0	Personnel Costs	37,894.0
			Energy	2,193.1
			Capital Outlay	234.5
			Contractual/Supplies	18,428.2
			Snow/Storm Contingency	3,277.4
	723.0	38.0	TOTAL -- Maintenance Districts	62,027.2
			(55-04-90) Toll Administration	
	140.0		Personnel Costs	7,451.8
			Travel	26.0
			Energy	624.2
			Capital Outlay	41.0
			Contractual/Supplies	2,404.6
			Contractual - E-ZPass Operations	8,647.6
	140.0		TOTAL -- Toll Administration	19,195.2
	887.0	41.0	TOTAL -- Maintenance and Operations	82,892.8

(55-00-00) DEPARTMENT OF TRANSPORTATION

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Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			(55-06-01) Delaware Transportation Authority	
			Delaware Transit Corporation	
	3.0		Transit Operations	70,527.7
			Taxi Services Support "E & H"	148.5
			Newark Transportation	139.2
			Kent and Sussex Transportation "E & H"	1,394.3
			Total -- Delaware Transit Corporation	72,209.7
			DTA Indebtedness	
			Debt Service	
			Transportation Trust Fund	131,375.0
			General Obligation	796.0
			Total -- DTA Indebtedness	132,171.0
	3.0		TOTAL -- Delaware Transportation Authority*	204,380.7

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

			(55-08-00) Transportation Solutions	
			(55-08-10) Project Teams	
	17.0	117.0	Personnel Costs	920.1
	17.0	117.0	TOTAL -- Project Teams	920.1
			(55-08-20) Design/Quality	
	8.0	39.0	Personnel Costs	771.6
	8.0	39.0	TOTAL -- Design/Quality	771.6
			(55-08-30) Engineering Support	
	26.0	89.0	Personnel Costs	2,356.9
			Travel	19.5
			Energy	6.9
			Capital Outlay	60.1
			Contractual/Supplies	287.1
	26.0	89.0	TOTAL -- Engineering Support	2,730.5
			(55-08-40) Traffic	
	83.0	1.0	Personnel Costs	5,576.9
			Energy	552.3
			Capital Outlay	22.7
			Contractual/Supplies	1,037.5
	83.0	1.0	TOTAL -- Traffic	7,189.4
	134.0	246.0	TOTAL -- Transportation Solutions	11,611.6

(55-00-00) DEPARTMENT OF TRANSPORTATION

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Personnel		
NSF	TFO	TFC

\$ Line Item
TFO

(55-11-00) Motor Vehicles
(55-11-10) Administration

	22.0	
	22.0	

Personnel Costs	1,504.0
Travel	6.1
Contractual Services	644.2
Supplies and Materials	19.4
Capital Outlay	0.1
Motorcycle Safety	154.0
TOTAL -- Administration	2,327.8

(55-11-20) Driver Services

	83.0	
	83.0	

Personnel Costs	3,825.6
Contractual Services	166.6
Supplies and Materials	86.3
Capital Outlay	50.0
CDL Fees	207.3
TOTAL -- Driver Services	4,335.8

(55-11-30) Vehicle Services

	174.0	
	174.0	

Personnel Costs	7,282.5
Travel	5.0
Contractual Services	882.6
Supplies and Materials	1,040.9
Capital Outlay	68.0
Odometer Forms	6.0
Special License Plates	25.0
DMVT	150.0
TOTAL -- Vehicle Services	9,460.0

(55-11-50) Motor Fuel Tax Administration

1.0	25.0	
1.0	25.0	

Personnel Costs	1,526.0
Travel	29.0
Contractual Services	265.2
Supplies and Materials	26.1
Capital Outlay	25.0
TOTAL -- Motor Fuel Tax Administration	1,871.3

1.0	304.0	
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TOTAL -- Motor Vehicles	17,994.9
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TOTAL -- DEPARTMENT OF TRANSPORTATION

2.0	1,578.0	314.0
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352,627.1

(60-00-00) DEPARTMENT OF LABOR

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Personnel		
NSF	ASF	GF

12.5	27.7	6.8
12.5	27.7	6.8

12.5	8.7	1.3
12.5	19.0	3.0
12.5	27.7	6.8

134.0	4.0	
134.0	4.0	

134.0	4.0	
134.0	4.0	

9.0	59.0	7.0
9.0	59.0	7.0

6.0	40.0	
3.0	19.0	7.0
9.0	59.0	7.0

(60-01-00) Administration

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

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

(60-06-00) Unemployment Insurance

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

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

(60-07-00) Industrial Affairs

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

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

\$ Program	
ASF	GF

1,186.7	498.0
1,759.1	150.1
2,945.8	854.8

475.0	
475.0	

10,147.0	
1,393.3	528.3
11,540.3	528.3

\$ Line Item	
ASF	GF

1,765.3	536.4
13.0	
1,060.0	253.5
	0.9
57.0	44.0
50.5	20.0
2,945.8	854.8

186.4	
0.1	
242.4	
1.0	
1.0	
2.2	
41.9	
475.0	

4,109.2	390.6
30.8	5.7
1,065.7	125.0
	3.0
41.0	4.0
43.6	
6,250.0	
11,540.3	528.3

(60-00-00) DEPARTMENT OF LABOR

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Personnel		
NSF	ASF	GF
136.0	6.0	2.0
136.0	6.0	2.0

(60-08-00) Vocational Rehabilitation

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Other Items:
 Sheltered Workshop
 Governor's Committee

\$ Line Item	
ASF	GF
376.2	109.4
	0.5
400.7	2,495.0
75.0	76.9
	306.7
	13.0
851.9	3,001.5

TOTAL -- Vocational Rehabilitation

84.0	6.0	2.0
52.0		
136.0	6.0	2.0

(-10) Vocational Rehabilitation Services

851.9	3,001.5
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(-20) Disability Determination Services

TOTAL -- Internal Program Units

851.9	3,001.5
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(60-09-00) Employment and Training

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Other Items:
 Summer Youth Program
 Individual Skills Grant
 Welfare Reform
 Blue Collar Skills

230.0	1,096.1
5.0	4.0
95.0	320.9
	3.8
7.0	11.6
11.4	3.8
	506.0
	181.6
	959.0
2,258.3	
2,606.7	3,086.8

TOTAL -- Employment and Training

77.9	4.0	21.1
77.9	4.0	21.1

(-20) Employment and Training Services

2,606.7	3,086.8
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TOTAL -- Internal Program Unit

2,606.7	3,086.8
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369.4	100.7	36.9
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TOTAL -- DEPARTMENT OF LABOR

18,419.7	7,471.4
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(65-00-00) DEPARTMENT OF AGRICULTURE

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

(65-01-00) Agriculture

15.2	40.0	91.8
15.2	40.0	91.8

Personnel Costs	3,426.7	6,217.6
Travel	140.0	44.2
Contractual Services	1,039.4	544.9
Energy	16.1	20.3
Supplies and Materials	204.2	141.7
Capital Outlay	312.5	47.0
Other Items:		
Information, Education & Certification		221.0
Nutrient Management Planning		451.8
Poultry Litter Transport	246.0	
Agriculture Advertising		50.0
Agriculture Development Program		17.7
Laurel Auction		9.5
Alternative Agriculture Projects		15.0
Cooperative Advertising		40.0
Plant Pest Survey & Control		75.6
Wildlife Damage Control		40.0
Educational Assistance	15.0	
Revenue Refund	6.0	
Fingerprints	76.0	
Fingerprinting	75.5	
Equine Drug Testing	1,225.0	
County Rollback	51.6	
Commuter Assistance	3.0	
Research and Development	150.0	
Crop Insurance		750.0
TOTAL -- Agriculture	6,987.0	8,686.3

	2.0	14.0
		7.0
4.0	3.5	17.5
1.0	7.0	
2.0	6.0	
0.5		6.5
1.0	0.5	13.5
6.2	13.0	13.8
	6.0	
		10.0
0.5		3.5
	2.0	
		6.0
15.2	40.0	91.8

(-01) Administration	314.1	2,175.9
(-02) Agriculture Compliance	12.2	473.0
(-04) Forest Service	659.6	1,215.2
(-05) Harness Racing Commission	1,672.8	
(-06) Pesticides	534.6	
(-07) Planning		566.7
(-08) Plant Industries	121.7	1,058.1
(-09) Animal Health and Food Products Inspection	1,040.2	1,072.4
(-10) Thoroughbred Racing Commission	1,665.3	
(-11) Weights and Measures		661.6
(-12) Nutrient Management	246.0	950.9
(-13) Agricultural Lands Preservation Foundation	595.5	
(-14) Marketing and Promotion	125.0	512.5
TOTAL -- Internal Program Units	6,987.0	8,686.3

15.2	40.0	91.8
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TOTAL -- DEPARTMENT OF AGRICULTURE

6,987.0	8,686.3
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(70-00-00) DEPARTMENT OF ELECTIONS

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Personnel		
NSF	ASF	GF
2.0		15.0
2.0		15.0

(70-01-01) Commissioner of Elections

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Other Items:
 Voter Purging
 Technology Development
 Voting Machines
 School Elections

TOTAL -- Commissioner of Elections

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

	718.7
	1.3
	171.8
	19.4
	0.8
	17.0
	20.0
	115.0
	300.0
	1,364.0

(70-02-01) New Castle County Department of Elections

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Other Items:
 Mobile Registration
 Primary and General Elections

TOTAL -- New Castle County Department of Elections

		17.0
		17.0

	1,089.1
	17.1
	208.4
	17.8
	9.7
	3.5
750.0	
750.0	1,345.6

(70-03-01) Kent County Department of Elections

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

TOTAL -- Kent County Department of Elections

		8.0
		8.0

	548.0
	1.5
	193.7
	15.4
	5.1
	1.5
	3.0
	768.2

(70-04-01) Sussex County Department of Elections

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Other Items:
 Mobile Registration

TOTAL -- Sussex County Department of Elections

		8.0
		8.0

	558.4
	3.2
	41.3
	15.0
	2.0
	2.1
	622.0

2.0		48.0
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TOTAL -- DEPARTMENT OF ELECTIONS

750.0	4,099.8
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(75-00-00) FIRE PREVENTION COMMISSION

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Personnel		
NSF	ASF	GF
	32.2	25.8
	32.2	25.8

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

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Other Items:
 Revenue Refund
 Juvenile Firesetter Intervention Program

TOTAL -- Office of the State Fire Marshal

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

1,944.5	1,883.3
34.0	
365.3	107.1
	84.8
81.0	47.5
311.0	18.6
1.5	
	2.0
2,737.3	2,143.3

(75-02-01) State Fire School

Personnel Costs
Contractual Services
Energy
Capital Outlay
Other Items:
 Local Emergency Planning Committee
 Stress Management
 Background Checks
 EMT Training
Debt Service

TOTAL -- State Fire School

		18.5
		18.5

	1,637.8
	201.0
	270.2
	50.0
50.0	
	4.6
	10.0
	70.0
	2.2
50.0	2,245.8

(75-03-01) State Fire Prevention Commission

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Other Items:
 Statewide Fire Safety Education
 Contingency - Extraordinary Expenses
 Governor's Fire Safety Conference
 Mid-Atlantic Fire Conference

TOTAL -- State Fire Prevention Commission

		1.0
		1.0

	75.5
	38.1
	85.3
	15.1
	93.5
	6.2
7.0	10.0
4.0	
11.0	323.7

	32.2	45.3
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TOTAL -- FIRE PREVENTION COMMISSION

2,798.3	4,712.8
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(76-00-00) DELAWARE NATIONAL GUARD

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Personnel		
NSF	ASF	GF
100.0		30.5
100.0		30.5

(76-01-01) Delaware National Guard

Personnel Costs
 Travel
 Contractual Services
 Energy
 Supplies and Materials
 Capital Outlay
 Other Items:
 Educational Assistance
 SGLI Premium Assistance
 Unit Fund Allowance

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

	3,030.9
	8.4
	285.3
	830.2
	159.5
	3.0
	490.0
	42.0
	12.2

TOTAL -- DELAWARE NATIONAL GUARD

	4,861.5
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(77-00-00) ADVISORY COUNCIL FOR EXCEPTIONAL CITIZENS

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(77-01-01) Advisory Council For Exceptional Citizens			
		3.0				152.0
						9.5
						13.7
						3.6
			TOTAL -- ADVISORY COUNCIL FOR EXCEPTIONAL CITIZENS			
		3.0				178.8

(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		99,245.7
Scholarships		9,715.3
Agricultural Programs		4,931.9
Other Programs		12,758.9
The College School		91.8
Debt Service		3,207.8
TOTAL -- University of Delaware		129,951.4

(90-01-02) Delaware Geological Survey

Operations		1,672.1
River Master Program		94.0
TOTAL -- Delaware Geological Survey		1,766.1

TOTAL -- University of Delaware

	131,717.5
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(90-03-00) Delaware State University

(90-03-01) Operations

Operations		29,360.8
Administrative Computing		125.0
Work Study		211.7
Faculty Development		57.0
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
Debt Service		3,540.6
TOTAL -- Operations		39,380.4

(90-03-05) Sponsored Programs and Research

TOTAL -- Delaware State University

	39,380.4
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(90-00-00) HIGHER EDUCATION

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

(90-04-01) Office of the President

18.0		50.0
18.0		50.0

Personnel Costs	
Contractual Services	
Energy	
Aid to Needy Students	
Occupational Teacher Program	
Academic Incentive	
Associate in Arts Program - Operations	
Associate in Arts Program - Academic	
Debt Service	
TOTAL -- Office of the President	

	6,978.6
	83.1
	42.2
	39.3
	36.8
	50.0
	299.3
	1,657.8
	355.2
	9,542.3

(90-04-02) Owens Campus

60.0		217.0
60.0		217.0

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

	16,624.7
	504.6
	48.2
	244.8
	31.2
	707.4
	16.8
	123.5
	18,301.2

(90-04-04) Wilmington Campus

58.0		165.0
58.0		165.0

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

	12,860.8
	559.6
	199.8
	32.5
	40.1
	929.7
	78.8
	17.2
	14,718.5

(90-00-00) HIGHER EDUCATION

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(90-04-05) Stanton Campus			
60.0		205.0	Personnel Costs			15,659.6
			Energy			253.5
			Aid to Needy Students			184.8
			Grants			27.5
			Work Study			41.1
60.0		205.0	TOTAL -- Stanton Campus			16,166.5
			(90-04-06) Terry Campus			
81.3		149.0	Personnel Costs			10,287.2
			Contractual Services			206.7
			Energy			485.3
			Aid to Needy Students			218.3
			Work Study			21.7
			Grants			21.0
			Day Care Training			6.0
			Debt Service			387.7
81.3		149.0	TOTAL -- Terry Campus			11,633.9
			TOTAL -- Delaware Technical and Community College			70,362.4
277.3		786.0				
			(90-07-01) Delaware Institute of Veterinary Medical Education			
			Tuition Assistance			371.2
			TOTAL -- Delaware Institute of Veterinary Medical Education			371.2
277.3		786.0	TOTAL -- HIGHER EDUCATION			241,831.5

(95-00-00) DEPARTMENT OF EDUCATION

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(95-01-00) Department of Education			
53.7	3.0	140.5				16,248.9
						48.1
						735.6
						41.7
						37.6
		1.0				274.4
	1.0				267.7	
						600.0
						1,942.9
						1,073.5
						2.0
						20.0
						1.0
						58.6
						60.0
					150.0	510.7
						160.8
		1.0				197.7
						100.0
						5,050.1
					100.0	329.5
						60.0
					34.0	
						40.0
						20.0
					27.5	
					15.0	
	2.0				775.0	
		7.0			1,232.2	1,210.3
						1,327.5
53.7	6.0	149.5	TOTAL -- Department of Education		2,601.4	30,150.9
53.7	6.0	149.5	(-01) Department of Education		2,601.4	30,150.9
53.7	6.0	149.5	TOTAL -- Internal Program Unit		2,601.4	30,150.9

(95-00-00) DEPARTMENT OF EDUCATION

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(95-03-00) Block Grants and Pass Through Programs			
			Education Block Grants			
			Adult Education and Work Force Training Grant			
			Professional Accountability and Instructional Advancement Fund			
			Academic Excellence Block Grant			
			Student Success Block Grant			
			K-12 Pass Throughs			
			Pregnant Students			
			Delaware Nature Society			
			Children's Beach House			
			Read Aloud			
			Building Bridges			
			Summer School - Gifted & Talented			
			Center for Economic Education			
			Educational Resources			
			DE Institute for Arts in Education			
			Advanced Studies			
			Student Organization			
			Delaware Teacher Center			
			Reading Assist			
			On-Line Periodicals			
			Jobs for DE Graduates			
			Delaware Geographic Alliance			
			Creative Mentoring			
			Delaware History Day Competition			
			Communities in Schools			
			Teacher in Space			
			Delaware Futures			
			Achievement Matters Campaign			
			Mary Campbell Center			
			Career Transition			
			Special Needs Programs			
			Early Childhood Assistance			
			Children with Disabilities			
			Unique Alternatives			
			Exceptional Student Unit - Vocational			
			Related Services for the Handicapped			
			Adolescent Day Program			
			Children Services Cost Recovery Project			
			Sterck Summer Program			
			Tech-Prep 2 + 2			
			First State School			
			Prison Education			
			Innovative After School Initiatives			
			Student Discipline Program			
			Reading Resource Teachers			
			Math Specialists			
			Limited English Proficient			
			Early Childhood Initiatives			
			Driver Training			
			Driver's Education			
			TOTAL -- Block Grants and Pass Through Programs			

			(-10) Education Block Grants		59,922.6	
			(-15) K-12 Pass Throughs		5,464.3	
			(-20) Special Needs Programs		1,842.0	
			(-30) Driver Training		584.1	
			TOTAL -- Internal Program Units		2,426.1	

			1.0		12.0	
			1.0		37.7	
			1.0		12.0	
			3.0		50.7	

Personnel				
TFO	TFC	NSF	ASF	GF
1,578.0	314.0	1,902.2	1,607.1	11,877.6
		277.3		786.0
		54.7	9.0	13,287.2
1,578.0	314.0	2,234.2	1,616.1	25,950.8

TOTALS

\$		
TFO	ASF	GF
352,627.1	620,546.3	1,955,468.9
		241,831.5
	5,027.5	1,150,575.4
352,627.1	625,573.8	3,347,875.8

TOTAL - DEPARTMENTS

TOTAL - HIGHER EDUCATION

TOTAL - PUBLIC EDUCATION

GRAND TOTAL

GENERAL

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

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

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

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

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

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

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

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

24 (d) 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 15.87 percent.
2 The components of the rate are 6.68 percent for the pension liability, 6.45 percent for retiree health
3 insurance costs, 2.20 percent for the Post-retirement Increase Fund and .54 percent for the Other Post -
4 Employment Benefits Fund.

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

6 (g) Section 1 of this Act provides funding for a new State Police pension rate of 18.01 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, 2008.

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

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

1 of Delaware and a certified bargaining unit in which the agreements completion is achieved through
2 ratification by the respective bargaining unit, mediation or binding interest arbitration.

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

5 **Annual Salary**

6 **STATE OF DELAWARE PAY PLAN***

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

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

36 * - Annual Salary in Whole Dollars.

37 ** - Minimum State Salary.

1 STATE OF DELAWARE PAY PLAN*

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

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

31 * - Annual Salary in Whole Dollars.

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

35 **DEPARTMENT**

CLASS SERIES

36 Department of State

Drug Control Administrator

37 Department of Correction

Quality Improvement Program Administrator

38 Community Work Program Coordinator

39 Director of Probation and Parole

40 Pre-trial Presentence Manager

41 Probation and Parole Officer

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

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Toll Sergeant
TMC EPS Technician
TMC Planner IV

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

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

(b) SELECTIVE MARKET VARIATIONS.

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

- (1) The appointing authority shall identify job classes or job families to be considered for selective market variations according to turnover rates, recruitment problems, vacancy rates, feasibility for the work to be performed on a contractual basis and other criteria established by the Director of the Office of Management and Budget.
- (2) Upon receipt of the identified classes, the Director of the Office of Management and Budget shall survey the appropriate labor market to determine the State's position in this labor market.
- (3) The Director of the Office of Management and Budget and the Controller General shall review the information provided in Sections 8(b)(1) and (2) and shall recommend approval or disapproval for the classes for selective market compensation variations.
- (4) Any such selective market variations that the Director of the Office of Management and Budget and the Controller General have determined to be warranted and have been approved by the Joint Finance Committee shall be designated to become effective July 1,

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

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

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

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

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

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

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

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

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

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

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

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

- 1 (iii) Federal salary plan increases for Delaware National Guard employees;
- 2 (iv) In Fiscal Year 2009, the Department of Natural Resources and Environmental
- 3 Control Enforcement competency-based salary matrix amounts will remain the same
- 4 as Fiscal Year 2008. Salary matrix increases within pay grades will not continue
- 5 and career ladder movement between pay grades will revert to the regular career
- 6 ladder process for Fiscal Year 2009.
- 7 (v) In Fiscal Year 2009, the Office of the Attorney General and the Public Defender's
- 8 Office salary matrix amounts will remain the same as Fiscal Year 2008. Salary
- 9 matrix increases within pay grades will not continue and career ladder movement
- 10 between pay grades will revert to the regular career ladder process for Fiscal Year
- 11 2009.

12 **(d) MAINTENANCE REVIEWS.**

- 13 (1) Any such reclassifications/regrades that the Director of the Office of Management and
- 14 Budget determines to be warranted as a result of the classification maintenance reviews
- 15 regularly scheduled by the Office of Management and Budget shall be designated to
- 16 become effective July 1, 2008, provided that such reclassifications/regrades have been
- 17 processed as part of the regular budgetary process and the funds for such
- 18 reclassifications/regrades have been appropriated. Maintenance review classification
- 19 determinations may be appealed to the Merit Employee Relations Board in accordance
- 20 with 29 Del. C. § 5915. Pay grade determinations shall not be appealed.
- 21 (2) Any such title changes that the Director of the Office of Management and Budget
- 22 determines to be warranted as a result of a consolidation review shall be implemented as
- 23 they are completed with the concurrence of the Controller General. A consolidation
- 24 review is for the specific purpose of combining current class titles and class
- 25 specifications that are in the same occupational area and require sufficiently similar
- 26 knowledge, skills, abilities and minimum qualifications. A consolidation review will not
- 27 impact the current levels of work and corresponding pay grades in a class series. It will
- 28 only affect the current title assigned to positions; the corresponding class specification,

1 levels of work and minimum qualifications will be written general in nature rather than
2 agency or program specific.

3 **(e) CRITICAL RECLASSIFICATIONS.**

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

9 **(f) OTHER RECLASSIFICATIONS.**

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

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

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

1 **(h) ADMINISTRATIVE REGULATIONS.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(02-13-00)	Magistrate - Justices of the Peace Courts - 1st Term	70,750	
4	(02-13-00)	Magistrate - Justices of the Peace Courts - 2nd Term	73,250	
5	(02-13-00)	Magistrate - Justices of the Peace Courts - 3rd Term	75,550	
6	(02-13-00)	Judicial Secretary to the Chief Magistrate	47,850	
7	(02-17-00)	St. Court Administrator - Off. of the St. Court		
8		Administrator	126,550	
9	(02-17-00)	Judicial Secretary to the State Court Administrator	50,050	
10	(02-18-00)	Public Guardian	68,750	
11	(02-18-00)	Executive Director - Violent Crimes Compensation		
12		Board		60,750
13	(02-18-00)	Executive Director - Child Placement Review Board	62,550	
14	(10-01-01)	Governor	132,500	
15	(10-02-00)	Director - Office of Management and Budget	143,050	
16	(10-02-08)	Director - SAC	89,450	
17	(10-02-50)	Executive Secretary - Architectural Accessibility Board	50,450	
18	(10-03-01)	Director - Delaware Economic Development Office	123,850	
19	(10-07-01)	Executive Director - CJC	91,050	
20	(10-07-01)	Director - Domestic Violence Coordinating Council	67,750	
21	(10-07-02)	Executive Director - DELJIS	83,350	
22	(10-08-01)	Director - Delaware State Housing Authority		115,550
23	(11-00-00)	Chief Information Officer	155,450	
24	(12-01-01)	Lieutenant Governor	76,250	
25	(12-02-01)	Auditor	105,350	
26	(12-03-01)	Insurance Commissioner		105,350
27	(12-05-01)	State Treasurer	110,050	
28	(15-01-01)	Attorney General	140,950	
29	(15-01-01)	Chief Deputy Attorney General	124,050	

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(15-02-01)	Public Defender	136,050	
4	(15-02-01)	Chief Deputy Public Defender	124,050	
5	(15-03-01)	Parole Board Chairman	76,850	
6	(20-01-00)	Secretary - State	123,850	
7	(20-01-00)	Executive Director - Public Employment Relations		
8		Board	87,500	
9	(20-02-00)	Director - Human Relations	72,150	
10	(20-03-00)	Director - Division of Archives	78,250	
11	(20-04-00)	Public Advocate		82,850
12	(20-04-00)	Director - Public Service Commission		93,250
13	(20-04-00)	Director - Professional Regulation		94,850
14	(20-05-00)	Director - Corporations		110,750
15	(20-06-00)	Director - Historical and Cultural Affairs	91,250	
16	(20-07-00)	Director - Arts	79,050	
17	(20-08-00)	State Librarian	81,350	
18	(20-15-00)	State Banking Commissioner		108,150
19	(25-01-00)	Secretary - Finance	143,050	
20	(25-05-00)	Director - Accounting	103,850	
21	(25-06-00)	Director - Revenue	120,950	
22	(25-07-00)	Director - State Lottery		102,250
23	(35-01-00)	Secretary - Health and Social Services	143,050	
24	(35-01-00)	Director - Management Services	100,305	11,145
25	(35-02-00)	Director - Medicaid and Medical Assistance	55,825	55,825
26	(35-04-00)	Chief Medical Examiner	192,702	
27	(35-05-00)	Director - Public Health	165,000	
28	(35-06-00)	Director - Substance Abuse and Mental Health	137,250	
29	(35-07-00)	Director - Division of Social Services	55,825	55,825

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(35-08-00)	Director - Visually Impaired	85,750	
4	(35-09-00)	Director - Long-term Care Residents Protection	89,950	
5	(35-10-00)	Director - Child Support Enforcement	29,650	60,200
6	(35-11-00)	Director - Developmental Disabilities Services	111,550	
7	(35-12-00)	Director - State Service Centers	89,950	
8	(35-14-00)	Director - Services for Aging and Adults		
9		with Physical Disabilities	89,950	
10	(37-01-00)	Secretary - Services for Children,		
11		Youth and Their Families	128,850	
12	(37-01-00)	Director - Management Services	101,650	
13	(37-04-00)	Director - Child Mental Health Services	101,650	
14	(37-05-00)	Director - Youth Rehabilitative Services	101,650	
15	(37-06-00)	Director - Family Services	101,650	
16	(38-01-00)	Commissioner - Correction	143,050	
17	(38-01-00)	Bureau Chief - Management Services	99,550	
18	(38-04-00)	Bureau Chief - Prisons	111,550	
19	(38-06-00)	Bureau Chief - Community Corrections	106,350	
20	(40-01-00)	Secretary - Natural Resources and		
21		Environmental Control	123,850	
22	(40-01-00)	Deputy Secretary - Natural Resources		
23		and Environmental Control	103,950	
24	(40-05-00)	Director - Fish and Wildlife	47,825	47,825
25	(40-06-00)	Director - Parks and Recreation	96,350	
26	(40-07-00)	Director - Soil and Water Conservation	95,650	
27	(40-08-00)	Director - Water Resources	95,650	
28	(40-09-00)	Director - Air and Waste Management	98,350	
29	(40-09-00)	Director - Boiler Safety	62,750	

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(45-01-00)	Secretary - Safety and Homeland Security	128,850	
4	(45-01-00)	Director - Del. Emergency Management Agency	40,025	40,025
5	(45-03-00)	Commissioner - Alcoholic Beverage Control	111,250	
6	(45-04-00)	Director - Alcohol and Tobacco Enforcement	78,900	
7	(45-06-00)	Superintendent - State Police	149,291	
8	(45-06-00)	Assistant Superintendent - State Police	136,964	
9	(55-01-01)	Secretary - Transportation		133,950
10	(55-01-02)	Director - Finance		112,650
11	(55-02-01)	Director - Technology and Support Services		113,150
12	(55-03-01)	Director - Planning		113,150
13	(55-04-01)	Director - Maintenance and Operations		113,150
14	(55-06-01)	Director - Delaware Transit Corporation		113,150
15	(55-08-30)	Chief Engineer		119,050
16	(55-11-10)	Director - Motor Vehicles		113,150
17	(60-01-00)	Secretary - Labor	11,555	103,995
18	(60-06-00)	Director - Unemployment Insurance		95,750
19	(60-07-00)	Director - Industrial Affairs		93,250
20	(60-08-00)	Director - Vocational Rehabilitation		93,250
21	(60-09-00)	Director - Employment and Training	9,400	73,802
22	(65-01-00)	Secretary - Agriculture	115,550	
23	(65-01-00)	Deputy Secretary - Agriculture	83,650	
24	(70-01-01)	Commissioner - Elections	78,750	
25	(70-02-01)	Administrative Director - New Castle County Elections	74,550	
26	(70-02-01)	Deputy Administrative Director - New Castle		
27		County Elections	73,050	
28	(70-03-01)	Administrative Director - Kent County Elections	74,550	

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

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

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

26 (iii) Regardless of the provisions of this Act, any state employee who is offered a promotional
27 opportunity to become a division level manager shall be eligible for a five percent
28 promotional salary increase. This eligibility shall be conditioned on a determination that
29 the duties and responsibilities of the division level manager position are at least one pay

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

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

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

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

1 Management and Budget. The Director of the Office Management and Budget shall
2 review this request and seek the advice and written consent of the Controller General.

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

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

15 (viii) Effective January 20, 2009, the annual salary for the incoming Governor shall be
16 increased to \$171.0 as recommended by the Delaware Compensation Commission Final
17 Report dated January 11, 2005.

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

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

			<u>General</u> <u>Funds</u>	<u>All Other</u> <u>Funds</u>
1	◆			
2				
3	<u>Budget Unit</u>	<u>Line Item</u>		
4	(10-02-32)	Board Members - Pensions		15.0
5	(10-02-50)	Board Members - Architectural Accessibility Board	2.3	
6	(15-01-01)	Board Members - Consumer Protection	3.5	
7	(15-03-01)	Board Members - Parole	46.1	
8	(20-01-00)	Board Members - Public Employment Relations Board	7.4	
9	(20-01-00)	Board Members - Merit Employee Relations Board	20.0	
10	(20-02-00)	Board Members - Human Relations	2.5	
11	(20-04-00)	Board Members - Professional Regulation		71.5
12	(20-04-00)	Board Members - Public Service Commission		155.0
13	(25-01-00)	Board Members - Revenue	33.0	
14	(38-04-00)	Board Members - Institutional Classification	12.0	
15	(45-04-00)	Board Members - Alcoholic Beverage Control Commission	8.6	
16	(60-07-00)	Board Members - Industrial Accident Board		230.0
17	(65-01-05)	Harness Racing Commission		13.6
18	(65-01-10)	Thoroughbred Racing Commission		13.6
19	(65-01-12)	Nutrient Management Commission	22.4	
20	(70-02-01)	Board Members - New Castle County Elections	21.5	
21	(70-03-01)	Board Members - Kent County Elections	13.0	
22	(70-04-01)	Board Members - Sussex County Elections	13.0	
23	(95-01-01)	Board Members - State Board of Education	16.8	
24	(95-08-01)	Higher Education Commissioners	2.4	

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

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

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

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

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

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

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

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

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

23 Section 14. Merit Rule 4.13.7 notwithstanding, merit compensatory time will not be forfeited if
24 not used within 180 calendar days of accrual.

25 Section 15. With the exception of the custodial work associated with Legislative Hall and the
26 Governor's Office, the Office of Management and Budget may not hire any permanent, full-time custodial
27 employees in any fiscal year without the concurrence of the Controller General.

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

17 Section 17. For the fiscal year, the provisions of 29 Del. C. § 6502(a), shall be waived for school
18 districts. In its place, school districts shall be required to provide to the Director of the Office of
19 Management and Budget and the Controller General a signed copy of its approved district budget.

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

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

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

8 Section 19. (a) Increased use of videophones and related technologies by agencies comprising
9 the criminal justice system is beginning to have a positive impact on the operations of these agencies.
10 One such positive impact is the reduction in the number of trips Department of Correction personnel need
11 to make to transport offenders from the secure facilities in the prisons to the courts for various hearings
12 and other procedural matters. To help quantify these positive impacts, agencies with videophones
13 obtained through the Videophone Committee of the Criminal Justice Council shall submit to the Director
14 of the Office of Management and Budget and the Controller General a report on their use of their
15 videophone(s) by December 1 of each year. This report shall be based on a period from July 1 through
16 June 30 and shall contain information such as, but not limited to, 1) the number of videophones used;
17 2) the types of activities for which the videophone(s) is/are used; 3) the number of times the
18 videophone(s) was/were used for each activity; 4) any savings or deferred costs resulting from the use of
19 the videophone(s); 5) any costs directly associated with the use of the videophone(s); and 6) future plans
20 for the use of the videophone(s).

