SPONSORS: Rep. Gilligan, Schwartzkopf, Longhurst; Sen. Adams, DeLuca, Blevins

HOUSE OF REPRESENTATIVES

145th GENERAL ASSEMBLY

HOUSE BILL NO. 25

JANUARY 15, 2009

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2010; 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:

Section 1. The several amounts named in this Act, or such part thereof as may be necessary and essential to the proper conduct of the business of the agencies named herein, during the fiscal year ending June 30, 2010, are hereby appropriated and authorized to be paid out of the Treasury of the State by the respective departments and divisions of State Government, and other specified spending agencies, subject to the limitations of this Act and to the provisions of Title 29, Part VI, Delaware Code, as amended or qualified by this Act, all other provisions of the Delaware Code notwithstanding. All parts or portions of the several sums appropriated by this Act which, on the last day of June 2010, shall not have been paid out of the State Treasury, shall revert to the General Fund; provided, however, that no funds shall revert which are encumbered pursuant to Title 29, Section 6521, Delaware Code.

The several amounts hereby appropriated are as follows:

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DEPARTMENTS

Year ending June 30, 2010

(01-00-00) LEGISLATIVE

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			(01-01-01) General Assembly - House				
		32.0	Personnel Costs				5,237.6
			Travel				
			Mileage - Legislative				58.2
			Other - Travel				69.8
			Contractual Services				325.0
			Supplies and Materials				40.0
			Other Items:				
			Expenses - House Members				323.6
			House Committee Expenses				15.0
		32.0	**TOTAL -- General Assembly - House**				6,069.2
			(01-02-01) General Assembly - Senate				
		20.0	Personnel Costs				3,268.0
			Travel				
			Mileage - Legislative				52.3
			Other - Travel				10.9
			Contractual Services				152.0
			Supplies and Materials				35.0
			Capital Outlay				45.0
			Other Items:				
			Expenses - Senate Members				175.1
			Senate Committee Expenses				75.0
		20.0	**TOTAL -- General Assembly - Senate**				3,813.3
			(01-05-01) Commission on Interstate Cooperation				
			Travel				20.0
			Legislative Travel				70.0
			Contractual Services				40.0
			Supplies and Materials				0.5
			Other Items:				
			Council of State Governments				81.9
			Delaware River Basin Commission				434.0
			National Conference of State Legislatures				89.0
			Eastern Trade Council				5.0
			Legislation for Gaming States				3.0
			Interstate Agriculture Commission				25.0
			State and Local Legal Center, NCSL				3.0
			TOTAL -- Commission on Interstate Cooperation				771.4

(01-00-00) LEGISLATIVE

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			(01-08-00) Legislative Council				
			(01-08-01) Research				
		17.0	Personnel Costs				1,280.0
			Travel				18.3
			Contractual Services				262.1
			Supplies and Materials				119.7
			Capital Outlay				30.0
			Other Items:				
			Sunset Committee Expenses				7.5
			Technical Advisory Office				55.0
			Printing - Laws and Journals				38.5
		17.0	TOTAL -- Research				1,811.1
			(01-08-02) Office of the Controller General				
	1.0	14.0	Personnel Costs			100.0	1,416.4
			Travel				14.4
			Contractual Services				494.1
			Supplies and Materials				70.0
			Capital Outlay				27.0
			Strategic Reduction/Investment Target				(555.0)
			Family Law Commission Expenses				8.3
			Contingencies:				
			Juvenile Detention Oversight Committee				15.0
			JFC/CIP Contingency				15.0
			U. of D. Senior Center Formula Update				25.0
			Internship Contingency				5.0
			Alternative Energy Pilot - Poultry				10.0
			Legislative Council				25.0
			Legal - Neighborhood Schools				10.0
			Clean Air Policy Committee				10.0
			Security				30.0
	1.0	14.0	TOTAL -- Office of the Controller General			100.0	1,620.2
			(01-08-03) Code Revisors				
			Travel				1.1
			Contractual Services				220.8
			Supplies and Materials				0.5
			TOTAL -- Code Revisors				222.4
			(01-08-06) Commission on Uniform State Laws				
			Travel				17.0
			Contractual Services				22.4
			Supplies and Materials				0.2
			TOTAL -- Commission on Uniform State Laws				39.6
	1.0	31.0	**TOTAL -- Legislative Council**			100.0	3,693.3
1.0	**83.0**		**TOTAL -- LEGISLATIVE**			**100.0**	**14,347.2**

(02-00-00) JUDICIAL

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			(02-01-00) Supreme Court				
11.3		27.0	Personnel Costs			9.5	2,990.8
			Travel			6.8	16.8
			Contractual Services			121.4	172.9
			Energy				8.5
			Supplies and Materials			5.0	36.4
			Capital Outlay			6.7	
11.3		27.0	**TOTAL -- Supreme Court**			149.4	3,225.4
		27.0	(-10) Supreme Court	149.4	3,225.4		
11.3			(-40) Regulatory Arms of the Court				
11.3		27.0	TOTAL -- Internal Program Units	149.4	3,225.4		
			(02-02-00) Court of Chancery				
	23.1	28.9	Personnel Costs			1,157.9	2,996.9
			Travel			5.5	15.7
			Contractual Services			992.1	67.0
			Supplies and Materials			37.5	26.0
			Capital Outlay			35.0	
	23.1	28.9	**TOTAL -- Court of Chancery**			2,228.0	3,105.6
	23.1	28.9	(-10) Court of Chancery	2,228.0	3,105.6		
	23.1	28.9	TOTAL -- Internal Program Unit	2,228.0	3,105.6		
			(02-03-00) Superior Court				
		313.5	Personnel Costs				20,880.3
			Travel				65.1
			Contractual Services				358.4
			Supplies and Materials				239.6
			Capital Outlay				46.0
			Jury Expenses				612.8
		313.5	**TOTAL -- Superior Court**				22,202.2
		313.5	(-10) Superior Court		22,202.2		
		313.5	TOTAL -- Internal Program Unit		22,202.2		
			(02-06-00) Court of Common Pleas				
	4.0	130.0	Personnel Costs			251.3	8,885.7
			Travel				14.7
			Contractual Services				283.8
			Supplies and Materials				91.0
			Capital Outlay			4.0	14.6
	4.0	130.0	**TOTAL -- Court of Common Pleas**			255.3	9,289.8
	4.0	130.0	(-10) Court of Common Pleas	255.3	9,289.8		
	4.0	130.0	TOTAL -- Internal Program Unit	255.3	9,289.8		

(02-00-00) JUDICIAL

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			(02-08-00) Family Court				
1.0	63.7	278.3	Personnel Costs			3,627.7	19,068.7
			Travel			12.3	33.4
			Contractual Services			218.9	439.6
			Supplies and Materials			62.2	131.2
			Capital Outlay			48.0	
			Child Protection Registry Appeals			113.3	
1.0	63.7	278.3	**TOTAL -- Family Court**			4,082.4	19,672.9
1.0	63.7	278.3	(-10) Family Court	4,082.4	19,672.9		
1.0	63.7	278.3	TOTAL -- Internal Program Unit	4,082.4	19,672.9		
			(02-13-00) Justice of the Peace Court				
	9.0	247.5	Personnel Costs				15,363.0
			Travel				12.3
			Contractual Services				1,524.2
			Energy				115.4
			Supplies and Materials				131.2
			Capital Outlay				19.5
			Debt Service				0.3
	9.0	247.5	**TOTAL -- Justice of the Peace Court**				17,165.9
	9.0	247.5	(-10) Justice of the Peace Court		17,165.9		
	9.0	247.5	TOTAL -- Internal Program Unit		17,165.9		
			(02-15-00) COTS/Security Central Account				
			Personnel			427.2	
			Contractual Services			887.4	
			Supplies and Materials			69.1	
			Capital Outlay			100.0	
			TOTAL -- COTS/Security Central Account			1,483.7	
			(-10) COTS/Security Central Account	1,483.7			
			TOTAL -- Internal Program Unit	1,483.7			
			(02-17-00) Administrative Office of the Courts - Court Services				
		78.5	Personnel Costs				5,870.7
			Travel				35.2
			Contractual Services				1,197.6
			Energy				5.7
			Supplies and Materials				355.1
			Capital Outlay				240.9
			Other Items:				
			Strategic Reduction/Investment Target				(1,282.7)
			COTS Maintenance Agreements				739.8
			Retired Judges				60.0
			Continuing Judicial Education				58.3
			Victim Offender Mediation Program				361.1
			Conflict Attorneys				2,351.4
			CASA Attorneys				258.3
			Family Court Civil Attorney				529.0
			Elder Law Program				50.0

(02-00-00) JUDICIAL

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			Interpreters				409.1
			Court Appointed Attorneys/Involuntary Commitment				177.6
			New Castle County Courthouse			33.4	365.7
		78.5	**TOTAL -- Administrative Office of the Courts - Court Services**			33.4	11,782.8
		33.0	(-01) Office of the State Court Administrator	33.4	6,445.6		
		8.0	(-03) Office of State Court Collections Enforcement		564.1		
		34.0	(-04) Judicial Information Center		4,312.7		
		3.5	(-05) Law Libraries		460.4		
		78.5	TOTAL -- Internal Program Units	33.4	11,782.8		
			(02-18-00) Administrative Office of the Courts - Non-Judicial Services				
	8.0	28.5	Personnel Costs			465.1	2,026.4
			Travel			34.0	37.7
			Contractual Services			107.3	208.1
			Energy				9.8
			Supplies and Materials			20.0	28.3
			Capital Outlay			6.0	0.2
			Other Items:				
			Special Needs Fund				0.5
			Violent Crime Grants			2,500.0	
			Ivy Davis Scholarship Fund				50.0
			Revenue Refund			1.5	
	8.0	28.5	**TOTAL -- Administrative Office of the Courts - Non-Judicial Services**			3,133.9	2,361.0
		7.0	(-01) Office of the Public Guardian		500.7		
	8.0		(-02) Violent Crimes Compensation Board	3,133.9			
		7.5	(-03) Child Placement Review Board		518.7		
		7.0	(-05) Office of the Child Advocate		870.5		
		6.0	(-06) Child Death, Near Death and Still Birth Commission		414.2		
		1.0	(-07) Nursing Home Residents Quality Assurance Commission		56.9		
	8.0	28.5	TOTAL -- Internal Program Units	3,133.9	2,361.0		
12.3	**107.8**	**1,132.2**	**TOTAL -- JUDICIAL**			**11,366.1**	**88,805.6**

(10-00-00) EXECUTIVE

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			(10-01-01) Office of the Governor				
	1.0	24.0	Personnel Costs			78.4	2,387.3
			Travel				14.0
			Contractual Services			167.7	179.1
			Supplies and Materials				22.7
			Other Items:				
			Strategic Reduction/Investment Target				(28.6)
			Woodburn Expenses				73.0
			Contingency-Other Expenses				8.7
	1.0	24.0	**TOTAL -- Office of the Governor**			246.1	2,656.2
			(10-02-00) Office of Management and Budget				
30.2	172.0	245.1	Personnel Costs			10,744.7	16,972.5
			Travel			92.5	80.1
			Contractual Services			10,998.3	13,594.7
			Energy			634.7	6,858.5
			Supplies and Materials			4,560.4	1,221.8
			Capital Outlay			701.9	52.7
			Cars and Wagons			5,506.0	
			Administration Other Items:				
			Strategic Reduction/Investment Target				(2,734.4)
			Trans & Invest			500.0	
			Evaluation Projects				200.0
			Administration - International Development Group:				
			World Trade Center				204.0
			International Trade				327.2
			Taiwan Trade Office			125.0	
			Italian/American Commission				17.0
			Budget Commission				40.0
			Statistical Analysis Center Other Items:				
			Juvenile YRS			61.6	
			Budget Administration Other Items:				
			Development Projects				750.0
			Budget Automation - Operations				38.0
			Contingencies and One-Time Items:				
			Strategic Reduction/Investment Target				(6,280.9)
			Personnel Strategic Reduction/Investment Target				(127,415.8)
			Higher Education/Reengineering				
			Strategic Reduction/Investment Target				(36,359.3)
			Livable Delaware				63.7
			Prior Years' Obligation				450.0
			Self Insurance				5,750.0
			Legal Fees				4,750.0
			Personnel Costs - Salary Shortage				400.0
			Appropriated Special Funds			27,000.0	
			Salary/OEC Contingency				21,318.9
			One-Time				1,188.5
			KIDS Count				85.0
			Great Beginnings				22.1
			Judicial Nominating Committee				8.0
			Elder Tax Relief & Education Expense Fund				17,224.6
			Tax Relief & Education Expense Fund				17,500.0
			Civil Indigent Services				233.7
			4 Year Nursing Expansion				500.0
			2 Year Nursing Expansion				3,247.3

(10-00-00) EXECUTIVE

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			Fleet Services Contingency				(500.0)
			Institutional Evaluation				1,150.0
			Human Resource Operations Other Items:				
			Agency Aide				452.9
			Employee Recognition				22.6
			School to Work				20.0
			Staff Development and Training Other Items:				
			Other Items			180.0	
			First Quality Fund				150.0
			Blue Collar			180.0	
			Retiree Conference			18.0	
			Women's Leadership Training Programs				21.2
			Statewide Benefits Other Items:				
			Flexible Benefits Administration				168.0
			Blood Bank Membership Dues				98.5
			Insurance Coverage Office Other Items:				
			Workers' Compensation			31,871.0	
			Pensions Other Items:				
			Other Items			120.0	
			Health Insurance - Retirees in Closed State Police Plan				4,205.3
			Pensions - Paraplegic Veterans				51.0
			CRIS Upgrade			500.0	
			Food Distribution Other Items:				
			Food Processing			613.8	
			Debt Service				19,533.5
30.2	172.0	245.1	**TOTAL -- Office of Management and Budget**			94,407.9	(34,319.1)
5.5	6.5	15.0	(-02) PHRST	514.3	2,254.3		
			Administration				
0.5	1.5	13.0	(-05) Administration	281.0	200.2		
			(-06) Budget Commission		40.0		
1.5		6.3	(-08) Statistical Analysis Center	61.6	666.6		
			Budget Development, Planning and Administration				
2.7	17.0	37.3	(-10) Budget Administration	2,263.6	4,068.6		
			(-11) Contingencies and One-Time Items	27,000.0	(96,664.2)		
			Statewide Human Resources Management				
	17.0	46.0	(-20) Human Resource Operations	1,555.4	3,483.8		
	5.0	4.0	(-21) Staff Development and Training	673.5	514.5		
			Benefits and Insurance Administration				
18.0			(-30) Statewide Benefits		266.5		
	6.0		(-31) Insurance Coverage Office	31,871.0	1,978.6		
	61.0		(-32) Pensions	6,512.9	4,256.3		
			Government Support Services				
		8.0	(-40) Mail/Courier Services	2,149.3	601.3		
	16.0		(-41) Printing and Publishing	3,869.1			
	30.0		(-42) Fleet Management	14,483.0			