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

26 Section 20. Notwithstanding any other provision of the Delaware Code or this Act to the
27 contrary, the Office of Management and Budget, subject to the approval of the Controller General, is
28 authorized to make technical adjustments to the personnel complement of any agency as appropriated in

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

3 Section 21. Notwithstanding Merit Rules 4.4.2 and 4.4.3, an agency that requests approval of a
4 starting rate higher than 85 percent of the midpoint, or that requests that incumbents be leveled up to a
5 newly-hired employee, shall provide documentation showing that sufficient funds exist within the
6 agency's base budget to fund such actions. An agency that requests approval of a starting rate higher than
7 85 percent of midpoint shall also indicate if the approval of such starting rate will result in a request to
8 level up the salary of the existing employees, and shall indicate if sufficient funds exist within the
9 agency's base budget to fund such a leveling-up action. Notwithstanding any provisions of this Act or the
10 Delaware Code to the contrary, no provision of Merit Rule 4.0 shall be considered compensation for the
11 purposes of collective bargaining and leveling up can only occur with the concurrence of the Director of
12 the Office of Management and Budget and the Controller General. The Director of the Office of
13 Management and Budget and Controller General, with the concurrence of the co-chairs of the Joint
14 Finance Committee shall promulgate policies and procedures to implement this section.

15 Section 22. Amend 29 Del. C. § 5202 by striking section (g) in its entirety and substituting in
16 lieu thereof the following: "(g) Salary reductions voluntarily taken pursuant to subsection (e) of this
17 section shall not affect the compensation used in the calculation of pension benefits under any state
18 pension plan and shall be made on a pretax basis, provided that employees who had designated employee
19 deductions on a posttax basis as of July 1, 2000 shall continue to have the right to make those deductions
20 on a posttax basis as long as the employee remains in a benefit program or the employee makes a change
21 to pretax employee benefit deductions."

22 Section 23. The State Employee Benefits Committee shall have the authority to transfer
23 Medicare Part D Retiree Drug subsidy from the Employees' Health Insurance Fund to the other Post
24 Employment Benefits Fund to provide a source for future payment of retiree health benefits.

25 Section 24. In an effort to reduce the financial impact of worker's compensation and property
26 losses to the State, the agencies and school districts shall work with the Insurance Coverage Office to
27 implement safety and return to work policies. Any employee who has been on Worker's Compensation
28 shall be a preferential hire for any position for which the employee is qualified. In accordance with State

1 law, the employee shall receive a salary supplement based on that employee's prior earnings in the event
2 the new salary is less than their current salary.

3 Section 25. In accordance with the provisions of 29 Del. C. § 5106, effective for all fiscal years
4 commencing after June 30, 2003, exceptions to the standard practice of paycheck deductions shall be
5 made for employees paying dues to the Delaware State Education Association (DSEA). For all
6 employees designating that DSEA membership dues be deducted from their bi-weekly paycheck shall
7 have those dues deducted from the 22 pay periods occurring within the 10 month school year. This
8 change will facilitate the maintenance of the state payroll system as well as establish a consistent process
9 for managing the collection of dues from members of the Delaware State Education Association.

10 Section 26. Notwithstanding Chapter 10.0 and Chapter 19.0 of the Merit Rules, upon approval by
11 the Director of the Office of Management and Budget and the Controller General, temporary appointees
12 may be assigned to the same position as that already assigned to a permanent employee in order to
13 complete a special project.

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

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

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

1 Section 30. 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, 2008, shall be prohibited from participation for the fiscal year ending June 30, 2009.

4 Section 31. 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 2009 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 32. The responsibilities and authorities established by 75 Del. Laws c. 243 shall remain
11 in effect through Fiscal Year 2009 or until a bill codifying energy procurement is signed into law. The
12 following provisions shall apply:
13

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

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

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

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

1 Section 33. This Act appropriates funding for various programs and projects that are passed
2 through to non-state agencies. Agencies receiving pass through funding shall be required to provide a
3 detailed program description and budget expenditure report for which state funds are intended to be used
4 in fiscal year 2009 to the Office of Management and Budget and the Office of the Controller General by
5 September 30, 2008. These agencies shall also identify all other funding received from the State which
6 could include but not be limited to; grants-in-aid, state agency contract funding and tobacco settlement
7 funds.

8 Section 34. Amend 29 Del. C. § 5201(c) by deleting the words “temporary, seasonal or limited-
9 term positions” where they appear in the third sentence and inserting the words “temporary or seasonal
10 positions” in their place. Such change shall apply to individuals employed as of June 9, 2008 and
11 thereafter.

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

18 Section 35. Amend 29 Del. C. § 3304 by deleting the word “February” and inserting in lieu
19 thereof the word “July”.

20 Section 36. The Office of Management and Budget, with the concurrence of the Controller
21 General and co-chairs of the Joint Finance Committee, is authorized to continue the Department of Health
22 and Social Services pilot web-based procurement program and expand such program in up to four
23 additional state agencies during Fiscal Year 2009. To ensure efficiencies in statewide procurement
24 activities, the pilot programs shall include, but not be limited to, placing legal notices in statewide
25 publications of record directing interested bidders to the pilot agencies’ websites for detailed information
26 on procurement opportunities. For purposes of this pilot program, said publication of legal notices shall
27 fulfill the advertising requirement of 29 Del. C. c. 69. Agencies participating in the pilot program shall

1 report on the outcomes of this initiative to the co-chairs of JFC, Controller General, and Director of
2 Office of Management and Budget by May 15, 2009.

3 Section 37. Notwithstanding the provisions of 24 Del. C. § 1702(9)e, the rendering by a
4 physician located outside the State of a written or otherwise documented medical opinion to a person
5 covered by the State Group Health Insurance Program pursuant to any second opinion or diagnosis
6 evaluation program offered by the State Group Health Insurance Program shall not constitute the practice
7 of medicine.

8 Section 38. All agency heads shall assure that state employees, where feasible, make use of the
9 videophones available for meetings in lieu of the use of state-owned vehicles.

10 Section 39. (a) For the fiscal year ending June 30, 2008, any sums in the following accounts
11 shall remain as continuing appropriations and shall not be subject to a reversion until June 30, 2009. Any
12 appropriation listed below that has a balance of zero on June 30, 2008 shall not continue:

<u>Fiscal Year</u>	<u>Account</u>	<u>Remarks</u>
<u>Appropriation</u>	<u>Codes</u>	
15 2008	01-01-01-0140	Travel
16 2008	01-01-01-0141	Leg-Mileage
17 2007/08	01-01-01-0150	Contractual
18 2008	01-01-01-0160	Supplies
19 2008	01-01-01-0170	Capital
20 2008	01-01-01-0181	Committee Expenses
21 2007/08	01-02-01-0140	Travel
22 2007/08	01-02-01-0141	Leg-Mileage
23 2007/08	01-02-01-0150	Contractual
24 2008	01-02-01-0160	Supplies
25 2008	01-02-01-0170	Capital
26 2006/08	01-02-01-0181	Committee Expenses
27 2008	01-02-01-0182	Ad Substance Abuse
28 2008	01-05-01-0140	Travel
29 2008	01-05-01-0141	Leg-Travel

1	2008	01-05-01-0150	Contractual
2	2007/08	01-05-01-0151	State Governments
3	2008	01-05-01-0160	Supplies
4	2008	01-08-01-0150	Contractual
5	2006/07/08	01-08-01-0151	Print Laws
6	2007/08	01-08-01-0170	Capital
7	2008	01-08-01-0181	Sunset
8	2008	01-08-02-0140	Travel
9	2006/07/08	01-08-02-0150	Contractual
10	2007/08	01-08-02-0160	Supplies
11	2008	01-08-02-0170	Capital
12	1999	01-08-02-0180	Senior Center Reporting
13	2007/08	01-08-02-0181	Contingency – Legislative
14	2008	01-08-02-0182	Family Law Commission
15	2000/07/088	01-08-02-0186	Juvenile Detention Oversight Committee
16	2008	01-08-02-0190	Neighborhood Schools
17	2008	01-08-02-0191	Clean Air
18	2007/08	01-08-02-0193	JFC/CIP Contingency
19	2008	01-08-02-0197	Contingency - Intern
20	2007	01-08-02-0198	One Time Revolutionary War Monument
21	2003/04/05/06	01-08-02-0200	TriCent Committee
22	2008	01-08-02-0201	Security
23	2004	01-08-02-0801	Technical Equipment
24	2006	01-08-02-0879	BioTech Engineer
25	2006	01-08-02-0891	Legislative Hall Improvements
26	2002	01-08-02-0985	Senior Center Projects
27	2005/06/08	01-08-02-0988	JFC CIP Contract
28	2006	01-08-02-0989	Senior Center Fund

1	2008	01-08-06-0150	Contractual
2	2008	02-01-10-0180	Court on the Judiciary
3	2004	02-02-10-0192	COTS Support
4	2008	02-03-10-0180	Jury Expenses
5	2008	02-08-10-0198	One Time
6	2008	02-13-10-0198	One Time
7	2008	02-17-01-0180	Retired Judges
8	2008	02-17-01-0184	Conflict Attorneys
9	2008	02-17-01-0185	CASA Attorneys
10	2008	02-17-01-0186	Civil Attorneys
11	2008	02-17-01-0188	Court Appointed Attorneys
12	2008	02-17-01-0189	Interpreters
13	2007/08	02-17-01-0190	New Castle County Courthouse
14	2004	02-17-01-0192	COTS Support
15	2003	02-17-01-0200	Computer Training
16	2008	02-18-01-0180	Special Needs Fund
17	2007	10-02-05-0204	Security
18	2008	10-02-06-0196	Contingency Fund
19	2008	10-02-08-0198	One Time
20	2007	10-02-08-0286	Race and Incarceration
21	2006/07/08	10-02-10-0185	Data Development
22	2008	10-02-10-0191	Budget Automation
23	2008	10-02-11-0185	Legal Fees
24	2008	10-02-11-0189	Salary/OEC
25	2008	10-02-11-0198	One Time
26	2000	10-02-11-0199	Technology Initiative
27	2008	10-02-11-0218	Judicial Nominating Committee
28	2008	10-02-11-0229	Institutional Evaluation

1	2002/03/04/05/06/07/08	10-02-11-0255	Livable Delaware
2	2008	10-02-20-0181	Employee Recognition
3	2008	10-02-20-0187	School-to-Work
4	2007	10-02-20-0274	Recruitment and Retention
5	2006/07/08	10-02-21-0199	First Quality
6	2008	10-02-31-0150	Contractual
7	2008	10-02-31-0183	Self Insurance
8	2006	10-03-03-0198	One Time
9	1997	10-05-01-0180	Pilot Projects
10	2008	10-05-01-0181	Education
11	2005/06/07/08	10-05-01-0184	Uninsured Action Plan
12	2006	10-05-01-0185	Universal Health Insurance Study
13	2008	10-05-02-0180	Operations
14	2006	10-05-02-0275	Federal Contingency
15	2007/08	10-05-03-0180	Operations
16	2005	10-07-02-0197	Data Development
17	2006/08	15-01-01-0197	Data Development
18	2007	20-01-01-0198	One Time
19	2007/08	20-01-05-0180	Delaware Heritage Commission
20	2008	20-03-01-0181	Document Conservation Fund
21	2006/07/08	20-03-01-0182	Historical Markers
22	2001/02/03/04/05	20-03-01-0198	One Time
23	2006/07/08		
24	2005	20-06-01-0198	One Time
25	2008	20-06-04-0180	Museum Maintenance
26	2008	20-06-04-0181	Museum Conservation
27	2007/08	20-06-04-0183	Collections
28	2008	20-06-04-0184	Operations
29	2007/08	20-06-04-0185	Art Object Refurbishing

1	2007	20-06-04-0198	One Time
2	2008	20-07-01-0180	Art for the Disadvantaged
3	2008	20-07-01-0182	Delaware Art
4	2007/08	20-08-01-0180	Library Standards
5	2007/08	20-08-01-0181	Delaware Electronic Library
6	2007/08	20-08-01-0186	DelNET - Statewide
7	2007	25-06-01-0199	First Quality
8	2008	35-01-10-0229	DPC Evaluation
9	2007	35-02-01-0189	Title XIX OT
10	2008	35-02-01-0190	SBHC Audit
11	2008	35-02-01-0194	Medicaid Buy In
12	2008	35-02-01-0198	One Time
13	2006	35-02-01-0276	Community Based
14	2007	35-04-01-0197	FLIMS
15	2008	35-05-10-0171	Health Disparities
16	2008	35-05-20-0182	Immunizations
17	2008	35-05-20-0183	Hepatitis B
18	2008	35-05-20-0191	Needle Exchange
19	2008	35-05-20-0193	Infant Mortality
20	2008	35-05-30-0977	Paramedic
21	2008	35-06-10-0187	Clinical Care
22	2007/08	35-06-10-0188	CCIS Development Fund
23	2008	35-06-20-0180	DPC Transition
24	2008	35-07-01-0185	Child Care
25	2008	35-07-01-0198	One Time
26	2006	35-10-01-0197	Data Development
27	2008	35-11-30-0180	Community Services
28	2008	35-11-30-0181	Purchase of Care

1	2007	35-12-20-0180	Smyrna SSC
2	2007	35-12-20-0198	One Time
3	2008	35-14-01-0198	One Time
4	2006	37-01-20-0180	CAP Phase 2
5	2008	37-01-50-0181	MIS Development
6	2007	37-05-10-0151	Transitional Living
7	2008	37-06-40-0187	Child Welfare
8	2006/08	38-01-01-0184	Sustainability Contingency
9	2008	38-01-10-0186	Warehouse
10	2007/08	38-01-10-0199	MIS
11	2007/08	38-01-30-0180	Medical Services
12	2006	38-04-01-0185	Distance Learning
13	2006	38-04-03-0195	First Quality
14	2008	38-06-02-0198	One Time
15	2008	38-06-04-0198	One Time
16	2008	40-01-01-0195	First Quality
17	2007	40-09-03-0183	Recycle Committee
18	2006/07/08	45-01-01-0186	Real Time Crime Report
19	1986	45-01-01-0381	Hazardous Waste Revolving Fund
20	2003	45-01-30-0197	Federal Disaster Relief
21	2001/02/03	45-01-30-0198	One Time
22	2008	45-02-10-0198	One Time
23	2008	45-06-01-0198	One Time
24	2007	45-06-03-0198	One Time
25	2008	45-06-05-0198	One Time
26	2008	45-06-07-0198	One Time
27	2007/08	45-06-09-0198	One Time
28	2008	45-06-10-0198	One Time

1	2005	60-01-10-0197	First Quality
2	2007	60-07-01-0197	Data Development
3	2007	60-07-01-0229	Workers' Compensation Initiative
4	2008	60-09-20-0182	Summer Youth Program
5	2008	60-09-20-0188	Skill Grant
6	2007	65-01-09-0198	One Time
7	2007/08	70-01-01-0184	HAVA Repayment
8	2008	76-01-01-0181	Educational Assistance
9	2008	76-01-01-0183	Service Member Group Life Insurance
10	2008	76-01-01-0195	First Quality
11	2008	76-01-01-0274	Recruiting and Retention
12	2008	95-01-01-0131	Parents as Teachers
13	2008	95-01-01-0189	State Board of Education
14	2007/08	95-01-01-0200	Standards and Assessment
15	2007/08	95-01-01-0202	DSTP
16	2008	95-01-01-0203	Pupil Accounting
17	2008	95-01-01-0210	DE Science Coalition
18	2008	95-01-01-0212	Professional Standards Board
19	2008	95-01-01-0226	DE Educator Recruitment
20	2008	95-01-01-0229	Infrastructure Capacity
21	2008	95-01-01-0230	Educator Accountability
22	2007/08	95-02-02-0204	School Improvement
23	2007/08	95-03-10-0191	Professional Development
24	2008	95-03-20-0127	Student Discipline Program
25	2008	95-03-20-0153	3-5 Program
26	2008	95-03-20-0181	Unique Alternatives
27	2008	95-03-20-0182	Early Childhood Assistance
28	2008	95-03-20-0197	Early Success

1	2008	95-03-20-0198	One Time
2	2007/08	95-04-01-0190	Transportation
3	2008	95-07-01-0180	Operations
4	2007/08	95-08-01-0183	Scholarships
5	2007/08	95-08-01-0185	Ferguson DSTP Scholarship
6	2007/08	95-08-01-0188	Physician Loan
7	2007/08	95-08-01-0189	Legislative Essay
8	2008	95-08-01-0190	National Teacher Certification
9	2008	95-08-01-0191	SEED Scholarship
10	2008	95-60-00-0199	One Time

11 (b) Funds appropriated for the following programs shall be appropriated on a 15 month basis and
12 not be subject to reversion until September 30, 2009: Tuition Reimbursement (appropriation 0189),
13 Student Mentoring (appropriation 0207), Discipline Part II (appropriation 0201), LEP (appropriation
14 0233), Professional and Curriculum Development (appropriation 0205), Professional Mentoring
15 (appropriation 0151), Teacher to Teacher Instructional Cadre (appropriation 0206). Program expenses
16 may not be incurred subsequent to the start of the regular 2009-2010 school year.

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

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

22 (e) For the fiscal year ending June 30, 2008, any sums for Fiscal Year 2008 Division II – All
23 Other Costs (appropriation 0165), Division II – All Other Costs for Vocational Education (appropriation
24 0265), Division II – Energy (appropriation 0159), Division III – Equalization (appropriation 0186),
25 Education Expense and Property Tax Relief Funds (appropriation 0287), School Building Awards
26 (appropriation 0243), and Innovative After School Initiative (appropriation 0245) shall become a
27 continuing appropriation in each local school district for the period of one fiscal year.

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

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

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

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

18 (ii) For the fiscal year ending June 30, 2008, any authorizations in the following accounts shall
19 remain as continuing appropriations and shall not be subject to deauthorization until June
20 30, 2009.

Fiscal Year	Account	Remarks
<u>Appropriation</u>	<u>Codes</u>	
23 2008	55-01-01-6800	Operations/Capital
24 2008	55-01-01-6805	Salary Contingency
25 2008	55-01-01-6815	Personnel Costs
26 2008	55-01-02-6800	Operations/Capital
27 2003	55-01-02-6809	Prior Year Operations
28 2008	55-01-02-6815	Personnel Costs
29 2008	55-01-03-6800	Operations/Capital

1	2008	55-01-03-6815	Personnel Costs
2	2007/08	55-01-04-6801	Travel
3	2008	55-01-04-6802	Contractual/Supplies
4	2008	55-01-04-6804	Capital Outlay
5	2008	55-01-04-6815	Personnel Costs
6	2008	55-02-01-6801	Travel
7	2008	55-02-01-6802	Contractual/Supplies
8	2008	55-02-01-6803	Energy
9	2008	55-02-01-6804	Capital Outlay
10	2008	55-02-01-6815	Personnel Costs
11	2006/07/08	55-03-01-6800	Operations/Capital
12	2008	55-03-01-6815	Personnel Costs
13	2008	55-04-01-6800	Operations/Capital
14	2008	55-04-01-6815	Personnel Costs
15	2008	55-04-70-6802	Contractual/Supplies
16	2008	55-04-70-6803	Energy
17	2008	55-04-70-6804	Capital Outlay
18	2008	55-04-70-6805	Storm Contingency
19	2008	55-04-70-6815	Personnel Costs
20	2008	55-04-90-6801	Travel
21	2008	55-04-90-6802	Contractual/Supplies
22	2008	55-04-90-6803	Energy
23	2008	55-04-90-6804	Capital Outlay
24	2008	55-04-90-6805	E-ZPass Operations
25	2008	55-04-90-6815	Personnel Costs
26	2008	55-06-01-8572	Transit Operations
27	2008	55-06-01-8581	Newark Transportation
28	2008	55-06-01-8583	Kent and Sussex

1	2008	55-06-01-8589	Taxi Service
2	2008	55-08-10-6815	Personnel Costs
3	2008	55-08-20-6815	Personnel Costs
4	2008	55-08-30-6801	Travel
5	2008	55-08-30-6802	Contractual/Supplies
6	2008	55-08-30-6804	Capital Outlay
7	2008	55-08-30-6815	Personnel Costs
8	2008	55-08-40-6802	Contractual/Supplies
9	2008	55-08-40-6803	Energy
10	2008	55-08-40-6804	Capital Outlay
11	2008	55-08-40-6815	Personnel Costs
12	2008	55-11-10-6801	Travel
13	2008	55-11-10-6804	Capital Outlay
14	2008	55-11-10-6807	Contractual Services
15	2008	55-11-10-6808	Supplies and Materials
16	2008	55-11-10-6815	Personnel Costs
17	2008	55-11-10-6820	Motorcycle Safety
18	2008	55-11-20-6807	Contractual Services
19	2008	55-11-20-6808	Supplies and Materials
20	2008	55-11-20-6815	Personnel Costs
21	2008	55-11-20-6822	CDL Fees
22	2008	55-11-30-6801	Travel
23	2008	55-11-30-6804	Capital Outlay
24	2008	55-11-30-6807	Contractual Services
25	2008	55-11-30-6808	Supplies and Materials
26	2008	55-11-30-6815	Personnel Costs
27	2008	55-11-30-6823	Odometer Forms
28	2008	55-11-30-6824	Special License Plates

1	2008	55-11-30-6825	DMVT
2	2008	55-11-50-6801	Travel
3	2008	55-11-50-6804	Capital Outlay
4	2008	55-11-50-6807	Contractual Services
5	2008	55-11-50-6808	Supplies and Materials
6	2008	55-11-50-6815	Personnel Costs

1 TOBACCO – MASTER SETTLEMENT AGREEMENT

2 Section 40. (a) Section 1 of this Act includes Appropriated Special Funds of \$34,117.9 from
3 funds received as a result of the Master Settlement Agreement on tobacco funds. These funds are
4 allocated as follows:

5 (10-05-01) Health Care Commission

6 \$1,250.0 Uninsured Action Plan

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

8 \$9.0 Casual and Seasonal assistance

9 (15-01-01) Attorney General

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

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

12 \$4,250.0 Prescription Drug Program

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

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

18 \$475.1 Medicaid Buy In

19 \$691.0 Money Follows the Person

20 \$83.3 Exceptional Care for Children

21 (35-05-20) Health and Social Services - Community Health

22 \$500.0 Diabetes

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

25 \$146.9 Delaware State University Nursing Program

26 \$653.7 Personnel Costs associated with Tobacco Control Programs

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	\$3,374.2	Tobacco prevention through Community Based organizations
4	\$370.4	E-Resources Program - Delaware Academy of Medicine
5	\$222.2	Kent County/Sussex County Consumer Health Services - Delaware Academy of
6		Medicine
7	\$331.0	Wesley College Nursing Program
8	\$122.3	Polytech Adult Education Nursing Program
9	\$144.0	Delaware Hospice
10	\$132.6	Planned Parenthood of Delaware
11	\$115.2	St. Francis Hospital
12	\$75.0	Hepatitis B Vaccine
13	\$60.3	American Lung Association - Asthma Project
14	\$231.5	Child and Families First - Resource Mothers Program
15	\$43.2	Kelly Heinz - Grundner Brain Tumor Foundation - Awareness Program
16	\$27.8	Neonatal Intensive Care Unit Family Support Project - March of Dimes
17	\$23.1	AIDS Delaware

18 Also appropriated in this Act is \$10,974.5 for Cancer Council Recommendations, of this amount,
19 funding is included for the following agencies:

20	\$138.9	Cancer Care Connection
21	\$185.2	The Wellness Community
22	\$92.6	Delaware Breast Cancer Coalition
23	\$200.0	Breast and Cervical Cancer Treatment (35-02-01)
24	\$273.9	Delaware Helpline

25 (35-05-30) Health and Social Services - Emergency Medical Services

26	\$250.0	Public Access Defibrillation initiative
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1	<u>(35-06-40) Health and Social Services - Substance Abuse and Mental Health</u>	
2	\$69.4	Limen House
3	\$203.7	Transitional housing for persons completing detoxification
4	\$550.0	Heroin Residential Program
5	\$44.1	University of Delaware - Delaware School Survey
6	\$163.5	Brandywine Counseling
7	<u>(35-07-01) Health and Social Services - Social Services</u>	
8	\$1,240.4	SSI Supplement
9	<u>(35-11-30) Health and Social Service - Community Services</u>	
10	\$70.0	Family Support Services
11	<u>(35-14-01) Health and Social Services - Services for Aging and Adults with Physical Disabilities</u>	
12	\$760.0	Attendant Care
13	\$178.1	Caregiver Support
14	\$43.2	Easter Seals - Respite Care Services
15	<u>(37-01-60) Services for Children, Youth and Their Families - Prevention/ Early Intervention</u>	
16	\$110.0	Tobacco Prevention Programs for Youth
17	<u>(45-04-10) Safety and Homeland Security - Alcoholic Beverage Control and Tobacco Enforcement</u>	
18	\$524.0	Enhanced Enforcement and 3.0 FTE Agents and 1.0 FTE Clerical
19	<u>(95-01-01) Public Education - Department of Education</u>	
20	\$77.7	1.0 ASF FTE School Health Coordinator for statewide training
21	\$120.0	Professional development of public school staff, promotion of prevention
22		activities in private schools, and prevention and health promotion supplies in
23		public schools
24	\$70.0	Pilot Life Skills Training Program or other research-based programs

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

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

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

7 Section 41. Section 1 of this Act makes an ASF appropriation to the Department of Health and
8 Social Services, Division of Medicaid and Medical Assistance (35-02-00) for the Prescription Assistance
9 Program and other programs funded with Tobacco Settlement funds. These funds may be used for both
10 the client services and administrative costs of the programs.

11 Section 42. The Delaware Health Fund Advisory Committee is directed to submit their proposed
12 recommendations each fiscal year to the Office of Management and Budget no later than November 15th
13 per Senate Bill 8 as amended of the 140th General Assembly. It is the intent of the General Assembly
14 that the Delaware Health Fund Advisory Committee will present their proposed recommendations before
15 the Joint Finance Committee in a public budget hearing.

FEDERAL FISCAL RELIEF

1

2

Section 43. For the fiscal year ending June 30, 2008, any unencumbered and unexpended funds

3

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

4

the Federal Fiscal Relief fund until June 30, 2009.

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Fiscal Year	Account Code	Remarks
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6

2005	10-02-11-9951	Federally Qualified Health Centers
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2006	25-01-01-9950	Enterprise Resource Planning (ERP)
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2005	40-06-02-9950	State Park Water Quality Initiative
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LEGISLATIVE

1
2 Section 44. 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 45. 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 46. 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 47. The Controller General shall receive compensation at a rate of a Tier 2 level Cabinet
16 position as determined by the Compensation Commission. Such compensation may be adjusted by the
17 Legislative Council as defined in 29 Del. C. § 1110(e).

JUDICIAL

Section 48. Section 1 of this Act contains position authorizations and associated appropriations to the Justices of the Peace Courts (02-13-10) included for the purpose of maintaining business hours in the following courts as required by caseload and permitted by staffing:

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

Section 49. This Act appropriates Appropriated Special Funds to the Court of Chancery (02-02-00) and to the Court of Common Pleas (02-06-00). Notwithstanding other statutes to the contrary, the Court of Chancery is authorized to retain a portion of the fees, costs and interest it will collect in an amount sufficient to cover the personnel and operating costs of the statewide Register in Chancery office. Notwithstanding other statutes to the contrary, the Court of Common Pleas is authorized to retain a portion of the fines and fees it will collect in an amount sufficient to cover the personnel and operating costs of three Judicial Case Processors and one Controller. Adjustments to the Appropriated Special Fund spending authority for these courts may be made upon the concurrence and approval of the Director of the Office of Management and Budget and the Controller General.

Section 50. The positions of Master in Chancery/Chief Staff Attorney (BP#s 56683 and 100226), as well as any additional Master in Chancery/Chief Staff Attorney position(s) that may be established in the future for the Court of Chancery (02-02-10), shall receive the same salary as Commissioner in the Superior Court.

1 Section 51. (a) Notwithstanding any other provisions of the Delaware Code to the contrary,
2 \$655.0 shall be transferred from the Victims Compensation Fund for the following purposes: \$230.2 ASF
3 shall be transferred to Contractual Services in the Office of the Attorney General (15-01-01) to fund
4 family violence services in Kent and Sussex counties; \$273.8 ASF Victims Rights in the Office of the
5 Attorney General; and \$151.0 ASF Contractual Services in the Department of Correction, Community
6 Corrections, Probation and Parole (38-06-02) to support a community restorative justice program in New
7 Castle County.

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

11 Section 52. Section 1 of this Act appropriates \$56.4 in Contractual Services to Justices of the
12 Peace Courts (02-13-10) to support lease obligations associated with the Justice of the Peace Court 1
13 facility located in the Town of Frankford.

14 Section 53. Upon the approval of a plan submitted to the Director of the Office of Management
15 and Budget, Controller General and the co-chairs of the Joint Finance Committee, the Chief Justice shall
16 have the flexibility to transfer positions from individual courts to the Administrative Office of the Courts
17 for the purpose of further centralizing personnel, finance, collections and filing/records management
18 functions therein. Notwithstanding any other provisions of this Act or the Delaware Code to the contrary,
19 positions and related operating funds may be transferred from Supreme Court (02-01-00), Court of
20 Chancery (02-02-00), Superior Court (02-03-00), Court of Common Pleas (02-06-00), Family Court (02-
21 08-00) and Justices of the Peace Courts (02-13-00) to the Administrative Office of the Courts, Office of
22 the State Court Administrator (02-17-01), the Administrative Office of the Courts, Office of State Court
23 Collections Enforcement (02-17-03) or the Administrative Office of the Courts, Judicial Information
24 Center (02-17-04). Only positions from the courts or other judicial positions located in New Castle
25 County may be considered for transfer under this section. In the cases where Merit System positions are
26 transferred, the incumbents shall retain their Merit System status.

1 Section 54. Section 1 of this Act appropriates \$275.0 to the Office of Management and Budget,
2 Contingencies and One-Time Items (10-02-11) for the purpose of providing civil legal services to the
3 indigent. Upon the concurrence and approval of the Director of the Office of Management and Budget
4 and the Controller General, this amount shall be used by the Administrative Office of the Courts, Office
5 of the State Court Administrator (02-17-01) exclusively for civil legal services to the indigent with the
6 guidance of the Delaware Bar Foundation.

7 Section 55. The Administrative Office of the Courts (AOC) shall coordinate with the Department
8 of Technology and Information to develop electronic document systems projects for the Courts, subject to
9 review and approval by the Technology Investment Council (TIC); provided however, that such review
10 and approval by the TIC shall not apply to existing licensing agreements, contracts or projects related to
11 electronic document systems entered into or approved by the AOC on or prior to June 30, 2006.
12 Notwithstanding 29 Del. C. c. 69, or any other law to the contrary, the AOC is authorized to enter into
13 licensing agreements or other contracts with private companies on behalf of the Courts for electronic
14 document systems. Such systems shall include filing and publication of judicial opinions and related
15 docket files, electronic tracking and researching services, as well as internet access for video transmission
16 of court proceedings, video conferencing and related technological services. Fees derived from such
17 contracts or licensing agreements shall be applied by the respective Courts to offset expenses related to e-
18 filing, video conferencing, video streaming, technological improvements, and related court and courtroom
19 improvements.

20 Section 56. Section 1 of this Act provides an appropriation to the Child Death, Near Death and
21 Stillbirth Commission (02-18-06) for the Fetal Infant Mortality Review. Included in this appropriation
22 are funds for 3.0 FTEs and associated operating costs.

23 Section 57. Section 1 of this Act makes an appropriation to the Administrative Office of the
24 Courts, Non-Judicial Services, Delaware Nursing Home Residents Quality Assurance Commission (02-
25 18-07) of 1.0 FTE and \$53.2 in Personnel Costs to fund an Administrative Specialist III. This position
26 shall provide clerical support for the Commission. The position shall be hired by and report to the
27 Commission.

1 Section 58. Section 1 of this Act includes appropriations to the Office of the State Court
2 Administrator (02-17-01) for Conflict Attorneys, Court Appointed Special Advocate (CASA) Attorneys,
3 Family Court Attorneys, and Court Appointed Attorneys. Upon approval by the Director of the Office of
4 Management and Budget and the Controller General, the Chief Justice may use said appropriations, as
5 well as any carryover funding in said appropriations, to address recruitment and retention of contract
6 attorneys under these programs. The Chief Justice may decide upon, but is not limited to, the following
7 options: implement new contract rates, including setting regional or market-based contract rate
8 structures; increase the number of contracts; or split full-time contracts into part-time contracts. The
9 Chief Justice may implement any combination of these or other reasonable options in an effort to
10 maximize the recruitment and retention of qualified attorneys to serve these programs.