(10-00-00) EXECUTIVE

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
		6.5	(-43) Service and Information Guide		448.6		
		11.0	(-44) Contracting		963.6		
	5.0		(-45) Delaware Surplus Services	395.5			
2.0	4.0	4.0	(-46) Food Distribution	870.6	340.7		
			Facilities Management				
	3.0	94.0	(-50) Facilities Management	1,907.1	42,261.5		
30.2	172.0	245.1	TOTAL -- Internal Program Units	94,407.9	(34,319.1)		
			(10-03-00) Delaware Economic Development Office				
			(10-03-01) Office of the Director				
		9.0	Personnel Costs				871.3
			Travel				23.7
			Contractual Services				103.9
			Supplies and Materials				16.0
			Capital Outlay				10.0
			Strategic Reduction/Investment Target				(31.3)
			Welfare Reform				5.0
			Workplace Literacy				5.0
			Working Capital of Delaware				21.2
			Debt Service				5.5
		9.0	TOTAL--Office of the Director				1,030.3
			(10-03-02) Delaware Tourism Office				
	10.0		Personnel Costs			712.9	
			Travel			20.2	
			Contractual Services			660.5	
			Supplies and Materials			8.5	
			Capital Outlay			10.0	
			Other Items:				
			Mother of the Year			0.7	
			Young Mother of the Year			0.7	
			Flags and Pins			38.2	
			Main Street			75.0	
			Matching Grants and Grants			200.0	
			Kalmar Nyckel			212.5	
			National High School Wrestling Tournament			38.2	
			Juneteenth			18.7	
			Northeast Old Car Rally			5.1	
			Punkin Chunkin			4.2	
			Tourism Marketing			200.0	
	10.0		TOTAL -- Delaware Tourism Office			2,205.4	
			(10-03-03) Delaware Economic Development Authority				
	5.0	27.0	Personnel Costs			300.8	2,259.9
			Travel			20.0	24.5
			Contractual Services			317.3	
			Energy			1.5	
			Supplies and Materials			10.0	12.9
			Capital Outlay			30.0	10.0
			Other Items:				
			Delaware Small Business Development Center			400.0	114.7
			Blue Collar			1,700.0	

(10-00-00) EXECUTIVE

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			DEDO General Operating			320.9	
			Delaware Business Marketing Program			300.0	
			Other Items				21.2
			Debt Service				1,086.9
	5.0	27.0	TOTAL -- Delaware Economic Development Authority			3,400.5	3,530.1
	15.0	36.0	**TOTAL -- Delaware Economic Development Office**			5,605.9	4,560.4
			(10-05-00) Delaware Health Care Commission				
	1.0	4.0	Personnel Costs				336.7
			Travel				13.9
			Contractual Services				65.6
			Supplies and Materials				6.5
			Capital Outlay				3.0
			Tobacco Fund:				
			Personnel Costs			57.1	
			Pilot Projects			1,250.0	
			Other Items:				
			Strategic Reduction/Investment Target				(339.6)
			Education Programs				5.0
			Program Evaluation				37.5
			Uninsured Action Plan				250.0
			DIMER Operations				2,130.0
			DIDER Operations				563.0
	1.0	4.0	**TOTAL -- Delaware Health Care Commission**			1,307.1	3,071.6
	1.0	4.0	(-01) Delaware Health Care Commission			1,307.1	378.6
			(-02) Delaware Institute of Medical Education and Research				2,130.0
			(-03) Delaware Institute of Dental Education and Research				563.0
	1.0	4.0	TOTAL -- Internal Program Units			1,307.1	3,071.6
			(10-07-01) Criminal Justice Council				
14.0		8.0	Personnel Costs				919.1
			Contractual Services				21.6
			Supplies and Materials				3.8
			Other Items:				
			Strategic Reduction/Investment Target				(9.1)
			SENTAC				3.1
			Video Phone Fund			212.5	
			Domestic Violence Coordinating Council				19.7
			Other Grants				117.2
14.0		8.0	TOTAL -- Criminal Justice Council			212.5	1,075.4

(10-00-00) EXECUTIVE

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			(10-07-02) Delaware Justice Information System				
		12.0	Personnel Costs				943.8
			Travel			1.0	3.0
			Contractual Services			174.0	331.1
			Supplies and Materials			17.6	12.9
			Capital Outlay			67.4	
			Srategic Reduction/Investment Target				(39.2)
		12.0	TOTAL -- Delaware Justice Information System			260.0	1,251.6
14.0		20.0	**TOTAL -- Criminal Justice**			472.5	2,327.0
			(10-08-01) Delaware State Housing Authority				
6.0	26.0		Personnel Costs			1,906.2	
			Travel			106.6	
			Contractual Services			909.1	
			Energy			85.0	
			Supplies and Materials			98.4	
			Capital Outlay				
			Other Items:				
			Strategic Reduction/Investment Target				(610.5)
			Huling Cove			310.0	
			Housing Development Fund			28,800.0	4,070.0
			Public Housing			500.0	
			Home Improvement Insurance			1,665.0	
			Neighborhood Assistance Program				21.2
			Debt Service				517.5
6.0	26.0		**TOTAL -- Delaware State Housing Authority**			34,380.3	3,998.2
50.2	**215.0**	**329.1**	**TOTAL -- EXECUTIVE**			**136,419.8**	**(17,705.7)**

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

Personnel				$ Program		$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(11-01-00) Office of the Chief Information Officer				
		4.0	Personnel Costs				673.9
			Travel				3.9
			Contractual Services				100.2
			Supplies and Materials				1.0
			Strategic Reduction/Investment Target				(1,463.5)
			Dynamic Compentencies				34.4
			Rental				20.0
		4.0	**TOTAL -- Office of the Chief Information Officer**				(630.1)
		4.0	(-01) Chief Information Officer		(630.1)		
		4.0	TOTAL -- Internal Program Unit		(630.1)		
			(11-02-00) Technology Office				
	2.0	12.0	Personnel Costs			175.3	755.5
			Travel			25.0	2.3
			Contractual Services			1,100.0	9.7
			Supplies and Materials			48.5	2.5
			Rental				35.0
	2.0	12.0	**TOTAL -- Technology Office**			1,348.8	805.0
	2.0	12.0	(-01) Chief Security Officer	1,348.8	805.0		
	2.0	12.0	TOTAL -- Internal Program Unit	1,348.8	805.0		
			(11-03-00) Operations Office				
	9.0	101.0	Personnel Costs			504.0	8,979.2
			Travel			104.7	50.7
			Contractual Services			14,481.8	946.9
			Energy				501.9
			Supplies and Materials			92.0	303.0
			Capital Outlay			138.6	9.3
			Debt Service				336.2
			Rental			8,159.5	15,224.7
	9.0	101.0	**TOTAL -- Operations Office**			23,480.6	26,351.9
		4.0	(-01) Chief Operating Officer	10,521.0	357.8		
	3.0	7.0	(-02) Controller's Office	827.2	1,955.1		
		8.0	(-03) Customer Care Center		969.7		
	4.0	54.0	(-04) Data Center and Operations	7,299.8	18,689.0		
	2.0	28.0	(-05) Telecommunications	4,832.6	4,380.3		
	9.0	101.0	TOTAL -- Internal Program Units	23,480.6	26,351.9		

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

Personnel				$ Program		$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(11-04-00) Office of Major Projects				
	6.5	101.5	Personnel Costs			620.0	9,163.2
			Travel			70.0	68.0
			Contractual Services			3,200.0	417.6
			Supplies and Materials			10.0	7.8
			Capital Outlay				1.0
			Rental			140.0	155.0
	6.5	101.5	**TOTAL -- Office of Major Projects**			4,040.0	9,812.6
	1.0	4.0	(-01) Chief Program Officer	45.6	818.6		
	1.0	34.0	(-02) Senior Project Management Team	110.8	2,679.8		
		7.0	(-03) Organizational Change Management Team		296.2		
	2.0	28.0	(-04) Application Delivery	2,675.9	3,663.1		
	2.5	28.5	(-05) Systems Engineering	1,207.7	2,354.9		
	6.5	101.5	TOTAL -- Internal Program Units	4,040.0	9,812.6		
	17.5	**218.5**	**TOTAL -- DEPARTMENT OF TECHNOLOGY AND INFORMATION**			**28,869.4**	**36,339.4**

(12-00-00) OTHER ELECTIVE

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			(12-01-01) Lieutenant Governor				
		6.0	Personnel Costs				541.3
			Travel				4.6
			Contractual Services				25.9
			Supplies and Materials				2.3
			Other Items:				
			Strategic Reduction/Investment Target				(2.3)
			Expenses - Lieutenant Governor				7.7
		6.0	**TOTAL -- Lieutenant Governor**				579.5
			(12-02-01) Auditor of Accounts				
	9.0	21.0	Personnel Costs			501.8	2,037.2
			Travel			5.0	18.4
			Contractual Services			460.8	626.7
			Supplies and Materials			8.4	12.9
			Capital Outlay			5.4	31.9
			Strategic Reduction/Investment Target				(98.8)
	9.0	21.0	**TOTAL -- Auditor of Accounts**			981.4	2,628.3
			(12-03-00) Insurance Commissioner				
			(12-03-01) Regulatory Activities				
	25.0		Personnel Costs			1,957.8	
			Travel			6.0	
			Contractual Services			226.4	
			Supplies and Materials			9.2	
			Capital Outlay			27.6	
			Other Items:				
			Malpractice Review			10.5	
	25.0		TOTAL -- Regulatory Activities			2,237.5	
			(12-03-02) Bureau of Examination, Rehabilitation and Guaranty				
2.0	54.0		Personnel Costs			3,241.6	
			Travel			55.4	
			Contractual Services			1,051.5	
			Supplies and Materials			28.1	
			Capital Outlay			202.7	
			Other Items:				
			Captive Insurance Fund			732.2	
			Arbitration Program			38.0	
			Contract Examiners			17,500.0	
2.0	54.0		TOTAL -- Bureau of Examination, Rehabilitation and Guaranty			22,849.5	
2.0	79.0		**TOTAL -- Insurance Commissioner**			25,087.0	

(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	13.5	Personnel Costs			730.1	1,032.3
			Travel			20.2	3.7
			Contractual Services			115.6	117.6
			Supplies and Materials			9.4	10.4
			Capital Outlay			25.5	
			Other Items:				
			Banking Services			2,483.3	
			Data Processing			50.0	
			Electronic Data Interchange			70.0	
			403B Plans				75.0
1.0	9.5	13.5	TOTAL -- Administration			3,504.1	1,239.0
			(12-05-03) Debt Management				
			Expense of Issuing Bonds				354.1
			Debt Service - New				21,117.8
			Debt Service - Local Schools			49,712.6	
			Debt Service - Refunding				29,272.5
			Financial Advisor				130.0
			TOTAL -- Debt Management			49,712.6	50,874.4
1.0	9.5	13.5	**TOTAL -- State Treasurer**			53,216.7	52,113.4
3.0	**97.5**	**40.5**	**TOTAL -- OTHER ELECTIVE**			**79,285.1**	**55,321.2**

(15-00-00) LEGAL

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			(15-01-01) Office of Attorney General				
48.2	62.9	298.0	Personnel Costs			1,170.7	26,346.0
			Travel			0.1	14.5
			Contractual Services			230.3	2,393.0
			Energy				53.0
			Supplies and Materials			0.3	61.4
			Capital Outlay			75.1	17.0
			Tobacco:				
	2.0		Personnel Costs			204.6	
			Other Items:				
			Extradition				60.0
			Victims Rights			464.6	
			Medicaid Fraud Program			30.6	
			Securities Administration			861.8	
			AG Opinion Fund			15.0	
			Child Support			1,646.2	
			Consumer Protection			1,324.1	
48.2	64.9	298.0	**TOTAL -- Office of Attorney General**			6,023.4	28,944.9
			(15-02-01) Public Defender				
5.0		145.0	Personnel Costs				14,298.3
			Travel				9.1
			Contractual Services				816.2
			Supplies and Materials				61.8
			Capital Outlay				3.8
			Strategic Reduction/Investment Target				(132.4)
5.0		145.0	**TOTAL -- Public Defender**				15,056.8
			(15-03-01) Board of Parole				
		7.0	Personnel Costs				571.3
			Travel				15.0
			Contractual Services				51.0
			Supplies and Materials				6.4
			Strategic Reduction/Investment Target				(3.9)
		7.0	**TOTAL -- Board of Parole**				639.8
53.2	**64.9**	**450.0**	**TOTAL -- LEGAL**			**6,023.4**	**44,641.5**

(20-00-00) DEPARTMENT OF STATE

Personnel				$ Program		$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(20-01-00) Office of the Secretary				
	13.5	43.5	Personnel Costs			916.5	2,986.2
			Travel			44.1	39.2
			Contractual Services			1,391.9	431.0
			Energy				81.0
			Supplies and Materials			108.3	80.4
			Capital Outlay			180.0	6.5
			Debt Service				68.1
			Other Items:				
			Strategic Reduction/Investment Target				(952.1)
			Publications			3.0	
	13.5	43.5	**TOTAL -- Office of the Secretary**			2,643.8	2,740.3
	10.0	7.0	(-01) Administration	1,926.4	(242.9)		
		7.0	(-02) Delaware Commission on Veterans Affairs		628.7		
		10.0	(-03) Delaware Veterans Memorial Cemetery	70.0	650.9		
		6.0	(-04) Veterans Cemetery Georgetown	16.0	414.8		
	3.5	1.5	(-06) Government Information Center	628.4	121.2		
		2.0	(-08) Public Integrity Commission		188.2		
		6.0	(-09) Public Employment Relations Board		545.1		
		1.0	(-10) Merit Employee Relations Board		124.4		
		3.0	(-11) Commision for Women	3.0	309.9		
	13.5	43.5	TOTAL -- Internal Program Units	2,643.8	2,740.3		
			(20-02-00) Office of Human Relations				
1.0		8.0	Personnel Costs				497.7
			Travel				5.2
			Contractual Services				18.5
			Supplies and Materials				1.5
			Other Items:				
			Human Relations Annual Conference			10.0	
1.0		8.0	**TOTAL -- Office of Human Relations**			10.0	522.9
1.0		8.0	(-01) Office of Human Relations	10.0	522.9		
1.0		8.0	TOTAL -- Internal Program Unit	10.0	522.9		
			(20-03-00) Delaware Public Archives				
	5.0	31.0	Personnel Costs			341.8	1,699.9
			Travel				3.8
			Contractual Services				209.0
			Supplies and Materials				47.4
			Capital Outlay				31.0
			Other Items:				
			Document Conservation Fund				10.0
			Historical Marker Maintenance				15.0
			Delaware Heritage Office				52.0
			Debt Service				460.3
	5.0	31.0	**TOTAL -- Delaware Public Archives**			341.8	2,528.4
	5.0	31.0	(-01) Delaware Public Archives	341.8	2,528.4		
	5.0	31.0	TOTAL -- Internal Program Unit	341.8	2,528.4		

(20-00-00) DEPARTMENT OF STATE

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			(20-04-00) Regulation and Licensing				
	78.0		Personnel Costs			5,782.6	
			Travel			151.4	
			Contractual Services			2,989.3	
			Supplies and Materials			67.9	
			Capital Outlay			160.4	
			Other Items:				
			Real Estate Guaranty Fund			10.0	
			Examination Costs			54.5	
			Motor Vehicle Franchise Fund			15.0	
	78.0		**TOTAL -- Regulation and Licensing**			9,231.1	
	36.0		(-01) Professional Regulation	3,901.8			
	36.0		(-02) Public Service Commission	4,534.0			
	6.0		(-03) Public Advocate	795.3			
	78.0		TOTAL -- Internal Program Units	9,231.1			
			(20-05-00) Corporations				
	114.0		Personnel Costs			7,002.8	
			Travel			27.0	
			Contractual Services			2,858.0	
			Supplies and Materials			70.6	
			Capital Outlay			505.0	
			Other Items:				
			Computer Time Costs			1,300.0	
			Technology Infrastructure Fund			5,425.0	
	114.0		**TOTAL -- Corporations**			17,188.4	
	114.0		(-01) Corporations	17,188.4			
	114.0		TOTAL -- Internal Program Unit	17,188.4			
			(20-06-00) Historical and Cultural Affairs				
6.9	1.5	41.1	Personnel Costs			104.4	2,576.1
			Travel				14.0
			Contractual Services				216.8
			Energy				389.4
			Supplies and Materials				46.4
			Capital Outlay				11.2
			Other Items:				
			Art Object Refurbishing				3.5
			Museum Operations			10.4	24.0
			Museum Collections				8.0
			Museum Conservation Fund				12.0
			Museum Gift Shop			32.5	
			Museum Maintenance/Grounds			1.0	
			Museum Exhibits			12.1	
			Conference Center Operations			51.4	
			Conference Center Grounds			1.5	
			Museum Marketing			3.0	
			Museum Education			6.5	
			Dayett Mills			12.0	35.0
			John Dickinson Plantation			19.6	
			Debt Service				145.8
6.9	1.5	41.1	**TOTAL -- Historical and Cultural Affairs**			254.4	3,482.2

(20-00-00) DEPARTMENT OF STATE

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
	1.0	5.0	(-01) Office of Administration	149.7	707.1		
6.4		5.6	(-03) Delaware State Historic Preservation Office		360.2		
0.5	0.5	30.5	(-04) Delaware State Museums	104.7	2,414.9		
6.9	1.5	41.1	TOTAL -- Internal Program Units	254.4	3,482.2		
			(20-07-00) Arts				
3.0		6.0	Personnel Costs				438.8
			Travel				2.4
			Contractual Services				78.7
			Supplies and Materials				3.0
			Other Items:				
			Delaware Art				1,226.1
			Art for the Disadvantaged				10.0
3.0		6.0	**TOTAL -- Arts**				1,759.0
3.0		6.0	(-01) Office of the Director		1,759.0		
3.0		6.0	TOTAL -- Internal Program Unit		1,759.0		
			(20-08-00) Libraries				
8.0		12.0	Personnel Costs				720.5
			Travel				4.0
			Contractual Services				133.7
			Energy				31.1
			Supplies and Materials				21.6
			Capital Outlay				7.0
			Other Items:				
			Library Standards				4,369.5
			Delaware Electronic Library				350.0
			DELNET- Statewide				635.0
			Public Education Project				100.0
			Debt Service				949.6
8.0		12.0	**TOTAL -- Libraries**				7,322.0
8.0		12.0	(-01) Libraries		7,322.0		
8.0		12.0	TOTAL -- Internal Program Unit		7,322.0		
			(20-09-00) Veterans Home				
		262.5	Personnel Costs				12,372.0
			Travel				20.8
			Contractual Services				1,806.8
			Energy				533.4
			Supplies and Materials				1,406.2
			Capital Outlay				115.0
		262.5	**TOTAL -- Veterans Home**				16,254.2
		262.5	(-01) Veterans Home		16,254.2		
		262.5	TOTAL -- Internal Program Unit		16,254.2		

(20-00-00) DEPARTMENT OF STATE

Personnel				$ Program		$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(20-15-00) State Banking Commission				
	40.0		Personnel Costs			2,957.1	
			Travel			80.0	
			Contractual Services			460.3	
			Supplies and Materials			20.0	
			Capital Outlay			67.5	
	40.0		**TOTAL -- State Banking Commission**			3,584.9	
	40.0		(-01) State Banking Commission	3,584.9			
	40.0		TOTAL -- Internal Program Unit	3,584.9			
18.9	**252.0**	**404.1**	**TOTAL -- DEPARTMENT OF STATE**			**33,254.4**	**34,609.0**

(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	Personnel Costs				1,917.2
			Travel				11.9
			Contractual Services				160.0
			Supplies and Materials				11.7
			Capital Outlay				1.5
			Other Items:				
			Strategic Reduction/Investment Target				(123.2)
			Information System Development			1,500.0	
			EITC Marketing				48.0
			Debt Service				2,017.1
		20.0	**TOTAL -- Office of the Secretary**			1,500.0	4,044.2
		20.0	(-01) Office of the Secretary	1,500.0	4,044.2		
		20.0	TOTAL -- Internal Program Unit	1,500.0	4,044.2		
			(25-05-00) Accounting				
	7.0	43.0	Personnel Costs			453.9	2,680.4
			Travel			12.0	19.6
			Contractual Services			12.0	504.8
			Supplies and Materials			1.5	33.1
			Capital Outlay			5.0	69.1
			Other Items:				
			State Accounting Course				5.0
	7.0	43.0	**TOTAL -- Accounting**			484.4	3,312.0
	7.0	43.0	(-01) Accounting	484.4	3,312.0		
	7.0	43.0	TOTAL -- Internal Program Unit	484.4	3,312.0		
			(25-06-00) Revenue				
	1.0	174.0	Personnel Costs			36.2	11,786.0
			Travel				27.4
			Contractual Services				1,355.2
			Energy				4.5
			Supplies and Materials				99.9
			Capital Outlay				60.5
			Other Items:				
	14.0		Escheat			1,500.5	
	15.0		Delinquent Collections			2,331.8	
	30.0	174.0	**TOTAL -- Revenue**			3,868.5	13,333.5
	30.0	174.0	(-01) Revenue	3,868.5	13,333.5		
	30.0	174.0	TOTAL -- Internal Program Unit	3,868.5	13,333.5		

(25-00-00) DEPARTMENT OF FINANCE

Personnel				$ Program		$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(25-07-00) State Lottery Office				
	29.0		Personnel Costs			2,025.6	
			Travel			50.0	
			Contractual Services			52,353.6	
			Supplies and Materials			47.9	
			Capital Outlay			217.0	
	29.0		**TOTAL -- State Lottery Office**			54,694.1	
	29.0		(-01) State Lottery Office	54,694.1			
	29.0		TOTAL -- Internal Program Unit	54,694.1			
	66.0	**237.0**	**TOTAL -- DEPARTMENT OF FINANCE**			**60,547.0**	**20,689.7**

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

Personnel				$ Program		$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(35-01-00) Administration				
69.3	35.6	452.7	Personnel Costs			1,932.6	24,134.8
			Travel			12.7	5.2
			Contractual Services			878.1	5,781.9
			Energy			25.0	381.7
			Supplies and Materials			98.5	854.7
			Capital Outlay			65.0	21.2
			Other Items:				
			Strategic Reduction/Investment Target				(9,631.4)
			Discretionary Block Grant				860.5
			Revenue Management			269.2	
			Program Integrity			232.8	
			Nurse Recruitment				20.0
			Birth to Three Program			400.0	2,858.9
			EBT				549.2
			Operations			1,200.0	
			DHSS/IRM			2,650.0	
			TANF General Fund				1,115.0
			IRM License and Maintenance				230.6
			Debt Service				181.9
69.3	35.6	452.7	**TOTAL -- Administration**			7,763.9	27,364.2
		9.0	(-10) Office of the Secretary	97.1	(8,020.3)		
69.3	35.6	164.7	(-20) Management Services	6,441.8	18,397.8		
		279.0	(-30) Facility Operations	1,225.0	16,986.7		
69.3	35.6	452.7	TOTAL -- Internal Program Units	7,763.9	27,364.2		
			(35-02-00) Medicaid and Medical Assistance				
106.5		78.4	Personnel Costs				4,765.2
			Travel				7.0
			Contractual Services				3,846.8
			Energy				41.0
			Supplies and Materials				34.0
			Capital Outlay				6.6
			Tobacco Fund:				
			Prescription Drug Program			4,420.0	
			Medical Assistance Transition			3,054.8	
			Medicaid			650.0	
			Medicaid for Workers with Disabilities			475.1	
2.0	2.0		Money Follows the Person			499.5	
			Cancer Council Recommendations:				
			Breast and Cervical Cancer Treatment			600.0	
			Other Items:				
			Assistance Programs Strategic Reduction/Investment Target				(98,960.6)
			Medicaid			16,400.0	573,428.8
			Medicaid for Workers with Disabilities			47.5	223.7
			Medicaid/NonState			100.0	
			DOC Medicaid			2,000.0	
			Medicaid Other			1,046.7	
			DPH Fees			800.0	
			School Based Health Centers			600.0	
			Delaware Healthy Children Program				4,392.1
			Delaware Healthy Children Program Premiums			600.0	
			Delaware Healthy Children Program - DSCYF			585.2	
			Legal Non-Citizen Health Care				1,570.0

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

Personnel				$ Program		$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			Cost Recovery			75.1	
			Renal				634.0
			TANF General Fund				350.0
108.5	2.0	78.4	**TOTAL -- Medicaid and Medical Assistance**			31,953.9	490,338.6
108.5	2.0	78.4	(-01) Medicaid and Medical Assistance	31,953.9	490,338.6		
108.5	2.0	78.4	TOTAL -- Internal Program Unit	31,953.9	490,338.6		
			(35-04-00) Medical Examiner				
		49.0	Personnel Costs				3,590.6
			Travel				22.6
			Contractual Services				251.0
			Energy				115.2
			Supplies and Materials				494.1
			Capital Outlay				38.6
			Debt Service				13.5
		49.0	**TOTAL -- Medical Examiner**				4,525.6
		49.0	(-01) Medical Examiner		4,525.6		
		49.0	TOTAL -- Internal Program Unit		4,525.6		
			(35-05-00) Public Health				
245.7	67.0	1,153.6	Personnel Costs			1,060.4	64,187.2
			Travel				19.9
			Contractual Services			201.7	7,355.7
			Energy				2,108.8
			Supplies and Materials			60.0	3,758.2
			Capital Outlay				119.1
			Tobacco Fund:				
			Personnel Costs			653.7	
			Contractual Services			5,070.1	
			Diabetes			500.0	
			New Nurse Development			2,317.5	
			Public Access Defibrillation Initiative			250.0	
			Cancer Council Recommendations			10,684.4	
			Other Items:				
			Long-Term Care Prospective Payment			114.0	
			Rodent Control				50.0
			Tuberculosis			115.0	
			Sexually Transmitted Diseases			105.0	
			Child Development Watch			687.7	
			Preschool Diagnosis and Treatment			100.0	78.0
			Home Visits			20.0	
			Immunizations				236.5
			School Based Health Centers			102.0	5,472.8
			Hepatitis B				20.0
			AIDS				128.2
			AIDS Needle Exchange Pilot Program				230.5
			Rabies Control				222.0
			Vanity Birth Certificates			14.7	
			Public Water			60.0	
			Medicaid Enhancements			205.0	
			Infant Mortality			150.0	
			Medicaid AIDS Waiver			1,500.0	
	1.0		Medicare Part D			1,109.8	
			Children with Special Needs			45.0	
			Family Planning			325.0	
			Newborn			1,600.0	

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

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			Indirect Costs			431.4	
			Child Health			1,437.3	
			Food Inspection			21.0	
			Food Permits			575.0	
			Medicaid Contractors/Lab Testing & Analysis			900.0	
			Water Operator Certification			22.0	
			IV Therapy			559.0	
			Health Statistics			1,200.0	
			Infant Mortality Task Force				5,172.7
			J-1 VISA			13.5	
			HFLC			30.0	
			Cancer Council				5,188.5
			Hospice			25.0	
			Health Disparities				50.6
			Debt Service				10.9
245.7	68.0	1,153.6	**TOTAL -- Public Health**			32,265.2	94,409.6
4.0	9.0	55.0	(-10) Director's Office/Support Services	1,606.2	4,036.0		
240.7	58.0	294.3	(-20) Community Health	28,601.2	39,345.5		
1.0		9.0	(-30) Emergency Medical Services	250.0	1,395.9		
	1.0	795.3	(-40) Delaware Hospital for the Chronically Ill	1,807.8	48,744.6		
			(-50) Emily Bissell		590.3		
			(-60) Governor Bacon		297.3		
245.7	68.0	1,153.6	TOTAL -- Internal Program Units	32,265.2	94,409.6		
			(35-06-00) Substance Abuse and Mental Health				
5.8	5.0	756.4	Personnel Costs			306.2	50,121.5
			Travel				25.2
			Contractual Services			1,719.9	28,612.7
			Energy				1,559.0
			Supplies and Materials			300.6	4,485.4
			Capital Outlay			9.0	184.0
			Tobacco Fund:				
			Contractual Services			142.2	
			Transitional Housing for Detoxification			177.1	
			Heroin Residential Program			550.0	
			Delaware School Study			38.3	
			Limen House			60.3	
			Other Items:				
	1.0		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	
			CMH Group Homes				7,117.8
			Debt Service				22.1
5.8	6.0	756.4	**TOTAL -- Substance Abuse and Mental Health**			6,377.6	92,513.3
3.0		70.0	(-10) Administration	60.0	5,106.8		
1.0		102.0	(-20) Community Mental Health	2,505.0	33,035.8		
0.8	1.0	548.4	(-30) Delaware Psychiatric Center	1,296.6	43,053.6		
1.0	5.0	36.0	(-40) Substance Abuse	2,516.0	11,317.1		
5.8	6.0	756.4	TOTAL -- Internal Program Units	6,377.6	92,513.3		

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

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			(35-07-00) Social Services				
214.3		206.4	Personnel Costs				11,496.6
			Travel				3.0
			Contractual Services				2,792.9
			Energy				67.1
			Supplies and Materials				88.5
			Capital Outlay				66.3
			Tobacco Fund:				
			SSI Supplement			1,240.4	
			Other Items:				
			Cost Recovery			75.1	
			General Assistance				4,547.5
			TANF Cash Assistance				14,432.4
			TANF Cash Assistance Pass Through			1,200.0	
			TANF General Fund				5,347.5
			Child Care				13,006.5
			Emergency Assistance				1,078.9
			Employment and Training				2,499.8
214.3		206.4	**TOTAL -- Social Services**			2,515.5	55,427.0
214.3		206.4	(-01) Social Services	2,515.5	55,427.0		
214.3		206.4	TOTAL -- Internal Program Unit	2,515.5	55,427.0		
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	Personnel Costs			108.5	2,836.0
			Travel				3.1
			Contractual Services			1.5	423.5
			Energy				88.3
			Supplies and Materials				108.2
			Capital Outlay			4.0	39.1
			Other Items:				
			BEP Unassigned Vending			175.0	
			BEP Independence			450.0	
			BEP Vending			425.0	
26.3	3.0	40.7	**TOTAL -- Visually Impaired**			1,164.0	3,498.2
26.3	3.0	40.7	(-01) Visually Impaired Services	1,164.0	3,498.2		
26.3	3.0	40.7	TOTAL -- Internal Program Unit	1,164.0	3,498.2		
			(35-09-00) Long Term Care Residents Protection				
19.2		39.8	Personnel Costs				2,664.3
			Travel				3.3
			Contractual Services				199.8
			Energy				8.4
			Supplies and Materials				15.8
			Capital Outlay				20.3
19.2		39.8	**TOTAL -- Long Term Care Residents Protection**				2,911.9
19.2		39.8	(-01) Long Term Care Residents Protection		2,911.9		
19.2		39.8	TOTAL -- Internal Program Unit		2,911.9		