EXECUTIVE

Section 59. (a) Section 1 of this Act appropriates \$850.0 to the Office of Management and Budget (10-02-00) for technology development projects. For Fiscal Year 2009, the following projects may receive an allocation for planning, development, procuring services or conducting a feasibility/investment analysis provided they meet all of the requirements contained within this Section:

DEPARTMENT/AGENCY	SERVICE NEED
Judicial	
Office of the State Court Administrator	Telephone System
Delaware Economic Development Office	
Office of the Director	Servers
Fire	
Office of the State Fire Marshal	Incident Log System

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

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

- (i) needs analysis;
- (ii) business process to be impacted/reengineered;
- (iii) risk assessment;
- (iv) stakeholder impact assessment;
- (v) cost-benefit analysis; and,

1 (vi) an analysis of the total cost of ownership, which includes costs incurred during all phases
2 of the development and operational life cycles.

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

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

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

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

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

1 Section 60. Section 1 of this Act appropriates \$100.0 in Local Law Enforcement Education to the
2 Office of Management and Budget, Contingencies and One Time Items (10-02-11) for educational
3 reimbursement as provided for in subsection (a).

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

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

- 1 (6) In order to receive tuition reimbursement for a post-secondary class or course of
2 instruction authorized by this Section, an officer must:
- 3 (a) Earn a grade no lower than a 2.0 on a 4.0 scale, or its equivalent, for each class or
4 course of instruction for which the tuition reimbursement is granted. In any class or
5 course of instruction for which a specific grade is not issued, the officer must show
6 documentation to verify satisfactory completion; and
- 7 (b) Submit to the Director of the Criminal Justice Council or the Director's designee
8 within 30 days after completing a class or course of instruction proof of:
- 9 (1) the course title and grade received;
- 10 (2) the amount of tuition paid for the course; and
- 11 (3) the name of the post-secondary institution where the course was taken.
- 12 (7) The Director of the Criminal Justice Council or the designee shall adopt rules and
13 regulations as deemed necessary and proper for the efficient administration of this
14 Section. The rules and regulations must contain appeal procedures.
- 15 (8) An officer who receives tuition reimbursement pursuant to this Section but is
16 terminated from law enforcement employment for cause or who otherwise fails to
17 comply with any requirement of this Section shall immediately become ineligible to
18 receive education benefits pursuant to this Section and shall repay all tuition
19 reimbursement previously extended to the employee, including interest on a pro rata
20 basis from the time of termination or noncompliance. The Director of the Criminal
21 Justice Council or the Director's designee shall determine the amount of repayment due
22 by the employee pursuant to this Subsection. If law enforcement employment is
23 terminated for other than just cause, the officer will not be required to repay previously
24 reimbursed tuition.
- 25 (9) Nothing in this section is intended to inhibit or deny officer promotion or transfer to
26 other law enforcement agencies within this State.
- 27 (10) The Director of the Criminal Justice Council shall include in the agency's annual
28 report:

- 1 (a) the number of officers who participated at each post-secondary educational
2 institution during the year;
- 3 (b) the total amount of tuition expenditures made pursuant to this Section during the
4 year not to exceed \$100,000; and
- 5 (c) the total amount required to be repaid to the State by defaulting officers during the
6 year; and Intergovernmental Voucher the total amount actually repaid by defaulting
7 officers during the year.

8 Section 61. Effective July 1, 2006, BP #879 shall receive compensation at a rate of a tier 3 level
9 Cabinet position as determined by the Compensation Committee.

10 Section 62. The Director of the Office of Management and Budget, upon concurrence of the
11 Controller General and the Co-Chairs of the Joint Finance Committee, may restructure internal program
12 units to create greater efficiencies within the Office of Management and Budget.

13 Section 63. Section 1 of this Act appropriates \$3,247.3 to the Office of Management and Budget,
14 Contingencies and One-Times Items (10-02-11) for Two Year Nursing Expansion Initiative. Said funds
15 shall be used to address Delaware Technical and Community College's (DTCC) recommendations to
16 mitigate the shortage in the nursing and allied healthcare fields. Said funds maybe used to hire up to 36
17 faculty and staff FTEs relevant to meeting said nursing shortage and shall be transferred to DTCC upon
18 approval of the Director of the Office of Management and Budget, Controller General and Co-Chairs of
19 the Joint Finance Committee.

20 Section 64. Section 1 of this Act appropriates \$500.0 to the Office of the Management and
21 Budget, Contingencies and One Times (10-02-11) for Four Year Nursing Expansion Initiative. Of the
22 amount appropriated, \$250.0 shall be allocated to the University of Delaware and \$250.0 shall be
23 allocated to Delaware State University to expand their nursing programs. Both universities shall provide
24 a detailed expansion plan to the Director of the Office of Management and Budget and Controller General
25 no later than July 31, 2008. Said funds shall be transferred to the University of Delaware and Delaware
26 State University upon approval of the Director of the Office of Management and Budget, Controller
27 General and the Co-Chairs of the Joint Finance Committee.

1 Section 65. Notwithstanding 29 Del. C. c. 69, the Office of Management and Budget is
2 authorized to contract for an upgraded budget development system to enable interface functionality with
3 the State's new financial system.

4 Section 66. Notwithstanding any other provision of the Delaware Code or this Act to the
5 contrary, the Office of Management and Budget is authorized to contract with the University of Delaware
6 for statistical analysis of data, for state operated programs, services, policies and/or procedures.

7 Section 67. The General Assembly finds that the establishment of the federal Temporary Aid to
8 Needy Families (TANF) block grant has left the state vulnerable to deficits from caseload increases
9 attributable to an economic downturn. In order to minimize such exposure, the funds within the Reserve
10 Account for Children's Services Cost Recovery Program (CSCRCP) Disallowances (10-02-05-80-51) shall
11 be available to mitigate to the extent possible, projected deficits in TANF supported programs within the
12 Department of Health and Social Services. The use of such funds for such purposes shall require the
13 approval of the Director of the Office of Management and Budget and Controller General.

14 Section 68. The amount appropriated to the Office of Management and Budget, Contingencies
15 and One-Time Items, Prior Years' Obligations, shall be used to pay Personnel Costs, reimbursement of
16 overpayment of fringe benefits, and other obligations except coding errors by a school district which
17 require adjustment of the state's accounts. Any use of the Prior Years' Obligations account by any agency
18 receiving funds in Section 1 of this Act, in excess of the amount reverted from the applicable line code on
19 June 30 of the fiscal year in which the expense was incurred, will require the requesting agency or school
20 district to reimburse the Prior Years' Obligations account by the amount equal to the excess requested. A
21 line code reversion sum does not negate the necessity of encumbering sufficient funds to cover known
22 expenses, proof of circumstances beyond an agency's ability to encumber must be documented on the
23 request for transfer to be excluded from the reimbursement clause. All requests for prior year funds to
24 complete the payment of one-time items will require a reimbursement to the Prior Years' Obligations
25 account by the requesting agency from any appropriation other than personnel costs. The reimbursement
26 can be removed from the current fiscal year's budget. The reimbursement clause shall not apply to legal
27 judgments against the agency or school district. A reimbursement under this Section shall not be deemed
28 to be prohibited by 10 Del. C. § 8111.

1 Section 69. (a) For Fiscal Year 2009, 29 Del. C. § 6529 is interpreted to include the ability to
2 implement a hiring review process. All State agencies with the exception of Legislative, Judicial, Higher
3 Education and school districts shall be subject to the provisions of 29 Del. C. § 6529 as interpreted by this
4 section. Implementation of a hiring review process shall require all positions to be reviewed and approved
5 by the Director of the Office of Management and Budget prior to filling. All non-cabinet agency hiring
6 requests shall also require the review and approval of the Controller General prior to filling.

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

13 Section 70. For Fiscal Year 2009, the Director of the Office of Management and Budget,
14 pursuant to 29 Del. C. § 6529, may implement an overtime management practices review process for all
15 State agencies with the exception of Legislative, Judicial, Higher Education and school districts. Said
16 review shall include, but not be limited to, operational guidelines, guidelines to prohibit excessive
17 utilization, staffing ratios, and standard work week schedules for employees. The Director of the Office
18 of Management and Budget shall report to the Governor and the Co-Chairs of the Joint Finance
19 Committee no later than May 1 of each fiscal year on the status of any review process implemented
20 pursuant to this Section.

21 Section 71. The appropriation in Section 1 of this Act to the Office of Management and Budget,
22 Contingencies and One-Time Items (10-02-11) for Contingency, Appropriated Special Funds for
23 \$27,000.0 shall be used to make adjustments in the amount of state special fund appropriations in the
24 event additional state special funds are received which were not previously anticipated. Such adjustments
25 shall be made in accordance with the approval of the Director of the Office of Management and Budget
26 and the Controller General.

27 Section 72. Section 1 of this Act includes \$500.0 for the Recruitment and Retention Education
28 and Training Fund in the Office of Management and Budget (10-02-11). Disbursement of the

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

3 Section 73. State of Delaware merit employees providing HVAC services as part of their job
4 duties shall be exempted from requirements of 24 Del. C. § 1820, for a period not to exceed one year.

5 Section 74. The Director of the Office of Management and Budget is authorized to create a State
6 of Delaware Merit Employee Mediation Pilot Program within state agencies selected by the Director and,
7 notwithstanding Chapters 12 and 18 of the Merit Rules and/or any provision of Delaware Code to the
8 contrary, the Director of the Office of Management and Budget is further authorized to promulgate rules
9 and regulations to implement the said pilot program. Matters that may be grieved shall be eligible for
10 mediation. Matters that are otherwise not subject to the merit grievance procedure may be eligible for the
11 pilot mediation program. With the consent of the employee and employing agency, participation in the
12 Mediation Pilot Program will be offered as a voluntary alternative to the ordinary grievance procedure.
13 All mediation proceedings shall be deemed confidential. If a grievance is subjected to mediation pursuant
14 to this section, normal timelines associated with the filing of a grievance shall be tolled pending the
15 completion of mediation. If an employee has filed a formal grievance, subsequent mutual consent to
16 mediation will cause the grievance to be held in abeyance pending completion of mediation and the
17 timelines that would otherwise have applied to the grievance shall likewise be tolled pending completion
18 of mediation. Upon completion of mediation, an employee may continue to grieve and the normal
19 timelines provided for grievances shall then apply. The Mediation Pilot Program is not intended to limit
20 other dispute resolution procedures available to an agency or an employee or to deny a person a right
21 granted under federal or other state law, including the right to administrative or judicial hearing.

22 Section 75. Section 1 of this Act provides an appropriation to Office of Management and Budget,
23 Contingencies and One-Time Items (10-02-11). It is the intent that the appropriation for One-Time items
24 in the amount of \$3,146.8 shall be non-recurring expenditure items. The Director of the Office of
25 Management and Budget shall transfer the appropriations as itemized to the departments. Each receiving
26 department shall identify the line item, object code and, for all practical purposes, complete and separate
27 accountability for each appropriation amount transferred. No appropriation shall be transferred without
28 the Director of the Office of Management and Budget and the Controller General approvals. Any one-

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

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

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

10	(02-03-10)	Equipment and Supplies	\$98.0
11	(02-03-10)	Board of Canvass	25.0
12	(02-13-10)	Phone System for Voluntary Assessment	11.0
13	(02-13-10)	Network Circuit Routers	19.2
14	(10-08-01)	Delaware Emergency Mortgage Assistance Program	250.0
15	(35-01-20)	Payment Error Reduction Methodology (PERM)	477.3
16	(35-02-01)	Third Party Liability Unit	4.5
17	(35-04-01)	Equipment and Supplies	14.5
18	(38-01-30)	Equipment and Supplies	12.0
19	(38-01-31)	Drug and Alcohol Treatment Services	213.0
20	(40-06-02)	Equipment Auburn Heights	30.0
21	(40-06-05)	Equipment Blue Ball/Alapocas Run Park	20.0
22	(45-06-05)	Equipment AFIS	91.4
23	(70-01-01)	Primary and General Elections	350.5
24	(70-02-01)	Primary and General Elections	539.4
25	(70-03-01)	Primary and General Elections	510.1
26	(70-04-01)	Primary and General Elections	480.9

27 Section 76. The Director of the Office of Management and Budget shall continue to assume the
28 central leadership role for the Executive branch over all matters relating to Senate Bill 36, and any other

1 personnel and labor relations matters affecting the Executive branch and its departments and agencies,
2 including collective bargaining negotiations with employee organizations, labor arbitration, Public
3 Employment Relations Board, Department of Labor, Equal Employment Opportunity Commission, and
4 other administrative proceedings. The Director of the Office of Management and Budget shall also, on
5 behalf of the State, approve and sign all collective bargaining agreements and any other agreement or
6 arrangements made involving employee organizations that represent employees subject to Executive
7 branch authority.

8 Section 77. Section 39 includes continuing funding for the purpose of providing incentive grants
9 to police agencies with the State of Delaware who are Active Members of the Delaware Police Chiefs'
10 Council and are not accredited by the Commission on Accreditation of Law Enforcement Agencies, nor
11 are applicants for such accreditation. The purpose of the Accreditation Program is to increase the
12 specialized training and professionalism of Delaware Police Agencies.

13 Section 78. In recognition of the cost efficiency opportunities identified by the Leadership for
14 Education Achievement in Delaware (LEAD), beginning in Fiscal Year 2009, the Office of Management
15 and Budget is authorized to establish and implement a pilot centralized procurement program for local
16 school districts, vocational-technical school districts and charter schools. Said pilot program may include,
17 but not be limited to, centralized purchasing of supplies, commodities and non-professional services. The
18 provisions of 29 Del. C. c. 69 shall apply to this pilot procurement program as the Office of Management
19 and Budget, in its sole discretion, may deem appropriate.

20 Section 79. Amend 29 Del. C. § 8308(d) by adding a new sentence thereto as follows:

21 "Any record, material or data received, prepared, used or retained by the Board or its employees,
22 investment professionals or agents relating to an investment shall not constitute a public record subject to
23 c. 100 of this title."

24 Section 80. The provisions of 16 Del. C. c. 102 shall be null and void for Fiscal Year 2009 unless
25 House Bill 441 is enacted by the 144th General Assembly.

26 Section 81. Notwithstanding any provision of the Delaware Code to the contrary, the Office of
27 Management and Budget is authorized to analyze and implement the most appropriate mechanism to
28 cover any liabilities as a result of Senate Bill 29 of the 144th General Assembly. Such mechanism may

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

3 Section 82. Section 1 of this Act includes 1.0 FTE in the Executive Department, Office of
4 Management and Budget, Statistical Analysis Center (10-02-08) for the Director of the Statistical
5 Analysis Center. This position shall be exempt from the Merit System until such time as the current
6 incumbent vacates the position, at which time the position shall be classified by the Director of the Office
7 of Management and Budget in accordance with the Merit System and 29 Del. C. c. 59.

8 Section 83. The Statistical Analysis Center (10-02-08) shall submit by July 15 an annual project
9 schedule for the fiscal year that details the staff workload and time allocation. Requests for (special)
10 projects to be included in this schedule should be made in advance to the Statistical Analysis Center. This
11 schedule shall be reviewed by the Criminal Justice Council and approved by the Director of the Office of
12 Management and Budget and the Controller General. No changes shall be made to the annual project
13 schedule without the approval of the Director of the Office of Management and Budget. After July 15, all
14 ad hoc requests for projects seeking completion during the fiscal year shall be reviewed by the Director of
15 the Office of Management and Budget. Work shall not commence on these projects without the approval
16 of the Director of the Office of Management and Budget.

17 Section 84. Any other statutory provision notwithstanding, any change to the Merit Rules
18 required by an Act of Legislature, shall be codified in the Merit Rules by the Office of Management and
19 Budget.

20 Section 85. Notwithstanding any provision to the contrary, for the purposes of developing and
21 implementing PHRST Time & Labor, a new recruitment system, and other PeopleSoft modules,
22 necessary adjustments to existing State human resource procedures shall be implemented during Fiscal
23 Year 2009 with the written approval of the co-chairs of the Joint Finance Committee, the Director of the
24 Office of Management and Budget and the Controller General.

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

27 Section 86. Whenever the annual valuation of the market value of the assets of the Special
28 Pension Fund exceeds the actuarial value of benefits available to persons entitled to receive special

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

3 Section 87. The Board of Pension Trustees may allocate the pension/health insurance monies
4 received from the State during any month to ensure that funds are available to pay health insurance
5 premiums for retirees in each month.

6 Section 88. During the fiscal year, the Office of Management and Budget Management, Facilities
7 Management (10-02-50), shall retain the rental fees as Appropriated Special Funds for the buildings
8 known as the Kent County Courthouse, Family Court Building, Sussex County Courthouse, Sussex
9 County Chancery Court, Absolom Jones/Belvedere State Service Center and New Castle County
10 Courthouse. The retained portion must be deposited as per state laws and shall be disbursed per Section 1
11 of this Act.

12 Section 89. Section 1 of this Act makes an appropriation of \$605.2 ASF in Contractual Services,
13 \$36.1 ASF in Supplies and Materials and \$524.7 ASF in Energy to the Office of Management and
14 Budget, Facilities Management (10-02-50) for maintenance costs associated with the state-wide
15 operations of Division of Motor Vehicles and the Transportation Mobile Center.

16 The Department of Transportation shall remit \$583.0 to the Office of Management and Budget on
17 July 15th and January 15th of each fiscal year to cover the operational costs associated with maintaining
18 these facilities. In addition, the Office of Management and Budget shall be responsible for the
19 reconciliation of the account with the Department of Transportation.

20 Section 90. For energy backcharge purposes, the Office of Management and Budget, Facilities
21 Management (host department) current fiscal year Energy Budget assumes that Motor Fuel Tax uses ten
22 percent of the Public Safety Building, for which energy payment is the responsibility of the host
23 department. The Department of Transportation is responsible for paying the Motor Fuel Tax portion of
24 the energy bills upon request for payment by the host department.

25 Section 91. Notwithstanding the provisions of 29 Del. C. § 5117, state agencies may pay for
26 employee parking in the Government Center Parking Garage as long as such payments are continuances
27 of payments made prior to May 31, 1998. Such payments shall cease when the employee leaves the
28 positions he or she occupied prior to May 31, 1998.

1 Section 92. The Delaware Economic Development Office shall be required to submit quarterly
2 staffing reports to the Governor, co-chairs of the Joint Finance Committee, the Director of the Office of
3 Management and Budget and the Controller General detailing existing vacancies and progress on filling
4 said vacancies.

5 Section 93. (a) Section 1 of this Act includes \$290.0 in Personnel Costs and 4.0 FTEs (BP#
6 65750, 927, 9313 and 9322); \$8.0 in Travel; \$2.0 in Supplies and Materials; \$60.0 in Contractual
7 Services; \$125.0 ASF in Taiwan Trade Office; \$385.0 in International Trade; \$240.0 in World Trade
8 Center; and \$20.0 in Italian/American Commission in the Office of Management and Budget,
9 Administration (10-02-05). The affected employees will remain exempt from classified service in
10 accordance with 29 Del. C. § 5903, and will retain current compensation levels in addition to enacted
11 salary policy.

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

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

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

22 Section 94. The Delaware Economic Development Office shall limit its scope of international
23 activities including international travel to business attraction objectives.

24 Section 95. The Delaware Economic Development Office, Economic Development Authority
25 (10-03-03) will continue to use revenue from the Blue Collar Training Fund for the Workforce
26 Development Grant. Funding for this grant shall be maintained at current levels.

27 Section 96. Section 1 of this Act appropriates \$2,261.7 ASF to the Delaware Tourism Office. Of
28 this amount, \$649.6 shall be allocated to "Other Items" as designated in Section 1 of this Act and payable

1 by the Delaware Tourism Office in quarterly allotments. The first installment shall be paid by September
2 30 of each fiscal year or as otherwise approved by the Director of the Office of Management and Budget
3 and the Controller General.

4 Section 97. Notwithstanding the provisions of any other law, for the fiscal year ending June 30,
5 2009 interest earnings of the Delaware Strategic Fund as provided for in 29 Del. C. § 5027, shall to the
6 extent of such interest earnings, be used in the following order and manner, not to exceed the amounts so
7 noted:

- 8 (i) The first \$320.9 shall be used for the general operating expenses of the Delaware Economic
9 Development Office, as determined by the Director of the Delaware Economic
10 Development Office.
- 11 (ii) The second \$125.0 shall be used for the general operating expenses of the economic
12 development trade office in Taiwan, as structured within the Office of Management and
13 Budget.
- 14 (iii) The third \$400.0 shall be used for the general operating expenses of the Small Business
15 Development Center. Should interest earnings not be available by December 31, 2008, the
16 Center shall receive funding directly from the Strategic Fund for said expenses and shall
17 waive further interest earnings for that period.
- 18 (iv) The fourth \$300.0 shall be used to continue the Delaware Business Marketing Program
19 within the Delaware Economic Development Authority (10-03-03). It is the intent of the
20 General Assembly that these funds shall be used for business marketing and recruitment.
21 These funds may be used together with non-state contributions to the Delaware Business
22 Marketing Program. However, in the event that non-state contributions are not available,
23 or in the event such contributions are insufficient to fully access the resources of the
24 Delaware Business Marketing Program, it is the intent of the General Assembly that the
25 Delaware Business Marketing Program shall continue to fully operate using only the
26 interest earnings on the Delaware Strategic Fund as provided for in 29 Del. C. § 5027.

27 In the event that non-state contributions are available, they may be made in cash
28 or in-kind. Non-state cash contributions shall be deposited in a special fund for business

1 marketing and recruitment purposes only. Non-state in-kind contributions shall be valued at
2 their fair market value and documented by the Delaware Economic Development Authority
3 in connection with the Delaware Business Marketing Program.

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

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

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

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

21 Section 98. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-
22 02) pursuant to 30 Del. C. § 6102(b) contained in Section 1 of this Act, \$160.0 ASF shall be used to fund
23 a matching grants program and \$40.0 ASF shall be used for a grant program where no match is required.
24 Funds awarded as either grants or matching grants shall not be used for overhead or personnel related
25 costs by the recipient entities. The Delaware Tourism Office, in cooperation with the Tourism Advisory
26 Board, shall develop rules and regulations for the application and award of the grants and matching
27 grants. The Delaware Tourism Office shall provide the Controller General and Director of the Office of
28 Management and Budget with a report by April 1, 2009, detailing the usage of the funds herein

1 authorized. Said report shall also contain an assessment of the economic impact of the grants programs
2 and effectiveness of extending visitors stays. If subsequent to the enactment of this Act, Public
3 Accommodations revenue should prove greater than the budgeted amount of Fiscal Year 2009, the first
4 \$50.0 ASF shall be used to restore full funding for the Matching Grants and Grant appropriation to \$250.0
5 ASF. In this event, the Matching Grant portion of the distribution shall be \$200.0 ASF and the Grant
6 portion shall be \$50.0 ASF.

7 Section 99. Section 1 of this Act authorizes ASF positions and funding to the Delaware Tourism
8 Office (10-03-02). Should said ASF authorization prove inadequate to support the authorized positions as
9 contained in Section 1 at any time during Fiscal Year 2009, the Director of the Office of Management and
10 Budget and Controller General are hereby authorized to transfer sufficient funding from any other source
11 to Tourism's Personnel Cost line.

12 Section 100. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-
13 03-02) pursuant to 30 Del. C. § 6102 (b) contained in Section 1 of this Act, \$250.0 is authorized for the
14 Kalmar Nyckel. During the period beginning July 1, 2008, and ending on June 30, 2009, the State of
15 Delaware, through the Delaware Tourism Office, and the Riverfront Development Corporation, shall be
16 entitled to charter the Kalmar Nyckel. Said use is to include docked guest entertaining privileges and /or
17 day sails at no cost for as many State of Delaware guests as is consistent with Kalmar Nyckel safety
18 policies. Scheduling for State and Riverfront Development Corporation use of the Kalmar Nyckel shall
19 be at mutually agreeable times and locations to the Kalmar Nyckel, the Delaware Tourism Office on
20 behalf of the State of Delaware and the Riverfront Development Corporation.

21 Section 101. The Kalmar Nyckel Foundation shall provide to the Office of Management and
22 Budget and the Controller General's Office quarterly financial reports detailing year to date expenditures
23 and revenues as well projected expenditures and revenues for the remainder of the fiscal year. Such
24 reports shall be due October 1, January 1, March 1, and June 30 of each fiscal year.

25 Section 102. The Delaware Economic Development Office shall provide a bi-annual update to
26 the Director of the Office of Management and Budget, Controller General and the Co-Chairs of the Joint
27 Finance Committee regarding the implementation of the industry/cluster-based organization. The bi-
28 annual report, due no later than December 1 and May 15 of each year, shall include a status report on the

1 implementation of the industry clusters, progress of the overall refocusing effort and any proposed
2 changes in implementation of said clusters.

3 Section 103. Employees of the Delaware Economic Development Office shall be eligible for the
4 full general salary increase irrespective of their position within their assigned pay grade as part of the
5 reorganization to a cluster-based organizational structure.

6 Section 104. Section 1 of this Act appropriates \$250.0 to the Delaware Health Care Commission
7 (10-05-00) for the Uninsured Action Plan. It is the intent of the Administration and the General
8 Assembly that these funds shall be used for the continuation of the services provided under the plan after
9 all other available funds for this purpose have been exhausted. The Commission shall submit a report to
10 the Director of the Office of Management and Budget and the Controller General no later than October 15
11 of each fiscal year detailing the plan for the expenditure of these funds.

12 Section 105. (a) Section 1 of this Act appropriates \$698.0 to the Delaware Institute of Dental
13 Education and Research (DIDER) (10-05-03). This amount shall be allocated as follows:

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

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

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

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

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

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

7 Section 106. Section 1 of this Act appropriates \$2,130.0 to the Delaware Institute of Medical
8 Education and Research (DIMER) (10-05-02). 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 Scholarships/Loans	480.0
14 Loan Repayment	<u>150.0</u>
15 Total	\$2,130.0

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

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

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

3 Section 107. Section 1 of this Act appropriates funding for a 1.0 FTE Senior Secretary in
4 Criminal Justice Council (10-07-01) to be used as dedicated secretarial support for the Executive Director
5 of the Domestic Violence Coordinating Council. This position shall be an exempt position and shall be
6 excluded from classified service as defined under 29 Del. C. § 5903.

7 Section 108. (a) Section 1 of this Act includes non-appropriated special fund positions funded
8 through grants administered by the Criminal Justice Council (10-07-01). Further, the Delaware State
9 Clearinghouse Committee may, during the fiscal year, approve additional non-appropriated special fund
10 positions supported by Criminal Justice Council administered grants. By virtue of said positions being
11 included in the Annual Appropriations Act and/or approved by the Clearinghouse Committee does not
12 guarantee future state funding upon expiration of federal grants supporting the positions. Any requests
13 for state funding for said positions shall be prioritized by the affected department in its budget request for
14 Fiscal Year 2010.

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

19 Section 109. Section 1 of this Act authorizes the Delaware Justice Information System (10-07-
20 02) to spend up to \$250.0 in Appropriated Special Funds. Notwithstanding any provision of the Delaware
21 Code or this Act to the contrary, DELJIS is authorized to utilize these funds to undertake expenditures
22 relating to operational costs.

23 Section 110. There is hereby established the Delaware Sentencing Research and Evaluation
24 Committee. The committee shall be a permanent committee, and shall consist of the incumbent members
25 of the SENTAC Research Committee. The Office of Management and Budget and the Controller General
26 shall be notified of Committee meetings and a representative of each invited to attend and participate in
27 all such meetings. The committee chair or his or her designee will serve as committee liaison to

1 SENTAC, and will present all findings and reports to SENTAC in a timely fashion for their review and
2 comment.

3 The Delaware Sentencing Research and Evaluation Committee shall recommend a plan annually
4 to the Joint Finance Committee for the purpose of sustaining the comprehensive study of Delaware's
5 Criminal Justice System begun by the SENTAC Research Committee. The committee will report
6 regularly to the Joint Finance Committee on analysis, research, and evaluation findings, and will
7 recommend system improvements based on these findings.

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

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

18 Section 111. (a) Section 1 of this Act includes a General Fund appropriation within Delaware
19 State Housing Authority (10-08-01). Of these funds, \$25.0 shall be used to extend the contractual
20 administration for the Neighborhood Assistance Tax Credit Act (Senate Bill 248) of the 140th General
21 Assembly through the fiscal year ending June 30, 2009. The Neighborhood Assistance Tax Credit
22 Program is intended to foster business investment in low-income communities through financial support
23 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.

TECHNOLOGY AND INFORMATION

Section 112. The Chief Information Officer shall not make any changes to the department's compensation plan regarding any aspect of employee compensation without the approval of the Director of the Office of Management and Budget and Controller General. Further, sufficient funding within the department must be available for any change to be approved.

Section 113. Section 1 of this Act includes 13.0 FTEs in the Department of Technology and Information (11-00-00) to address the utilization of existing positions for the ERP project. During the course of the fiscal year, the department shall continue to provide level of staff support previously agreed upon by the Executive Sponsors to ensure the continuation of this project without disruption.

Section 114. The state government of Delaware, recognizing the inherent value in implementing common standards, has chosen Microsoft as its statewide network platform and messaging system. In an effort to establish a single, common electronic messaging platform throughout the State, no state agency/department shall migrate, change or switch to an alternative messaging platform without the express written consent of the Chief Information Officer, Director of the Office of Management and Budget and Controller General. Any agency seeking exemption from this requirement must submit a request to the Chief Information Officer clearly stating the reasons why migrating to an alternative platform is necessary and/or desirable.

Section 115. (a) The Department of Technology and Information (11-00-00) shall receive a lump sum appropriation calculated as a fixed percentage of all salaries as appropriated to the Department in Section 1 of this Act. The lump sum amount shall be the product of the general salary increase in Section 8 of this Act and Personnel Costs lines less non-salary-driven Other Employment Costs components. Overtime and casual/seasonal components of the Personnel Costs lines shall not be part of the calculation. The resultant lump sum amount may be distributed to employees as determined by the Chief Information Officer. However, in no case shall individually awarded increases exceed ten percent of an individual's base salary, nor shall the aggregate amount awarded exceed the product of the calculation as described above. Further, in no case shall individually awarded amounts be given retroactively.

1 (b) Should there be no general salary increase in Section 8 of this Act, there shall be no base
2 salary increases awarded to employees of the Department of Technology and Information during the
3 fiscal year.

4 Section 116. Amend 29 Del. C. c. 64 by creating a new section as follows:

5 “§ 6411. Department of Technology and Information.

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

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

17 Section 117. Section 1 of this Act includes 8.0 FTEs in the Department of Technology and
18 Information (11-00-00) to create financial efficiencies through the conversion of eight long-term
19 contractors. The department may continue to fund the existing contractors until said positions are filled,
20 at which time these services shall no longer be supported through contractual arrangements.

OTHER ELECTIVE

1
2 Section 118. Of the total positions authorized in Section 1 of this Act for the Auditor of Accounts
3 (12-02-01), the position of Community Relations Officer shall be exempt from classified service. When
4 this position becomes vacant, it will return to Merit classified service.

5 Section 119. Section 1 of this Act reflects for the Auditor of Accounts (12-02-01) sufficient
6 state-match funding for federally-mandated audit services. If, during the first three months of any fiscal
7 year, the State Auditor should experience a cash flow deficit in fulfillment of federal audit
8 responsibilities, the Director of the Office of Management and Budget, upon the request of the State
9 Auditor, shall attempt to advance sufficient funding from the Indirect Cost Account.

10 Section 120. Section 1 of this Act contains ASF position authorizations and associated
11 appropriations for the Bureau of Examination, Rehabilitation and Guaranty, Insurance Commissioner (12-
12 03-02). Said authorizations and appropriations include an authorization for 1.0 Director of
13 Administration and 1.0 Arbitration Secretary, both of which shall be exempt.

14 Section 121. Section 1 of this Act provides an ASF appropriation of \$3,504.1 to the State
15 Treasurer, Administration (12-05-01), Cash Management Policy Board, authorized by 29 Del. C. c. 27,
16 for the purpose of providing staff support and operational expenses, including payment of fees for
17 banking services. The \$3,504.1 in interest income on bank deposits shall be coded as special fund
18 revenue to provide funds for operation of the Cash Management Policy Board.

19 Section 122. Notwithstanding 18 Del. C. § 305 or any provision of Delaware law to the contrary,
20 up to \$500.0 may be transferred from the Insurance Commissioner Regulatory Revolving Fund into a
21 special fund appropriation titled the Medical Malpractice Relief Initiative Pilot Program, to the extent the
22 unencumbered balance of the Insurance Commissioner Regulatory Revolving Fund is greater than
23 \$1,400.0 as of June 30, 2008. The requirement to reduce assessments or fees pursuant to 18 Del. C.
24 § 305(e) shall not apply to any balance in excess of \$1,400.0 as of June 30, 2008, provided such balance
25 does not exceed \$1,900.0. Use of these funds shall be limited to low or non-interest loans, via a surplus
26 note, letter of credit or otherwise, to help foster the establishment of Delaware-domiciled risk reduction
27 group(s) and/or captive entities, provided the purpose of such entities is to increase the availability of
28 medical malpractice insurance and reduce the costs of medical malpractice insurance through enhanced

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

8 Section 123. Section 1 of this Act establishes a special fund appropriation entitled Electronic Data
9 Interchange, State Treasurer, Administration (12-05-01) Cash Management Policy Board to support the
10 Electronic Data Interchange/Electronic Funds Transfer initiative. Use of these funds shall be coordinated
11 with and approved by the Chief Information Officer of the Department of Technology and Information
12 and the Secretary of Finance.

13 Section 124. The State Treasurer's Office shall develop a rate for the purpose of recovering costs
14 associated with the state's acceptance of funds through the use of credit, debit and purchasing cards. Cost
15 recoverable activities shall include online transactions as well as traditional card transactions. The initial
16 rate and periodic necessary adjustments to the rate shall be approved by the Office of Management and
17 Budget. The Treasurer's Office may initiate an automated revenue reduction process, equal to the
18 approved rate, for all cash receipts received by the aforementioned methods. The Treasurer's Office shall
19 provide the agency with a statement of total revenue or payment, less transaction costs and net revenue.
20 In lieu of an automated revenue reduction process the Treasurer's Office may invoice a state agency for
21 necessary reimbursement. The use of these recovered funds shall be for the sole purpose of payment of
22 Merchant Services fees.

23 Section 125. The State Treasurer's Office, with the assistance of the Department of Technology
24 and Information and the Delaware Government Information Center, where appropriate, shall evaluate and
25 approve the payment component of all new web-based technology initiatives involving the electronic
26 remittance of funds to the state. Specifically, those projects promoting the use of online credit card
27 payment, online debit card payment, Automated Clearing House payments, "e-checks" and other forms of
28 electronic funds transfer shall be subject to this joint review and approval process. For those agencies that

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

9 Section 126. Section 1 of this Act appropriates \$54.0 and 1.0 FTE in Personnel Costs and \$75.0
10 in Contractual Services in Office of State Treasurer, Administration (12-05-01) to support the plan
11 development, compliance and implementation, which may include recommending the establishment of
12 a council to provide oversight, of a 403(b) tax deferred saving program for school district and other
13 eligible employees, to comply with IRS regulations. During the development of this program, the Office
14 of the State Treasurer, in conjunction with the Department of Education, Office of Management and
15 Budget, and Controller General’s Office, shall explore potential funding sources for the administrative
16 costs of this program, which may include but not be limited to a cost-recovery model.

17 Section 127. Notwithstanding the provisions of 18 Del. C. § 305, the Insurance Commissioner
18 Regulatory Revolving Fund is authorized to carry an additional \$750.0 into Fiscal Year 2009, which shall
19 be transferred from appropriation 2009-12-03-02-8600 into appropriations 2009-70-02-01-9897 to
20 support New Castle County Primary and General Election costs.

21 Section 128. In accordance with 29 Del. C. c. 27, the Office of Management and Budget,
22 Controller General’s Office, Department of Technology and Information and State Treasurer, may
23 approve pilot projects for the purpose of electronically transmitting remittance advices to those employees
24 or contractors receiving payments via direct deposit and electronic funds transfer. Agencies, including
25 school districts and higher education, shall submit their request and documentation of cost savings in
26 accordance with the guidelines established by the Office of the State Treasurer. Pilot projects shall be
27 approved for a period of no more than two years, at which time agencies shall report the status of the

1 project and cost savings to the General Assembly, State Treasurer and the Director of the Office of
2 Management and Budget.

3 Section 129. Amend 29 Del. C. § 2718 (a), by deleting the phrase “or any public service
4 authority created by these entities or any conservation district organized pursuant to Chapter 39 of Title 7,
5 or any volunteer fire company organized pursuant to Chapter 66 of Title 16, or the Delaware’s Volunteer
6 Fireman’s Association, the three county Volunteer Fireman’s Associations, Volunteer Ambulance
7 Companies, and the Volunteer Fireman’s Ladies Auxiliary Mutual Relief Association, Inc., “ between the
8 words “Delaware” and “may”.

LEGAL

1
2 Section 130. Section 1 of this Act authorizes an appropriation for Contractual Services for the
3 Office of Attorney General (15-01-01). Of this amount, \$1,021.2 shall be used for the purpose of
4 providing services covering family violence in New Castle County, and \$777.2 shall be used for the
5 purpose of providing services covering family violence in Kent and Sussex counties.

6 Section 131. Of the total Deputy Attorneys General authorized in Section 1 of this Act to the
7 Office of Attorney General (15-01-01):

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 Section 132. Section 1 of this Act makes an appropriation of \$1,646.2 ASF, \$400.0 GF and 22.0
22 split-funded FTEs (66 percent ASF and 34 percent GF) to the Office of the Attorney General (15-01-01)
23 to support the Child Support Enforcement function. The Child Support Enforcement function in the
24 Attorney General's Office will operate on a reimbursement basis, wherein the State makes the initial
25 expenditures and is reimbursed from federal funds controlled by the Department of Health and Social
26 Services. The reimbursement rate for operations will be 66 percent of total direct costs; the
27 reimbursement rate for indirect costs will be 31.61 percent of federal dollars spent on direct salary costs.

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

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

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

15 Section 133. Section 1 of this Act includes \$39.5 ASF in Personnel Costs and 1.0 ASF FTE
16 Administrative Specialist II (BP #8131) in the Office of the Attorney General (15-01-01). In order to
17 provide funding for this position, the Department of Natural Resources and Environmental Control (40-
18 00-00) shall allocate monies to the Office of the Attorney General by July 15 of each fiscal year.

19 Section 134. Section 1 of this Act includes \$157.4 ASF in Consumer Protection and 3.0 ASF
20 FTEs in the Office of the Attorney General (15-01-01) for activities associated with the regulation of
21 credit counseling and debt management companies as authorized in 6 Del. C. c. 24A, the Delaware
22 Uniform Debt-Management Services Act.

STATE

1
2 Section 135. Amend 29 Del. C. § 5915(c) by inserting the following at the end of the existing
3 section:

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

7 Section 136. Section 1 of this Act appropriates \$22.5 in the line item Historical Marker
8 Maintenance to the Department of State, Delaware Public Archives (20-03-01). Of this amount, \$16.0
9 shall be used for replacement, repair and refurbishing of historical markers.

10 Section 137. Section 1 of this Act provides an appropriation to the Department of State, Office of
11 the Secretary, Delaware Commission on Veteran's Affairs (20-01-02) for Contractual Services. Of that
12 amount, \$49.9 shall be used to provide mental health services for veterans in Kent and Sussex counties.

13 Section 138. (a) Section 1 of this Act establishes a special fund appropriation entitled
14 Technology Infrastructure Fund, in the Division of Corporations (20-05-01). All revenues derived as a
15 result of 8 Del. C. § 391(h)(1), 6 Del. C. § 15-1207(b)(1), 6 Del. C. § 17-1107(b)(1), 6 Del. C. § 18-
16 1105(b)(1), and 12 Del. C § 3813(b)(1) will be deposited into this fund to be used for technological and
17 infrastructure enhancements, ongoing maintenance, operational expenses for Corporations, electronic
18 government information projects, and library initiatives. Quarterly reports regarding the status of this
19 fund shall be made by the Department of State to the Director of the Office of Management and Budget
20 and the Controller General.

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

1 Section 139. Section 1 of this Act provides an appropriation to the Department of State, Office of
2 the Secretary, Delaware Heritage Commission (20-01-05). Of that amount, \$15.0 shall be used at the
3 discretion of the Delaware Heritage Commission for scholar awards, challenge grants and publications.

4 Section 140. Section 1 of this Act contains an Appropriated Special Fund authorization for
5 Contractual Services in the Division of Corporations (20-05-01). Of this amount, up to \$200.0 may be
6 transferred to a captive insurance regulatory and supervisory fund in the Insurance Commissioner's
7 Office.

8 Section 141. The Delaware Heritage Commission shall investigate which out of print books and
9 writings on Delaware history should be considered for republication. Further, the Delaware Heritage
10 Commission shall investigate which writings in these categories would be valuable for republication. A
11 report shall be made to the Controller General and Director of the Office of Management and Budget by
12 December 1 of each fiscal year.

13 Section 142. Section 1 of this Act includes an appropriation to the Department of State, Division
14 of Historical and Cultural Affairs, Delaware State Museums (20-06-04) for a Museum Conservation
15 Fund. Of that amount, up to \$25.0 can be used for the purpose of matching private grants to purchase art
16 for placement in state museums.

17 Section 143. Section 1 of this Act authorizes \$8.5 to the Department of State, Delaware State
18 Museums (20-06-04) in "Art Object Refurbishing" for the purpose of refurbishing portraits and art objects
19 in Legislative Hall.

20 Section 144. Notwithstanding the provisions of 29 Del. C. § 6102(a) and 5 Del. C. § 1106, the
21 Office of the State Banking Commissioner is authorized to retain \$150.0 of the Bank Franchise Tax for
22 costs associated with the collection and administration of the Bank Franchise Tax. Also, an additional
23 \$75.0 of the Bank Franchise Tax shall be used for costs associated with a study of foreclosures and
24 consumer protection in Delaware.

25 Section 145. Section 1 of this Act makes an appropriation to Libraries (20-08-01) in the amount
26 of \$4,569.5 for Library Standards. Of that amount, Libraries may reserve up to \$456.9 for planning and
27 evaluation grants to determine each library's attainment of state and federal library standards. The
28 remaining funds shall be paid to libraries in two installments equal to 50 percent of the total amount

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

7 Section 146. The Department of State shall establish the shift differential for Licensed Practical
8 Nurses employed at the Delaware Veterans Home at 10 percent for 3-11 shifts on weekdays and 7-3 shifts
9 on weekends. The shift differential shall be established at 15 percent for 11-7 shifts on weekdays and 3-11
10 shifts on weekends. The shift differential for the 11-7 weekend shifts shall be established at 20 percent.
11 To the extent or where an employee is covered by a collective bargaining agreement pursuant to 19 Del.
12 C. § 1311A, the terms and conditions of said agreement shall apply.

13 Section 147. The Department of State shall have the authority to fill vacant positions at the
14 Delaware Veterans Home with qualified applicants for the Nursing Assistant, Certified Nursing Assistant,
15 Active Treatment Facilitator, Licensed Practical Nurse, Registered Nurse, Physician, Dentist, and
16 Psychiatrist classifications by agency recruitment efforts unless an eligibility list is required by federal
17 law for that position.

18 Section 148. Section 1 of this Act appropriates \$142.7 ASF in Personnel Costs and 2.0 ASF
19 FTEs in the Department of State, Regulation and Licensing, Professional Regulation (20-04-01) for the
20 regulatory inspection of controlled substances. This function was reallocated from the Department of
21 Health and Social Services, Public Health, Community Health (35-05-20) during Fiscal Year 2007. All
22 revenue generated by the activities performed by, or on behalf of, the Division's Office of Controlled
23 Substances, shall be deposited in an ASF account in the Division of Professional Regulation pursuant to
24 29 Del. C. § 8735 (c). These funds shall be used to fund all costs necessary to defray the expenses of the
25 Office of Controlled Substances, up to the budget authority for any fiscal year or portion thereof.

FINANCE

1
2 Section 149. The Department of Finance, Office of the Secretary (25-01-01) is authorized during
3 the fiscal year to maintain special funds with the State Treasurer for the acquisition of technology and
4 payment of other costs incidental (including the hiring of seasonal employees) to the implementation and
5 maintenance of computer systems at the Office of the Secretary or Revenue (25-06-01). Deposits to the
6 special funds shall be from the collection of delinquent taxes and shall not exceed \$1,682.5. Of this
7 amount, \$600.0 shall be used for the purpose of maintaining the State's mainframe computer system and
8 Revenue's programs that reside thereon. Of the said \$600.0, \$130.0 shall be used to contract for system
9 maintenance with the Department of Technology and Information.

10 Section 150. Revenue (25-06-01) is authorized to establish and maintain a special fund with the
11 State Treasurer for the purpose of contracting and/or employing personnel for the collection of delinquent
12 State taxes and other debts that Revenue has undertaken to collect. The contracts and/or personnel may
13 provide for 1) collection or assistance in collection of delinquent accounts from businesses or persons;
14 and/or 2) audit of business taxables under the direct supervision of Revenue management; and/or 3) audit
15 of physical inventory of alcoholic beverage wholesalers. Deposits to the special fund shall be from the
16 collection of delinquent taxes. A detailed report on all expenditures from and collections to this special
17 fund shall be sent annually to the Director of the Office of Management and Budget and the Controller
18 General. Unencumbered balances on June 30 in excess of \$275.0 shall revert to the General Fund.

19 Section 151. In accordance with 29 Del. C. c. 27, the Office of Management and Budget,
20 Controller General's Office, Department of Technology and Information and State Treasurer, may
21 approve pilot projects for the purpose of electronically transmitting remittance advices to those employees
22 or contractors receiving payments via direct deposit and electronic funds transfer. Agencies, including
23 school districts and higher education, shall submit their request and documentation of cost savings in
24 accordance with the guidelines established by the Office of the State Treasurer. Pilot projects shall be
25 approved for a period of no more than two years, at which time agencies shall report the status of the
26 project and cost savings to the General Assembly, State Treasurer and the Director of the Office of
27 Management and Budget.

1 Section 152. The Director of Revenue shall have the authority to accept, on whatever terms and
2 conditions he/she may establish, payment by credit card of taxes, fees and other obligations that Revenue
3 has undertaken to collect. The Director is authorized to enter into contracts for the processing of credit
4 card payments and fees associated with such contracts. Up to \$200.0 of the delinquent collections in the
5 Appropriated Special Fund line may be used to pay for fees and expenses associated with the collection of
6 taxes by credit cards.

7 Section 153. The Director of Revenue shall have the authority to enter into agreements according
8 to which contingency and other fees are provided to finders of property to be escheated to the State or to
9 other persons identifying abandoned property by means of audit or otherwise. When the Director deems
10 it to be appropriate, he/she may enter into escrow, custodian or similar agreements for the purpose of
11 protecting the state's interest in property to be escheated or fees payable pursuant to the aforesaid
12 agreements. The Director may direct that payment for said fees or other costs incident to escheat of
13 property under the aforesaid agreements, including litigation expenses incident to escheat administration,
14 be made out of such money held in the escrow, custodian or other account established under this
15 paragraph. Section 1 of this Act establishes an Appropriated Special Fund account, Escheat, from which
16 charges relating to receiving and processing remittances and reports by holders, and claims by owners of
17 abandoned property, as well as advertising and travel fees and associated costs may be paid and into
18 which abandoned property remittances may, at the discretion of the Director, be deposited.
19 Unencumbered balances on June 30 in excess of \$150.0 shall revert to the General Fund. A semi-annual
20 report of amounts in escrow or in custodian accounts shall be furnished to the Director of the Office of
21 Management and Budget and the Controller General.

22 Section 154. There shall be established a special fund for the purpose of receiving the proceeds
23 of liquidating stock acquired pursuant to 12 Del. C. c. 11 or liquidating investments described in this
24 section. Such proceeds may at his discretion be invested and reinvested by the Secretary of Finance in
25 issues of the United States Treasury or investments of comparable risk. The Secretary may at his/her
26 discretion cause amounts in such special fund to be remitted to the General Fund of the State.

27 Section 155. (a) In the event that the State Lottery's amount of Contractual Services shall exceed
28 the amount in Section 1 of this Act due to increased lottery ticket sales, the Appropriated Special Fund

1 Budget in Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and
2 the Director of the Office of Management and Budget, provided that the total operating budget for this
3 fiscal year shall not exceed 20 percent of gross sales as limited by 29 Del. C. § 4815(a).

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

9 Section 156. Pursuant to 29 Del. C. § 4815(b)(2), funds from the State Lottery Fund shall be
10 released to an appropriately established account within the Department of Health and Social Services,
11 Substance Abuse and Mental Health (35-06-00) on or before the fifteenth day of each month, the amount
12 of which shall be based on the results of video lottery operations conducted during the immediately
13 preceding month.

14 Section 157. Pursuant to 29 Del. C. § 4805(b)(4), the State Lottery Office (25-07-01) is
15 authorized to enter into an agreement with other state lotteries for participation in multi-jurisdictional,
16 wide-area, progressive video lottery games. The State Lottery Office is authorized to contract with these
17 other state lotteries for the procurement of services for implementation of multi-jurisdictional, wide-area,
18 progressive video lottery games, and the provisions of 29 Del. C. c. 69 shall not apply.

19 Section 158. Notwithstanding any other provisions of 29 Del. C. c. 48 to the contrary, video
20 lottery agents shall be required to reimburse the State Lottery Office (25-07-01) for the equipment costs
21 and related fees associated with the installation of the ticket-in, ticket-out system for the video lottery
22 machines.

23 Section 159. The Department of Finance and the Office of Management and Budget shall work
24 together to implement a reorganization plan of the Unclaimed Property section within the Department of
25 Finance. An extensive review of all current and proposed positions involving, but not limited to, the
26 establishment or reclassification of said positions shall be completed by September 30, 2008. If it is
27 determined that any action is needed as a result of the review, it will be carried out in accordance with the
28 process previously outlined in this Act.

HEALTH AND SOCIAL SERVICES

Section 160. 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 161. Section 1 of this Act includes \$25.0 ASF in the Department of Health and Social Services, Public Health, Delaware Hospital for the Chronically Ill (35-05-40) for Hospice. The division shall be allowed to collect and deposit funds into this account as a result of revenue generated from Hospice services being provided.

Section 162. (a) Results of investigations conducted by the Audit and Recovery Management Services concerning any and all public welfare programs administered by the Department of Health and Social Services that indicate possible error or fraud shall be transmitted to the Office of the Attorney General directly by the Secretary of the Department of Health and Social Services. The Office of the Attorney General shall prosecute those cases deemed actionable and return the rest to the Department of Health and Social Services for collection of overpayment. The Secretary of the Department of Health and Social Services shall file an annual report directly with the Director of the Office of Management and Budget and the Controller General.

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

Section 163. (a) Section 1 of this Act appropriates \$2,878.9 in Administration, Management Services (35-01-20) under Early Intervention for the Part C Birth to Three Program. The Interagency Resource Management Committee (IRMC) shall consult and advise the lead agency in setting program eligibility standards and shall have the authority to allocate such funds, and may advise on the use of other funds specifically designated for this project. The IRMC shall also have the authority to maintain up to

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

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

14 Section 164. Section 1 of this Act makes an appropriation the Department of Health and Social
15 Services, Administration, Management Services (35-01-20) for the Early Intervention Program. Of that
16 amount, \$150.0 is appropriated to provide evaluation and direct services for children.

17 Section 165. The Department of Health and Social Services is authorized to contract with a
18 cooperative Multi-State purchasing contract alliance for the procurement of pharmaceutical products,
19 services and allied supplies. The provisions of 29 Del. C. c. 69 shall not apply to such contract. Prior to
20 entering into any such contracts the department will obtain the approval of the Director of the Office of
21 Management and Budget.

22 Section 166. Amend 29 Del. C. § 6435 by adding a new subsection as follows:

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

26 Section 167. (a) The amount appropriated by Section 1 of this Act to the Department of Health
27 and Social Services for Title XIX Federal Programs Medicaid shall be expended solely in accordance
28 with the following conditions and limitations:

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

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

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

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

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

20 Section 168. Section 1 of this Act makes appropriations to the Department of Health and Social
21 Services, Medicaid and Medical Assistance (35-02-01), for various programs that pay for health care. In
22 the Medicaid program, federal regulations mandate that drug companies must provide rebates in order to
23 participate in the program. Medicaid and Medical Assistance shall establish a drug rebate process for any
24 prescription benefits provided to clients enrolled in the non-Medicaid programs administered by the
25 division including but not limited to: the Delaware Healthy Children program, the Renal Disease
26 program, the Delaware Prescription Assistance program and the Legal Non-Citizen Health Care program.
27 The division shall establish a rebate process that it determines is in the best interests of the citizens who
28 are being served. The rebate amount shall be calculated using the full methodology prescribed by the

1 federal government for the Medicaid program. In addition, the division is authorized to negotiate rebates
2 with drug companies for both Medicaid and other programs. Notwithstanding any provisions of the
3 Delaware Code to the contrary, the division shall deposit any drug rebate funds received as well as third
4 party insurance collections (minus retention amounts) and other collections into the appropriate Medicaid
5 and Medical Assistance program account and use them to meet program costs.

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

9 The rebate amounts may be calculated using the full methodology prescribed by the Federal
10 government for the Medicaid program. Rebates received for non-Division of Medicaid and Medical
11 Assistance programs shall be deposited into the General Fund.

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

17 Section 169. The Department of Health and Social Services is authorized to contract for the
18 procurement of managed care services for the Delaware Medical Assistance Program. The provisions of
19 29 Del. C. c. 69 shall not apply to such contracts.

20 Section 170. Section 1 of this Act provides an appropriation to the Department of Health and
21 Social Services, Medicaid and Medical Assistance (35-02-01) for Renal Disease.

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

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

8 Section 171. (a) The Joint Finance Committee finds and declares that Delaware’s Medicaid
9 program now covers more than one out of every six Delawareans, and that Medicaid provides not only
10 health security for over 150,000 Delaware citizens, but economic security for them as well. It is therefore
11 the intent of the Joint Finance Committee that every means possible be undertaken to insure that no
12 Delawarean loses Medicaid coverage to which he or she is currently entitled, even in difficult financial
13 times. It is further the intent of the Joint Finance Committee that every effort be made to maximize
14 federal revenue, especially in lieu of budget cuts which would deprive Delawareans of needed health care.

15 (b) Section 1 of this Act establishes a special fund appropriation entitled the “Medical Assistance
16 Trust Fund”, in the Department of Health and Social Services, Division of Medicaid and Medical
17 Assistance (35-02-01). All revenues derived as a result of the tax on net hospital revenues imposed by
18 Subchapter 1, Chapter 65, Title 30 of the Delaware Code shall be deposited into this fund. The fund shall
19 be used solely to provide medical assistance under Delaware’s Medical Assistance Program operated by
20 the Department of Health and Social Services.

21 (c) It is the intent of the Joint Finance Committee that the Department of Health and Social
22 Services, Division of Medicaid and Medical Assistance make all expenditures from the Medical
23 Assistance Trust Fund in accordance with all applicable federal laws and regulations.

24 (d) Section 1 of this Act contains a General Fund appropriation for Medicaid which has been
25 reduced by \$15,000.0 based upon the implementation of a tax on net hospital revenues. It is the intent of
26 the Joint Finance Committee that this tax shall be valid so long as the Centers for Medicaid and Medical
27 Services (CMS) permits Delaware to use the proceeds of the tax for the state share of the Medicaid
28 program expenditures without the loss of federal matching funds.

1 Section 172. Section 1 of this Act includes 2.0 NSF FTEs in the Department of Health and Social
2 Services, Social Services (35-07-01). These Medicaid Eligibility Specialist positions will be funded
3 through voluntary contributions from medical facilities and from federal matching funds. These positions
4 will expedite the Medicaid Eligibility application process for Medicaid clients, and will ensure that these
5 clients apply for services through Medicaid, if appropriate, thereby maximizing federal revenues for the
6 State of Delaware. Other medical facilities throughout the state may participate in this program.

7 Section 173. Notwithstanding any other provisions of the Delaware Code, the merit position
8 Nursing Home Director I, Governor Bacon Health Center (BP #4554) shall become exempt at such time
9 as the current incumbent vacates such position.

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

12 Section 174. Section 1 of this Act includes an appropriation to the Department of Health and
13 Social Services, Public Health, Director's Office/Support Services (35-05-10) for Contractual Services.
14 Of that amount, \$446.4 shall be used for the purpose of providing school nursing services five days a
15 week to non-public schools in New Castle County and Kent County.

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

19 Section 175. Section 1 of this Act provides an appropriation to the Department of Health and
20 Social Services, Public Health, Community Health (35-05-20), for Contractual Services. Of that amount,
21 \$77.3 shall be available for medicine, equipment and part time nursing services for a community-based
22 adult health services clinic serving the Claymont area of New Castle County.

23 Section 176. Section 1 of this Act provides an appropriation of \$40.0 to the Department of
24 Health and Social Services, Public Health, Community Health (35-05-20) to provide vaccinations to
25 individuals who are members of volunteer ambulance companies or volunteer fire companies acting as
26 "first responders" in the State of Delaware. Public Health shall purchase vaccine and administer or
27 contract vaccine at local fire stations or other sites mutually agreed upon by the fire companies and Public
28 Health. No such vaccinations shall be furnished until after certification by the volunteer fire or

1 ambulance company on a form provided by Public Health, indicating that the person for whom the
2 vaccination is desired, is a member in good standing of a volunteer ambulance or volunteer fire company
3 in the State of Delaware. A record of the names and addresses of all persons immunized shall be
4 maintained by Public Health. To insure the success of this program, Public Health and representatives of
5 the Delaware Volunteer Firemen's Association shall work collaboratively in the best interests of all
6 parties. Public Health may promulgate reasonable rules and regulations regarding the vaccination of
7 volunteer firemen and individuals who volunteer for ambulance companies. If resources allow, after the
8 needs of the volunteer community have been met, similar assistance may be offered to other fire and
9 ambulance companies such as the Wilmington City fire company. Such funds, as are necessary from this
10 fund, may also be spent to provide any required post vaccination antibody testing in order to assure
11 adequate protection has been achieved.

12 Section 177. Section 1 of this Act provides an appropriation for the Department of Health and
13 Social Services, Public Health, Community Health (35-05-20) to provide Hepatitis B and other necessary
14 childhood vaccinations for children between infancy and young adulthood who are uninsured, are not
15 eligible for any Federal program providing the vaccination, and are otherwise medically indigent.

16 Section 178. Section 1 of this Act makes an appropriation of \$75.0 ASF in Contractual Services
17 from the Tobacco Settlement to the Department of Health and Social Services, Division of Public Health,
18 Community Health (35-05-20) to implement a Hepatitis B Vaccination Program for Correctional Officers
19 and Probation and Parole Officers within the Department of Correction. For the purpose of this program,
20 Correctional Officers shall be defined as any employee within the Correctional Officer Series through
21 Captain and Probation and Parole Officers shall be defined as Probation and Parole Officers I through
22 Senior Probation and Parole Officers. Public Health shall purchase and administer the vaccine upon
23 request. It is the intent of the General Assembly that in Fiscal Year 2009 the Correctional Officers and
24 Probation and Parole Officers with the most direct prisoner contact will receive the vaccination series and
25 in subsequent years the remaining staff shall be vaccinated.

26 Section 179. The State desires to establish a permanent funding program for rodent control
27 activities at the local level by providing the City of Wilmington \$15.0; New Castle County \$15.0; Kent
28 County \$10.0; and Sussex County \$10.0. The Department of Health and Social Services, Public Health,

1 Community Health (35-05-20) shall dispense these funds to local governments in lump sum payments to
2 be made no later than September 1 of each fiscal year; establish program objectives and spending
3 guidelines; require regular expenditure reporting to the State; and allow unexpended funds to carry over at
4 the local level into the next fiscal year.

5 Section 180. Public Health, Community Health (35-05-20) will receive a portion of the Federal
6 Medicaid reimbursement for services to Medicaid eligible students in School Based Health Centers. The
7 division shall be allowed to collect and deposit up to \$102.0 of the revenue into an ASF account entitled
8 School Based Health Centers to support the cost of this initiative. Up to \$600.0 of the remaining revenue
9 will be deposited into an ASF account in Medicaid and Medical Assistance (35-02-01) and used for
10 expenses associated with the normal operations of the Medicaid program. This amount may be increased
11 subject to approval from the Director of the Office of Management and Budget and Controller General.

12 Section 181. Section 1 of this Act makes an appropriation to the Department of Health and Social
13 Services, Public Health, Community Health (35-05-20) for supplies and materials. Of that appropriation,
14 \$10.0 is to be used to purchase chemical reference materials for the Office of Environmental Health
15 Evaluation.

16 Section 182. Section 1 of this Act provides funding for the Department of Health and Social
17 Services, Public Health, Community Health, Office of Drinking Water (35-05-20) to administer the
18 Drinking Water State Revolving Fund (DWSRF). This Fund consists of funding from the State Twenty
19 First Century Fund and United States Environmental Protection Agency and includes appropriations for
20 technical assistance and water operator training for drinking water systems in the State. The
21 Environmental Training Center at the Delaware Technical and Community College and the Delaware
22 Rural Water Association are the sole providers of water operator training and drinking water system
23 technical assistance in Delaware. Therefore, available funding through the DWSRF for training and
24 technical assistance shall be distributed appropriately to these agencies.

25 Section 183. Section 1 of this Act appropriates funds to the Division of Public Health,
26 Community Health (35-05-20) and to the Administrative Office of the Courts, Non-Judicial Services,
27 Child Death, Near Death and Stillbirth Commission (02-18-06) for infant mortality. More specifically,
28 the funds are to implement recommendations of the Infant Mortality Task Force. Included are \$5,310.2 in

1 Infant Mortality Task Force and \$156.8 and 3.0 FTEs in Personnel Costs in Community Health (35-05-
2 20) and \$163.9 in Infant Mortality Task Force in Child Death, Near Death and Stillbirth Commission (02-
3 18-06). The Department of Health and Social Services shall submit an update on the spending plan for
4 these funds to the Director of the Office of Management and Budget and Controller General no later than
5 November 1 of each fiscal year.

6 Section 184. Section 1 of this Act makes an appropriation to the Department of Health and Social
7 Services, Division of Public Health (35-05-20) for Contractual Services. Of that amount, \$46.0 is
8 appropriated to the Gift of Life Program to promote organ and tissue donation in the State of Delaware.

9 Section 185. Section 1 of this Act makes an appropriation to the Department of Health and Social
10 Services, Division of Social Services (35-07-01) for Contractual Services. Of that amount, \$119.6 is
11 appropriated to expand services in the Ministry of Caring House of Joseph II AIDS hospice.

12 Section 186. Section 1 of this Act makes an appropriation to the Department of Health and Social
13 Services, Division of Public Health (35-05-30) for Contractual Services. Of that amount, \$9.2 shall be
14 used to support the Delaware Organ and Tissue Awareness Program.

15 Section 187. Of the funds derived from those State Lottery funds transferred to the Division of
16 Substance Abuse and Mental Health Services of the Department of Health and Social Services pursuant to
17 29 Del. C. § 4815 (b)(2), \$20.0 ASF shall be used by the Division to create and/or continue an Addiction
18 Prevention Program in all Delaware high schools on the subject of compulsive gambling. These funds
19 shall provide, but not be limited to, the following:

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

24 Section 188. Prior to the release or expenditure of funds from the Motiva Penalty Fund, the
25 Department of Health and Social Services shall submit a detailed spending plan for approval to the
26 Director of the Office of Management and Budget and the Controller General. At the close of each fiscal
27 year, the Department shall provide a detailed expenditure report to the Director of the Office of

1 Management and Budget and the Controller General. In addition, the Department's annual budget
2 presentation to the Joint Finance Committee shall include information on the expenditure of said funds.

3 Section 189. The Division of Substance Abuse and Mental Health (35-06-00) is encouraged,
4 where appropriate, to reallocate resources so as to create a balanced system of services and treatment
5 among the Delaware Psychiatric Center (35-06-30), community hospitals, and community-based
6 residential placements for persons with mental illness. Such reallocation initiatives must be made within
7 the total division's appropriation limit with the approval of the Director of the Office of Management and
8 Budget and the Controller General. These reallocation initiatives shall not compromise the standard of
9 care of the remaining Delaware Psychiatric Center population.

10 Section 190. Section 1 of this Act provides an appropriation of \$1,000.0 ASF to the Department
11 of Health and Social Services, Substance Abuse and Mental Health, Community Mental Health (35-06-
12 20). Substance Abuse and Mental Health expects to generate additional retroactive revenue as a result of
13 the Tax Equity and Fiscal Responsibility Act (TEFRA) rebasing of Medicare payment rates at Delaware
14 Psychiatric Center. These funds shall be used to fund the rebasing project and support the Division of
15 Substance Abuse and Mental Health programs, including but not limited to purchasing medicines for
16 clients.

17 Section 191. Delaware Psychiatric Center maintains appropriation account 35-06-30-98-37 to
18 receive reimbursement for providing a work study program for local nursing schools and for assigning
19 residents to work in non-psychiatric services at area hospitals on a rotating basis, respectively.
20 Notwithstanding the provisions of 29 Del. C. § 6102, the IPU shall be allowed to collect and expend the
21 proceeds from the aforementioned account.

22 Section 192. The Merit Rules notwithstanding, Department of Health and Social Services
23 employees designated as Psychiatrists, as well as the Chief Psychiatrist in the Delaware Psychiatric
24 Center (35-06-30) shall be eligible for standby pay and call back pay.

25 Section 193. Section 1 of this Act provides an appropriation of \$1,200.0 ASF to the Division of
26 Social Services (35-07-01) for TANF Cash Assistance Pass Through. The division shall be allowed to
27 collect and deposit funds into this account as a result of child support payments collected by the Division
28 of Child Support Enforcement on behalf of TANF clients. These funds will be used by the DSS to make

1 supplemental payments to clients who are eligible to retain a portion of their child support under State and
2 Federal TANF budgeting rules.

3 Section 194. Section 1 of this Act provides an appropriation to the Department of Health and
4 Social Services, Substance Abuse and Mental Health, Delaware Psychiatric Center (35-06-30), for
5 Contractual Services. Of that amount, \$41.2 shall be made available for a Direct Patient Care Intern
6 Program to enable direct care professionals to take courses to increase their skills in specialty areas.