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

Personnel				$ Program		$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(35-10-00) Child Support Enforcement				
133.3	27.2	67.5	Personnel Costs			1,415.8	3,890.8
			Travel			9.6	
			Contractual Services			793.5	624.8
			Energy			30.0	15.0
			Supplies and Materials			23.0	9.8
			Capital Outlay			162.9	2.1
			Other Items:				
			Recoupment			25.0	
133.3	27.2	67.5	**TOTAL -- Child Support Enforcement**			2,459.8	4,542.5
133.3	27.2	67.5	(-01) Child Support Enforcement	2,459.8	4,542.5		
133.3	27.2	67.5	TOTAL -- Internal Program Unit	2,459.8	4,542.5		
			(35-11-00) Developmental Disabilities Services				
3.0	1.0	617.6	Personnel Costs			41.0	33,978.5
			Travel				22.6
			Contractual Services			2,342.0	3,260.3
			Energy				801.8
			Supplies and Materials				1,055.8
			Capital Outlay				71.6
			Tobacco Fund:				
			Family Support			70.0	
			Other Items:				
			Music Stipends				1.1
			Assisted Living			300.0	
			Purchase of Care			2,094.0	27,049.8
			Purchase of Community Services				6,736.2
			Stockley Transition Plan				526.2
			Debt Service				5.0
3.0	1.0	617.6	**TOTAL -- Developmental Disabilities Services**			4,847.0	73,508.9
3.0	1.0	85.0	(-10) Administration	41.0	5,140.6		
		296.0	(-20) Stockley Center	300.0	21,861.1		
		236.6	(-30) Community Services	4,506.0	46,507.2		
3.0	1.0	617.6	TOTAL -- Internal Program Units	4,847.0	73,508.9		
			(35-12-00) State Service Centers				
22.5		111.1	Personnel Costs				5,934.9
			Travel			7.8	6.1
			Contractual Services			319.7	1,412.6
			Energy			231.3	907.4
			Supplies and Materials			64.1	83.3
			Capital Outlay			39.8	17.3
			Other Items:				
			Family Support				387.6
			Community Food Program				129.8
			Emergency Assistance				1,596.9
			Kinship Care				70.0
			Hispanic Affairs				50.3
			Energy Assistance				2,000.0
			Debt Service				14.0
22.5		111.1	**TOTAL -- State Service Centers**			662.7	12,610.2

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

Personnel				$ Program		$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
10.3		78.3	(-10) Family Support		4,984.4		
		12.0	(-20) Service Center Management	662.7	1,852.6		
6.2		2.8	(-30) Community Services		3,943.7		
6.0		18.0	(-40) Volunteer Services		1,829.5		
22.5		111.1	TOTAL -- Internal Program Units	662.7	12,610.2		
			(35-14-00) Services for Aging and Adults with Physical Disabilities				
57.7		70.6	Personnel Costs				4,083.3
			Travel				9.1
			Contractual Services				5,006.5
			Energy				13.9
			Supplies and Materials				57.8
			Capital Outlay				6.8
			Tobacco Fund:				
			Attendant Care			760.0	
			Caregivers Support			178.1	
			Respite Care			37.6	
1.5	1.5		Money Follows the Person			90.3	
			Other Items:				
			Community Services			500.0	3.0
			Nutrition Program				789.9
			Long Term Care				249.1
			Respite Care				110.0
59.2	1.5	70.6	**TOTAL -- Services for Aging and Adults with Physical Disabilities**			1,566.0	10,329.4
59.2	1.5	70.6	(-01) Services for Aging and Adults with Physical Disabilities	1,566.0	10,329.4		
59.2	1.5	70.6	TOTAL -- Internal Program Unit	1,566.0	10,329.4		
907.1	**144.3**	**3,643.8**	**TOTAL -- DEPARTMENT OF HEALTH AND SOCIAL SERVICES**			**91,575.6**	**871,979.4**

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

Personnel				$ Program		$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(37-01-00) Management Support Services				
79.9	33.5	178.2	Personnel Costs			2,234.7	13,845.8
			Travel			18.9	10.6
			Contractual Services			437.1	3,940.6
			Supplies and Materials			68.7	258.4
			Capital Outlay			27.0	19.8
			Tobacco Funds:				
			Tobacco Prevention Programs for Youth			110.0	
			Other Items:				
			Strategic Reduction/Investment Target				(8,701.0)
			MIS Development				646.6
			Agency Operations			187.0	
			Services Integration			102.1	
			Maintenance and Restoration			100.0	
			Population Contingency				1,750.0
			Discretionary Block Grant				1,237.9
			Debt Service				2.5
79.9	33.5	178.2	**TOTAL -- Management Support Services**			3,285.5	13,011.2
4.0	5.0	23.0	(-10) Office of the Secretary	435.0	(3,305.9)		
	1.0	3.0	(-15) Office of the Director	135.2	443.3		
11.3	12.0	26.0	(-20) Fiscal Services	690.9	1,547.0		
1.0		17.0	(-25) Facilities Management	236.2	3,089.1		
	2.0	13.0	(-30) Human Resources	144.7	886.6		
	6.0	65.0	(-40) Education Services	475.4	6,346.4		
2.6	2.5	19.2	(-50) Management Information Systems	555.2	2,787.0		
61.0	5.0	12.0	(-60) Prevention/Early Intervention	612.9	1,217.7		
79.9	33.5	178.2	TOTAL -- Internal Program Units	3,285.5	13,011.2		
			(37-04-00) Child Mental Health Services				
6.0	24.0	197.8	Personnel Costs			1,499.1	14,439.2
			Travel			8.4	15.4
			Contractual Services			10,165.3	13,688.5
			Energy				276.0
			Supplies and Materials			24.7	278.3
			Capital Outlay				7.7
			Other Items:				
			MIS Maintenance			16.0	
6.0	24.0	197.8	**TOTAL -- Child Mental Health Services**			11,713.5	28,705.1
6.0	24.0	96.1	(-10) Managed Care Organization	1,791.4	8,929.2		
		34.5	(-30) Periodic Treatment	3,709.3	9,898.5		
		67.2	(-40) 24 Hour Treatment	6,212.8	9,877.4		
6.0	24.0	197.8	TOTAL -- Internal Program Units	11,713.5	28,705.1		

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

Personnel				$ Program		$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(37-05-00) Youth Rehabilitative Services				
2.0	22.0	366.6	Personnel Costs			1,258.8	22,788.5
			Travel			10.5	21.3
			Contractual Services			641.7	16,211.0
			Energy				1,131.8
			Supplies and Materials			84.0	1,375.4
			Capital Outlay				17.5
			Debt Service				1,296.3
2.0	22.0	366.6	**TOTAL -- Youth Rehabilitative Services**			1,995.0	42,841.8
	2.0	11.1	(-10) Office of the Director	135.4	962.2		
2.0	5.0	92.5	(-30) Community Services	569.6	20,632.5		
	15.0	263.0	(-50) Secure Care	1,290.0	21,247.1		
2.0	22.0	366.6	TOTAL -- Internal Program Units	1,995.0	42,841.8		
			(37-06-00) Family Services				
32.8	25.5	302.0	Personnel Costs			1,823.5	19,060.6
			Travel			24.9	3.7
			Contractual Services			636.6	2,282.5
			Energy				30.4
			Supplies and Materials			24.7	82.3
			Capital Outlay			6.0	14.3
			Child Welfare/Contractual Services				21,954.8
			Other Items:				
			Emergency Material Assistance				31.0
			DFS Decentralization			113.3	
32.8	25.5	302.0	**TOTAL -- Family Services**			2,629.0	43,459.6
21.8	3.0	53.8	(-10) Office of the Director	422.1	5,129.4		
1.0	13.0	102.4	(-30) Intake/Investigation	990.2	6,998.8		
10.0	9.5	145.8	(-40) Intervention/Treatment	1,216.7	31,331.4		
32.8	25.5	302.0	TOTAL -- Internal Program Units	2,629.0	43,459.6		
120.7	**105.0**	**1,044.6**	**TOTAL -- DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES**			**19,623.0**	**128,017.7**

(38-00-00) DEPARTMENT OF CORRECTION

Personnel				$ Program		$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(38-01-00) Administration				
		308.0	Personnel Costs				20,164.6
			Travel				6.7
			Contractual Services			25.0	2,261.3
			Energy				101.5
			Supplies and Materials				8,953.1
			Capital Outlay				61.2
			Other Items:				
			Strategic Reduction/ Investment Target				(10,132.6)
			Contingency - Shakedowns				15.4
			Contingency - Sustainability Initiative				969.9
			Management Information System				1,403.0
			Emergency Preparedness				52.6
			Drug Testing				52.3
			Warehouse				96.0
		308.0	**TOTAL -- Administration**			25.0	24,005.0
		23.0	(-01) Office of the Commissioner	25.0	(6,863.3)		
		50.0	(-02) Human Resources/Employee Development Center		3,998.4		
		28.0	(-10) Management Services		3,073.3		
		36.0	(-12) Central Records		1,779.5		
		13.0	(-14) Information Technology		2,353.1		
		82.0	(-20) Food Services Services		14,632.6		
		76.0	(-40) Facilities Maintenance		5,031.4		
		308.0	TOTAL -- Internal Program Units	25.0	24,005.0		
			(38-02-00) Correctional Healthcare Services				
		11.0	Personnel Costs				1,561.3
			Medical Services				41,559.5
			AIDS Education and Counseling				80.0
			Drug and Alcohol Treatment				5,392.0
		11.0	**TOTAL--Correctional Healthcare Services**				48,592.8
		11.0	(-01) Medical Treatment Services		48,592.8		
		11.0	TOTAL -- Internal Program Unit		48,592.8		
			(38-04-00) Prisons				
	8.0	1,672.7	Personnel Costs			753.0	108,205.5
			Travel			19.0	9.4
			Contractual Services			853.1	3,110.0
			Energy			25.3	8,987.4
			Supplies and Materials			1,497.2	3,133.4
			Capital Outlay			182.0	25.0
			Other Items:				
			Population Contingency				558.2
			Gate Money				19.0
			Prison Arts				82.5
			DCC Fence				23.0
			Distance Learning				30.0
			Debt Service				7,257.0
	8.0	1,672.7	**TOTAL -- Prisons**			3,329.6	131,440.4

(38-00-00) DEPARTMENT OF CORRECTION

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
		8.0	(-01) Bureau Chief - Prisons		1,762.6		
		723.0	(-03) James T. Vaughn Correctional Center	1.0	57,190.9		
		395.0	(-04) Sussex Correctional Institution		28,938.1		
		99.0	(-05) Delores J. Baylor Correctional Institution	2.7	8,699.7		
		367.0	(-06) Howard R. Young Correctional Institution		26,007.7		
		54.0	(-08) Transportation		6,217.6		
	8.0	18.0	(-09) Delaware Correctional Industries	3,324.9	1,379.9		
		8.7	(-11) Education	1.0	1,243.9		
	8.0	1,672.7	TOTAL -- Internal Program Units	3,329.6	131,440.4		
			(38-06-00) Community Corrections				
1.0		616.0	Personnel Costs			0.5	40,699.0
			Travel				16.2
			Contractual Services			484.1	4,842.9
			Energy			50.0	916.3
			Supplies and Materials			295.9	817.1
			Capital Outlay			75.0	26.4
			Debt Service				736.8
1.0		616.0	**TOTAL -- Community Corrections**			905.5	48,054.7
		5.0	(-01) Bureau Chief - Community Corrections	120.9	1,368.1		
1.0		311.0	(-02) Probation and Parole	403.1	23,171.5		
		39.0	(-04) House Arrest		3,599.9		
		103.0	(-06) New Castle County Community Corrections	2.0	7,651.5		
		79.0	(-07) Sussex County Community Corrections	375.5	6,407.9		
		79.0	(-08) Kent County Community Corrections	4.0	5,855.8		
1.0		616.0	TOTAL -- Internal Program Units	905.5	48,054.7		
1.0	**8.0**	**2,607.7**	**TOTAL -- DEPARTMENT OF CORRECTION**			**4,260.1**	**252,092.9**

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

Personnel				$ Program		$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(40-01-00) Office of the Secretary				
5.6	37.8	40.6	Personnel Costs			1,907.5	3,572.0
			Travel			16.9	14.4
			Contractual Services			296.8	82.1
			Energy			52.5	603.7
			Supplies and Materials			72.8	43.2
			Capital Outlay			7.2	
			Other Items:				
			Strategic Reduction/Investment Target				(325.3)
			Non-Game Habitat			20.0	
			Coastal Zone Management			15.0	
			Special Projects/Other Items			55.0	
			Outdoor Delaware			105.0	
			Wholebasin Management-TMDL			314.7	816.1
			Green Energy Fund			850.0	
			Debt Service				38.3
5.6	37.8	40.6	**TOTAL -- Office of the Secretary**			3,713.4	4,844.5
	20.3	21.7	(-01) Office of the Secretary	1,910.1	3,447.0		
1.0	3.0	4.0	(-02) Planning and Compliance Assistance	109.9	344.4		
3.6	4.0	3.4	(-04) Energy Office	1,061.2	179.1		
1.0	10.5	11.5	(-05) Office of Information Technology	632.2	874.0		
5.6	37.8	40.6	TOTAL -- Internal Program Units	3,713.4	4,844.5		
			(40-05-00) Fish and Wildlife				
31.2	40.8	60.0	Personnel Costs			1,811.7	4,422.6
			Travel			27.5	12.3
			Contractual Services			3,015.7	545.3
			Energy			2.3	170.7
			Supplies and Materials			456.3	197.8
			Capital Outlay			1,271.5	
			Other Items:				
			Spraying and Insecticides				789.9
			Oyster Recovery Fund			10.0	
			Boat Repairs			40.0	
			Non-Game Habitat			50.0	
			Natural Heritage Program			19.0	197.0
			Clean Vessel Program			32.4	
			Duck Stamp			180.0	
			Jr. Duck Stamp			5.0	
			Trout Stamp			50.0	
			Finfish Development			130.0	
			Fisheries Restoration			600.0	
			Northern Delaware Wetlands			277.5	
			Revenue Refund			15.0	
			Phragmites Control				76.5
			Debt Service				2.0
31.2	40.8	60.0	**TOTAL -- Fish and Wildlife**			7,993.9	6,414.1

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

Personnel				$ Program		$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
	1.0	1.5	(-01) Management and Support - Fish and Wildlife	125.9	199.6		
26.6	32.5	15.9	(-02) Wildlife/Fisheries	4,284.5	1,904.9		
0.5	0.5	17.0	(-04) Mosquito Control	357.1	2,223.2		
			(-05) Dog Control	2,247.4			
4.1	6.8	25.6	(-06) Fish and Wildlife Enforcement	979.0	2,086.4		
31.2	40.8	60.0	TOTAL -- Internal Program Units	7,993.9	6,414.1		
			(40-06-00) Parks and Recreation				
11.0	64.0	121.0	Personnel Costs			6,262.3	7,348.7
			Travel			33.3	5.2
			Contractual Services			2,351.3	1,021.6
			Energy			66.9	785.7
			Supplies and Materials			901.1	397.7
			Capital Outlay			164.4	
			Other Items:				
			Killen's Pond Water Park			440.0	
			Biden Center			90.0	
			Other Items			747.6	
			Debt Service				1,069.7
11.0	64.0	121.0	**TOTAL -- Parks and Recreation**			11,056.9	10,628.6
	4.0	10.0	(-01) Management and Support - Parks and Recreation	1,225.3	638.9		
	41.0	53.0	(-02) Operations and Maintenance	7,601.1	4,976.9		
	11.0	10.0	(-03) Cultural and Recreational Services	1,220.2	651.6		
3.0	7.0	13.0	(-04) Planning, Preservation and Development	818.3	1,223.5		
	1.0	35.0	(-05) Wilmington State Parks	192.0	3,137.7		
8.0			(-06) Indian River Marina				
11.0	64.0	121.0	TOTAL -- Internal Program Units	11,056.9	10,628.6		
			(40-07-00) Soil and Water Conservation				
23.4	4.0	49.6	Personnel Costs			180.5	3,535.8
			Travel			5.0	5.9
			Contractual Services			1,363.9	864.0
			Energy				73.9
			Supplies and Materials			44.0	211.6
			Capital Outlay			39.0	
			Delaware Conservation Partnership			75.0	
			Other Items:				
			New Castle County Dredge				225.0
			Beach Erosion Control Program			8,000.0	
			Sand Bypass System				95.0
			Tax Ditches*				225.0
			Debt Service				1,047.6
23.4	4.0	49.6	**TOTAL -- Soil and Water Conservation**			9,707.4	6,283.8

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

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
1.5		4.5	(-01) Management and Support - Soil and Water	300.0	468.1		
	3.0	15.0	(-02) Drainage and Stormwater	252.8	2,534.5		
2.9		25.1	(-03) Shoreline and Waterway Management	9,069.6	2,193.2		
4.0	1.0	4.0	(-04) District Operations	75.0	1,000.5		
15.0		1.0	(-05) Delaware Coastal Programs	10.0	87.5		
23.4	4.0	49.6	TOTAL -- Internal Program Units	9,707.4	6,283.8		

*Pursuant to 7 Del. C. § 3921

			(40-08-00) Water Resources				
28.7	58.1	68.2	Personnel Costs			2,534.1	5,435.4
			Travel			38.0	21.5
			Contractual Services			1,032.5	1,260.9
			Energy			1.5	13.0
			Supplies and Materials			219.0	75.2
			Capital Outlay			241.0	25.0
			Other Items:				
			Inland Bays Research				122.6
			Delaware Estuary				29.7
			Other Items			65.1	
			Water Resources Agency				219.4
			SRF Future Administration			750.0	
			Board of Certification			14.0	
			Debt Service				380.6
28.7	58.1	68.2	**TOTAL -- Water Resources**			4,895.2	7,583.3
8.9	11.9	8.2	(-01) Management and Support - Water Resources	1,237.9	1,672.7		
0.5	20.5	14.0	(-02) Environmental Laboratory	1,526.9	1,281.8		
2.0	6.0	6.0	(-04) Surface Water Discharges	541.0	657.4		
4.0	12.0	11.0	(-05) Ground Water Discharges	821.7	671.7		
6.3	2.7	9.0	(-06) Water Supply	277.2	697.1		
7.0		16.0	(-07) Watershed Assessment		2,185.1		
	5.0	4.0	(-08) Wetlands and Subaqueous Lands	490.5	417.5		
28.7	58.1	68.2	TOTAL -- Internal Program Units	4,895.2	7,583.3		
			(40-09-00) Air and Waste Management				
61.9	97.3	53.8	Personnel Costs			4,260.9	4,474.2
			Travel			78.0	9.9
			Contractual Services			1,343.1	273.3
			Energy			40.0	108.8
			Supplies and Materials			335.9	91.7
			Capital Outlay			242.0	4.9
			Other Items:				
			Local Emergency Planning Committees			300.0	
			AST Administration			225.0	
			HSCA - Clean-up			25,310.5	
			HSCA - Recovered Administration			2,398.0	
			SARA			30.0	14.4
			UST Administration			350.0	

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

Personnel				$ Program		$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			UST Recovered Costs			100.0	
			Stage II Vapor Recovery			75.0	
			Extremely Hazardous Substance Program			180.9	
			Environmental Response			525.8	
			Non-Title V			164.8	
			Enhanced I & M Program			241.2	
			Public Outreach			50.0	
			Recycling Community Outreach				50.0
			Other Items			834.8	
			Cost Recovery			20.0	
			Tire Administration			500.0	
			Tire Clean-up			1,500.0	
61.9	97.3	53.8	**TOTAL - Air and Waste Management**			39,105.9	5,027.2
3.0	14.0	11.0	(-01) Management and Support - Air and Waste	1,730.5	1,082.2		
16.4	46.8	11.8	(-02) Air Quality Management	4,569.3	1,239.9		
41.5	34.5	21.0	(-03) Waste Management	31,419.4	1,857.5		
1.0	2.0	10.0	(-04) Emergency Prevention and Response	1,386.7	847.6		
61.9	97.3	53.8	TOTAL -- Internal Program Units	39,105.9	5,027.2		
161.8	**302.0**	**393.2**	**TOTAL -- DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**			**76,472.7**	**40,781.5**

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

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			(45-01-00) Office of the Secretary				
40.4	3.5	54.1	Personnel Costs			162.2	3,750.8
			Travel			4.0	9.1
			Contractual Services			364.8	806.5
			Supplies and Materials			10.0	51.2
			Capital Outlay			10.0	0.1
			Other Items:				
			Strategic Reduction/Investment Target				(4,204.9)
			Police Training Council				15.0
			Real Time Crime Reporting				112.1
			Local Emergency Planning Councils				50.0
			ITC Funds				15.0
			System Support			500.0	
			Hazardous Waste Cleanup			100.0	
			Resale - Communication Parts			336.0	
			Other Items			0.7	
			Debt Service				97.2
40.4	3.5	54.1	**TOTAL -- Office of the Secretary**			1,487.7	702.1
		18.0	(-01) Administration	133.0	(2,485.3)		
	3.5	23.5	(-20) Communication	1,354.7	2,088.4		
31.8		8.2	(-30) Delaware Emergency Management Agency		777.5		
4.6		2.4	(-40) Highway Safety		163.7		
4.0			(-50) Developmental Disabilities Council		20.0		
		2.0	(-60) State Council for Persons with Disabilties		137.8		
40.4	3.5	54.1	TOTAL -- Internal Program Units	1,487.7	702.1		
			(45-02-00) Capitol Police				
		67.0	Personnel Costs				3,451.9
			Travel				4.5
			Contractual Services				342.3
			Supplies and Materials				41.0
			Capital Outlay				30.9
			Special Duty			36.0	
		67.0	**TOTAL -- Capitol Police**			36.0	3,870.6
		67.0	(-10) Capitol Police	36.0	3,870.6		
		67.0	TOTAL -- Internal Program Unit	36.0	3,870.6		
			(45-03-00) Office of the Alcoholic Beverage Control Commissioner				
		7.0	Personnel Costs				494.4
			Travel			2.0	1.0
			Contractual Services			48.6	13.1
			Supplies and Materials				2.2
		7.0	**TOTAL -- Office of the Alcoholic Beverage Control Commissioner**			50.6	510.7
		7.0	(-10) Office of the Alcoholic Beverage Control Commissioner	50.6	510.7		
		7.0	TOTAL -- Internal Program Unit	50.6	510.7		

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

Personnel				$ Program		$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(45-04-00) Division of Alcohol and Tobacco Enforcement				
	2.0	13.0	Personnel Costs			105.3	847.6
			Travel			2.8	3.0
			Contractual Services			43.3	125.5
			Supplies and Materials			2.3	10.0
			Capital Outlay			2.0	3.0
			Tobacco:				
	4.0		Personnel Costs			235.0	
			Travel			20.0	
			Contractual Services			150.0	
			Supplies and Materials			89.0	
			Capital Outlay			30.0	
			Other Items			10.0	
	6.0	13.0	**TOTAL -- Division of Alcohol and Tobacco Enforcement**			689.7	989.1
	6.0	13.0	(-10) Division of Alcohol and Tobacco Enforcement	689.7	989.1		
	6.0	13.0	TOTAL -- Internal Program Unit	689.7	989.1		
			(45-06-00) State Police				
43.2	60.2	818.6	Personnel Costs			4,089.1	82,558.5
			Travel			66.8	24.8
			Contractual Services			812.9	4,921.2
			Supplies and Materials			1,124.9	4,675.7
			Capital Outlay			321.9	606.8
			Other Items:				
			Other Items			112.5	
			DSP Recruitment				25.0
			Pension - 20 Year Retirees				23,367.0
			Crime Reduction Fund				110.0
			Handicapped/Fire Lane Enforcement				90.0
			Special Duty Fund			3,182.1	
			Debt Service				939.5
43.2	60.2	818.6	**TOTAL -- State Police**			9,710.2	117,318.5
		63.0	(-01) Executive	611.7	30,326.7		
		7.0	(-02) Building Maintenance and Construction		1,417.6		
	21.2	357.8	(-03) Patrol	3,976.8	39,282.3		
34.0		151.0	(-04) Criminal Investigation	748.4	17,818.9		
1.0	7.0	41.0	(-05) Special Investigation	1,099.6	5,753.4		
		24.0	(-06) Aviation		4,423.8		
6.2	11.0	9.8	(-07) Traffic	889.3	959.5		
2.0	17.0	41.0	(-08) State Bureau of Identification	1,220.4	2,979.2		
		12.0	(-09) Training	304.6	1,850.5		
	4.0	84.0	(-10) Communications	337.2	6,969.0		
		15.0	(-11) Transportation	453.6	4,640.2		
		13.0	(-12) Community Relations	68.6	897.4		
43.2	60.2	818.6	TOTAL - Internal Program Units	9,710.2	117,318.5		
83.6	**69.7**	**959.7**	**TOTAL -- DEPARTMENT OF SAFETY AND HOMELAND SECURITY**			**11,974.2**	**123,391.0**

(55-00-00) DEPARTMENT OF TRANSPORTATION

Personnel NSF	Personnel TFO	Personnel TFC		$ Line Item 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	987.8
	9.0		TOTAL -- Office of the Secretary	1,899.8
			(55-01-02) Finance	
1.0	35.0		Personnel Costs	2,238.6
			Operations/Capital	1,333.5
1.0	35.0		TOTAL -- Finance	3,572.1
			(55-01-03) Public Relations	
	15.0		Personnel Costs	1,095.5
			Operations/Capital	89.8
	15.0		TOTAL -- Public Relations	1,185.3
			(55-01-04) Human Resources	
	29.0		Personnel Costs	1,761.2
			Travel	81.8
			Contractual/Supplies	492.4
	29.0		TOTAL -- Human Resources	2,335.4
1.0	88.0		**TOTAL -- Office of the Secretary**	8,992.6
			(55-02-01) Technology and Support Services	
	95.0		Personnel Costs	6,963.3
			Travel	26.0
			Energy	1,473.6
			Capital Outlay	201.9
			Contractual/Supplies	10,699.9
	95.0		**TOTAL -- Technology and Support Services**	19,364.7
			(55-03-01) Planning	
	66.0	27.0	Personnel Costs	4,712.1
			Operations/Capital	1,688.5
	66.0	27.0	**TOTAL -- Planning**	6,400.6
			(55-04-00) Maintenance and Operations	
			(55-04-01) Office of the Director	
	24.0	3.0	Personnel Costs	1,575.8
			Operations/Capital	75.7
	24.0	3.0	TOTAL -- Office of the Director	1,651.5
			(55-04-70) Maintenance Districts	
	725.0	38.0	Personnel Costs	39,034.1
			Energy	2,196.6
			Capital Outlay	116.8
			Contractual/Supplies	18,398.0
			Snow/Storm Contingency	3,277.4
	725.0	38.0	TOTAL -- Maintenance Districts	63,022.9

(55-00-00) DEPARTMENT OF TRANSPORTATION

Personnel NSF	Personnel TFO	Personnel TFC		$ Line Item TFO
			(55-04-90) Toll Administration	
	139.0		Personnel Costs	7,417.9
			Travel	6.0
			Energy	624.2
			Capital Outlay	21.0
			Contractual/Supplies	2,404.6
			Contractual - E-ZPass Operations	8,819.5
	139.0		TOTAL -- Toll Administration	19,293.2
	888.0	41.0	**TOTAL -- Maintenance and Operations**	83,967.6
			(55-06-01) Delaware Transportation Authority	
			Delaware Transit Corporation	
	3.0		Transit Operations	71,964.2
			Taxi Services Support "E & H"	148.5
			Newark Transportation	139.2
			Kent and Sussex Transportation "E & H"	1,394.3
			Total -- Delaware Transit Corporation	73,646.2
			DTA Indebtedness	
			Debt Service	
			Transportation Trust Fund	122,871.0
			General Obligation	742.0
			Total -- DTA Indebtedness	123,613.0
	3.0		**TOTAL -- Delaware Transportation Authority***	197,259.2

* 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	116.0	Personnel Costs	920.1
	17.0	116.0	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	90.0	Personnel Costs	2,356.9
			Travel	14.5
			Energy	6.9
			Capital Outlay	23.4
			Contractual/Supplies	287.1
	26.0	90.0	TOTAL -- Engineering Support	2,688.8
			(55-08-40) Traffic	
	84.0		Personnel Costs	5,613.9
			Energy	552.3
			Capital Outlay	22.7
			Contractual/Supplies	962.5
	84.0		TOTAL -- Traffic	7,151.4
	135.0	245.0	**TOTAL -- Transportation Solutions**	11,531.9

(55-00-00) DEPARTMENT OF TRANSPORTATION

Personnel NSF	Personnel TFO	Personnel TFC		$ Line Item TFO
			(55-11-00) Motor Vehicles	
			(55-11-10) Administration	
	22.0		Personnel Costs	1,514.8
			Travel	6.1
			Contractual Services	653.5
			Supplies and Materials	19.4
			Capital Outlay	118.1
			Motorcycle Safety	154.0
	22.0		TOTAL -- Administration	2,465.9
			(55-11-20) Driver Services	
	83.0		Personnel Costs	3,858.0
			Contractual Services	521.9
			Supplies and Materials	86.3
			CDL Fees	207.3
	83.0		TOTAL -- Driver Services	4,673.5
			(55-11-30) Vehicle Services	
	174.0		Personnel Costs	7,471.5
			Contractual Services	883.5
			Supplies and Materials	1,040.9
			Odometer Forms	6.0
			Special License Plates	25.0
			DMVT	150.0
	174.0		TOTAL -- Vehicle Services	9,576.9
			(55-11-50) Motor Fuel Tax Administration	
1.0	25.0		Personnel Costs	1,526.0
			Travel	32.0
			Contractual Services	265.2
			Supplies and Materials	23.1
1.0	25.0		TOTAL -- Motor Fuel Tax Administration	1,846.3
1.0	304.0		**TOTAL -- Motor Vehicles**	18,562.6
2.0	**1,579.0**	**313.0**	**TOTAL -- DEPARTMENT OF TRANSPORTATION**	**346,079.2**