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

11 Section 195. Section 1 of this Act provides an appropriation to the Department of Health and
12 Social Services, Social Services (35-07-00) for Contractual Services. Of that amount, \$750.0 is for DCIS
13 II system maintenance. Social Services shall have the authority to contract for positions needed to
14 provide system maintenance. The division shall also have the authority, with approval from the Director
15 of the Office of Management and Budget and Controller General, to transfer a portion of these funds to
16 Personnel Costs and establish up to 2.1 General Fund positions and 1.8 NSF positions in order to support
17 DCIS II system maintenance.

18 Section 196. Notwithstanding any provisions of the Delaware Code to the contrary, Social
19 Services (35-07-01) is authorized to make such policy changes in the administration of the Temporary
20 Assistance for Needy Families (TANF) program as may be necessary to assure that Delaware will qualify
21 for the full amount of its federal block grant entitlement. Any changes require the prior approval of the
22 Director of the Office of Management and Budget and Controller General.

23 Section 197. Section 1 of this Act appropriates \$2,829.6 in Personnel Costs and 40.7 FTEs to
24 Visually Impaired (35-08-00). This section authorizes 1.0 FTE in addition to the 8.0 FTEs itinerant
25 teachers available to meet caseload requirements for the Braille Literacy Act. This additional FTE may
26 be filled if the current fiscal year September educational unit count indicates the number of teachers
27 required to meet caseloads for visually impaired students is greater than the current fiscal year
28 complement of teachers.

1 Section 198. 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, \$18.9 shall be
3 used to compensate correctional inmates for the purpose of producing Braille materials for visually
4 impaired school children.

5 Section 199. Section 1 of this Act provides an appropriation of \$2,459.8 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 27.2 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 200. Section 1 of this Act provides an appropriation to the Department of Health and
11 Social Services, Division of Child Support Enforcement (35-10-00) for Contractual Services. Of that
12 amount, \$211.1 is for programming costs for the DACSES Redevelopment Project. Child Support
13 Enforcement shall have the authority to contract for IT resources needed to augment existing
14 programming staff for the duration of this project. At the project's conclusion, the division shall have the
15 authority, with approval from the Director of the Office of Management and Budget and Controller
16 General, to transfer these funds to Personnel Costs and establish up to 3.0 General Fund positions and 5.0
17 NSF positions in order to support DACSES system maintenance.

18 Section 201. The Division of Developmental Disabilities Services (35-11-00) will rebase, once
19 every one to three years, its Inventory for Client and Agency Planning (ICAP) based rate setting system.
20 This rebasing will be predicated on raising the direct care staff wage and mirroring elements in the model
21 to keep pace with changing economic conditions on regional and national level that will ensure a livable
22 wage for workers and provide continuity of care to individuals with developmental disabilities.

23 Section 202. Section 1 of this Act provides an appropriation to the Department of Health and
24 Social Services, Developmental Disabilities Services, Stockley Center (35-11-20) for Contractual
25 Services. Of that amount, up to \$9.2 shall be available for services provided by Camp Barnes.

26 Section 203. Section 1 of this Act appropriates funding to the Developmental Disabilities
27 Services, Community Services (35-11-30) for the Purchase of Community Services. Of this amount,
28 \$52.4 shall be used for the Mary Campbell Center.

1 Section 204. During the fiscal year, the Department of Health and Social Services shall study the
2 feasibility of establishing an office to serve individuals with Autistic Disorder or Asperger's Disorder.
3 This review shall include, but not be limited to, potential infrastructure models for services and supports.
4 The Department shall report recommendations to the Office of Management and Budget and the
5 Controller General's Office no later than February 1, 2009.

6 Section 205. Developmental Disabilities Services (35-11-00) is encouraged, where appropriate,
7 to reallocate resources so as to maximize community-based residential placements for persons with
8 mental retardation. Such reallocation initiatives must be made within the total Division's appropriation
9 limit with the approval of the Director of the Office of Management and Budget and the Controller
10 General. These reallocation initiatives shall not compromise the standard of care of the remaining
11 Stockley Center population.

12 Section 206. Section 1 of this Act makes an appropriation to the Department of Health and Social
13 Services, Division of Developmental Disabilities (35-11-00) for Purchase of Care. Of that appropriation,
14 \$50.0 is appropriated to expand the number of individuals receiving respite care services at the Fiscal
15 Year 2005 contract levels.

16 Section 207. Developmental Disabilities Services, Community Services (35-11-30) receives
17 Medicaid reimbursement for the provision of day rehabilitation services provided in state operated day
18 centers. Notwithstanding the provisions of 29 Del. C. § 6102, the division shall be allowed to collect and
19 deposit the Medicaid reimbursement in an Appropriated Special Fund. Receipts in the account may be
20 used to fund community residential, day program, respite and other related contracts currently funded out
21 of the Purchase of Care and Purchase of Community Services lines.

22 Section 208. Section 1 of this Act provides an appropriation of \$2,094.0 ASF to the Division of
23 Developmental Disabilities Services, Community Services (35-11-30) for Purchase of Care. The division
24 shall be allowed to collect and deposit funds into this account as a result of revenue from implementation
25 of a sliding fee scale, Medicaid transportation reimbursements, patient payments and tenant fees and
26 Medicaid receipts from state operated group homes and state operated apartments.

27 Section 209. (a) Section 1 of this Act for Department of Health and Social Services, State
28 Service Centers, Family Support (35-12-10) includes 1.0 FTE (BP #3094) and \$39.3 Personnel Costs

1 which support the Delaware Helpline. Upon vacancy, this position shall be deleted and the corresponding
2 funding shall be transferred to Contractual Services for the Delaware Helpline.

3 (b) Section 1 of this Act includes funding for Contractual Services for Department of Health and
4 Social Services, State Service Centers, Family Support (35-12-10). Of this amount, \$10.0 shall be used
5 for the Delaware Helpline. Available funds designated for the Delaware Helpline may be distributed
6 annually in a lump sum at the beginning of the contract year.

7 Section 210. Section 1 of this Act appropriates \$3.0 in Contractual Services to the Department of
8 Health and Social Services, Division of State Service Centers, Community Services (35-12-30). These
9 funds are to be used to reimburse emergency shelters for housing homeless women in Kent County during
10 Code Purple conditions. Code Purple is defined as nights when the temperature is 25 degrees or below or
11 in emergency weather conditions such as an ice storm or a blizzard.

12 Section 211. Services for Aging and Adults with Physical Disabilities (35-14-00) will receive
13 Medicaid reimbursement for the administration of community based services for the Aging and Adults
14 with Physical Disabilities population. Notwithstanding the provisions of 29 Del. C. § 6102, the division
15 shall be allowed to collect and deposit the Medicaid reimbursement in an Appropriated Special Fund
16 account entitled "Community Based Services Reimbursement." Receipts in the account may be used to
17 maintain existing services and provide additional services for adults with physical disabilities. Such
18 services are not to exceed the estimated annualized revenue, and are subject to initial and on-going review
19 by the Director of the Office of Management and Budget and the Controller General.

20 Section 212. Section 1 of this Act makes an appropriation to the Department of Health and Social
21 Services, Division of Services for Aging and Adults with Physical Disabilities (35-14-00) for Respite
22 Care. Of that appropriation, \$110.0 is appropriated to expand the number of families provided respite
23 care services through the Caregiver Program.

24 Section 213. Recognizing Delaware has an obligation to establish a rational long term care
25 system to prevent expensive and premature institutionalization and to insure Delaware's senior and
26 disabled population who are able to remain in their homes and community should receive services needed
27 to remain as independent as possible, it is the intent of the General Assembly that a Task Force on shall
28 be formed to develop the following:

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

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

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

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

14 The Task Force will report on its findings to the General Assembly no later than March 20, 2009.

15 Section 214. Section 1 of this Act appropriates funding and .5 ASF and .5 Non-appropriated
16 Special Fund position to the Department of Health and Social Services, Division of Aging and Adults
17 with Physical Disabilities for a Home and Community-Based Services Ombudsman (HCBSO). This
18 position will report directly to the State Long-Term Care Ombudsman and will serve as a principal point
19 of contact for adult home and community-based consumers being served under the State of Delaware's
20 Money Follows the Person (MFP) initiative. Via MFP, the HCBSO will function as a mediator and
21 facilitate conflict resolution relative to services for adults (1) residing in home and community-based
22 settings, (2) receiving services under DHSS waivers, and/or (3) receiving services from providers licensed
23 to provide home and community-based services in the State of Delaware. In addition, the HCBSO will
24 contribute to the development of state long-term care policy by means of sharing data, information, and
25 funding from an array of home and community-based service system monitoring and related activities.

CHILDREN, YOUTH AND THEIR FAMILIES

Section 215. To maintain the accuracy of information regarding Delaware's juvenile justice system, specifically its institutions, Levels III, IV and V residential alternative programs and non-secure detention:

All juvenile related Statistical Analysis Center (SAC) (10-02-08) positions shall be located in Youth Rehabilitation Services (YRS) (37-05-00) with access to all appropriate computer systems. After July 1, 2008, the Director of the Office of Management and Budget and the Controller General shall transfer \$51.7 in Personnel Costs; \$1.6 in Travel; \$3.0 in Contractual Services; \$1.3 in Supplies and Materials; and \$4.0 in Capital Outlay from the Office of the Secretary (37-01-10) to the Statistical Analysis Center (10-02-08).

Section 216. 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 217. Management Services (37-01-00) shall have 1.0 FTE exempt position in addition to those authorized by 29 Del. C. § 5903.

Section 218. (a) Section 1 of this Act includes \$2,350.0 in Population Contingency in the Department of Services for Children, Youth and Their Families, Office of the Secretary (37-01-10) to meet existing service demands associated with population growth in the department.

(b) Should the department identify opportunities to enhance or develop services necessary to respond to the growing population, any such proposals shall be submitted to the Director of the Office of Management and Budget, and shall include demonstration of the cost effectiveness of any new or enhanced services and strategies for population containment. In the event that a new service would require additional state employees, the department may request new positions that will be funded by a structural change from existing appropriations within the department. Any new positions and funding

1 changes must be approved by the Director of the Office of Management and Budget and Controller
2 General.

3 (c) The department shall submit quarterly reports to the Director of the Office of Management
4 and Budget and the Controller General detailing contingency expenditures, relevant cost savings and
5 service population reductions.

6 Section 219. Section 1 of this Act provides an appropriation of \$588.5 and \$284.3 ASF to the
7 Department of Services for Children, Youth and Their Families, Child Mental Health Services (37-04-
8 00). These funds shall be used to operate a Drug Court Program with Family Court. In addition,
9 recovered Medicaid funds will be directed towards the Drug Court Program. Said funds are intended to
10 serve 140 youth during this fiscal year, with a maximum of 70 youth at any one time.

11 Section 220. Funds which are appropriated for foster care of children in Section 1 of this Act in
12 the Department of Services for Children, Youth and Their Families, Family Services (37-06-00), are
13 made available with the goal of limiting the number of children who remain in foster care for more than
14 two years. For the year beginning October 1, 2008, the goal will be 220 children. This goal statement is
15 intended to satisfy the requirements of the Federal Adoption Assistance and Child Welfare Act (P.L. 96-
16 272).

17 Section 221. Amend 31 Del. C. c. 38 by adding a new section as follows:

18 “§ 3824. Child Placement Review Board Notification.

19 Family Services is hereby directed to formally notify, in advance, the Child Placement Review
20 Board of any meeting, hearing or other event of which the Board desires notification. Said notification
21 shall be directed to the Executive Director of the Board.”

22 Section 222. (a) As a means of monitoring and continuing to improve the expenditure of
23 casual/seasonal and overtime in Youth Rehabilitative Services, Secure Care (37-05-50), the Secretary of
24 the Department of Services for Children, Youth and Their Families shall file a quarterly report with the
25 Director of the Office of Management and Budget and the Controller General on casual/seasonal and
26 overtime expenditures. The report shall include, but not be limited to, sick leave usage, vacancy rates,
27 training and transportation costs at the Ferris School, New Castle County Detention Center and Stevenson

1 House. The report should reflect all actions (including disciplinary) being taken to expeditiously correct
2 the noted problem areas.

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

8 Section 223. Section 1 of this Act provides \$341.7 ASF to the Department of Services for
9 Children, Youth and Their Families for the purpose of supporting the Young Criminal Offender Program
10 located at the Department of Correction, Prisons, Howard R. Young Correctional Institution (38-04-06).

11 Section 224. Section 1 of this Act provides \$113.3 ASF to the Department of Services for
12 Children, Youth and Their Families for the purpose of supporting a Family Court Commissioner to assist
13 in the Child Protection Registry appeal process as required pursuant to 16 Del. C. c. 9.

14 Section 225. (a) In addition to the positions authorized in Section 1 of this Act for Family
15 Services, Intake/Investigation (37-06-30) and Intervention/Treatment (37-06-40), the Director of the
16 Office of Management and Budget may authorize additional training positions for the purpose of training
17 investigative and treatment workers.

18 (b) An additional 2.0 FTEs were authorized in Fiscal Year 2000 in Family Services, Office of the
19 Director (37-06-10) for the purposes of training workers hired in accordance with 29 Del. C. § 9015 (d).
20 As the need for the over-hire provisions and the associated training authority is reduced, the Director of
21 the Office of Management and Budget and the Controller General may eliminate 2.0 positions through
22 attrition.

23 Section 226. Section 1 of this Act provides an appropriation to the Department of Services for
24 Children, Youth and Their Families, Family Services, Office of the Director (37-06-10) of \$1,456.3 for
25 Pass Throughs. It includes:

26	Police Athletic League – Wilmington	\$ 92.0
27	Child Advocacy Center	\$977.7
28	People’s Place, Milford	\$ 80.0

1	The Brandywine Program	\$ 92.0
2	CHILD, Inc.	\$214.6

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

7 Section 227. If the quarterly average daily population at the New Castle County Detention Center
8 is below 114, the Director of the Office of Management and Budget and the Controller General may
9 reduce the number of casual seasonal or full time positions through attrition.

10 Section 228. Notwithstanding the provisions of 29 Del. C. § 5916 (e)(3), staff who are employed
11 by the Department of Services for Children, Youth and Their Families and are assigned to work in the
12 Division of Youth Rehabilitation Services facilities shall continue to receive hazardous duty pay, subject
13 to the approval of the Director of the Office of Management and Budget and the Controller General.

CORRECTION

1
2 Section 229. Section 1 of this Act appropriates funding to the Department of Correction for
3 initiatives to improve recruitment and retention for Correctional Officers series positions as well as
4 workplace security throughout the department. Said initiatives shall include:

5 (a) Authorization from the General Assembly for the Department of Correction to continue its
6 recruitment incentive pilot program initiated in Fiscal Year 2005 or until such time as the applicable
7 classes become covered by a collective bargaining agreement pursuant to the provisions of 19 Del. C. §
8 1311A. At the conclusion of the fiscal year, the department shall submit a report to the Director of the
9 Office of Management and Budget and Controller General with regard to the effectiveness of the program
10 on improving recruitment of Correctional Officer series positions.

11 (b) \$1,522.5 is appropriated to the Office of the Commissioner (38-01-01) for the Correctional
12 Sustainability Contingency. Said funds shall be utilized by the department to address recommendations
13 contained in the final Report of the Task Force on Security Issues at the Delaware Correctional Center,
14 the National Institute of Corrections Technical Assistance Report and other security/equipment issues that
15 may arise during the fiscal year. Funding may be utilized for, but not be limited to, annual equipment and
16 security needs of the department, automating manual record keeping systems to provide immediate and
17 responsive control over staffing and building security, and training of Correctional Officer series
18 positions. On or before September 1 of each fiscal year and prior to disbursement of said funds, the
19 department shall submit to the Office of Management and Budget and the Controller General a plan for
20 approval of expenditure of these funds and the relationship of the expenditure to the recommendations
21 contained within these reports. At the conclusion of the fiscal year, the department shall submit a report
22 on the actual expenditure of the funds, detail the improvements realized and report on the effectiveness of
23 the improvements with regard to fulfilling the recommendations contained within the reports.

24 Section 230. (a) Section 1 of this Act includes funding for relief positions in the Department of
25 Correction, Administration, Human Resources/Employee Development Center (38-01-02). These
26 positions shall be used primarily for training relief. The Department of Correction shall provide a
27 quarterly report to the Director of the Office of Management and Budget and the Controller General
28 detailing the non-training relief assignments of the staff training relief officers.

1 (b) In addition to the positions authorized in Section 1 of this Act for the Department of
2 Correction, additional positions are authorized in Human Resources/Employee Development Center for
3 the purpose of training classes. During the training sessions, up to 100 positions will be made available to
4 accommodate the class being trained. Funding is authorized to seed the first-time use of 30 of these 100
5 positions. In order to utilize these positions after the first-time use, and to use the remaining 70 positions,
6 the department will use salary savings realized throughout the year.

7 (c) In addition to the positions authorized in Section 1 of this Act for the Department of
8 Correction, additional positions are authorized in Human Resources/Employee Development Center for
9 the purpose of Probation and Parole Officer Basic Training classes. During the training sessions, up to 23
10 FTEs will be made available to accommodate the class being trained. No funding will be authorized for
11 these 23 FTEs. In order to utilize these positions, the department will use salary savings realized
12 throughout the year.

13 Section 231. Section 1 of this Act makes an appropriation to the Department of Correction,
14 Medical/Treatment Services (38-01-30). Of the total appropriation, \$25.0 shall be used for the purpose of
15 inmate hospice care.

16 Section 232. The Department of Correction is authorized to contract for the procurement of
17 health care services to the Department's incarcerated population. For Fiscal Year 2009, the provisions of
18 29 Del. C. c. 69 shall not apply to such contracts.

19 Section 233. The Department of Correction, Administration, Office of the Commissioner (38-01-
20 01) shall provide a report to the members of the Joint Finance Committee, the Controller General and the
21 Director of the Office of Management and Budget relating to bilingual medical services. For each
22 institution, the report shall detail the number of bilingual staff maintained by the medical vendor and the
23 number of inmates who require communication in another language or for whom English is a second
24 language. The semi-annual reports shall be due by the end of October and March.

25 Section 234. Section 1 of this Act appropriates \$40.0 in Personnel Costs to the Department of
26 Correction, Community Corrections, New Castle County Community Corrections (38-06-06) for the
27 purpose of maintenance overtime costs at Riverview Cemetery. Implementation shall not commence

1 until the City of Wilmington agrees to be financially responsible for tipping or hauling expenses
2 associated with Riverview Cemetery.

3 Section 235. Section 1 of this Act provides an appropriation for the Prison Arts Program funded
4 in the Department of Correction, Prisons, Bureau Chief - Prisons (38-04-01). Included in this
5 appropriation is 1.0 FTE Correctional Arts Program Coordinator and Personnel Costs, and \$23.1 for
6 Operating Costs.

7 Section 236. Section 1 of this Act makes an appropriation to the Department of Correction,
8 Prisons, Bureau Chief - Prisons (38-04-01), Contractual Services. Of this amount, \$20.0 shall be used for
9 the purpose of collecting DNA samples.

10 Section 237. Section 1 of this Act provides an appropriation for Personnel Costs to the
11 Department of Correction, Prisons, James T. Vaughn Correctional Center (38-04-03). Included in this
12 appropriation is 1.0 FTE and Personnel Costs to allow the department to oversee a program to
13 manufacture reading materials in Braille for the visually impaired.

14 Section 238. Section 1 of this Act appropriates funds to Department of Correction, Prisons,
15 Delores J. Baylor Correctional Institution (38-04-05) in Contractual Services for a contract to provide a
16 program for female offenders at Delores J. Baylor Correctional Institution to address anger and behavior
17 issues from a feminine psychological perspective. The Warden of the facility will submit an annual
18 report to the Joint Finance Committee, Director of the Office of Management and Budget, Controller
19 General and Commissioner of Correction by June 1 of each year, which will include but not be limited to
20 the mission of the organization, the statement of the problem, a synopsis of the program, the number of
21 participants, statistics relating to recidivism rates of those participating in the program and an annual
22 budget of the organization.

23 Section 239. (a) Section 1 of this Act makes an appropriation of \$5,392.0 to the Department of
24 Correction, Administration, Drug and Alcohol Treatment Services (38-01-31) for Drug and Alcohol
25 Treatment Services; and \$632.0 to the Department of Correction, Community Corrections, Bureau Chief -
26 Community Corrections (38-06-01); and \$55.9 to the Department of Correction, Community Corrections,
27 Probation and Parole (38-06-02). Funding in Department of Correction, Community Corrections,
28 Probation and Parole (38-06-02) will be augmented by \$250.0 ASF from the Substance Abuse

1 Rehabilitation, Treatment, Education and Prevention Fund. All funds described in this section are
2 intended to support drug and alcohol treatment programs provided by the department to individuals in its
3 custody or under its supervision. The administration of these contracts shall be the responsibility of the
4 Commissioner of Correction or his designee.

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

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

13 Section 240. Section 1 of this Act provides an appropriation to Community Corrections,
14 Probation and Parole (38-06-02). The department must submit a semi-annual report to the Director of the
15 Office of Management and Budget and the Controller General that details the expenditure of these funds
16 by SENTAC level (levels I, II and III) and the average personnel complement for each level. These
17 reports are due on December 31 and June 30.

18 Section 241. (a) The Department of Correction shall have the authority, upon the concurrence
19 and approval of the Director of the Office of Management and Budget and Controller General, to
20 establish up to 6.0 ASF FTEs. The positions shall be Correctional Officers who will supervise inmate
21 work crews assigned to the completion of projects requested by the Department of Transportation. Upon
22 approval, 4.0 ASF FTEs shall be assigned to the Department of Correction, Community Corrections, New
23 Castle County Community Corrections (38-06-06) and 2.0 ASF FTEs in Department of Correction,
24 Community Corrections, Kent County Community Corrections (38-06-08). The source of funding shall
25 be the Department of Transportation, Maintenance and Operations, Maintenance Districts (55-04-70).
26 Adjustments to Appropriated Special Fund spending authority for this program can be made upon the
27 concurrence and approval of the Director of the Office of Management and Budget and the Controller
28 General.

1 (b) Of the total positions authorized in Section 1 of this Act for the Department of Correction, the
2 following shall be used to continue the existing highway beautification projects: Community Corrections,
3 Kent County Community Corrections (38-06-08) - at least 5.0 positions, Community Corrections, Sussex
4 County Community Corrections (38-06-07) - at least 3.0 positions and Community Corrections, New
5 Castle County Community Corrections (38-06-06) - at least 2.0 positions.

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

8 Section 242. The Department of Correction, Administration, Office of the Commissioner (38-01-
9 01) shall maintain an overtime expenditure report and shall provide such report quarterly to the Director
10 of the Office of Management and Budget and Controller General. The report shall include the number of
11 overtime hours worked and the amount of overtime salary expended by each agency within the
12 Department, and shall include a breakdown of the reason for overtime.

13 Section 243. Prison education services shall be provided by utilizing existing teachers that are in
14 the Department of Correction as well as authorized teaching positions in the Department of Education.
15 The management of all educational positions shall be provided by the Department of Education.
16 Department of Correction teachers shall have the opportunity each year to notify both agencies of their
17 intent to transfer to the Department of Education. Such notification shall be made by April 15 of each
18 year to become effective July 1 of that calendar year. Any position transfer made pursuant to this section
19 shall be permanent.

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

25 Section 244. The Department of Correction, Community Corrections, House Arrest (38-06-04)
26 shall provide 24 hour, 7 day a week supervision of community correction's offenders. The department
27 shall determine the number of employees needed on duty throughout each 24-hour period and arrange

1 staff coverage accordingly. At no time shall the ratio of Probation Officers I's to other staff exceed 50
2 percent during night time and weekend hours.

3 Section 245. The Merit Rules notwithstanding, Department of Correction employees
4 designated as Correctional Emergency Response Team (CERT) members, as well as the Chief of
5 Security and Inspections (BP #61023), in the Office of the Commissioner (38-01-01), and the Health
6 Services Director (BP #85588) and Treatment Administrators (BP #67423 and 99247) in
7 Medical/Treatment Services (38-01-30) shall be eligible for standby pay regardless of their
8 classification.

9 Section 246. For the upcoming fiscal year, the Videophones System Specialist in the Office of
10 the Public Defender (15-02-01) shall work with the Department of Correction under the manager of the
11 Research and Planning Unit within the Office of the Commissioner to continue a pilot Distance Learning
12 Program for persons supervised in Level V facilities, employee development and telemedicine. The
13 Department shall submit an annual report on distance learning including pilot project recommendations to
14 the Director of the Office of Management and Budget and the Controller General.

15 Section 247. The Department of Correction is hereby authorized to review the current security
16 status classification of its facilities and submit a report, including but not limited to, any proposed security
17 level changes deemed necessary and appropriate to accommodate the needs of the Department. Such
18 report shall be submitted to the Director of the Office of Management and Budget and the Controller
19 General no later than January 1 of each fiscal year. No change shall be made to the security status of the
20 facility without the prior approval of the Director of the Office of Management and Budget and the
21 Controller General.

22 Section 248. Section 1 of this Act appropriates \$75.0 in Contractual Services to Department of
23 Correction, Probation and Parole (38-06-02). These funds shall be used to support reentry services
24 provided by The Way Home.

25 Section 249. Section 1 of this Act appropriates \$43,106.3 to the Department of Correction,
26 Medical/Treatment Services (38-01-30). The Department of Correction shall provide quarterly reports
27 relating to medical vendor performance to the Chairs of the Joint Finance Committee, the Chairs of the
28 House and Senate Correction Committees, the Controller General and the Director of the Office of

1 Management and Budget. Reports shall include, but not be limited to, medical staffing levels, overall
2 performance and plans for improvement.

3 Section 250. Section 1 of this Act appropriates \$213.0 to the Office of Management and Budget,
4 Budget Development, Planning and Administration, Contingencies and One-Time Items (10-02-11) in
5 One-Time for recruitment and retention of contractual drug and alcohol counselors. On or before
6 September 1, 2008, the Department shall submit to the Director of the Office of Management and Budget
7 and the Controller General a plan which identifies how these funds will be used to improve the
8 recruitment and retention of contractual drug and alcohol counselors.

1 **NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**

2 Section 251.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 (40-01-01) to be funded through expenses incurred and
5 recovered by the department, related to processing of administrative enforcement actions under 7 Del. C.
6 c. 60. Violators shall be liable for the following expenses of the investigation incurred by the State after
7 the notice of violation is issued: direct costs of the investigation; legal assistance including paralegal
8 assistance; public hearings; all other costs expressly determined by the Secretary as reasonably related to
9 the investigation of the incident; and the indirect costs related to all of the above.

10 Section 252. Section 1 of this Act appropriates \$66.3 ASF in Personnel Costs and 1.0 ASF FTE
11 Green Energy Program Administrator, \$1.0 ASF in Travel, and \$5.0 ASF in Contractual Services from
12 the Green Energy Fund to the Department of Natural Resources and Environmental Control, Office of the
13 Secretary, Energy Office (40-01-04).

14 Section 253. Fish and Wildlife is authorized to expend funds carried forward from the sale of
15 boat registration fees, effective Fiscal Year 2000 and thereafter, for the purpose of supporting fisheries
16 programs and marine enforcement.

17 Section 254. Amend 29 Del. C. c. 64 by adding a new section as follows:

18 “§ 6437. Department of Natural Resources and Environmental Control.

19 The Division of Fish and Wildlife is authorized to establish, maintain and administer:

20 (a) An interest-bearing, Non-Appropriated Special Fund known as the Delaware Marsh
21 Management and Maintenance Trust, as allowed by conditions of the DNREC/PSE&G Settlement
22 Agreement of March 23, 1995, and further allowed by the subsequent Settlement Agreement of June 24,
23 2001. The interest income from this trust account will be dedicated to implement the Settlement
24 Agreement’s provisions to enhance or restore tidal wetlands habitats for coastal fish and wildlife
25 resources along Delaware Bay and River in Delaware, and to maintain such tidal wetlands habitat
26 enhancements or restoration in perpetuity, as partial compensation for natural resource losses caused by
27 past, ongoing and future operation of the PSE&G Salem Nuclear Generating Station.

1 (b) A Non-Appropriated Special Fund for administration of the dedicated interest earned on the
2 fund established above, with said dedicated interest to be expended to help support or implement
3 compensatory tidal wetlands habitat enhancements or restorations and associated maintenance activities
4 referred to in (a).”

5 Section 255. Section 1 of this Act makes an appropriation for Contractual Services to the
6 Department of Natural Resources and Environmental Control, Fish and Wildlife, Wildlife/Fisheries (40-
7 05-02). Of that total appropriation \$25.0 is to be dedicated to beaver control.

8 Section 256. Section 1 of this Act appropriates funding to Fish and Wildlife, Wildlife/Fisheries
9 (40-05-02) for the Deer Damage Assistance Program. This funding includes \$51.3 in Personnel Costs
10 and 1.0 FTE for an Environmental Scientist III, \$61.5 in Contractual Services for butchering fees,
11 seminars and deer school and \$20.7 in Supplies and Materials for the Master Hunter Program, videos and
12 literature.

13 Section 257. Section 1 of this Act authorizes Fish and Wildlife, Wildlife/Fisheries (40-05-02) to
14 spend up to \$4,268.8 in Appropriated Special Funds. Within this amount, the division is authorized to
15 undertake capital expenditures to maintain/develop fish and wildlife recreational areas. These
16 expenditures should be in accordance with the Capital Development Plan for the division, submitted as an
17 attachment to the department’s Annual Fiscal Year Capital Improvement Program. Any deviation from
18 the listed projects must be approved by the Director of the Office of Management and Budget and the
19 Controller General.

20 Section 258. Section 1 of this Act makes an appropriation to the Department of Natural
21 Resources and Environmental Control. Of that appropriation the Department of Natural Resources and
22 Environmental Control is directed to pay \$40.8 to the New Castle Conservation District for the rental of
23 office space, storage facility, and garage for Mosquito Control.

24 Section 259. a) Pursuant to 7 Del. C. c. 17, for Fiscal Year 2009 it is the intent of the General
25 Assembly that the contract for statewide dog control shall be awarded to Kent County SPCA, or its
26 successor, as a sole source contractual agreement ending June 30, 2009. During the contract period the
27 department shall maintain all administrative responsibilities for the statewide dog control program.

1 (b) During Fiscal Year 2009, the department shall continue to sell dog licenses using the existing
2 fee structure and may retain up to \$50.0 in special fund revenue to administer the program. The
3 remaining revenue collected from the sale of dog licenses shall be applied towards the statewide
4 contractual obligation. The remaining contractual obligation shall be borne by the counties in a prorated
5 amount as previously determined by negotiations for the Fiscal Year 2008 contract. Each county shall
6 pay 50 percent of their obligation to the Division of Fish and Wildlife by August 15, 2008 and the
7 remaining 50 percent by December 31, 2008.

8 (c) It is the intent of the General Assembly that the department shall work with the counties to
9 transfer full authority and control of the statewide dog control program no later than July 1, 2009. Any
10 dog license purchased from the department shall remain valid through the expiration date noted, upon
11 which a county license shall be purchased.

12 Section 260. Section 1 of this Act makes an appropriation of \$30.0 in Personnel Costs to the
13 Department of Natural Resources and Environmental Control, Fish and Wildlife, Fish and Wildlife
14 Enforcement (40-05-06). This appropriation is to fund four casual/seasonal enforcement officers to patrol
15 the inland bays.

16 Section 261. Section 1 of this Act appropriates funds for Contractual Services in Parks and
17 Recreation (40-06-00). Of this amount, \$14.4 shall be used for the leasing of an enforcement vehicle and
18 Interpretive Program vehicle at Killens Pond State Park.

19 Section 262. Section 1 of this Act makes an appropriation to the Department of Natural
20 Resources, Parks and Recreation, Operations and Maintenance (40-06-02). Of this amount, \$115.0 shall
21 be used to fund casual/seasonal positions for Killens Pond Waterpark and \$8.5 shall be used for program
22 services and contractual services at the Bellevue State Park system.

23 Section 263. Section 1 of this Act makes an appropriation to the Department of Natural
24 Resources and Environmental Control, Parks and Recreation, Cultural and Recreational Services (40-06-
25 03). Of that appropriation \$10.1 is to be spent on promotion and programs for Trap Pond State Park as
26 follows: \$5.0 for Contractual Services, \$5.0 for Supplies and Materials and \$0.1 for Travel.

1 Section 264. Section 1 of this Act makes an appropriation to the Division of Parks and
2 Recreation, Wilmington State Parks (40-06-05). Of this amount, \$50.0 shall be used for monument and
3 general maintenance within the parks, including the maintenance of war memorials and ball fields.

4 Section 265. Section 1 of this Act provides an appropriation and 1.0 FTE to the Division of Parks
5 and Recreation, Wilmington Parks (40-06-05) to fund a Park Technician II. This position shall be
6 dedicated primarily to the South Park Drive area and the Brandywine Zoo with additional duties
7 throughout Wilmington State Parks.

8 Section 266. Section 1 of this Act makes an appropriation to Soil and Water Conservation,
9 District Operations (40-07-04) for Contractual Services. Of that amount, \$180.0 shall be used for
10 additional field staff personnel for the preparation of nutrient management plans.

11 Section 267. Section 1 of this Act makes an appropriation for Contractual Services to the
12 Department of Natural Resources and Environmental Control, Water Resources, (40-08-01). Of that
13 amount \$50.0 shall be used to support the Partnership for the Delaware Estuary.

14 Section 268. Section 1 of this Act makes an appropriation to the Department of Natural
15 Resources and Environmental Control, Water Resources, Management and Support - Water Resources
16 (40-08-01). Of the total appropriation, \$245.0 will pass through the department to fund the
17 Environmental Training Center at Delaware Technical and Community College, Owens Campus.
18 Funding is to be used to provide training for state and local water and wastewater operators.

19 Section 269. Section 1 of this Act makes an appropriation to the Department of Natural
20 Resources and Environmental Control, Water Resources, Management and Support – Water Resources
21 (40-08-01). Of that amount, \$1.0 shall be set aside for the Environmental Science Scholarship program.

22 Section 270. Section 1 of this Act appropriates \$144.2 to Water Resources, Watershed
23 Assessment (40-08-07) for Inland Bays Research. The appropriation shall be used to support citizen-
24 monitoring activities including, but not limited to, the Stream Watch Program in the amount of \$97.5 and
25 the Inland Bays Citizen Monitoring Program in the amount of \$46.7. In addition, \$248.4 of the
26 Watershed Assessment (40-08-07) Contractual Services funding shall be used by the Center for the Inland
27 Bays for programs promoting strategies to improve the quality of water in the Inland Bays.

1 Section 271. It is intent of the General Assembly that the Department of Natural Resources and
2 Environmental Control shall be required, pending legal review, to post on its Internet website within three
3 working days, all unclassified misdemeanors issued by Air and Waste Management Enforcement Officers
4 after such citations have been entered in the courts.

5 Section 272. Section 1 of this Act appropriates funds to support 2.0 FTEs within the Department
6 of Natural Resources and Environmental Control, Air and Waste Management, Air Quality Management
7 (40-09-02). One position is an Environmental Engineer II/IV assigned to the Delaware City Petro
8 Chemical Complex. The second position is an Environmental Engineer II/IV assigned to
9 Claymont/Edgemoor Industrial Complex and located at the Robinson House. The incumbents shall each
10 submit an annual report to the Joint Finance Committee on February 1 of each year, which summarizes
11 the complaints and activities of the previous calendar year. These positions will respond to and provide
12 follow-up on complaints from the community on the air quality throughout New Castle County.

13 Section 273. Section 1 of this Act appropriates funds to the Hazardous Substance Cleanup Act
14 (HSCA) Cleanup Fund in Air and Waste Management, Waste Management (40-09-03). A maximum of
15 \$500.0 ASF per fiscal year will be set aside from the HSCA Cleanup Fund to address orphaned and
16 abandoned underground storage tank (UST) systems. These USTs shall include those where no viable
17 responsible parties exist or can be found or where the responsible parties have shown to the satisfaction of
18 the Department of Natural Resources and Environmental Control, that they do not have the ability to pay
19 for the necessary UST system removal and the remediation of any resulting contamination. In such case,
20 the department shall not seek cost recovery of the funds expended under the HSCA fund.

21 Section 274. Air and Waste Management (40-09-03) shall have 1.0 FTE exempt position in
22 addition to those authorized by 29 Del. C. § 5903. When position BP #09228 becomes vacant, it shall be
23 classified by the Director of the Office of Management and Budget in accordance with the Merit System,
24 29 Del. C. c. 59.

25 Section 275. The General Assembly herein acknowledges that certain programs within the
26 Department are funded all or in part by fee-based revenues. At least every five years the Secretary shall
27 perform a periodic review of fees assessed and collected by the Department to determine the revenue
28 sufficiency of the fees and programs they support.

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

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

SAFETY AND HOMELAND SECURITY

Section 276. The Department of Safety and Homeland Security is hereby authorized to continue the agreement between State Police (45-06-00) and Sussex County Council to provide up to 40 additional patrol officers in Sussex County.

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

Section 277. Section 1 of this Act makes an appropriation to State Police, Executive (45-06-01). Included in this amount are funds for implementation of a Career Development Program. Any adjustment received under this program will be added to base compensation and will be included to determine retirement benefits.

Section 278. State Police receives funds resulting from drug and other seizure activities. If seizure is defined as being under federal jurisdiction, then the funds flow to State Police, Executive (45-06-01), as Non-appropriated Special Funds. The division shall submit a plan for the expenditure of these funds to the Director of the Office of Management and Budget and the Controller General. This plan shall be updated quarterly. A quarterly report as to the expenditure of such funds and to the respective projects shall be submitted to the Director of the Office of Management and Budget and the Controller General.

Section 279. In addition to the positions authorized in Section 1 of this Act for State Police (45-06-00), additional positions are authorized in State Police, Patrol (45-06-03) for the purpose of training State Police recruits. During recruit training, up to 20 positions will be made available to accommodate the class being trained. Funding is authorized for initial use of these positions to accommodate an anticipated graduating class of 15 troopers. The Director of the Office of Management and Budget may authorize additional recruit positions accordingly.

Section 280. Notwithstanding 29 Del. C. c. 63 and c. 69 or any other statutory provision to the contrary, the Department of Safety and Homeland Security is authorized to enter into agreements with private telecommunications companies to use space for communication facilities on telecommunications

1 towers under their administration. The revenues paid to the State under these agreements shall be
2 designated for use by State Police in support of mobile data computing telecommunications infrastructure
3 cost, effective retroactively.

4 Section 281. Section 1 of this Act provides 3.0 Physical Plant Maintenance/Trades Mechanic I
5 FTEs to the Department of Safety and Homeland Security, State Police, Building Maintenance and
6 Construction (45-06-02). These positions shall report to Delaware State Police Troop 1, Troop 2 and
7 Troop 6.

8 Section 282. The Department of Safety and Homeland Security, Office of the Secretary,
9 Administration (45-01-01) shall maintain an overtime expenditure report tracking the overtime usage of
10 Capitol Police (45-02-10). This report shall include the number of overtime hours worked as a result of
11 normal operating demand, the number of overtime hours worked as a result of special events demand, the
12 amount of overtime expenditures, and a detailed justification for the usage of the overtime hours. This
13 report shall be submitted to the Director of the Office of Management and Budget and the Controller
14 General on a quarterly basis.

15 Section 283. Section 1 of this Act appropriates \$180.0 ASF Personnel Costs and 3.0 Traffic
16 Light Enforcement FTEs in Safety and Homeland Security, State Police, Traffic (45-06-07). The source
17 of the funding shall be from revenues generated as a result of the Red Light Enforcement Safety Program
18 within the Department of Transportation.

19 Section 284. Amend 29 Del. C. § 8208 by identifying the existing section as (a) and inserting a
20 new section (b) as follows:

21 “(b) Notwithstanding any other provisions of 29 Del. C. c. 69 to the contrary, the Delaware
22 Emergency Management Agency is authorized to utilize the United States Department of Defense,
23 Defense Logistics Agency, Defense Supply Center Philadelphia, First/Emergency Responder Equipment
24 Purchase Program or such other similar program for the procurement of material from the Authorized
25 Equipment List of the U.S. Department of Homeland Security’s State Homeland Security Grant Program
26 or such other similar program with funds that may be provided by the U.S Department of Homeland
27 Security, Office for Domestic Preparedness, to the extent that such purchase is authorized by federal laws
28 and/or regulations.”

1 Section 285. Section 1 of this Act appropriates \$20.0 in Contractual Services to Developmental
2 Disabilities Council (45-01-50) for the Partners in Policymaking Program.

3 Section 286. Section 1 of this Act includes \$569.8 ASF in Personnel Costs and 7.0 ASF FTEs;
4 \$58.6 ASF in Contractual Services; and \$148.2 ASF in Supplies and Materials in the Department of
5 Safety and Homeland Security, State Police, Traffic (45-06-07) for the personnel and operating costs
6 associated with the Truck Enforcement Unit (TEU) to be funded through the Department of
7 Transportation. Any additional enhancements that are made to the TEU to remain in compliance with
8 Title 23, Code of Federal Regulations Part 657, shall occur through the annual budgetary process.

9 Section 287. Notwithstanding the provisions of 16 Del. C. § 10104, the Department of Safety and
10 Homeland Security shall disburse funds from the E-911 Emergency Reporting System Fund to cover rent
11 obligations at statewide 911 answering points. An annual report on the E-911 Emergency Reporting
12 System Fund shall be submitted to the Director of the Office of Management and Budget and Controller
13 General no later than September 15th of each year identifying prior year revenue and expenditures, and
14 forecasted revenue and expenditures for the current and upcoming three fiscal years.

15 Section 288. Amend 11 Del. C. § 8303 by striking the phrase “the most senior ranking major of
16 the State Police” in the third sentence and inserting in lieu thereof the following “the average salary of the
17 State Police majors”. Further amend 11 Del. C. § 8303 by deleting the last sentence in its entirety.

TRANSPORTATION

Section 289. The Delaware Transportation Authority budget, as set forth in memorandum form in Section 1 of this Act, shall be expended in accordance with the following limitations:

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

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

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

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

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

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

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

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

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

- 3 1) continue to provide the present level of service to dialysis patients on normal service days
4 during the hours offered in New Castle County by the Delaware Transit Corporation to
5 the extent that such service does not place the Delaware Transit Corporation in violation
6 of the federal Americans with Disabilities Act.
- 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 290. Section 1 of this Act appropriates \$1,338.5 TFO to Finance (55-01-02) for
10 Operations/Capital. Of this amount, \$200.0 shall be allocated to the Maritime Exchange for the Delaware
11 River and Bay.

12 Section 291. Section 1 of this Act makes an appropriation of \$1,504.6 TFO to Planning (55-03-
13 01) for Operations/Capital.

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

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

25 Section 292. Section 1 of this Act makes an appropriation in the amount of \$62,027.2 TFO to
26 Maintenance and Operations, Maintenance Districts (55-04-70) and \$19,195.2 TFO to Maintenance and
27 Operations, Toll Administration (55-04-90).

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

Line Item	Toll Operations		Maintenance	E-ZPass	Total All
	I-95	SR-1			
Personnel Costs	3,362.7	4,089.1	8,001.8		15,453.6
Travel	26.0	0.0			26.0
Contractual/Supplies	1,506.5	898.1	2,051.6	8,647.6	13,103.8
Energy	146.5	477.7	1,339.9		1,964.1
Capital Outlay	41.0		50.0		91.0
TOTALS	5,082.7	5,464.9	11,443.3	8,647.6	30,638.5
FTEs	66.0	74.0	159.0	0.0	299.0

1

2 Section 293. Section 1 of this Act provides an appropriation to Maintenance Districts (55-04-70)
3 for Contractual/Supplies. Of this appropriation, \$5.0 shall be allocated to the Woodland Ferry.

4 Section 294. The Department of Transportation and/or its E-ZPass contractor is prohibited from
5 monitoring the speed of motor vehicles through E-ZPass toll booths for the purpose of issuing traffic
6 citations or the suspension of E-ZPass privileges. Nothing in this section shall prohibit the State Police
7 from enforcing traffic laws including speed enforcement at the E-ZPass toll booths.

8 Section 295. Section 1 of this Act makes an appropriation to Maintenance and Operations,
9 Maintenance Districts (55-04-70) in the amount of \$3,277.4 TFO to establish a Special Line called
10 Snow/Storm Contingency that will provide for the expenses of weather/emergency operations.
11 Notwithstanding any other provision of the law to the contrary, any sums in this account not expended by
12 the end of a fiscal year shall be carried over for use in future fiscal years, with appropriate transfers to
13 current fiscal year accounts. The department shall be allowed to transfer funds from this account to
14 divisions on an as-needed basis for expenditures incurred. The department may also transfer funds to
15 municipalities and other qualified entities to reimburse them pursuant to contracts entered into by the
16 department and the municipality to keep transit routes open during snow and storm emergencies. The
17 transfer of funds from this account shall not require the approval of the Director of the Office of
18 Management and Budget or the Controller General. The department shall provide quarterly reports each
19 fiscal year to the Director of the Office of Management and Budget and the Controller General.

20 Section 296. In addition to the positions authorized in Section 1 of this Act for the Department of
21 Transportation, Technology and Support Services (55-02-01), additional positions are authorized in
22 Delaware Transportation Authority (55-06-01) for the purpose of information technology support. As

1 remaining positions for the purpose of information technology support become vacant, up to 3.0 FTEs
2 and associated funding from the Delaware Transportation Authority may be reallocated to continue the
3 centralization of the information technology function within Technology and Support Services (55-02-
4 01). The Director of the Office of Management and Budget and Controller General may authorize this
5 reallocation accordingly.

6 Section 297. During the fiscal year, the Department of Transportation shall be prohibited from
7 changing its departmental policy regarding access pipe installation on private homeowner entrances.
8 Specifically, the department shall not charge said homeowners for the labor costs associated with the
9 installation of the access pipe.

10 Section 298. Notwithstanding any other provisions of the Delaware Code, the Department of
11 Transportation, Motor Vehicles (55-11-00) shall have the authority to charge state agencies for state
12 identification cards, not to exceed \$20 per card. The amount to be reimbursed shall be determined by
13 Motor Vehicles and will be deposited into a holding account coded as special fund revenue and shall not
14 be subject to General Fund deposit or Transportation Trust Fund deposit at any time.

15 Section 299. Section 1 of this Act appropriates \$200.0 TFO to the Department of Transportation,
16 Motor Vehicles, Vehicle Services (55-11-30) for the purpose of replacing vehicle inspection equipment.

17 Section 300. Notwithstanding the provisions of 29 Del. C. § 6102(o)(3), any remaining balance
18 in the Inspection and Maintenance (I/M) Fund shall not be subject to General Fund deposit until June 30,
19 2008. These funds may be used for costs associated with Motor Vehicles (55-11-00) lane construction.

20 Section 301. Notwithstanding the provisions of 2 Del. C. § 1325 or 29 Del. C. § 7106(d) the
21 employees in the Delaware Transit Corporation that are riders of the State van pool program known as
22 Fleetlink, effective March 1, 2007 may remain in this program provided that they remain on a single van,
23 that the necessary liability policy as defined by the Insurance Risk Office of the Office of Management
24 and Budget is provided and maintained in good standing by the Delaware Transit Corporation, and that
25 riders continue to pay the fees associated with participation in this program. Such eligibility shall be
26 continuous for these individuals until and unless these conditions are not met.

27 Section 302. Notwithstanding 29 Del. C. § 5903, the position of Deputy Principal Assistant (BP#
28 9493) in the Department of Transportation shall remain as exempt until vacated. Once vacated, this

1 position will be classified by the Director of the Office of Management and Budget and the Controller
2 General in accordance with the Merit System and 29 Del. C. c. 59.

3 Section 303. The General Assembly directs the Department of Agriculture, the Department of
4 Transportation and the Delaware Economic Development Office to promulgate regulations defining
5 agritourism as a cultural and recreational interest for benefit of adoption into the Brown Sign Program.
6 Final adoption of these regulations is contingent upon approval by the Federal Highway Administration
7 (FHWA) under the Manual for Uniform Traffic Control Devices.

8 Section 304. Notwithstanding the provisions of Title 17 or any regulation to the contrary, the
9 Department of Transportation shall permit an existing church, school or fire department sign, located on
10 the premises of such church, school or fire department, presently located within 25 feet of the right-of-
11 way line of any public highway to be replaced with a variable message sign or new fixed outdoor
12 advertising display, device or sign structure of equal or smaller dimension than the existing sign, sign
13 structure, display or device, relating to the activities conducted on such property.

LABOR

1
2 Section 305. (a) Section 1 of this Act provides an appropriation of \$506.0 in Employment and
3 Training, Employment and Training Services (60-09-20) for the Delaware State Summer Youth
4 Employment Program to operate a program commencing July 1, 2008. The budget will take into
5 consideration the funds required to commence the program at the end of Fiscal Year 2009, on or about
6 June 15, 2009. This sum is to be allocated in the following manner:

7	New Castle County (outside the City of Wilmington)	\$ 83.0
8	City of Wilmington	305.6
9	Kent County	58.7
10	Sussex County	58.7
11	TOTAL	\$506.0

12 (b) In each of the political subdivisions wherein funds have been appropriated, no more than \$5.0
13 shall be expended for administrative purposes and no more than \$2.0 shall be expended for equipment,
14 supplies and mileage. A record of all equipment and supplies purchased with funds herein appropriated
15 shall be kept by the sponsoring agent, and at the conclusion of the ten-week program such supplies and
16 equipment shall be reverted to the Department of Labor.

17 (c) The funds appropriated for the Delaware State Summer Youth Employment Program shall
18 not be co-mingled with funds appropriated from any other source. The guidelines for youth employment
19 and administrative costs for all persons employed in the State Summer Youth Employment Program shall
20 be based in accordance with prior year's practice of payment for services.

21 Section 306. Section 1 of this Act makes an appropriation of \$125.0 in Contractual Services to
22 Industrial Affairs, Office of Labor Law Enforcement (60-07-02). Of this amount \$60.0 shall be used to
23 fund the Public Allies program at the University of Delaware, which is a non-profit professional
24 apprenticeship and training program for young Delawareans ages 18-30. The training and apprenticeships
25 shall include leadership skills, team building, problem solving and community issues.

AGRICULTURE

1
2 Section 307. (a) Amend 29 Del. C. § 6102A (d)(3)(a) and (b) by striking the phrase “subject to
3 the approval of the Controller General and the Director of the Office of Management and Budget” and
4 adding the following at the end of (a) “and may be held in an interest-bearing account.”

5 (b) Section 1 of this Act makes an appropriation of \$500.0 ASF to the Department of Agriculture
6 for the Delaware Agriculture Land Preservation Foundation pursuant to 29 Del. C. § 6102A(d)(3). The
7 Foundation shall not operate any accounts outside of the State accounting system.

8 Section 308. Beginning Fiscal Year 2004, the Delaware Department of Agriculture is hereby
9 authorized to develop and implement a state crop insurance program, not to exceed a funding level of
10 \$750.0, to provide assistance to farmers in purchasing federal crop insurance coverage. The state crop
11 insurance program is intended to encourage farmers to enroll in federal crop insurance programs and
12 provide limited financial assistance to farmers in purchasing coverage. This program shall provide cost
13 share assistance at a rate not to exceed 30 percent of farmer paid premium with a maximum subsidy of
14 \$3.00 per acre. To ensure accessibility of funds for all eligible applicants, the department will include
15 guidelines to prorate available resources accordingly if applications exceed funding. The Department of
16 Agriculture shall provide the Controller General and the Director of the Office of Management and
17 Budget with a report by April 1, 2009 detailing the commitments and expenditure of said funds. It is the
18 expectation that when a significant number of agricultural landowners participate in crop insurance the
19 necessity of this program will be re-evaluated.

20 Section 309. The Delaware Department of Agriculture may use up to \$200.0 annually from
21 forest timber sales for the following programs:

22 (a) \$125.0 shall be used for marketing and promoting Delaware’s agricultural and forestry
23 products and commodities.

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

27 Section 310. Section 1 of this Act makes an appropriation to the Harness Racing Commission
28 (65-01-05) and the Thoroughbred Racing Commission (65-01-10) for fingerprinting. It is the intent of the

1 General Assembly that the Commissions are required to use the State Bureau of Identification for all
2 fingerprinting activities and background investigations per recommendation of the Joint Sunset
3 Committee.

4 Section 311. Subject to the approval of the Director of Management and Budget and the
5 Controller General, the State Lottery may:

6 a) deduct up to \$450.0 from the proceeds due to the video lottery agents licensed only to conduct
7 thoroughbred racing in the current fiscal year to pay for expenses associated with conducting
8 thoroughbred racing at their respective racetrack; and

9 b) deduct up to \$200.0 from the proceeds, which would otherwise fund purses for thoroughbred
10 racing in the current fiscal year to pay for racing expenses.

11 Section 312. Subject to the approval of the Director of Management and Budget and the
12 Controller General, the State Lottery may:

13 a) deduct up to \$1,035.2 from the proceeds due to the video lottery agents licensed only to
14 conduct harness racing in the current fiscal year to pay for expenses associated with conducting
15 harness racing at their respective racetrack; and

16 b) deduct up to \$178.4 from the proceeds, which would otherwise fund purses for harness racing
17 in the current fiscal year to pay for racing expenses.

18 Section 313. The Director of the Office of Management and Budget and the Controller General,
19 with the approval of the Co-Chairs of the Joint Finance Committee, may authorize up to five (5.0) ASF
20 positions for the purposes of conducting live thoroughbred racing and up to five (5.0) ASF positions for
21 the purposes of conducting live harness racing in the Department of Agriculture.

22 Section 314. The Department of Agriculture shall expend up to \$246.0 from the ASF holding
23 account within Pesticides (65-01-06) to fund the activities of the Nutrient Management Poultry Litter
24 Transport Program. The Poultry Litter Transportation Program reimburses transportation costs associated
25 with exporting excess poultry litter for alternative uses or land that can demonstrate a need for the
26 product.

1 Section 315. Section 1 of this Act appropriates \$50.0 ASF to the Department of Agriculture,
2 Animal Health and Food Products Inspection (65-01-09) for the Spay/Neuter Program. Notwithstanding
3 the Delaware Code or any other provision of this Act to the contrary, the Department of Agriculture is
4 authorized to fund the Spay/Neuter Administrator from the special fund revenues received during the
5 course of the fiscal year.

ELECTIONS

1
2 Section 316. Any Department of Election, upon approval of the respective Board of Elections,
3 may establish polling places in which one or more small mandated districts of less than 300 registered
4 voters as of 60 days prior to the date of an election may be administered by the election officers of
5 another election district.

6 These entities shall hereinafter be referred to as "Combined Election Districts". Each election
7 district that is part of a Combined Election District shall have designated voting machine(s), voting
8 machine certificate, absentee ballot box, poll list, signature cards and other documents and/or materials
9 necessary to certify the election.

10 The respective department may assign up to two additional clerks for each such mandated district
11 so assigned to a Combined Election District. If any Board of Elections is unable to meet due to a
12 vacancy, the Commissioner of Elections shall approve the establishment of Combined Election Districts
13 within that respective county.

14 Section 317. 70 Del. Laws, c. 515 transferred the responsibility for the conduct of school board,
15 referenda and bond issue elections to the Department of Elections, should this law be funded by the
16 General Assembly.

17 Funding included in Section 1 of this Act provides an appropriation to the Department of
18 Elections, Commissioner of Elections (70-01-01) in the amount of \$300.0, which includes all costs for
19 transporting voting machines used in all public school elections. On or before July 31, of each fiscal year,
20 the Commissioner shall transfer an amount equal to 50 percent of prior year expenditures on school
21 elections to the Department of Elections in New Castle County, Kent County, and Sussex County.

22 The Department of Elections for the county responsible for conducting a public school election
23 shall appoint, compensate and train an inspector and such election officers as it deems necessary to
24 properly staff the polling places designated for use in a public school election. The respective
25 Department of Elections shall also designate two of the other election officers to join with the inspector in
26 deciding all questions regarding voter eligibility. All other questions concerning operation of the polling
27 place shall be decided by the inspector.

1 The total statewide expenditures for school elections shall not exceed the amount appropriated in
2 Section 1 of this Act or approved transfers for said purpose.

3 Section 318. Section 1 of this Act contains an appropriation for Commissioner of Elections, (70-
4 01-01), Other Items: Voter Purging, for the purpose of assisting the Department of Elections with its
5 statewide efforts to maintain the voter rolls in an orderly manner.

6 Section 319. For purposes of designating and procuring polling places for primary, general and
7 special elections, the respective county department of elections shall pay a rental fee totaling \$300.00 for
8 each facility used, no matter how many election districts are assigned to that facility.

9 Section 320. Any state agency, office or department is prohibited from publishing or funding the
10 publication of voter guides.

11 Section 321. Based on findings of the 2001 Tax Compliance Audit, specifically those regarding
12 poll worker compensation and deductions, all Department of Election poll workers shall be compensated
13 through the Payroll/Human Resource Statewide Technology (PHRST) system if paid \$1,400.00 or more
14 during a calendar year. In addition, all appropriate deductions shall be taken from such compensation.
15 All Department of Election poll workers who are paid under \$1,400.00 may be paid through the Delaware
16 Financial Management System.

17 Section 322. For the fiscal year ending June 30, 2008, appropriation 2008-10-02-11-0198 shall
18 continue into the next fiscal year and shall not be subject to reversion. Of the amount unencumbered,
19 \$500.0 shall be transferred to the New Castle County Department of Elections (70-02-01) to support
20 upcoming primary and general elections.

FIRE PREVENTION

1

2

Section 323. Section 1 of this Act provides an appropriation of \$93.5 to the State Fire Prevention

3

Commission (75-03-01) in the line item Statewide Fire Safety Education. These funds are to be matched

4

by members of the Delaware Volunteer Firemen's Association and are to be used for the purpose of

5

operating a statewide Fire Safety Education Program.

6

Section 324. Section 1 of this Act appropriates \$2.0 to the Office of the State Fire Marshal (75-

7

01-01) for the purchase of smoke detectors and educational materials for the Juvenile Firesetter

8

Intervention Program.

NATIONAL GUARD

1

2

Section 325. Section 1 of this Act provides an appropriation to Delaware National Guard (76-01-01) for energy. Within this appropriation, sufficient energy funds are included to defray energy expenses of the Lora Little School building that are not directly attributable to occupancy by the Delaware National Guard.

6

Section 326. (a) Section 1 of this Act provides an appropriation to the Delaware National Guard (76-01-01) for educational assistance. The National Guard shall not be required to pay fees.

8

(b) The Delaware National Guard, with the approval of the Director of the Office of Management and Budget and Controller General, is authorized to use excess educational funds to fund recruitment programs.

10

11

Section 327. Section 1 of this Act appropriates \$42.0 to Delaware National Guard (76-01-01) for Service members' Group Life Insurance (SGLI). These funds are for the purpose of reimbursing insurance premiums for active duty Delaware National Guard members.

12

13

HIGHER EDUCATION

Section 328. Section 1 of this Act provides an appropriation for Operations of the University of Delaware (90-01-01) and an appropriation for Operations of the Delaware Geological Survey (90-01-02). This figure includes total state assistance for University operations costs as well as funds required to be appropriated by 29 Del. C. § 5505(6). The appropriation for Operations of the University of Delaware includes \$4,086.1 for energy.

Section 329. (a) Section 1 of this Act appropriates amounts for Scholarships, Agricultural Programs and Other Programs to the University of Delaware (90-01-01). Those amounts shall be allocated as follows:

Scholarships:

General Scholarships	\$ 3,073.7
Scholarships	2,507.3
Student Diversity Recruitment Program	1,742.4
Aid to Needy Students	1,940.4
Governor's Scholars Program	200.0
Student Employment Program	136.9
Academic Incentive	<u>114.6</u>
Total	\$ 9,715.3

Agricultural Programs:

Agricultural Experimental Station	\$ 638.7
Agricultural Cooperative Extension	1,077.2
Agricultural Research and Education Center	536.6
Poultry Disease Research	1,105.3
Crop Extension	378.5
Agricultural Environmental Quality	202.8
Soil Testing and Pesticide Program	380.4
Carvel Research Center	410.9
Diagnostic Poultry Program	<u>201.5</u>

1	Total	\$ 4,931.9
2	<u>Other Programs:</u>	
3	Sea Grant	\$ 559.0
4	Urban Agent Program	135.6
5	Public Service and Applied Research Projects	452.9
6	Diversity Enhancement	293.0
7	Local Government Research and Assistance	238.7
8	Graduate Education (Southern Delaware)	37.3
9	Library Automation	52.0
10	Nurse Practitioner	269.0
11	Science, Engineering and Technology Service Program	156.3
12	Molecular Biology/Biotechnology Program	499.2
13	Math/Science Education for DE Teachers	1,020.1
14	Center for Community Development and Family Policy	261.2
15	Training and Research (Educational Management)	466.7
16	Computer Aided Math Instruction	80.0
17	Delaware Center for Teacher Education	656.0
18	Research on School Finance Issues	90.5
19	Delaware Education Research and Development Center	235.1
20	Delaware Research Scholars Program	150.0
21	Milford Professional Development School	117.2
22	Information Technology Partnership	2,541.3
23	Biotechnology	734.3
24	Computer Aided Instruction, Arts & Science	100.0
25	Clinical Instruction in Teacher Education	238.5
26	Early Childhood Education	114.2
27	Civics Education for Teachers	100.0
28	Biotechnology Institute	584.8

1	Software License Support	314.6
2	Study Abroad for Delaware Residents	50.0
3	Associate in Arts Degree	170.1
4	Early Learning Center	423.4
5	Service Learning Scholarships	200.0
6	Nursing Program Expansion	318.7
7	Improved Campus Security	101.6
8	Coastal Community Development	302.9
9	Center for Translational Research	365.3
10	Undergraduate Multimedia Instruction	202.3
11	Secondary Clinical Teacher Education	<u>127.1</u>
12	Total	\$12,758.9

13 (b) Notwithstanding any provision to the contrary, and assuming the Fiscal Year 2009 budget is
14 as herein recommended, the University will, and has agreed to, meet ongoing commitments in Fiscal Year
15 2009 utilizing University funds for those programs identified for reduction in State funds during Fiscal
16 Year 2004. In addition, the University will, and has agreed to, not lay off any faculty or staff in these
17 programs nor discontinue any of the impacted programs.

18 (c) Subsection (a) of this section appropriates \$200.0 for the Governor's Scholars Program. Of
19 said funds, \$100.0 shall be combined with University funds to honor commitments made to currently
20 enrolled eligible recipients prior to Fiscal Year 2009, until said completion. The remaining \$100.0 shall
21 be used for new students in Fiscal Year 2009. Students that are pursuing educational or nursing degrees
22 shall have priority in receiving a merit scholarship under this Program.

23 Section 330. Section 1 of this Act provides an appropriation to the University of Delaware (90-
24 01-01) for Agricultural Programs. Within that appropriation are sufficient funds to fully fund 5.0 FTEs
25 Agricultural Extension Agents in New Castle County, 3.0 FTEs Agents in Kent County, 2.5 FTEs Agents
26 in Sussex County, and 1.0 FTE Agricultural Extension Engineer for the Agricultural Cooperative
27 Extension Program.

1 Section 331. Section 1 of this Act provides an appropriation to the University of Delaware for the
2 Milford Professional Development School. The University and the Milford School District shall submit
3 to the Controller General and the Director of the Office of Management and Budget, by March 1, 2009, a
4 joint report detailing the implementation status of this program as it relates to the appropriation herein.

5 Section 332. Section 1 of this Act makes an appropriation to Delaware State University,
6 Operations (90-03-01), for General Scholarships. Of that amount, \$22.0 shall be for state scholarships for
7 high ability students, \$20.0 shall be for departmental scholarships to attract high achievers into the
8 sciences, \$200.0 shall be for scholarships to attract high ability students into the teaching program, and
9 \$100.0 shall be for scholarships for female athletes.

10 Section 333. For the fiscal year covered by this Act, in order to continue the assessment of
11 procedures implemented during Fiscal Year 1993 intended to reduce the administrative burden incurred
12 as a result of processing accounting transaction data into two independent accounting systems, the
13 Director of the Office of Management and Budget has authorized Delaware State University to:

14 (a) Discontinue detail data input to the Delaware Financial Management System (DFMS) for
15 encumbrance and vendor payment transactions related to General Fund, federal financial assistance and
16 college funds;

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

20 (c) Summarize General Fund and federal financial assistance fund disbursements on a weekly,
21 post disbursement basis, and draw down the corresponding amounts through the standard DFMS Payment
22 Voucher process.

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

27 The University shall comply with specific procedures developed and prescribed by the Office of
28 Management and Budget and the Department of Finance, Accounting. In addition, the University shall

1 cooperate fully with the Office of Auditor of Accounts to aid in any review or examination of the
2 University's accounting procedures, records and system.

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

8 Section 334. Section 1 of this Act provides an appropriation to Delaware Technical and
9 Community College, Office of the President (90-04-01), for Associate in Arts Program - Operation and
10 Associate in Arts Program - Academic. This appropriation is to assist in the provision of the Delaware
11 Technical/University of Delaware Associate in Arts Program which will be operated jointly by the two
12 institutions under a contract initiated by Delaware Technical and Community College. Under this
13 contract, the University of Delaware will teach students at Delaware Technical and Community
14 College's facilities. Future budget requests will be made jointly by Delaware Technical and Community
15 College and the University of Delaware, and budget cuts, if necessary, will be shared on a pro rata basis.
16 Approval of tuition and other fees will be made by the Board of Trustees of the institution that delivers
17 the relevant service and after the institutions have reached an agreement for tuition sharing.
18 Representatives from both institutions will meet at least once each semester to review program
19 operations.

20 Section 335. Section 1 of this Act contains an appropriation of \$371.2 for the Delaware Institute
21 of Veterinary Medical Education (DIVME), (90-07-01). Notwithstanding current Laws of Delaware
22 relating to the DIVME Program, these funds shall be used to provide tuition support for six Delaware
23 residents studying at the veterinary medicine program at the University of Georgia, six Delaware
24 residents studying at the veterinary medicine program at Oklahoma State University, plus four additional
25 students accepted to a veterinary medicine program for the coming year.