(60-00-00) DEPARTMENT OF LABOR

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			(60-01-00) Administration				
12.5	27.7	6.8	Personnel Costs			1,740.2	516.4
			Travel			13.0	
			Contractual Services			1,089.2	254.5
			Energy				0.9
			Supplies and Materials			57.0	44.0
			Capital Outlay			50.5	20.0
			Strategic Reduction/Investment Target				(641.5)
12.5	27.7	6.8	**TOTAL -- Administration**			2,949.9	194.3
	8.7	1.3	(-10) Office of the Secretary	1,186.7	(162.5)		
12.5		2.5	(-20) Office of Occupational and Labor Market Information		206.7		
	19.0	3.0	(-40) Administrative Support	1,763.2	150.1		
12.5	27.7	6.8	TOTAL -- Internal Program Units	2,949.9	194.3		
			(60-06-00) Unemployment Insurance				
131.0	4.0		Personnel Costs			186.4	
			Travel			0.1	
			Contractual Services			242.4	
			Energy			1.0	
			Supplies and Materials			1.0	
			Capital Outlay			2.2	
			Other Items:				
			Revenue Refund			41.9	
131.0	4.0		**TOTAL -- Unemployment Insurance**			475.0	
131.0	4.0		(-01) Unemployment Insurance	475.0			
131.0	4.0		TOTAL -- Internal Program Unit	475.0			
			(60-07-00) Industrial Affairs				
9.0	59.0	7.0	Personnel Costs			4,153.2	397.2
			Travel			30.8	5.7
			Contractual Services			1,069.8	117.0
			Energy				3.0
			Supplies and Materials			41.0	4.0
			Capital Outlay			43.6	
			Other Items:				
			Second Injury			6,250.0	
9.0	59.0	7.0	**TOTAL -- Industrial Affairs**			11,588.4	526.9
6.0	40.0		(-01) Office of Workers' Compensation, Safety and Health	10,151.1			
3.0	19.0	7.0	(-02) Office of Labor Law Enforcement	1,437.3	526.9		
9.0	59.0	7.0	TOTAL -- Internal Program Units	11,588.4	526.9		

(60-00-00) DEPARTMENT OF LABOR

Personnel				$ Program		$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(60-08-00) Vocational Rehabilitation				
136.0	6.0	2.0	Personnel Costs			402.9	119.4
			Travel				0.5
			Contractual Services			404.8	2,496.0
			Supplies and Materials			75.0	76.9
			Other Items:				
			Sheltered Workshop				260.7
			Governor's Committee				13.0
136.0	6.0	2.0	**TOTAL -- Vocational Rehabilitation**			882.7	2,966.5
84.0	6.0	2.0	(-10) Vocational Rehabilitation Services	882.7	2,966.5		
52.0			(-20) Disability Determination Services				
136.0	6.0	2.0	TOTAL -- Internal Program Units	882.7	2,966.5		
			(60-09-00) Employment and Training				
71.6	4.0	19.4	Personnel Costs			230.0	1,106.1
			Travel			5.0	4.0
			Contractual Services			99.1	321.9
			Energy				3.8
			Supplies and Materials			7.0	11.6
			Capital Outlay			11.4	3.8
			Other Items:				
			Summer Youth Program				430.0
			Individual Skills Grant				154.4
			Welfare Reform				959.0
			Blue Collar Skills			2,258.3	
71.6	4.0	19.4	**TOTAL -- Employment and Training**			2,610.8	2,994.6
71.6	4.0	19.4	(-20) Employment and Training Services	2,610.8	2,994.6		
71.6	4.0	19.4	TOTAL -- Internal Program Unit	2,610.8	2,994.6		
360.1	**100.7**	**35.2**	**TOTAL -- DEPARTMENT OF LABOR**			**18,506.8**	**6,682.3**

(65-00-00) DEPARTMENT OF AGRICULTURE

Personnel				$ Program		$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(65-01-00) Agriculture				
15.2	47.0	87.8	Personnel Costs			4,222.8	6,189.5
			Travel			140.1	18.3
			Contractual Services			1,069.0	536.4
			Energy			16.1	20.3
			Supplies and Materials			199.1	117.6
			Capital Outlay			312.5	26.0
			Other Items:				
			Strategic Reduction/Investment Target				(51.5)
			Information, Education & Certification				221.0
			Nutrient Management Planning				411.8
			Poultry Litter Transport			246.0	
			Agriculture Advertising				30.0
			Agriculture Development Program				17.7
			Laurel Auction				9.5
			Alternative Agriculture Projects				15.0
			Cooperative Advertising				20.0
			Plant Pest Survey & Control				35.6
			Wildlife Damage Control				5.0
			Educational Assistance			15.0	
			Revenue Refund			7.7	
			Fingerprints			76.0	
			Fingerprinting			75.5	
			Equine Drug Testing			1,225.0	
			Commuter Assistance			3.0	
			Research and Development			150.0	
			Crop Insurance				750.0
15.2	47.0	87.8	**TOTAL -- Agriculture**			7,757.8	8,372.2
	2.0	14.0	(-01) Administration			316.5	2,049.9
		7.0	(-02) Agriculture Compliance			12.2	500.2
4.0	2.5	17.5	(-04) Forest Service			659.6	1,213.6
1.0	12.0		(-05) Harness Racing Commission			2,464.3	
2.0	6.0		(-06) Pesticides			534.6	
0.5		6.5	(-07) Planning				548.0
1.0	0.5	13.5	(-08) Plant Industries			123.1	1,021.9
6.2	12.0	13.8	(-09) Animal Health and Food Products Inspection			1,040.2	1,070.5
	6.0		(-10) Thoroughbred Racing Commission			1,665.3	
	4.0	6.0	(-11) Weights and Measures			71.0	588.2
0.5		3.5	(-12) Nutrient Management			246.0	907.4
	2.0		(-13) Agricultural Lands Preservation Foundation			500.0	
		6.0	(-14) Marketing and Promotion			125.0	472.5
15.2	47.0	87.8	TOTAL -- Internal Program Units			7,757.8	8,372.2
15.2	**47.0**	**87.8**	**TOTAL -- DEPARTMENT OF AGRICULTURE**			**7,757.8**	**8,372.2**

(70-00-00) DEPARTMENT OF ELECTIONS

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			(70-01-01) Commissioner of Elections				
2.0		14.0	Personnel Costs				719.6
			Travel				1.3
			Contractual Services				172.8
			Supplies and Materials				19.4
			Capital Outlay				0.8
			Other Items:				
			Strategic Reduction/Investment Target				(46.8)
			Voter Purging				17.0
			Technology Development				20.0
			Voting Machines				115.0
2.0		14.0	**TOTAL -- Commissioner of Elections**				1,019.1
			(70-02-01) New Castle County Department of Elections				
		17.0	Personnel Costs				1,093.0
			Travel				17.1
			Contractual Services				208.6
			Energy				17.8
			Supplies and Materials				9.7
			Other Items:				
			Strategic Reduction/Investment Target				(35.8)
			Mobile Registration				3.5
			School Elections				158.4
		17.0	**TOTAL -- New Castle County Department of Elections**				1,472.3
			(70-03-01) Kent County Department of Elections				
		8.0	Personnel Costs				549.2
			Travel				1.5
			Contractual Services				194.8
			Energy				15.4
			Supplies and Materials				5.1
			Capital Outlay				1.5
			Other Items:				
			Strategic Reduction/Investment Target				(30.7)
			Mobile Registration				3.0
			School Elections				45.8
		8.0	**TOTAL -- Kent County Department of Elections**				785.6
			(70-04-01) Sussex County Department of Elections				
		8.0	Personnel Costs				560.2
			Travel				3.2
			Contractual Services				42.2
			Supplies and Materials				15.0
			Capital Outlay				2.0
			Other Items:				
			Strategic Reduction/Investment Target				(9.5)
			Mobile Registration				2.1
			School Elections				45.8
		8.0	**TOTAL -- Sussex County Department of Elections**				661.0
2.0		**47.0**	**TOTAL -- DEPARTMENT OF ELECTIONS**				**3,938.0**

(75-00-00) FIRE PREVENTION COMMISSION

Personnel				$ Program		$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(75-01-01) Office of the State Fire Marshal				
	32.2	25.8	Personnel Costs			1,944.5	1,888.0
			Travel			34.0	
			Contractual Services			365.3	107.4
			Energy				84.8
			Supplies and Materials			81.0	23.5
			Capital Outlay			311.0	
			Other Items:				
			Revenue Refund			1.5	
			Juvenile Firesetter Intervention Program				2.0
	32.2	25.8	**TOTAL -- Office of the State Fire Marshal**			2,737.3	2,105.7
			(75-02-01) State Fire School				
0.5		18.5	Personnel Costs				1,641.4
			Contractual Services				183.3
			Energy				270.2
			Capital Outlay				35.0
			Other Items:				
			Strategic Reduction/Investment Target				(6.7)
			Local Emergency Planning Committee			50.0	
			Stress Management				4.6
			EMT Training				70.0
			Debt Service				2.2
0.5		18.5	**TOTAL -- State Fire School**			50.0	2,200.0
			(75-03-01) State Fire Prevention Commission				
		1.0	Personnel Costs				75.8
			Travel				38.1
			Contractual Services				85.3
			Supplies and Materials				15.1
			Other Items:				
			Strategic Reduction/Investment Target				(12.0)
			Statewide Fire Safety Education				79.5
			Governor's Fire Safety Conference			7.0	5.0
			Mid-Atlantic Fire Conference			4.0	
		1.0	**TOTAL -- State Fire Prevention Commission**			11.0	286.8
0.5	**32.2**	**45.3**	**TOTAL -- FIRE PREVENTION COMMISSION**			**2,798.3**	**4,592.5**

(76-00-00) DELAWARE NATIONAL GUARD

Personnel				$ Program		$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(76-01-01) Delaware National Guard				
100.0		30.5	Personnel Costs				3,037.0
			Travel				8.4
			Contractual Services				285.0
			Energy				830.2
			Supplies and Materials				159.5
			Capital Outlay				3.0
			Other Items:				
			Strategic Reduction/Investment Target				(143.1)
			Educational Assistance				490.0
			SGLI Premium Assistance				5.0
			Unit Fund Allowance				12.2
100.0		**30.5**	**TOTAL -- DELAWARE NATIONAL GUARD**				**4,687.2**

(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	Personnel Costs				152.2
			Travel				6.5
			Contractual Services				13.7
			Supplies and Materials				3.6
			Strategic Reduction/Investment Target				(1.0)
		3.0	**TOTAL -- ADVISORY COUNCIL FOR EXCEPTIONAL CITIZENS**				**175.0**

(90-00-00) HIGHER EDUCATION

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			(90-01-00) University of Delaware				
			(90-01-01) University of Delaware				
			Operations				95,443.4
			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				126,149.1
			(90-01-02) Delaware Geological Survey				
			Operations				1,647.1
			River Master Program				94.0
			TOTAL -- Delaware Geological Survey				1,741.1
			TOTAL -- University of Delaware				127,890.2
			(90-03-00) Delaware State University				
			(90-03-01) Operations				
			Operations				28,285.6
			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				38,305.2
			(90-03-05) Sponsored Programs and Research				
			TOTAL -- Delaware State University				38,305.2
			(90-04-00) Delaware Technical and Community College				
			(90-04-01) Office of the President				
18.0		50.0	Personnel Costs				5,508.0
			Energy				4.1
			Aid to Needy Students				39.3
			Occupational Teacher Program				36.8
			Academic Incentive				50.0
			Associate in Arts Program - Operations				299.3
			Associate in Arts Program - Academic				1,657.8
			Debt Service				355.2
18.0		50.0	TOTAL -- Office of the President				7,950.5

(90-00-00) HIGHER EDUCATION

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			(90-04-02) Owens Campus				
60.0		217.0	Personnel Costs				17,212.6
			Energy				36.3
			Grants				48.2
			Aid to Needy Students				244.8
			Work Study				31.2
			Day Care Training				16.8
			Para-educator Technology Program				123.5
			Debt Service				707.4
60.0		217.0	TOTAL -- Owens Campus				18,420.8
			(90-04-04) Wilmington Campus				
55.0		165.0	Personnel Costs				13,301.2
			Energy				40.4
			Aid to Needy Students				199.8
			Grants				32.5
			Work Study				40.1
			Dental Program				78.8
			Day Care Training				17.3
			Debt Service				929.7
55.0		165.0	TOTAL -- Wilmington Campus				14,639.8
			(90-04-05) Stanton Campus				
61.0		205.0	Personnel Costs				15,950.6
			Energy				18.8
			Aid to Needy Students				184.8
			Grants				27.5
			Work Study				41.1
61.0		205.0	TOTAL -- Stanton Campus				16,222.8
			(90-04-06) Terry Campus				
81.3		149.0	Personnel Costs				10,599.2
			Energy				35.0
			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				11,288.9
275.3		786.0	**TOTAL -- Delaware Technical and Community College**				68,522.8
			(90-07-01) Delaware Institute of Veterinary Medical Education				
			Tuition Assistance				314.6
			TOTAL -- Delaware Institute of Veterinary Medical Education				314.6
275.3		**786.0**	**TOTAL -- HIGHER EDUCATION**				**235,032.8**

(95-00-00) DEPARTMENT OF EDUCATION

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			(95-01-00) Department of Education				
52.2	3.0	141.0	Personnel Costs				16,351.9
			Travel				48.1
			Contractual Services				745.9
			Supplies and Materials				41.7
			Capital Outlay				37.6
		1.0	State Board of Education				233.2
			Tobacco:				
	1.0		Prevention/Education			267.0	
			Other Items:				
			Strategic Reduction/Investment Target				(2,037.4)
			Infrastructure Capacity				600.0
			Educator Accountability				1,942.9
			Pupil Accounting				1,073.5
			Private Business and Trade School				2.0
			P-20 Council				20.0
			Evaluation-Higher Education				1.0
			Teacher of the Year				58.6
			Computing Center			215.0	510.7
			Educator Certification and Development				160.8
		1.0	Professional Standards Board				168.2
			School Profiles				100.0
			Delaware Student Testing Program				5,050.1
			Student Standards & Assessment			100.0	329.5
			Department of Education Library			34.0	
			Physical Fitness Assessment				20.0
			Trailer Rental Fund			27.5	
			DOE Publications			15.0	
	2.0		Delaware Interscholastic Athletic Fund			775.0	
		7.0	Delaware Science Coalition			1,242.0	1,210.3
			Parents as Teachers				1,128.4
			Discretionary Block Grant				4,406.8
52.2	6.0	150.0	**TOTAL -- Department of Education**			2,675.5	32,203.8
52.2	6.0	150.0	(-01) Department of Education	2,675.5	32,203.8		
52.2	6.0	150.0	TOTAL -- Internal Program Unit	2,675.5	32,203.8		
			(95-02-00) School District Operations				
			Division I Units (8,132)				
		13,217.0	Formula Salaries				457,710.8
			Cafeteria Funds				13,533.8
			Other Employment Costs				201,664.1
			Division II Units (9,320)				
			All Other Costs				29,043.1
			Energy				22,730.9
			Division III				
			Equalization				78,088.6
			Other Items:				
			Public Education Strategic Reduction/Investment Target				(53,432.4)
			General Contingency				9,863.3
			School Improvement Funds				1,540.0
			Other Items				511.8
			Delmar Tuition				1,157.8
			Charter School Tax Relief Funds				184.1
			Skills, Knowledge & Resp Pay Supplements				6,800.0
			Full-day Kindergarten Implementation				15,430.8

(95-00-00) DEPARTMENT OF EDUCATION

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			Debt Service				
			School Districts				79,788.7
		13,217.0	**TOTAL -- School District Operations**				864,615.4
		13,217.0	(-01) Division Funding		749,338.9		
			(-02) Other Items		35,487.8		
			(-03) Debt Service		79,788.7		
		13,217.0	TOTAL -- Internal Program Units		864,615.4		
			(95-03-00) Block Grants and Pass Through Programs				
			Education Block Grants				
			Adult Education and Work Force Training Grant				8,747.6
			Professional Accountability and Instructional Advancement Fund				4,454.5
			Academic Excellence Block Grant				38,180.1
			Student Success Block Grant				8,541.4
			K-12 Pass Throughs				
			Pregnant Students				279.8
			Special Needs Programs				
			Early Childhood Assistance				5,727.8
		1.0	Children with Disabilities				2,454.0
	1.0		Unique Alternatives			890.7	10,872.0
			Exceptional Student Unit - Vocational				469.9
			Related Services for the Handicapped				2,938.0
			Adolescent Day Program				36.0
	2.0		Children Services Cost Recovery Project			1,026.8	
			Sterck Summer Program				40.0
			Tech-Prep 2 + 2				486.0
			First State School				314.5
		37.7	Prison Education				3,531.3
			Student Discipline Program				9,586.3
			Reading Resource Teachers				8,430.3
			Math Specialists				2,804.6
			Limited English Proficient				1,625.0
			Early Childhood Inititatives				300.0
			Driver Training				
	1.0	12.0	Driver's Education			584.1	1,362.6
	4.0	50.7	**TOTAL -- Block Grants and Pass Through Programs**			2,501.6	111,181.7
			(-10) Education Block Grants		59,923.6		
			(-15) K-12 Pass Throughs		279.8		
	3.0	38.7	(-20) Special Needs Programs	1,917.5	49,615.7		
	1.0	12.0	(-30) Driver Training	584.1	1,362.6		
	4.0	50.7	TOTAL -- Internal Program Units	2,501.6	111,181.7		
			(95-04-00) Pupil Transportation				
			Public School Transportation				86,795.9
			Non-Public School Transportation Reimbursement				1,912.5
			TOTAL -- Pupil Transportation				88,708.4
			(-01) Transportation		88,708.4		
			TOTAL -- Internal Program Unit		88,708.4		

(95-00-00) DEPARTMENT OF EDUCATION

Personnel NSF	Personnel ASF	Personnel GF		$ Program ASF	$ Program GF	$ Line Item ASF	$ Line Item GF
			(95-06-00) Delaware Advisory Council on Career and Technical Education				
		3.0	Personnel Costs				254.7
			Travel				7.7
			Contractual Services				63.8
			Supplies and Materials				3.3
			TOTAL -- Delaware Advisory Council on Career and Technical Education				
		3.0					329.5
		3.0	(-01) Advisory Council		329.5		
		3.0	TOTAL -- Internal Program Unit		329.5		
			(95-07-00) Delaware Center for Educational Technology				
		7.0	Personnel Costs				660.7
			Operations				296.8
			Technology Block Grant				1,354.0
			TOTAL -- Delaware Center for Educational Technology				
		7.0					2,311.5
		7.0	(-01) Delaware Center for Educational Technology		2,311.5		
		7.0	TOTAL -- Internal Program Unit		2,311.5		
			(95-08-00) Delaware Higher Education Commission				
1.0		6.0	Personnel Costs				556.9
			Operations				301.1
			Scholarships and Grants				3,080.8
			Michael C. Ferguson Awards				300.0
			SEED Scholarship				3,074.0
1.0		6.0	**TOTAL -- Delaware Higher Education Commission**				7,312.8
1.0		6.0	(-01) Delaware Higher Education Commission		7,312.8		
1.0		6.0	TOTAL -- Internal Program Unit		7,312.8		
53.2	**10.0**	**13,433.7**	**TOTAL -- DEPARTMENT OF EDUCATION**			**5,177.1**	**1,106,663.1**

Year ending June 30, 2010

	Personnel						$		
	TFO	TFC	NSF	ASF	GF		TFO	ASF	GF
						TOTALS			
	1,579.0	313.0	1,891.6	1,630.6	11,792.2	**TOTAL - DEPARTMENTS**	346,079.2	588,833.7	1,721,757.6
			275.3		786.0	**TOTAL - HIGHER EDUCATION**			235,032.8
			53.2	10.0	13,433.7	**TOTAL - PUBLIC EDUCATION**		5,177.1	1,106,663.1
	1,579.0	**313.0**	**2,220.1**	**1,640.6**	**26,011.9**	**GRAND TOTAL**	**346,079.2**	**594,010.8**	**3,063,453.5**

GENERAL

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

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

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

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

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

Section 7. (a) Notwithstanding the provisions of 29 Del. C. § 6334(c), for Fiscal Year 2010, the proposed budget plan, as prepared by the Director of the Office of Management and Budget, shall be in such a format that it can readily be analyzed and comprehensive in nature.

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

(c) For Fiscal Year 2010, the payroll recovery rate for the Worker’s Compensation Program shall be 1.90 percent.

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

(e) Section 1 of this Act provides funding for a state employee pension rate of 15.80 percent. The components of the rate are 7.02 percent for the pension liability, 6.84 percent for retiree health insurance costs, 1.40 percent for the Post-retirement Increase Fund and .54 percent for the Other Post - Employment Benefits Fund.

(f) Section 1 of this Act provides funding for a judicial pension rate of 31.70 percent.

(g) Section 1 of this Act provides funding for a new State Police pension rate of 16.59 percent.

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

GF – General Fund

ASF – Appropriated Special Funds

NSF – Non-appropriated Special Funds

TFO – Trust Fund Operations

TFC – Trust Fund Capital

FTE – Full-time Equivalent

All Merit Rules referenced in this Act refer to the Merit Rules in effect June 30, 2009.

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

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

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

(i) Effective July 1, 2009, the following pay plans are established for state merit system employees:

Annual Salary

STATE OF DELAWARE PAY PLAN*

(Standard Work Schedule of 37.5 Hours per Work Week)

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

* - Annual Salary in Whole Dollars.
** - Minimum State Salary.

STATE OF DELAWARE PAY PLAN*

(Standard Work Schedule of 40 Hours per Work Week)

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

* - Annual Salary in Whole Dollars.

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

DEPARTMENT	CLASS SERIES
Department of State	Drug Control Administrator
Department of Correction	Quality Improvement Program Administrator
	Community Work Program Coordinator
	Correctional Food Services Administrator
	Director of Probation and Parole
	Pre-trial Presentence Manager

	Probation and Parole Officer
	Probation and Parole Regional Manager
	Probation and Parole Supervisor
	Probation and Parole Operations Manager
	Support Services Manager-DCC
	Special Services Manager
	Trainer/Educator I, II, III
	Correctional Treatment Administrator-DCC
	Correctional Treatment Administrator-SCI
	Correctional Officer
	Correctional Security Superintendent
	Warden and Deputy Warden
Department of Agriculture	Meat Inspectors/Supervisor
	Meat and Poultry Inspector Officer
	Food Products Inspection Administrator
Fire Prevention Commission	Training Administrator I
Department of Safety and Homeland Security	Drug Control and Enforcement Agent
	Chief Drug Control and Enforcement Agent
	Telecommunications Specialist Series (ERC)
	Telecommunications Central Control Specialist Series
	Capitol Police Officer Series
	Capitol Police Security Officer
	Capitol Police Communications Dispatcher
Department of Transportation	Toll Collector
	Toll Plaza Manager
	Toll Corporal

Toll Sergeant

TMC EPS Technician

TMC Planner IV

(iii) During the fiscal year ending June 30, 2010, 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,

2009, provided that such variations have been processed as part of the regular budgetary process and the funds for such changes shall be appropriated.

(5) The Director of the Office of Management and Budget and the Controller General shall establish criteria to allow for selective market variations to be effective January 1, 2010. An appointing authority may apply for selective market variation for January 1, 2010 for job classes or job families that are experiencing severe recruitment and retention issues. Funds must be available within the agency budget to fund the selective market variation until such time as the General Assembly appropriates the necessary funds.

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

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

(i) The salary of employees in positions added to the Selective Market Variation Program on or after July 1, 2009, whose salary in effect as of June 30, 2009 is below the adjusted minimum salary for the assigned job classification shall be increased to the adjusted minimum salary or an advanced starting salary recommended by the Director of the Office of Management and Budget. If such an increase does not yield at least a five percent increase, the salary will be further adjusted to yield a total increase of five percent. This procedure applies only to employees newly approved for Selective Market variation on or after January 1, 2009.

(ii) The salary of employees in positions added to the Selective Market Variation Program before June 30, 2009, whose salary in effect as of June 30, 2009, is below

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

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

(9) Effective July 1, 2009, the shift differential rates paid to registered nurses in accordance with the provisions of Merit Rule 4.15 shall reflect the salary scale in effect for the current fiscal year or that which is superseded by a collective bargaining agreement pursuant to the provisions of 19 Del. C. § 1311A.

(c) SALARY INCREASES FOR FISCAL YEAR 2010.

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

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

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

(iii) Federal salary plan increases for Delaware National Guard employees;

(iv) In Fiscal Year 2010, the Department of Natural Resources and Environmental Control Enforcement competency-based salary matrix amounts will remain the same as Fiscal Year 2009. Salary matrix increases within pay grades will not continue and career ladder movement between pay grades will revert to the regular career ladder process for Fiscal Year 2010; and

(v) In Fiscal Year 2010, the Office of the Attorney General and the Public Defender's Office salary matrix amounts will remain the same as Fiscal Year 2009. Salary matrix increases within the same pay grade is only permissible for internal competitive promotions or for an appointed division head for specific identified positions. Career ladder movements between pay grades will revert to the regular career ladder process.

(d) MAINTENANCE REVIEWS.

(1) Any such reclassifications/regrades that the Director of the Office of Management and Budget determines to be warranted as a result of the classification maintenance reviews regularly scheduled by the Office of Management and Budget shall be designated to become effective July 1, 2009, provided that such reclassifications/regrades have been processed as part of the regular budgetary process and the funds for such reclassifications/regrades have been appropriated. Maintenance review classification determinations may be appealed to the Merit Employee Relations Board in accordance with 29 Del. C. § 5915. Pay grade determinations shall not be appealed.

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

only affect the current title assigned to positions; the corresponding class specification, levels of work and minimum qualifications will be written general in nature rather than agency or program specific.

(e) CRITICAL RECLASSIFICATIONS.

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

(f) OTHER RECLASSIFICATIONS.

Other than those reclassifications/regrades approved in accordance with Section 8(d) or 8(e), no position shall be reclassified or regraded during the fiscal year ending June 30, 2010.

(g) STATE AGENCY TEACHERS AND ADMINISTRATORS.

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

(h) ADMINISTRATIVE REGULATIONS.

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

(2) Consistent with Chapter 13 of the Merit Rules, all state agencies shall implement the performance review prescribed by the Office of Management and Budget after applicable training by the Office of Management and Budget. A performance review shall be completed for employees between January 1 and December 31, 2010.

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

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

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

(j) OVERTIME FOR WEATHER-RELATED EMERGENCIES.

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

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

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

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

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

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

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

(l) STANDBY PAY - HIGHWAY EMERGENCY RESPONSE TEAM.

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

(m) SALARY PLAN - PUBLIC EDUCATION.

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

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

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

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

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

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

(a) The salary of employees shall be comparable to salaries and wage rates paid from funds appropriated by the State to employees with similar training and experience who serve in similar positions in the Merit System. In the event that there are no similar positions in the Merit System, the Director of the Office of Management and Budget shall establish an exempt position classification only for the purpose of assigning a salary or wage rate to said position. No exempt employee shall be hired until an approved comparability has been assigned to the position. No reclassification/regrading, change in pay grade comparability of a filled or vacant exempt position, or change of a Merit System position to an exempt position otherwise permitted under Delaware Law shall become effective unless approved by the Director of the Office of Management and Budget and the Controller General. In order to permit the development of the comparability list, state agencies shall provide to the Director of the Office of Management and Budget job descriptions of all exempt positions and position classification questionnaires describing the duties and responsibilities of each of the positions. The certification of comparability by the Director of the Office of Management and Budget shall not be withheld unreasonably. Those positions assigned on a list of comparability that are assigned a comparable class and/or pay grade in the Merit System shall be paid in accordance with Sections 8(b) 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 given to such employees unless specifically authorized in this Act.

(b) The salary of employees whose salary in effect as of June 30, 2009 is below the minimum salary of the assigned pay grade of the pay plan shall be raised to the minimum salary.

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

Section 10. (a) For the fiscal year ending June 30, 2010, the salaries displayed below represent the salary effective on July 1, 2009.

Budget Unit	Line Item	General Funds	All Other Funds
(01-01-01)	Representative	$ 42,750	
(01-02-01)	Senator	42,750	
(02-00-00)	Judicial Secretaries	47,850	
(02-00-00)	Judicial Secretaries to Presiding Judges	50,050	
(02-01-00)	Chief Justice - Supreme Court	194,750	
(02-01-00)	Justice - Supreme Court	185,050	
(02-01-00)	Judicial Secretary to the Chief Justice	50,650	
(02-01-00)	Supreme Court Judicial Secretary	50,050	
(02-02-00)	Chancellor - Court of Chancery	185,750	
(02-02-00)	Vice Chancellor - Court of Chancery	174,950	
(02-03-00)	President Judge - Superior Court	183,650	
(02-03-00)	Associate Judge - Superior Court	168,850	
(02-03-00)	Commissioner - Superior Court	104,250	
(02-03-00)	New Castle County Prothonotary	65,550	
(02-03-00)	Kent County Prothonotary	58,550	
(02-03-00)	Sussex County Prothonotary	58,550	
(02-06-00)	Chief Judge - Court of Common Pleas	183,650	
(02-06-00)	Judge - Court of Common Pleas	168,850	
(02-06-00)	Commissioner - Court of Common Pleas	104,250	
(02-08-00)	Chief Judge - Family Court	183,650	
(02-08-00)	Associate Judge - Family Court	168,850	

Budget Unit	Line Item	General Funds	All Other Funds
(02-08-00)	Commissioner - Family Court	104,250	
(02-13-00)	Chief Magistrate – Justices of the Peace Courts	121,750	
(02-13-00)	Magistrate - Justices of the Peace Courts - 1st Term	70,750	
(02-13-00)	Magistrate - Justices of the Peace Courts - 2nd Term	73,250	
(02-13-00)	Magistrate - Justices of the Peace Courts - 3rd Term	75,550	
(02-13-00)	Judicial Secretary to the Chief Magistrate	47,850	
(02-17-00)	St. Court Administrator - Off. of the St. Court Administrator	126,550	
(02-17-00)	Judicial Secretary to the State Court Administrator	50,050	
(02-18-00)	Public Guardian	68,750	
(02-18-00)	Executive Director - Violent Crimes Compensation Board		60,750
(02-18-00)	Executive Director - Child Placement Review Board	62,550	
(10-01-01)	Governor	171,000	
(10-02-00)	Director - Office of Management and Budget	143,050	
(10-02-08)	Director - SAC	89,450	
(10-02-50)	Executive Secretary - Architectural Accessibility Board	50,450	
(10-03-01)	Director - Delaware Economic Development Office	123,850	
(10-07-01)	Executive Director - CJC	91,050	
(10-07-01)	Director - Domestic Violence Coordinating Council	67,750	
(10-07-02)	Executive Director - DELJIS	83,350	
(10-08-01)	Director - Delaware State Housing Authority		115,550
(11-00-00)	Chief Information Officer	155,450	
(12-01-01)	Lieutenant Governor	76,250	
(12-02-01)	Auditor	105,350	
(12-03-01)	Insurance Commissioner		105,350