26 Section 336. All higher education institutions in Delaware who have not been contracted
27 members of the National Student Clearinghouse for the past year shall be required to join and input data.
28 Participation will allow the Department of Education to track Delaware's students as they enroll or

- 1 transfer into Delaware higher education institutions or other member higher education institutions across
- 2 the country. Membership requires higher education institutions to report data elements to the National
- 3 Student Clearinghouse.

EDUCATION

1
2 Section 337. Amend 14 Del. C. § 1702 by adding the following new subsection:

3 “(f) The Department of Education, Office of Management and Budget and Controller General’s
4 Office are authorized to simplify the complexity of state share accounting by consolidating school district
5 appropriations in the Delaware Financial Management System. Such consolidation may include state
6 funding appropriated and allocated to school districts under Division I, II and III, Academic Excellence,
7 Reading Cadre, Reading Resource Teachers, and Exceptional Student Unit-Vocational. Appropriations
8 authorized to be consolidated herein, shall not alter the school funding formulas, salary schedules, and
9 provision of expenditure stipulated in 14 Del. C. and in the Annual Appropriations Act.”

10 Section 338. During the course of the fiscal year, the Department of Education is authorized to
11 continue the work of the Public Education Compensation Committee to review and make
12 recommendations to the Governor and Joint Finance Committee regarding the public education salary
13 schedules authorized in 14 Del. C. c. 13. The committee shall consist of the following individuals or their
14 designee: Controller General, Director of the Office of Management and Budget, Secretary of Education,
15 Executive Director of the Delaware State Education Association (DSEA), one school business manager,
16 and one school superintendent. The committee shall review comparability of salaries statewide, in
17 addition to surrounding areas. A report of findings shall be submitted to the Governor and co-chairs of the
18 Joint Finance Committee no later than May 1, 2009.

19 Section 339. It is the goal of the General Assembly to implement by Fiscal Year 2010 the
20 recommendations of the Public Education Compensation Committee with respect to Instructional and
21 Service Aides contained in the report of said committee, dated May 15, 2007, as follows; (1) to ensure
22 that the Step 0 of the salary schedule for Instructional Aides is equivalent to the U.S. Department of
23 Commerce poverty income level for a family of four for the year 2010; the Step 0 of the salary schedule
24 for Service Aides to be equivalent to 85 percent of the Step 0 for Instructional Aides; (2) to reduce the
25 number of steps on the Instructional Aides and Service Aides salary schedules to ten; (3) to ensure that
26 the percentage difference between steps on the Instructional Aides and Service Aides salary schedules are
27 equal percentage amounts as specified in the recommendation found in the aforementioned report.

1 Section 340. Notwithstanding the provisions of 14 Del. C. § 1305(m), (o) and (p), for those
2 employees who have achieved certification from the National Board for Professional Teaching
3 Standards and serve as teacher or lead mentors, the mentor stipend payment for such service will be
4 excluded from the 15 percent salary supplement limit only.

5 Section 341. (a) For this fiscal year, employees who have been issued an initial license and are
6 in a third or fourth year extension due to failure to pass Praxis I shall receive a ten percent salary
7 reduction. Employees currently on an emergency certificate as a result of being assigned to an area
8 outside the area of certification shall not receive a ten percent salary reduction.

9 (b) Section 1 of this Act makes an appropriation of \$6,800.0 to Public Education, School District
10 Operations, Other Items (95-02-02) for Skills, Knowledge and Responsibilities Pay Supplements. This
11 appropriation provides funding for the supplements associated with professional development clusters,
12 mentor stipends and National Board Certifications. Beginning May 21, 2008, and notwithstanding the
13 provisions of 14 Del C. c. 13, a moratorium has been implemented for all new participation in
14 professional development clusters, the National Board for Professional Teaching Standards certification
15 program and all national certification supplements. This moratorium is effective for any new cluster
16 applications, replications and all previously approved cluster slots. Any employee completing a cluster
17 that began before May 21 or currently receiving a stipend will continue to receive payment of the
18 appropriate amount for the appropriate duration. Any teacher or specialist currently in the process of
19 completing or renewing a national certification as of May 21 will receive the appropriate supplement
20 when the certification is awarded. If the certification is not successful, participants will be permitted to
21 retake the test or re-enroll to qualify for the supplement. Additionally, if a participant chooses to pursue
22 national certification independently during the moratorium period, they will not be eligible for retroactive
23 payments should funding be restored during the certification period but they would be eligible for the
24 supplement for the remainder of the certification.

25 (c) The Department of Education shall report annually to the Director of the Office of
26 Management and Budget and Controller General the number of NBPTS certificates obtained under this
27 program. The NBPTS salary supplement shall be valid for as long as the teacher or specialist holds the
28 national certification.

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

4 Section 342. Section 1 of this Act makes an appropriation of \$775.0 ASF and 2.0 ASF FTEs to
5 the Department of Education (95-01-01) for the Delaware Interscholastic Athletic Fund. The Association
6 shall not operate any accounts outside of the State accounting system and the Fund shall be interest
7 bearing.

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

11 Section 343. For this fiscal year, the inflation factor for the local per pupil payments required
12 under the state's Enrollment Choice Program, as specified in 14 Del. C. § 408(e), and for the local per
13 pupil payments required under the state's Charter School Program, as specified in 14 Del. C. § 509(d),
14 shall be equal to the general salary increase enumerated in Section 8 of this Act.

15 Section 344. Any course offered at a vocational technical high school may be offered in the
16 comprehensive high schools if a sufficient student interest can be demonstrated as determined by the
17 Secretary of Education.

18 Section 345. Section 1 of this Act makes an appropriation to the Department of Education (95-
19 01-01) for Educator Certification and Development activities. This appropriation to the Department of
20 Education is intended to offset expenditures in the following areas: standard setting for PRAXIS II;
21 teacher and administrator assessment procedures; revision and update of teacher and administrator
22 evaluation procedures (DPASII); diversity and educator recruitment; professional recertification and
23 expanding the Alternative Routes to Teacher Certification program.

24 Section 346. Section 1 of this Act provides an appropriation of \$329.5 to the Department of
25 Education (95-01-01) for Standards and Assessment. Part of the Standards and Assessment program
26 agenda is to support the development and implementation of performance indicators.

1 Section 347. Section 1 of this Act makes an appropriation of \$60.0 to the Department of
2 Education (95-01-01) for Odyssey of the Mind. This appropriation shall be made available to school
3 students to assist in defraying out-of-state travel expenses associated with this program.

4 Section 348. Section 1 of this Act appropriates \$600.0 to the Department of Education (95-01-
5 01) for Infrastructure Capacity. These funds shall be used to support the development and
6 implementation of automated systems to manage such activities as the licensure and certification process;
7 the Delaware Performance Appraisal System; the tracking of skills and knowledge supplements;
8 development of on-line standards-based units of instruction; and the accountability reporting system.

9 Section 349. Section 1 of this Act appropriates \$1,942.9 to the Department of Education (95-01-
10 01) for Educator Accountability. These funds shall be used to support the design and implementation of
11 DPAS II; teacher recruitment and retention programs; and modification of the licensure and certification
12 system. Prior to expending any of these funds, an approved budget must be submitted by the Secretary of
13 Education, after consultation with the Professional Standards Board, and approved by the Director of the
14 Office of Management and Budget and Controller General.

15 Section 350. Title 14, Del. C. § 122(e), requires the Department of Education to review all
16 regulations to ensure that all regulations are current and not burdensome, and 14 Del. C. § 122(f) and (g)
17 provide a means for districts to pursue waivers of state regulations. The Federal Education Flexibility
18 Partnership Act of 1999 allows districts to apply for waivers of federal regulation in states that have
19 adopted challenging content and performance standards, have aligned assessments to those standards,
20 have established a system of school and district accountability, and allow waiver of State statutory and
21 regulatory requirements relating to education.

22 Given federal approval of the Department of Education’s application for Ed Flex, the Department
23 may waive State statutory and regulatory requirements pursuant to the Federal Education Flexibility
24 Partnership Act of 1999. Such waivers must be applied for according to procedures and policies
25 determined by the Department of Education and must be related to Title I, Part B of Title II, Title IV,
26 Title V, Title III, and the Carl D. Perkins Career and Technical Education Act of 2006. State programs
27 for which waivers may be granted include, but are not limited to, Extra Time, Student Discipline,

1 Academic Excellence, Early Reading Intervention, Student Mentoring, and Professional and Curriculum
2 Development.

3 Section 351. Effective July 1, 2007, notwithstanding the provisions of 29 Del. C. c. 69, during
4 Fiscal Year 2008, the Department of Education is authorized to extend, for a period not to exceed two
5 years, its existing contract including any subsequent negotiated administrative changes for student
6 assessment as required under the federal No Child Left Behind Act. For the remainder of the DSTP
7 contract, the Department of Education is authorized to: 1) modify the administration of the Delaware
8 Student Testing Program to eliminate the writing assessment for grades 3, 4, 6, 7 and 9; and 2) eliminate
9 the reading and mathematics summer retests at grades 3, 5, and 8 in reading and grade 8 in mathematics.
10 The Department of Education is also authorized to make other administrative changes as negotiated with
11 the test vendor. In addition, notwithstanding any law or regulation to the contrary, all consequences for
12 individual students including summer school, Individual Improvement Plans, retention and DSTP retakes
13 shall be eliminated for the remainder of the DSTP contract. Further provided, notwithstanding any law or
14 regulation to the contrary, retests at high school grades and the related student consequences shall be
15 eliminated.

16 Section 352. During Fiscal Year 2009, the Department of Education may be authorized to
17 continue a needs-based funding structure within Brandywine and Seaford School Districts, to provide
18 resources to students with disabilities in the most flexible and equitable manner possible, upon approval
19 of the Director of the Office of Management and Budget and Controller General. Any changes to the
20 existing structure must be approved by the Director of the Office of Management and Budget and the
21 Controller General. In addition the Department may expand this funding structure to include the
22 Appoquinimink, Caesar Rodney, Cape Henlopen, Lake Forest, Capital, Laurel, Milford, New Castle
23 County Vocational Technical, Sussex Tech, and Woodbridge school districts, provided those
24 districts shall not realize an increase or decrease in the number of units earned which is greater than three
25 units.

26 Section 353. The Delaware Code notwithstanding, during this fiscal year, the Director of the
27 Office of Management and Budget is authorized to continue funding for issues such as, but not limited to,
28 the number of administrative positions and activity busing for which the State was required to provide

1 funding as a result of a 1978 federal court order. This authorization, as it relates to administrative
2 positions, shall apply only to positions filled for employment, and shall not be considered as authorization
3 to fund any cash options pursuant to 14 Del. C. § 13. Existing filled positions authorized pursuant to this
4 section shall, upon vacancy, be ineligible for the State share of salary pursuant to 14 Del. C. § 1305.

5 Section 354. General Fund appropriations to Public Education in appropriation units (95-03-00),
6 (95-04-00) and the Delmar Tuition, General Contingency and Debt Service appropriations in
7 appropriation units (95-01-00) and (95-02-00) shall not be subject to the limitations as defined for
8 Division I and Division II in 14 Del. C. § 1706 and § 1709.

9 Section 355. (a) Amend 14 Del. C. § 1704 by striking the language “guaranteed units:” as it
10 appears in the section heading; 14 Del. C. § 1704 in subsection (1) by deleting the words and punctuation
11 after the word “count” as it appears in the second sentence therein and inserting a period; and 14 Del. C. §
12 1704 by deleting subsection (2) in its entirety.

13 (b) Amend 14 Del. C. § 1704 by deleting subsection (3) in its entirety and inserting in lieu
14 thereof the following: “(2) The Department of Education shall annually (after September 30)
15 certify and report the number of units as required in § 1710 of this title.” Further amend 14
16 Del. C. § 1704 (4) by replacing the “(4)” with the number “(3)” therein.

17 Section 356. Amend 14 Del. C. § 1702 by deleting subsection (e) in its entirety.

18 Section 357. For Fiscal Year 2009 only, Division II – All Other Costs allocations to school
19 districts , excluding Division II vocational units earned, may used for any Division III purpose
20 pursuant to 14 Del. C. §1304 and §1707(h).

21 Section 358. Notwithstanding the provisions of 14 Del. C. § 1703, the First State School
22 Program shall be guaranteed state funding based upon a minimum of two Division I units. In addition,
23 Section 1 of this Act appropriates \$314.5 to Public Education, Block Grants and Pass Through Programs,
24 Special Needs Programs for the First State School.

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

1 returned to the Department of Education and utilized to offset the guaranteed 2.0 units and First State
2 School operational costs.

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

6 Section 359. Section 1 of this Act provides certain appropriations to Public Education, School
7 District Operations, Other Items and Debt Service. These amounts are not based on the unit system.
8 Allocation of these funds shall conform to the following:

9 (a) Debt Service amounts are predicated upon the amortization schedule as provided by the State
10 Treasurer.

11 (b) The line item Other Items in the internal program unit Other Items (95-02-02) shall be
12 allocated as follows:

13	Caesar Rodney - Americanization	\$ 14.1
14	Red Clay - Americanization	113.6
15	Margaret S. Sterck -	
16	Residence - Other Costs	85.4
17	Consultant Services	11.0
18	Preschool Summer Program	6.9
19	Christina Autistic -	
20	Residence - Other Costs	206.5
21	Contractual Services	11.4
22	John G. Leach	50.0
23	Sussex Orthopedic School	<u>12.9</u>
24	Total	\$511.8

25 Section 360. Section 1 of this Act makes an appropriation to Public Education, School District
26 Operations, Other Items (95-02-02) of \$1,540.0 for School Improvement Funds. Of that amount,
27 \$1,500.0 shall be used to provide technical assistance and support to schools and districts rated as
28 academic review, academic watch or academic progress. The remaining \$40.0 shall be allocated for

1 recognition of schools and districts that receive the superior designation. Such recognition shall include
2 special ceremonies and/or the award of plaques or flags.

3 Section 361. Amend Section 14 Del. C. §1707(c) deleting the word “2008” as it appears in the
4 last sentence and substituting in lieu thereof the word “2009”.

5 Section 362. For Fiscal Year 2009, school districts with below average ability whose per unit
6 value amount for Division III – Equalization funding, as computed under the provisions of 14 Del. C.
7 §1707, is less than the computed per unit amount in Fiscal Year 2008, shall receive Equalization funding
8 based on the FY 2008 per unit amount for up to the number of units generated in FY 2008. New units
9 generated in Fiscal Year 2009 will receive funding at the FY 2009 computed amount.

10 Section 363. Section 1 of this Act makes an appropriation of \$14,284.5 to Public Education,
11 School District Operations, Other Items (95-02-02) for Full-day Kindergarten Implementation to continue
12 the phase-in of statewide full-day Kindergarten. This appropriation will provide funding to continue the
13 existing pilot program, as awarded by the Department of Education at the Fiscal Year 2007 funding level,
14 in the Indian River School District.

15 Notwithstanding 14 Del. C. § 1703, this appropriation also provides funding for the following
16 school districts/charter schools to generate Kindergarten units at a rate of 17.4: Academy of Dover, East
17 Side, Thomas Edison, Kuumba Academy, Laurel, Marion T. Academy, MOT, Providence Creek,
18 Odyssey, Seaford, Smyrna, Woodbridge, Cape Henlopen, Appoquinimink, Capital, Colonial, Newark,
19 Brandywine, Red Clay, Delaware College Preparatory Academy, and Lake Forest. Students in Delmar
20 will attend full-day Kindergarten through an agreement with Wicomico County, Maryland.

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

27 The Department of Education shall continue an in-depth evaluation program of full-day
28 Kindergarten, to include a longitudinal study and comparison of half and full-day programs annually.

1 Section 364. Section 1 of this Act makes appropriations to the Department of Education, School
2 District Operations, Division Funding (95-02-01) for Division II - All Other Costs and Energy. A
3 Division II- Energy Unit shall be valued at \$2,678.00. A Division II - All Other Costs Unit shall be
4 valued at \$3,115.00.

5 Section 365. Provisions of 29 Del. C. § 6102(r)(2) and § 6102(r)(3) notwithstanding, during
6 Fiscal Year 2009, the sum authorized to the Education Expense and Property Tax Relief Fund shall be
7 allocated as follows:

8	District	Increase Support	Offset Local	
9	Allocation	for Education	Current Expense Taxes	Total
10	Appoquinimink	\$ 0	\$ 523,260	\$ 523,260
11	Appoquinimink ILC	18,468	0	18,468
12	Brandywine	0	2,158,200	2,158,200
13	Bush	16,350	0	16,350
14	AI Institute	6,298	0	6,298
15	Brandywine ILC	75,210	0	75,210
16	Christina	0	3,691,830	3,691,830
17	Autistic Program	135,407	0	135,407
18	REACH	53,533	0	53,533
19	Sterck	85,023	0	85,023
20	Christina ILC	170,040	0	170,040
21	Colonial	0	2,001,240	2,001,240
22	Leach	75,576	0	75,576
23	Colonial ILC	42,510	0	42,510
24	Red Clay	0	2,897,220	2,897,220
25	Meadowood	75,576	0	75,576
26	Red Clay ILC	122,811	0	122,811
27	Caesar Rodney	0	567,840	567,840
28	Caesar Rodney ILC	9,204	0	9,204
29	Charlton	47,554	0	47,554
30	Capital	0	728,495	728,495
31	Capital ILC	4,820	0	4,820
32	Kent Orthopedic	16,874	0	16,874
33	Lake Forest	0	412,230	412,230
34	Milford	0	584,661	584,661
35	Milford ILC	5,062	0	5,062
36	Smyrna	0	520,000	520,000
37	Smyrna ILC	5,000	0	5,000
38	Cape Henlopen	0	24,174	24,174
39	Delmar	0	125,000	125,000
40	Delmar ILC	1,303	0	1,303
41	Indian River	0	592,680	592,680
42	Laurel	0	358,314	358,314
43	Laurel ILC	5,874	0	5,874
44	Seaford	0	263,895	263,895
45	Seaford ILC	6,025	0	6,025
46	Woodbridge	0	125,000	125,000
47	New Castle Vo-Tech	0	834,485	834,485
48	New Castle Vo-Tech ILC	25,192	0	25,192

1	Polytech	0	125,000	125,000
2	Polytech ILC	12,272	0	12,272
3	Sussex Technical	0	0	0
4	Total	\$1,015,982	\$16,533,524	\$17,549,506

5 Section 366. Section 1 of this Act appropriates \$309.9 to Block Grants and Pass Through
6 Programs, K-12 Pass Throughs (95-03-15) for Educational Resources. One-half of said appropriation
7 shall be retained by the Department of Education until such time as the organization creates a Governing
8 Policy Board which shall provide general oversight of organization activities. The Policy Board shall
9 consist of the following members: President, Jobs for Delaware Graduates; Executive Director, Tech Prep
10 2+2; the Secretary of the Department of Education or his/her designee; two public members to be
11 appointed by the Delaware State Chamber of Commerce; the immediate past director, and a
12 representative of business or industry appointed by the Board. The Board shall meet at least twice a year.

13 Section 367. Section 1 of this Act provides an appropriation to Public Education, Block Grants
14 and Pass Through Programs, Adult Education Work Force Training Block Grant (95-03-10). This
15 appropriation shall be allocated by the Department of Education to the following programs/districts:

16	Adult Trade Extension/Apprentice Program (statewide)	\$1,745.2
17	James H. Groves High School (statewide)	3,572.1
18	Adult Basic Education (statewide)	457.7
19	New Castle County Learning Center (Christina School District)	224.1
20	Delaware Skills Center (N.C.C. Vo-Tech)	1,402.4
21	Alternative Secondary Education Program (statewide)	906.0
22	Marine Mechanics Apprentice Program (Sussex Vo-Tech)	21.3
23	Interagency Council on Adult Literacy	289.9
24	Diploma-at-a-Distance	<u>127.9</u>
25	TOTAL	\$8,746.6

26 Section 368. Section 1 of this Act makes an appropriation to Public Education, Block Grants and
27 Pass Through Programs, Professional Accountability and Instructional Advancement Fund (95-03-10).

28 (a) The following allocations shall be provided:

1 (1) \$275.0 for Alternative Routes programs. \$200.0 is provided for the Alternative Routes to
2 Certification program, to include an expansion for Special Education. The remaining
3 \$75.0 may be used for the Summer Institute program.

4 (2) \$1,566.5 shall be allocated by the Department of Education to districts for professional
5 and curriculum development activities. Districts shall submit applications to the
6 Department of Education detailing the district's plan for the utilization of these funds.
7 The Department of Education shall review and approve plans and allocate an amount not
8 to exceed \$157.00 per certified employee, based on a district's personnel complement for
9 the 2007-2008 school year. Grants are to be used for developing and implementing
10 curriculum based on the content standards established by the Curriculum Frameworks
11 Commission, as approved by the State Board of Education or for other professional
12 development activities, including, but not limited to: Discipline, Special
13 Education/Inclusion Collaboration/Consensus Building, Conflict Resolution, Shared
14 Decision Making, local school board member training, and Educational Technology.
15 Districts are encouraged to collaborate as a means of maximizing resources as well as
16 focusing district activities on consistent principles. Grants may be utilized for training,
17 planning, in-service programs and contractual services. The Department of Education is
18 authorized to transfer 50 percent of the estimated district grant amount by July 30 of the
19 fiscal year. The remaining 50 percent shall be transferred within 30 days of the final
20 approval of the district application for funding.

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

23 (a) Integration of the proposal with existing resources and programs such as the
24 Comprehensive Discipline Act, Delaware Principals Academy, Delaware Teachers
25 Center, Drug Free Schools, Title I and II, Special Education and local funds
26 dedicated to Standards and Assessment.

27 (b) Inclusion of local staff in planning of the grant proposal, with representation from all
28 involved in student learning, including all professional employees by category. The

1 plan(s) should focus on overall improved student performance, with a built in level of
2 accountability to determine effectiveness.

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

7 (4) \$759.4 for the Summer School for Teachers Program. Of this appropriation, \$590.3
8 will be allocated to the University of Delaware and \$169.1 to Delaware State
9 University to fund summer programs for the professional development of teachers. It is
10 intended that curriculum of the summer classes offered through this program, to
11 teachers and aides, be consistent with the curriculum standards which are currently
12 under development or have previously been adopted by the Department of Education.
13 Both the University of Delaware and Delaware State University shall incorporate into
14 their Summer School for Teachers course structure, the appropriate and necessary
15 elements that will enable participants to develop relevant classroom curriculum as well
16 as to gain additional exposure to best teaching practices in the standardized content
17 areas. The Department of Education shall continue to make staff available to assist each
18 institution in the preparation of the summer coursework. Future budget requests for
19 this program will be made by the Department of Education in their annual budget
20 request, following consultation with the University of Delaware and Delaware State
21 University.

22 (5) \$150.0 for the Delaware Center for Teacher Education to support professional and
23 curriculum development activities in the content areas of reading and social studies.
24 The Department of Education shall determine, in coordination with the agency (or
25 agencies) performing such activities, the training goals and objectives, including how
26 the objectives of Standards and Assessment will be furthered. The Department of
27 Education, Controller General and Director of the Office of Management and Budget
28 shall ensure that the proposed development activities are cost efficient and meet the

1 objectives outlined in this section before agreeing to transfer the appropriation from the
2 Department of Education to the operating agency.

3 (6) \$898.5 for Reading Cadre. This appropriation will provide each local school district,
4 excluding charter schools, with the state share of salaries in accordance with 14 Del. C.
5 § 1305 and the state share of the Division III Equalization Unit amount as defined in 14
6 Del. C. § 1707 for one 10-month Reading Specialist. The purpose of this Specialist
7 will be the creation of a Reading to Reading Cadre which will provide assistance to
8 districts in designing, demonstrating and implementing best practices in reading
9 instruction. Such position shall be responsible for curriculum alignment and
10 professional development in reading for district educators.

11 (7) \$75.0 for Models of Excellence. These funds shall be used to identify the achievements
12 of Delaware schools, to learn from program success in improving student achievement
13 and to recognize and share best practices among districts.

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

16 Section 369. Section 1 of this Act makes an appropriation to Public Education, Block Grant and
17 Pass Through Programs, Academic Excellence Block Grant (95-03-10). Of the amount appropriated,
18 \$33,584.4 shall be used to fund units for academic excellence in the school districts in accordance with 14
19 Del. C. § 1716. The balance of \$4,595.7 shall be allocated to school districts in proportion to the number
20 of Division I Units each district enrolls on the last school day in September. School districts may use the
21 funds to: purchase computer hardware, software or services; calculators; library resources; fund
22 homebound instruction costs; provide substitute teachers; provide additional nurses so long as the district
23 is entitled to less than one nurse per school; provide a student work-study program; provide conflict
24 resolution training; provide extended day or extended year programs for students performing below the
25 standard level; and provide stipends for professionals engaged in curriculum or professional development
26 activities sponsored by a local school district or the Department of Education, outside of the regular
27 school day. School districts may form consortia, utilizing homebound funds, to purchase or provide
28 services. No homebound funds may be spent to provide services to students who have been suspended or

1 expelled from school, except for special education students. The Department of Education shall provide
2 an annual summary of school district plans for use of Academic Excellence funds to the Director of the
3 Office of Management and Budget and the Controller General no later than December 1 of each year.

4 Section 370. For the fiscal year beginning July 1, 2008, any local school district that has had two
5 consecutive failed current expense tax referendums during the time period July 1, 2006 to January 1,
6 2009, is authorized to exercise the cash option on Academic Excellence units up to the total number of
7 units provided under that program. This provision will apply for Fiscal Year 2009 only. In addition,
8 districts meeting this criteria are authorized to utilize funds derived from this cash option to pay local
9 salary supplements. Any district that has had a successful current expense tax referendum subsequent to
10 two consecutive failed current expense tax referendums is ineligible for the provisions of this section.

11 Section 371. Section 1 of this Act makes an appropriation to Public Education, Block Grants and
12 Pass Through Programs, Student Success Block Grant (95-03-10). This appropriation shall be allocated
13 by the Department of Education to school districts and charter schools based on Fiscal Year 2008
14 allocations. This block grant represents the consolidation of the Teacher to Teacher Instructional Cadre,
15 Extra Time Early Intervention Reading Program, Extra Time K-12, and Student Discipline Part II funds.
16 School districts shall be allowed to continue their Fiscal Year 2008 local match as it relates to Extra Time.

17 Each school district and charter school shall be required to submit a plan to the Department of
18 Education for the use, distribution and expected outcomes of allocated Student Success Block Grant
19 funds. The plan provided to the Department of Education shall indicate the student populations to be
20 served; the type of program(s) proposed; the levels of academic improvement the services are intended to
21 achieve; and the measurement and/or evaluation process the district will use to determine program
22 effectiveness. The plan shall be submitted and approved through the Education Success Planning and
23 Evaluation System web-based consolidated application process.

24 To the extent that these funds are used to pay salary expenses, they may only be used for the state
25 share in accordance in the schedule contained 14 Del. C. c. 13.

26 Section 372. Section 1 of this Act provides an appropriation of \$13.9 to Public Education, Block
27 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Nature Society. It

1 is the intent that this money be used to provide summer programs including an eighth grade program in
2 environmental heritage.

3 Section 373. Section 1 of this Act provides an appropriation of \$249.1 to Public Education,
4 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the READ-ALLOUD
5 Delaware Program. READ-ALLOUD Delaware is to continue to develop and foster programs for the
6 purpose of encouraging regular reading to preschool-aged children as an effective way to prepare them
7 for learning. The monies passed through to READ-ALLOUD Delaware shall be used to provide programs
8 in each county, focused on the more disadvantaged segment of the population of preschool-aged children.

9 Section 374. Section 1 of this Act provides an appropriation of \$86.8 to Public Education, Block
10 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for Advanced Studies. The
11 Department of Education shall transfer this appropriation to the University of Delaware to help fund a
12 summer school program, for college credit, for gifted and talented students.

13 Section 375. Section 1 of this Act provides an appropriation of \$139.7 to Public Education,
14 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Institute
15 for Arts in Education. Of this appropriation, \$24.2 shall be used to implement a new Wolftrap
16 program. The Department of Education shall transfer this appropriation to the University of Delaware,
17 which acts as the fiscal agent for this statewide program.

18 Section 376. Section 1 of this Act provides an appropriation of \$251.8 to Public Education,
19 Block Grants and Pass-Through Programs, K-12 Pass Throughs (95-03-15) for the Center for
20 Economic Education. Of this amount, \$29.1 is appropriated to support a professional development
21 model for systematically training teachers in content and pedagogy and provide them with ongoing
22 support in the classroom.

23 Section 377. Section 1 of this Act provides an appropriation of \$138.0 to Public Education,
24 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Urban Community
25 Empowerment Initiative demonstration pilot program “Achievement Matters Campaign”. The purpose of
26 the Campaign is to build the competencies and achievement level of middle school students to provide a
27 bridge from middle school to high school. These funds shall be used exclusively for direct program

1 expenses and may not be used for salaries and benefits for existing staff of the Metropolitan Wilmington
2 Urban League.

3 Section 378. Section 1 of this Act makes an ASF appropriation to Public Education, Block
4 Grants and Pass Through Programs, Special Needs Programs (95-03-20) for the Children's Services
5 Cost Recovery Project (CSCR). All local school districts shall fully participate in the implementation
6 and operation of the project for the fiscal year ending June 30. Local school district participation shall
7 be on a district-wide basis.

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

13 In addition, 14.0 FTEs staff positions are appropriated to support this project: 3.0 FTEs shall be
14 located at the Department of Education. The Department of Education is hereby permitted to authorize
15 the hiring of up to 11.0 FTEs in the local school districts for the sole purpose of implementing this
16 section. The 11.0 FTEs in the local school districts shall be paid in accordance with the Financial
17 Secretary Salary Schedules 1308 and 1309 including the local salary supplement in place at the
18 employing school districts. At the discretion of the Department of Education, 1.0 FTE may be paid in
19 accordance with the Administrative Secretary Salary Schedules as defined in 14 Del. C. § 1308 and
20 § 1309, including the local salary supplement in place at the employing local school district.

21 When it is deemed in the best interest of the program to have positions transferred between school
22 districts, the employees in those positions will be compensated in accordance with the local salary
23 supplement in place at the new district. The employees may elect to have their sick and annual leave
24 balances transfer with them between districts.

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

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

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

9 Section 379. For the purpose of participating in the Children's Services Cost Recovery Project,
10 provisions of the Delaware Code to the contrary notwithstanding, school psychologists certified or
11 otherwise licensed by the Department of Education in accordance with the provisions 14 Del. C.
12 § 1092, shall be considered in compliance with qualification standards equivalent to state licensure to
13 practice psychology as set forth in 24 Del. C. § 3508. Such equivalent state licensure status shall be
14 limited to the delivery of services related to the Department of Education or local school district
15 approved school programs conducted within the course of the regular school day at a Department of
16 Education or local school district approved school site or least restrictive environment location. The
17 provisions of this section shall in no way be construed as entitling a person not otherwise qualified to do
18 so to represent himself to the public by any title or description of services incorporating the words
19 "psychology," "psychological," and/or "psychologist" within the meaning of 24 Del. C. § 3502, except
20 as may be herein specifically provided.

21 Section 380. The Interagency Resource Management Committee (IRMC) fosters an interagency
22 approach in coordinating the delivery of early care and education services in Delaware, and the
23 establishment and operation of the Office of Early Childhood.

24 The IRMC will coordinate the implementation of the recommendations of the October 1999
25 report: "Early Success: Creating a Quality Early Care and Education System for Delaware's Children",
26 where feasible, and, if applicable, subject to an annual appropriation. The IRMC shall report to the
27 Governor, President Pro-Tempore of the Senate, and the Speaker of the House on April 15 of each fiscal
28 year. Each report shall include:

- 1 1. A summary of IRMC experiences in attempting to accomplish its purposes as stated above; and,
- 2 2. A recommendation of the IRMC whether and how to institutionalize its activities and functions.

3 The IRMC may, at its discretion, apply for grant funds that will further any of the purposes of this
4 section.

5 The Director of the Office of Management and Budget and the Controller General are hereby
6 authorized to transfer funds among the budgets of the departments represented on the IRMC if there is
7 prior agreement by the secretary of the department, as the case may be, to which the funds were
8 previously allocated. Such transfers shall be intended to further the purposes of this section. The IRMC
9 shall be staffed by the Office of Early Childhood in the Department of Education. Such Office shall be
10 composed of a director, an assistant director and a clerical support position. Funding shall be provided by
11 the Department of Health and Social Services and the Department of Services for Children, Youth and
12 Their Families no later than July of each fiscal year to support the operational costs associated with the
13 assistant director and clerical support positions. Funds allocated in this section are to be used to support
14 the work of the Office and to continue the interagency evaluation process for Delaware's early childhood
15 programs.

16 Section 381. Section 1 of this Act makes an appropriation to Public Education, Block Grants and
17 Pass Through Programs, Special Needs Programs (95-03-20) for the Student Discipline Program.

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

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

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

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

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

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

26 (ii) For purposes of implementing (i) above, the Department of Education and the Department
27 of Services for Children, Youth and Their Families shall administer a competitive
28 Request for Proposal (RFP) process to determine grant awards to local districts. Grant

1 awards shall be for a period of 12 months. Factors that may be utilized in the evaluation
2 of proposals can be, but are not limited to, the following: links to Part II discipline
3 funding or other district resources; the use of collaborative partnerships; the relative need
4 of the local school district community; and the recognition within a proposal of the need
5 to provide services to meet the presenting problems of both the child and the family. To
6 the extent possible, the Department of Services for Children, Youth and Their Families is
7 authorized to pursue Medicaid cost recovery for eligible services provided to Medicaid
8 eligible children. Funds resulting from these efforts may be used to expand these
9 services with prior approval of the Director of the Office of Management and Budget and
10 the Controller General.

11 (e) Based on the recommendations that resulted from House Joint Resolution 25 of the 139th
12 General Assembly, a total of \$1,325.0 shall be allocated for the continued operation of the alternative
13 school program. The program shall be developed utilizing research based best-practice models as
14 described in “Comprehensive Programs Which Improve Student Discipline, Final Report, April 1999”.
15 The program shall provide year-round services to no more than 100 students. This program shall be
16 considered a special school for the purposes of charging tuition payments to be made by school districts
17 of residence under the statutory provisions of 14 Del. C. c. 6, such that the districts shall fund at least 30
18 percent of the total cost of the program. The New Castle County Consortium and the Department of
19 Education shall oversee administration of the program, and may enter into contractual arrangements to
20 operate the program. Such oversight shall include an annual evaluation of the program to be submitted to
21 the Department of Education.

22 Section 382. Section 1 of this Act provides an appropriation to Public Education, Block Grants
23 and Pass Through Programs, Special Needs Programs, Unique Alternatives (95-03-20). Funds may only
24 be allocated to the Sussex ICT to provide direct services and supports to interagency students that would
25 be referred to the ICT. The local share of payment shall continue to be subject to the same criteria as all
26 other ICT decisions. This authorization is based on the signed Memorandum of Agreement between the
27 school districts and other ICT agencies.

28 Section 383. Amend 14 Del. C. § 3124 (b)(6) by adding the following after the second sentence:

1 “Cases involving individuals who are wards of the State shall be fully funded from Unique
2 Alternatives funding.”

3 Section 384. Section 1 of this Act provides an appropriation to Public Education, Block Grants
4 and Pass Through Programs, Special Needs Programs (95-03-20) for Exceptional Student Unit -
5 Vocational. This appropriation shall be used to continue the program of vocational education for
6 handicapped students. The funds appropriated shall provide for Divisions I, II, and III funding for a
7 maximum of six units, prior to application of the vocational deduct, units in a single program. The unit
8 shall be based upon 13,500 pupil minutes per week of instruction or major fraction thereof after the first
9 full unit and shall be in addition to the funding otherwise provided under 14 Del. C. § 1703(d).

10 Section 385. Section 1 of this Act appropriates 37.7 FTEs, of which up to 4.0 shall be authorized
11 as teachers/supervisors, 29.7 authorized as teachers, 3.0 authorized as secretaries for the Department of
12 Education, and 1.0 education associate to operate the Prison Education Program. The qualification of
13 employees for the prison education program shall be the same as the qualification for employees in the
14 public high schools. Teachers/supervisors shall have teaching responsibilities as defined by job
15 responsibilities and duties developed by the Department of Education.

16 Salary for employees in the prison education program when paid from funds of this State, shall be
17 in accordance with the regularly adopted salary schedules set forth in 14 Del. C. c. 13. The salary so
18 computed shall be divided by .7 for ten months employment. If employed on an 11 or 12 month basis, the
19 ten month amount shall be multiplied by 1.1 or 1.2 respectively. In addition to the above calculation,
20 teachers and administrators qualifying for professional development clusters in accordance with 14 Del.
21 C. § 1305(l) shall receive an additional amount equal to the approved cluster percentage multiplied by the
22 base salary amount defined in 14 Del. C. § 1305(b). This calculation shall not be increased for 11 or 12
23 month employment. The percentage shall only be applied to the base 10 month salary for 10, 11 and 12
24 month employees. In accordance with 14 Del. C. § 1305(p), the cluster percentage is capped at 15
25 percent. Employees whose primary job location is onsite within the institution shall also receive
26 hazardous duty supplements as provided in the Merit System. Teachers/supervisors shall receive an
27 administrative supplement of four to eight percent to be determined by the Department of Education with
28 the approval of the co-chairs of the Joint Finance Committee.

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

4 Section 386. Any provisions of the Delaware Code to the contrary notwithstanding, the
5 Department of Education with the approval of the Director of the Office of Management and Budget and
6 Control General is authorized and directed to provide aides for the purpose of providing mainstreaming
7 services to deaf students.

8 Section 387. Section 1 of this Act makes an appropriation to Public Education, Block Grants and
9 Pass Through Programs, Special Needs Programs (95-03-20), for Tech Prep 2+2. A Delaware Tech Prep
10 Consortium is formed to provide for overall program development and management, coordination and
11 technical assistance. The Consortium will review and provide technical assistance and in-service training
12 for each proposal submitted to the Department of Education by any partnership initiating or operating a
13 Tech Prep Program. The Consortium will adopt rules and regulations consistent with state regulations
14 and federal legislation.

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

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

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

3 Section 388. Section 1 of this Act appropriates \$200.0 to Public Education, Block Grants and
4 Pass Through Programs, Special Needs Programs (95-03-20) for Innovative After School Initiatives.
5 Such funds shall be utilized to develop innovative after school programs to provide additional academic
6 support and enrichment for students. Funding shall provide approximately six to ten pilot programs
7 statewide, targeting grades five through ten and are encouraged to be delivered in partnership with private
8 businesses. The Department of Education shall administer a competitive grant process focused on the
9 following: tutoring academic areas of need for students at-risk of failing and/or not meeting the Delaware
10 content standards; enrichment programs incorporating both traditional and non-traditional approaches;
11 and outreach to parents, especially those who are reluctant to interact with schools.

12 Section 389. Section 1 of this Act makes an appropriation to Public Education, Block Grants and
13 Pass Through Programs, Special Needs Program (95-03-20). Of the amount appropriated, \$1,625.0 shall
14 be used to provide services to Limited English Proficient (LEP) students.

15 The Department of Education shall administer an application process to determine grant awards
16 to local districts.

17 To the extent that these funds are used to pay salary expenses, they may only be used for the state
18 share in accordance with the schedules contained in 14 Del. C., c. 13.

19 Section 390. Section 1 of this Act provides an appropriation to Public Education, Block Grants
20 and Pass Through Programs, Special Needs Programs for Reading Resource Teachers. This funding shall
21 provide one Reading Resource Teacher in each school, excluding state approved special schools, as long
22 as it maintains a grade configuration including any combination of grades Kindergarten through Fifth.
23 Reading Resource Teachers shall provide direct reading instruction to students which must include
24 explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading
25 fluency and reading comprehension strategies. Reading Resource Teachers shall work with the Reading
26 Cadre to ensure that appropriate reading activities and support are embedded in all curricular areas.
27 Reading Resource Teachers shall meet the requirements for the Standard Certification Reading Specialist.

1 This appropriation will provide districts and charter schools with the state share of salaries in
2 accordance with 14 Del. C. § 1305 for 10-month Reading Resource Teachers, as well as the appropriate
3 per unit amount of Division III funding. In order to maximize resources provided under this program
4 local school districts are encouraged to match this funding on a 70/30 state/local basis pursuant to the
5 provisions of 14 Del. C. § 1902(b).

6 The Department of Education will study and collect information from each school district
7 regarding the utilization of these educators, achievements and anticipated outcomes. The Department will
8 report this information to the Joint Finance Committee co-chairs, Director of the Office of Management
9 and Budget and Controller General no later than December 31 of each fiscal year.

10 Section 391. Section 1 of this Act provides an appropriation to Public Education, Block Grants
11 and Pass Through Programs, Special Needs Programs for Mathematics Resource Teachers/Specialists.
12 This funding shall provide one Mathematics Resource Teacher/Specialist to all schools with a grade
13 configuration containing both seventh and eighth grades.

14 Mathematics Resource Teachers/Specialists shall be utilized during the regular school day with
15 students who need additional support and instruction in standards based mathematics with the intent that
16 the students will be taught the skills they need to meet the Delaware mathematics standards as assessed by
17 the DSTP. Specifically these Teachers/Specialists will examine DSTP and other standards based
18 assessment data to determine students' progress toward meeting grade level expectations in Mathematics,
19 and will instruct students individually or in small groups to teach specific skills and concepts in which
20 students are deficient.

21 This appropriation will provide schools within districts and charter schools with the state share of
22 salaries in accordance with 14 Del. C. § 1305 for 10-month Mathematics Resource Teachers/Specialists,
23 as well as the appropriate per unit amount of Division III funding. In order to maximize resources
24 provided under this program local school districts are encouraged to match this funding on a 70/30
25 state/local basis pursuant to the provisions of 14 Del. C. § 1902(b).

26 The Department of Education will collect and study information from each school district
27 regarding the use of these educators, achievements and anticipated outcomes. The Department shall

1 report this information to the Joint Finance Committee co-chairs, the Director of Office of Management
2 and Budget and Controller General no later than February 1 of each fiscal year.

3 Section 392. Section 1 of this Act provides an appropriation of \$73.6 to Public Education, Block
4 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for Career Transition to create a
5 three-year pilot program implementing the recommendations that resulted from House Resolution #36 of
6 the 143rd General Assembly – Special Education Mentor Task Force. The Department of Education and
7 the Division of Vocational Rehabilitation, Department of Labor shall oversee administration of the
8 program. Such oversight shall include an annual evaluation of the program. The Departments of
9 Education and/or Labor may enter into contractual arrangements to operate the program.

10 Section 393. Section 1 of this Act makes an appropriation to Public Education, Block Grants and
11 Pass Through Programs, Special Needs Programs (95-03-20) for Early Childhood Initiatives. These
12 funds are to be used to support the T.E.A.C.H. program and the Early Childhood Apprenticeship program
13 to support career training and education for early childhood workers. Additionally, the Department of
14 Education may develop an implementation plan for creation of a Leadership Academy for Early
15 Childhood workers and a program to train child care workers who are English Language Learners or have
16 low literacy levels, as outlined in Early Success, for approval by the Director of the Office of
17 Management and Budget and the Controller General prior to implementation.

18 Section 394. (a) Section 1 of this Act provides an appropriation of \$2,250.0 to Public Education,
19 Pupil Transportation (95-04-01) for Non-Public School Transportation Reimbursements. This
20 appropriation shall be allocated for qualifying non-public, non-profit schools, based on the procedure
21 adopted by the Joint Finance Committee on April 16, 1981. The Public School Transportation
22 Committee, consisting of representatives from the Department of Education, Controller General’s Office,
23 Office of Management and Budget and representatives for bus contractors and school district
24 transportation supervisors shall make recommendations to the Director of Office of Management and
25 Budget and Controller General for revisions to components of the transportation formula no later than
26 April 1, 2009.

27 (b) Transportation funds for public school districts during the fiscal year ending June 30, 2009,
28 shall be allocated and shall not exceed \$82,563.3 (of which \$6,413.1 is designated as a transportation

1 contingency for Charter initiatives), according to bus contract or district transportation formula, as
2 adopted by the State Board of Education on July 23, 1987, subject to the following amendments and
3 procedural modifications:

4 (1) The per gallon price used to calculate the fuel allowance shall be based on the state
5 contract bid price for fuel plus \$.07 per gallon for districts and plus \$.31 per gallon for
6 contractors. For districts and contractors north of the Chesapeake and Delaware Canal,
7 the per gallon price shall be based on delivery to a large-sized tank (5,000 or more
8 gallons). In the case of contractors located south of the Chesapeake and Delaware Canal,
9 the per gallon price shall be based on delivery to a small-sized tank (275 - 1,900 gallons).
10 Upon determination by the Department of Education that a contractor located North of
11 the Chesapeake and Delaware Canal and operating five or fewer buses does not have
12 existing storage capacity in the large tank range, the per gallon price shall be based on the
13 smaller tank size.

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

21 (2) For this Fiscal Year, the operating allowance will be adjusted for inflation by a rate of
22 one percent.

23 (3) For the fiscal year ending June 30, 2009, the allowable cost of a new unused bus that was
24 purchased by a contractor and put on contract and that was produced between January 1,
25 2008 and December 31, 2008 (as noted on the school bus identification plate) shall begin
26 its seven-year capital allowance schedule using the 2008 state bid price for new school
27 buses, minus two percent for salvage value, plus eleven percent to account for dealer
28 charges and profits not reflected in the state bid price due to the higher number of buses

1 being purchased and the lag time between ordering and delivery. Any bus produced and
2 placed in service after January 1, 2009 the current fiscal year shall be entitled to an
3 allowance based on the 2009 state bid price.

4 A used bus placed in service shall utilize the allowance schedule which would have
5 been allowed had the bus been placed in service when new based on its production date.
6 The bus shall receive the remaining years of capital allowance. The Department of
7 Education shall continue to utilize the procedures developed in Fiscal Year 1989 for
8 determining the allowable cost for any size bus that it did not bid in Fiscal Year 2008. In
9 addition to the procedure for establishing the allowable cost of a new bus specified
10 above, the Department of Education is requested to structure its bids for buses in the
11 fiscal year ending June 30, 2009, in such a manner that public school bus contractors will
12 be permitted to purchase buses from the successful lower bidder at the same price as the
13 State of Delaware. If a contractor elects to purchase a bus at the bid price, the lowest
14 base bid of an awarded contract minus two percent for salvage value will be the
15 allowable cost in subsequent reimbursements to the contractor.

16 (4) In Fiscal Year 2009, the school bus contractor insurance allowance shall be increased
17 by five percent.

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

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

27 Section 395. Amend 14 Del. C. § 511 (b) by adding the following to the end of the existing
28 section: "Modifications associated with the provision of student transportation services as a result of

1 changes to the Annual Appropriations Act to § 508 of this chapter shall be considered a minor
2 modification.”

3 Section 396. Notwithstanding any other provisions of the Delaware Code or this Act to the
4 contrary, the Department of Education is authorized to approve and provide funding for additional
5 transportation routes necessary to support the Seaford School District’s pilot implementation of a
6 balanced calendar schedule, beginning in Fiscal Year 2003.

7 Section 397. (a) During the fiscal year, the Department of Education is hereby directed to
8 provide bus transportation of public school students previously declared ineligible by the Unique Hazards
9 Committee, including the following:

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

- 1 (9) Students attending Woodbridge Junior-Senior High School who must travel along Route
2 13A south of Bridgeville, and students living west of Bridgeville who must travel along
3 Route 404 or Route 18.
- 4 (10) Students attending Smyrna Middle School who reside in the Sunnyside Acres area
5 between Sunnyside Road and U.S. 13 and who would otherwise be required to walk
6 along U.S. 13 in order to reach school.
- 7 (11) Students attending the Concord High School who live south of Naamans Road in the
8 Talleybrook-Chalfonte, Brandywood, Brandon and Beacon Hill areas who must walk
9 along Grubb and/or Naamans Road with a constant threat of injury.
- 10 (12) Students attending the Laurel Elementary Schools in Grades K-6 who live in the Town of
11 Laurel and the surrounding areas.
- 12 (13) Students attending Dover High School who live in Old Sherwood, south of Waples
13 Avenue.
- 14 (14) Students attending the Mt. Pleasant Elementary School, who would be forced to walk
15 along Bellevue Road.
- 16 (15) Students attending the Mt. Pleasant Elementary School, who would be forced to cross
17 over and/or walk along River Road between Lore and Bellevue.
- 18 (16) Students attending the Douglas Kindergarten Center, who would be forced to walk along
19 Route 2 (Union Street) or through Canby Park via the paths, with a constant threat of
20 injury.
- 21 (17) K-3 - New Todd Estates Development to Jeannie Smith Elementary School - because of
22 hazards of Route 4 at Pierson Drive intersection.
- 23 (18) Children living in West Wilmington Manor who walk to Wilmington Manor Elementary
24 School.
- 25 (19) Woodbridge Elementary School students living in the town of Greenwood, west of the
26 railroad tracks.

- 1 (20) Woodbridge Jr./Sr. High School students living on Route 13A from Route 13 north of
2 Bridgeville to Bridgeville north of town limits including streets with access to that part of
3 Route 13A.
- 4 (21) Talley Jr. High School students who reside in the Ashbourne Hills, Greentree, Stoney
5 Brook areas, students who reside in the Woodacre Apartments and students who live
6 along Peachtree Road.
- 7 (22) Springer Middle School students residing in Eden Ridge III, Tavistock, Sharpley and
8 Eden Ridge who must cross Concord Pike.
- 9 (23) Sussex Central High School and Georgetown Elementary School students who live east
10 of Bedford Street.
- 11 (24) Lombardy Elementary School students who must cross Foulk Road.
- 12 (25) Central Middle School students who reside in the vicinity of 1508 Dinahs Corner Road.
- 13 (26) Students attending the Colwyck Elementary School who live in the Landers Park and
14 Swanwyck Gardens residential areas.
- 15 (27) Students attending Central Middle School, living in the area south of Kent General
16 Hospital, to include students living along and south of Westview Terrace, Dover Street,
17 Hope Street and Sackarackin Avenue.
- 18 (28) Students of the Appoquinimink School District who reside in Odessa Heights.
- 19 (29) Students attending Brandywine High School who live in Concord Manor and are forced
20 to walk along Shellpot Drive and Windley Hill.
- 21 (30) Students attending Clayton Elementary, North Elementary or the Bassett Middle School
22 in the Smyrna School District who live on Buresch Drive.
- 23 (31) Notwithstanding the construction of any sidewalk or footpath along Grubb Road between
24 Naamans Road and Marsh Road, any child currently receiving bus transportation by the
25 Brandywine School district who lives along Grubb Road (between Naamans Road and
26 Marsh Road) or lives in a neighborhood which enters directly onto Grubb Road (between
27 Naamans Road and Marsh Road) shall continue to receive bus transportation to and from
28 school.

- 1 (32) Students residing in Brookview Apartments and lower Ashbourne Hills who attend
2 Darley Road Elementary School.
- 3 (33) Stanton Middle School students residing in Kiamensi Gardens, Kiamensi Heights and
4 Westfield who must cross Limestone Road.
- 5 (34) Students attending Warner Elementary or Warner Kindergarten who also attend the
6 Brandywine Day Care or the Strawberry Patch Neighborhood Centers.
- 7 (35) Students attending Brandywine Springs Elementary School who live along Newport Gap
8 Pike.
- 9 (36) Students attending Mt. Pleasant High School who reside in the vicinity of Rysing Drive
10 in Edgemoor Gardens, in the vicinity of Rysing Drive in the Village of Woods Edge, and
11 in the vicinity of Edgemoor Road in Edgemoor Terrace, and the Village of Fox Point on
12 The Governor Printz Boulevard.
- 13 (37) Students attending the Woodbridge School District, who live in the Canterbury
14 Apartments in Bridgeville, will embark and disembark in the parking lot of the apartment
15 complex in lieu of the bus stop area along the heavily traveled U.S. 13.
- 16 (38) Students attending McCullough Middle School living along and east of Route 9 from I-
17 295 north to district boundary.
- 18 (39) Students attending Talley Middle School who can walk without hazard to the corner of
19 Yardley Lane and Silverside Road.
- 20 (40) All students attending Kathryn Wilbur Elementary School in the Colonial School district.

21 (b) The transportation of the students specified herein shall continue until the funds requested are
22 appropriated and construction is completed. Spur routes shall continue to be served as at present.

23 Section 398. Notwithstanding the provisions of any state law or regulation to the contrary, the
24 Colonial School District is hereby directed to provide bus transportation for public school students who
25 attend the Panda Early Education Center at 1169 South DuPont Highway in New Castle to and from
26 Wrangle Hill Elementary School and Southern Elementary School. The Colonial School district is
27 authorized to utilize state transportation dollars to fund the transportation of students as directed herein.

1 Section 399. Notwithstanding the provisions of any state law to the contrary, the Red Clay
2 Consolidated School District is authorized to utilize state transportation dollars to fund students traveling
3 from routes to and from the Cab Calloway School of the Arts and Brandywine Spring Elementary School
4 and the Indian River School District is authorized to utilize state transportation dollars to fund students
5 traveling from routes to and from the Southern Delaware School of the Arts.

6 Section 400. During the fiscal year, the Department of Education will continue and broaden
7 implementation of the computerized routing system for school bus transportation. During this
8 implementation, the Department is directed to continue to provide bus transportation services to any
9 residential area which has received transportation services since October 1, 1977.

10 Section 401. Section 1 of this Act provides an appropriation to Department of Education, Pupil
11 Transportation (95-04-00) for Public School Transportation. Notwithstanding the provisions of 21 Del.
12 C. § 4366, the following reimbursement methodology is in effect:

13 (a) For those school districts or private contractors who are operating school buses equipped with
14 cellular phone technology or have no radio or telephonic communication equipment, the Department of
15 Education is authorized to bring said districts and contractors under a State negotiated cellular phone
16 contract such that the State shall pay one-half of the costs associated with the monthly connect charge,
17 subject to the availability of funds.

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

21 Section 402. Section 1 of this Act provides \$500.0 ASF to the Department of Education, Driver
22 Training (95-03-30) to develop and implement a fee structure for the provision of driver's education
23 services to non-public school students beginning in Fiscal Year 2009. Upon approval of the co-chairs of
24 the Joint Finance Committee, the Department shall be authorized to promulgate rules and regulations
25 associated with this fee structure. The fee shall not be greater than the amount charged to out-of-state
26 non-public students attending Delaware schools. Additionally, the Department is authorized to transfer
27 GF FTEs in 95-03-30 to appropriated special funds throughout the fiscal year as revenue becomes
28 available.

1 Section 403. Amend 14 Del. C. § 223 by deleting subsection (e) in its entirety and renaming the
2 remaining section accordingly.

3 Section 404. Amend 14 Del. C. § 409 by deleting subsections (b) and (c) in their entirety.

4 Section 405. Amend 14 Del. C. § 508 by deleting the number “80%” as it appears therein and
5 inserting in lieu thereof “75%”.

6 Section 406. Section 1 of this Act provides an appropriation to the Department of Education,
7 Delaware Center for Educational Technology (DCET) for a Technology Block Grant. DCET shall
8 administer a non-competitive application process to determine grant awards to local school districts and
9 charter schools. Funds provided by this Act shall be used in the following priority order: (1) Supporting
10 the maintenance of existing equipment in the schools either through the use of a full time technology
11 position or contractually, (2) replacement of existing equipment, or (3) such other technology needs as
12 may arise which could improve or enhance the technology capabilities of the district. To the extent that
13 these funds are used to pay salary expenses, they may only be used for the state share in accordance with
14 the schedules contained in 14 Del. C. c. 13. Funding will be distributed based on the formula developed
15 and approved by the co-chairs of the Joint Finance Committee in Fiscal Year 2001. Local districts are
16 encouraged to match their allocation pursuant to the provisions of 14 Del. C. § 1902(b), provided the local
17 match does not exceed those established under 71 Del Laws c. 378. Beginning in Fiscal Year 2008, the
18 matching provisions provided in this section shall not be interpreted to provide duplicative rate increases.
19 It shall be the responsibility of the Department of Education to receive and disburse these funds. The
20 department shall also be charged with the authority to verify the use of the funds and shall require each
21 school district to annually report on expenditures of the funds.

22 Section 407. Section 1 of this Act provides an appropriation to the Department of Education,
23 Delaware Center for Education Technology (DCET). It is the intent of the General Assembly that DCET
24 be responsible for and engage in activities related to total project needs and budgets for statewide
25 education technology projects, the establishment of cost-sharing policies, the initiation and delivery of
26 instructional technology programs, implementation on an on-going basis of professional training
27 programs related to statewide education technology and providing technical assistance to the Department

1 of Education for the initiation of system-wide applications including administrative and curriculum
2 development.

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

7 Section 408. Section 1 of this Act makes an appropriation to Public Education, Delaware Center
8 for Educational Technology (95-07-01) for the Delaware Virtual School. These funds shall be used to
9 support the development of the infrastructure needed to create and sustain a delivery system for Virtual
10 school initiatives. Efforts should follow best practices and should be focused on creating new
11 opportunities for students.

12 Section 409. The provisions of this Act to the contrary notwithstanding, consistent with the
13 provisions of 14 Del. C. § 509(b), charter schools eligible to receive allocations from the Professional
14 Accountability and Instructional Advancement fund, School-Based Student Discipline programs, Limited
15 English Proficient, Academic Excellence, Technology Block Grant and Minor Capital Improvements
16 program will not be required to submit an application to the Department of Education. Any funds
17 received as a result of the allocation of these programs may be used for current operations, Minor Capital
18 Improvements, Debt Service payments or tuition payments.

19 Section 410. Section 1 of this Act makes an appropriation to the Department of Education,
20 Delaware Higher Education Commission (95-08-01) for Scholarships and Grants. Of that amount, \$36.7
21 shall be used for the Herman M. Holloway, Sr. Scholarship Program per the provisions of 14 Del. C. c.
22 34; \$255.0 shall be used for the FAME Scholarship Program; \$30.0 shall be used for the MERIT
23 Scholarship Program; \$275.0 shall be used for the Professional Librarian/Archives Incentive Program;
24 \$64.2 for the Charles L. Hebner Scholarship; \$125.0 for Critical Teacher Scholarships; \$250.0 for
25 Delaware Teacher Corps and \$40.0 for the Washington Center for Internships. Any Herman M.
26 Holloway Sr. Scholarship Program funds remaining after payment of the Holloway Scholarships may be
27 awarded to Delaware State University students with financial need who applied to the Scholarship
28 Incentive Program.

1 Section 411. The Delaware Higher Education Commission (DHEC) in the initial award cycle of
2 the SCIP Program shall not exceed 120 percent of the annual SCIP appropriation. Funds unused in any
3 given fiscal year may be carried over into a reserve account to be utilized for SCIP awards in the
4 subsequent year with approval of the Department of Education. In the event that actual awards exceed
5 projected award amounts, spring awards may be reduced to cover the difference.

6 Section 412. Effective July 1, 2004, the Department of Education, in accordance with 14 Del. C.
7 § 183, shall integrate at the level approved by the Joint Finance Committee on June 2, 2004.

8 Section 413. The Delaware Higher Education Commission is hereby authorized to use up to
9 \$25.0 of the interest income from the Michael C. Ferguson Achievement Award to support the
10 recognition of students who are awarded scholarships associated with that appropriation.

11 Section 414. During the fiscal year, the Department of Education, with the approval of the State
12 Board of Education, is authorized to establish and maintain procedures, by regulation pursuant to 14 Del.
13 C. 3110(c), for the conduct of expedited due process hearings which shall be available to children with
14 disabilities and their parents where required by federal or state law, and/or departmental regulation. For
15 the purposes of such expedited due process hearings, during each fiscal year the Department of Education
16 is authorized to engage the professional services of a cadre of single hearing officers to preside over such
17 hearings.

18 Section 415. The Brandywine School District Board shall maintain as a stand alone program its
19 Gifted and Talented Program (also known as the Odyssey Program, formally known as the Brandywine
20 Academically Gifted Program) at least through the end of the 2011-2012 school year. The program shall
21 be fully maintained at Mt. Pleasant Elementary School and Claymont Elementary School and expanded to
22 PS DuPont Middle school in the 2009-2010 school year. During this time, the District shall fully support
23 the Odyssey Program in terms of outreach, recruitment, assessment of students for entry into the program,
24 curriculum development, teacher assignment and other support elements as currently exist.

25 Section 416. The Department of Education shall continue to work towards the collection of
26 school-level financial data. To this end, when processing transactions in the Delaware Financial
27 Management System (DFMS), local school districts shall use a standard set of program codes as
28 established by the Department of Education effective July 1, 2003.

1 Section 417. Notwithstanding the provisions of 14 Del. C. § 203, § 604 or any sections of this
2 Act to the contrary, the Christina School District is authorized to operate the Sarah Pyle Academy as a
3 special program and charge tuition for the support of the Academy as provided in 14 Del. C. § 604 during
4 the 2008-2009 school year. The Academy shall operate as an academic recovery, drop-out prevention
5 pilot at no additional cost to the State. The students attending this program shall continue to be counted
6 in the enrollment of their regular school, however, the state funding associated with these students as
7 determined by the Secretary of Education shall be utilized by the Sarah Pyle Academy. This program
8 shall be for the express purpose of providing educational services for students in high school who are no
9 less than 16 years of age, who have less than five credits toward graduation, and have a documented
10 family or personal situation that indicates traditional school enrollment is not feasible. This program shall
11 not be a discipline program as defined or authorized by 14 Del. C. c. 16. An independent evaluation, with
12 oversight by the Department of Education, shall be conducted at the expense of the Christina School
13 District. A final report shall be provided to the Secretary of Education, the Director of the Office of
14 Management and Budget, the Controller General, and the Co-Chairs of the Joint Finance Committee by
15 June 15 of each fiscal year.

16 Section 418. A school district operating a tuition eligible program or school may not reallocate
17 state units earned for the special school or program, if such reallocation requires an increase in the tuition
18 tax rate or tuition billing amount. If a reallocation of state units earned will not require such an increase,
19 districts may reallocate positions as necessary to ensure the most efficient delivery of services, except for
20 those instances currently prohibited by Delaware Code.

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

26 Section 419. In accordance with the Salary and Personnel Performance Audit completed
27 February 16, 2007, and the successful appeal as approved by the Office of Management and Budget and

1 the Controller General, the Christina School District shall repay the amount of \$1,190,247. These funds
2 shall be repaid by withholding Division III Equalization funds in accordance with the following schedule:

3	Fiscal Year 2009	\$297,562
4	Fiscal Year 2010	\$297,562
5	Fiscal Year 2011	\$297,561

6 Section 420. (a) Section 1 of this Act makes an appropriation to the Department of Education,
7 Delaware Higher Education Commission (95-08-01) for SEED (Student Excellence Equals Degree)
8 Scholarship. This appropriation shall be used to award scholarships to graduates of Delaware public and
9 nonpublic high schools who meet the eligibility criteria pursuant to the provisions of 14 Del. C. c. 34
10 Subchapter XIV. Delaware Technical and Community College and the University of Delaware (The
11 Institutions) have established regulations for the implementation and administration of the SEED
12 Program. The Institutions are responsible for requesting a transfer of funds from the Department of
13 Education based on the enrollment of students receiving the SEED Scholarship. Funds awarded under the
14 SEED program are portable in the event that an eligible student transfers between the two eligible
15 institutions.

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

18 Section 421. Amend 14 Del. C. § 3403A(b) by adding the following at the end of the existing
19 subsection: “Such rules and regulations may include an appeals process to grant exceptions to the
20 eligibility requirements set forth in 3404A(6) of this subchapter for applicants who are unable to attend
21 classes in the fall semester immediately after graduation from high school due to military service or a
22 documented medical condition. Admission deferrals of up to one calendar year in duration may be
23 offered to those students who defer admission due to military service or a documented medical condition.
24 Upon passage of one year, students may appeal for an admission deferral for one additional consecutive
25 year.”

26 Section 422. Amend 14 Del. C. § 1507(a) by adding the following at the end of the fifth
27 paragraph: “In addition, the district shall pay an amount to the State for interest defined as the average
28 rate of return on state investments during the period of the loan.”

1 Section 423. Amend 14 Del. C. § 2736 by deleting the section in its entirety.

2 Section 424. Amend 29 Del. C. § 5903 by deleting section (12) it in its entirety and substituting
3 in lieu thereof the following: “All employees of each state school district, special school district and
4 charter schools, all employees of the Department of Education and all employees who teach in state
5 institutions pursuant to unit allocations as set forth in 14 Del. C. § 1703.”

6 Section 425. The Department of Education is hereby directed to maintain the Sussex County
7 Learning Center at its current location at the Delaware Technical and Community College Owens Campus
8 in the amount of \$60.9 which includes one Resource Center Manager position.

9 Section 426. Beginning in Fiscal Year 2009, all school districts and charter schools shall access
10 the data services and technical assistance of the Northern Data Center for compliance with the provisions
11 of 14 Del. C. § 122(11). Such services shall include ensuring that all financial reports remain available in
12 the new financial system and are accessible by the Department of Education, Office of Management and
13 Budget and Controller General’s Office.

14 Section 427. Notwithstanding the provisions of 14 Del C. c. 13, any reference to years of
15 experience for the purpose of determining placement on a salary schedule will equate to steps in the new
16 state payroll system, when it becomes operational, where zero years of experience will be the equivalent
17 of step one, one year of experience will be the equivalent of step two and so forth to align with the current
18 salary schedules. This change in language shall not be interpreted to increase the number of levels of
19 compensation provided on any given salary schedule.

20 Section 428. During the course of the fiscal year, the Office of Management and Budget,
21 Controller General’s Office and Department of Finance is authorized to review the Senior Property Tax
22 Relief Program. This review shall include, but not be limited to, a means test for the administration of the
23 program or alternative methods to help mitigate costs. Any resulting recommendations shall be submitted
24 to the co-chairs of the Joint Finance Committee no later than March 1, 2009.

25

SYNOPSIS

This Bill is the Fiscal Year 2009 Appropriation Act.

Author: Joint Finance Committee