Budget Unit	Line Item	General Funds	All Other Funds
(12-05-01)	State Treasurer	110,050	
(15-01-01)	Attorney General	140,950	
(15-01-01)	Chief Deputy Attorney General	124,050	
(15-02-01)	Public Defender	136,050	
(15-02-01)	Chief Deputy Public Defender	124,050	
(15-03-01)	Parole Board Chairman	76,850	
(20-01-00)	Secretary - State	123,850	
(20-01-00)	Executive Director - Public Employment Relations Board	87,500	
(20-02-00)	Director - Human Relations	72,150	
(20-03-00)	Director - Division of Archives	78,250	
(20-04-00)	Public Advocate		82,850
(20-04-00)	Director - Public Service Commission		93,250
(20-04-00)	Director - Professional Regulation		94,850
(20-05-00)	Director - Corporations		110,750
(20-06-00)	Director - Historical and Cultural Affairs	91,250	
(20-07-00)	Director - Arts	79,050	
(20-08-00)	State Librarian	81,350	
(20-15-00)	State Banking Commissioner		108,150
(25-01-00)	Secretary - Finance	143,050	
(25-05-00)	Director - Accounting	103,850	
(25-06-00)	Director - Revenue	120,950	
(25-07-00)	Director - State Lottery		102,250
(35-01-00)	Secretary - Health and Social Services	143,050	
(35-01-00)	Director - Management Services	100,305	11,145
(35-02-00)	Director - Medicaid and Medical Assistance	55,825	55,825

Budget Unit	Line Item	General Funds	All Other Funds
(35-04-00)	Chief Medical Examiner	192,702	
(35-05-00)	Director - Public Health	165,000	
(35-06-00)	Director - Substance Abuse and Mental Health	137,250	
(35-07-00)	Director - Division of Social Services	55,825	55,825
(35-08-00)	Director - Visually Impaired	85,750	
(35-09-00)	Director - Long-term Care Residents Protection	89,950	
(35-10-00)	Director - Child Support Enforcement	29,650	60,200
(35-11-00)	Director - Developmental Disabilities Services	111,550	
(35-12-00)	Director - State Service Centers	89,950	
(35-14-00)	Director - Services for Aging and Adults with Physical Disabilities	89,950	
(37-01-00)	Secretary - Services for Children, Youth and Their Families	128,850	
(37-01-00)	Director - Management Services	101,650	
(37-04-00)	Director - Child Mental Health Services	101,650	
(37-05-00)	Director - Youth Rehabilitative Services	101,650	
(37-06-00)	Director - Family Services	101,650	
(38-01-00)	Commissioner - Correction	143,050	
(38-01-00)	Bureau Chief - Management Services	99,550	
(38-04-00)	Bureau Chief - Prisons	111,550	
(38-06-00)	Bureau Chief - Community Corrections	106,350	
(40-01-00)	Secretary - Natural Resources and Environmental Control	123,850	
(40-01-00)	Deputy Secretary - Natural Resources and Environmental Control	103,950	
(40-05-00)	Director - Fish and Wildlife	47,825	47,825

Budget Unit	Line Item	General Funds	All Other Funds
(40-06-00)	Director - Parks and Recreation	96,350	
(40-07-00)	Director - Soil and Water Conservation	95,650	
(40-08-00)	Director - Water Resources	95,650	
(40-09-00)	Director - Air and Waste Management	98,350	
(40-09-00)	Director - Boiler Safety	62,750	
(45-01-00)	Secretary - Safety and Homeland Security	128,850	
(45-01-00)	Director - Del. Emergency Management Agency	40,025	40,025
(45-03-00)	Commissioner - Alcoholic Beverage Control	111,250	
(45-04-00)	Director - Alcohol and Tobacco Enforcement	78,900	
(45-06-00)	Superintendent - State Police	151,531	
(45-06-00)	Assistant Superintendent - State Police	133,923	
(55-01-01)	Secretary - Transportation		133,950
(55-01-02)	Director - Finance		112,650
(55-02-01)	Director - Technology and Support Services		113,150
(55-03-01)	Director - Planning		113,150
(55-04-01)	Director - Maintenance and Operations		113,150
(55-06-01)	Director - Delaware Transit Corporation		113,150
(55-08-30)	Chief Engineer		119,050
(55-11-10)	Director - Motor Vehicles		113,150
(60-01-00)	Secretary - Labor	11,555	103,995
(60-06-00)	Director - Unemployment Insurance		95,750
(60-07-00)	Director - Industrial Affairs		93,250
(60-08-00)	Director - Vocational Rehabilitation		93,250
(60-09-00)	Director - Employment and Training	9,400	73,802
(65-01-00)	Secretary - Agriculture	115,550	
(65-01-00)	Deputy Secretary - Agriculture	83,650	

Budget Unit	Line Item	General Funds	All Other Funds
(70-01-01)	Commissioner - Elections	78,750	
(70-02-01)	Administrative Director - New Castle County Elections	74,550	
(70-02-01)	Deputy Administrative Director - New Castle County Elections	73,050	
(70-03-01)	Administrative Director - Kent County Elections	74,550	
(70-03-01)	Deputy Administrative Director - Kent County Elections	73,050	
(70-04-01)	Administrative Director - Sussex County Elections	74,550	
(70-04-01)	Deputy Administrative Director - Sussex County Elections	73,050	
(75-01-01)	State Fire Marshal	56,270	26,480
(75-02-01)	Director - State Fire School	82,750	
(76-01-01)	Adjutant General	118,250	
(95-01-00)	Secretary of Education	155,450	
(95-01-00)	Deputy Secretary of Education	127,250	
(95-06-00)	Executive Secretary - Advisory Council on Career and Technical Education	95,150	

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

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

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

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

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

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

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

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

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

(c) Effective May 1, 2010, the Office of Management and Budget shall submit to the Joint Finance Committee a listing of employees designated in Section 10(a). The listing shall indicate for each position the number of Hay points applicable for Fiscal Year 2010 and the number of Hay points of any recommended changes for any position for Fiscal Year 2011.

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

July 1, 2009

Budget Unit	Line Item	General Funds	All Other Funds
(10-02-32)	Board Members - Pensions		15.0
(10-02-50)	Board Members - Architectural Accessibility Board	2.3	
(15-01-01)	Board Members - Consumer Protection	3.5	
(15-03-01)	Board Members - Parole	46.1	
(20-01-00)	Board Members - Public Employment Relations Board	7.4	
(20-01-00)	Board Members - Merit Employee Relations Board	20.0	
(20-02-00)	Board Members - Human Relations	2.5	
(20-04-00)	Board Members - Professional Regulation		71.5
(20-04-00)	Board Members - Public Service Commission		155.0
(25-01-00)	Board Members - Revenue	33.0	
(38-04-00)	Board Members - Institutional Classification	12.0	
(45-04-00)	Board Members - Alcoholic Beverage Control Commission	8.6	
(60-07-00)	Board Members - Industrial Accident Board		230.0
(65-01-05)	Harness Racing Commission		13.6
(65-01-10)	Thoroughbred Racing Commission		13.6
(65-01-12)	Nutrient Management Commission	22.4	
(70-02-01)	Board Members - New Castle County Elections	21.5	
(70-03-01)	Board Members - Kent County Elections	13.0	
(70-04-01)	Board Members - Sussex County Elections	13.0	
(95-01-01)	Board Members - State Board of Education	16.8	
(95-08-01)	Higher Education Commissioners	2.4	

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

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

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

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

Section 14. For the fiscal year, the provisions of 29 Del. C. § 6502(a), shall be waived for school districts. In its place, school districts shall be required to provide to the Director of the Office of Management and Budget and the Controller General a signed copy of its approved district budget.

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

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

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

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

(b) The Department of Correction shall submit a report of videophone usage to the Director of the Office of Management and Budget, Controller General and members of the Joint Finance Committee by December 1 of each year. This report shall be based on a period from July 1 through June 30 and shall

include a detailed description of the actual savings, deferred costs and previously anticipated savings and deferrals that were not realized.

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

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

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

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

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

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

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

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

Section 25. Notwithstanding the provisions of any other law, any non-state organizations identified in 29 Del. C. § 5209 and not participating in the State Group Health Insurance Program as of June 30, 2009, shall be prohibited from participation for the fiscal year ending June 30, 2010.

Section 26. Notwithstanding any provision in the Delaware Code to the contrary, for the purposes of developing and implementing the Enterprise Resource Planning (ERP) Financial Reengineering Project's PeopleSoft Financials application, necessary adjustments to existing state accounting, budgeting and financial reporting processes and practices may be implemented during Fiscal Year 2010 with the written approval of the Director of the Office of Management and Budget, Controller General, Secretary of Finance and Chief Information Officer.

Section 27. The responsibilities and authorities established by 75 Del. Laws c. 243 shall remain in effect through Fiscal Year 2010 or until a bill codifying energy procurement is signed into law. The following provisions shall apply:

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

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

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

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

Section 28. The Delaware Governmental Accountability Act enacted by the 138th General Assembly requires performance measures for each Internal Program Unit within state government to allow the General Assembly to make better informed policy decisions on the allocation and utilization of state resources. In keeping with the principles of the Delaware Governmental Accountability Act, Section 1 of this Act includes consolidation of pass through appropriations within the departments of Services for Children, Youth and Their Families, Health and Social Services and Education into discretionary block grants within the Office of the Secretary for those respective agencies. The funds shall be allocated to organizations that received funding during Fiscal Year 2009, at the discretion of the Secretary of the department under which the funds are appropriated, based upon program performance in meeting the mission of that State agency. Agencies receiving funds from these consolidated block grants shall be

required to provide a detailed program description including performance measures, a detailed expenditure plan, and a listing of all state funds received by the organization to the designated Secretary in order to access block grant funds.

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

Section 30. The Office of Management and Budget, with the concurrence of the Controller General and co-chairs of the Joint Finance Committee, is authorized to continue the pilot web-based procurement program in the Department of Health and Social Services; Department of Natural Resources and Environmental Control, Parks and Recreation; Department of Technology and Information; and Department of Safety and Homeland Security, Delaware Emergency Management Agency and expand such program in up to four additional state agencies during Fiscal Year 2010. To ensure efficiencies in statewide procurement activities, the pilot programs shall include, but not be limited to, placing legal notices in statewide publications of record directing interested bidders to the pilot agencies' websites for detailed information on procurement opportunities. For purposes of this pilot program, said publication of legal notices shall fulfill the advertising requirement of 29 Del. C. c. 69. Agencies participating in the pilot program shall report on the outcomes of this initiative to the co-chairs of JFC, Controller General, and Director of Office of Management and Budget by May 15, 2010.

Section 31. Notwithstanding the provisions of 24 Del. C. § 1702(9)e, the rendering by a physician located outside the State of a written or otherwise documented medical opinion to a person covered by the State Group Health Insurance Program pursuant to any second opinion or diagnosis evaluation program offered by the State Group Health Insurance Program shall not constitute the practice of medicine.

Section 32. All agency heads shall assure that state employees, where feasible, make use of the videophones available for meetings in lieu of the use of state-owned vehicles.

Section 33. (a) For the fiscal year ending June 30, 2009, any sums in the following accounts shall remain as continuing appropriations and shall not be subject to a reversion until June 30, 2010. Any appropriation listed below that has a balance of zero on June 30, 2009 shall not continue:

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

1	2007/08	01-08-02-0160	Supplies
2	2008	01-08-02-0170	Capital
3	1999	01-08-02-0180	Senior Center Reporting
4	2007/08	01-08-02-0181	Contingency – Legislative
5	2008	01-08-02-0182	Family Law Commission
6	2000/07/088	01-08-02-0186	Juvenile Detention Oversight Committee
7	2008	01-08-02-0190	Neighborhood Schools
8	2008	01-08-02-0191	Clean Air
9	2007/08	01-08-02-0193	JFC/CIP Contingency
10	2008	01-08-02-0197	Contingency - Intern
11	2007	01-08-02-0198	One Time Revolutionary War Monument
12	2003/04/05/06	01-08-02-0200	TriCent Committee
13	2008	01-08-02-0201	Security
14	2004	01-08-02-0801	Technical Equipment
15	2006	01-08-02-0879	BioTech Engineer
16	2006	01-08-02-0891	Legislative Hall Improvements
17	2002	01-08-02-0985	Senior Center Projects
18	2005/06/08	01-08-02-0988	JFC CIP Contract
19	2006	01-08-02-0989	Senior Center Fund
20	2008	01-08-06-0150	Contractual
21	2008	02-01-10-0180	Court on the Judiciary
22	2009	02-03-10-0180	Jury Expenses
23	2008	02-08-10-0198	One Time
24	2009	02-17-01-0180	Retired Judges
25	2009	02-17-01-0184	Conflict Attorneys
26	2009	02-17-01-0185	CASA Attorneys
27	2009	02-17-01-0186	Civil Attorneys
28	2009	02-17-01-0188	Court Appointed Attorneys

1	2009	02-17-01-0189	Interpreters
2	2008/09	02-17-01-0190	New Castle County Courthouse
3	2004	02-17-01-0192	COTS Support
4	2008	02-17-01-0197	Data Development
5	2009	02-17-04-0182	COTS Maintenance
6	2008/09	10-02-06-0196	Contingency Fund
7	2007	10-02-08-0286	Race and Incarceration
8	2007/08/09	10-02-10-0185	Data Development
9	2008/09	10-02-11-0185	Legal Fees
10	2009	10-02-11-0189	Salary/OEC
11	2009	10-02-11-0218	Judicial Nominating Committee
12	2009	10-02-21-0199	First Quality
13	2009	10-02-31-0150	Contractual
14	2009	10-02-31-0183	Self Insurance
15	1997	10-05-01-0180	Pilot Projects
16	2009	10-05-01-0181	Education
17	2009	10-05-01-0184	Uninsured Action Plan
18	2006	10-05-01-0185	Universal Health Insurance Study
19	2009	10-05-02-0180	Operations
20	2008/09	10-05-03-0180	Operations
21	2009	10-07-01-0188	Grant 02
22	2009	10-07-01-0190	Domestic Violence Coordinating Council
23	2009	10-07-02-0297	Local Law Enforcement Education Fund
24	2008	15-01-01-0197	Data Development
25	2007	20-01-01-0198	One Time
26	2008/09	20-03-01-0183	Delaware Heritage Office
27	2009	20-06-04-0181	Museum Conservation
28	2009	20-06-04-0184	Operations

1	2009	20-07-01-0182	Delaware Art
2	2009	20-08-01-0180	Library Standards
3	2008/09	20-08-01-0181	Delaware Electronic Library
4	2008/09	20-08-01-0186	DelNET - Statewide
5	2007	25-06-01-0199	First Quality
6	2008	35-02-01-0190	SBHC Audit
7	2009	35-05-20-0182	Immunization
8	2009	35-05-20-0183	Hepatitis B
9	2009	35-05-30-0977	Paramedic
10	2009	35-06-10-0187	Clinical Care
11	2008	35-06-10-0188	CCIS Development Fund
12	2006/07	35-10-01-0197	Data Development
13	2009	35-11-30-0180	Community Services
14	2009	35-11-30-0181	Purchase of Care
15	2006	37-01-20-0180	CAP Phase 2
16	2009	37-01-50-0181	MIS Development
17	2009	37-06-40-0187	Child Welfare
18	2006/08/09	38-01-01-0184	Sustainability Contingency
19	2009	38-01-10-0186	Warehouse
20	2008/09	38-01-10-0199	MIS
21	2008	38-01-40-0200	Maintenance and Restoration
22	2008/09	38-02-01-0180	Medical Services
23	2008	38-02-01-0181	Drug Treatment
24	2008	38-02-01-0183	Maintenance and Restoration
25	2009	38-02-01-0184	Maintenance and Restoration
26	2008	38-02-01-0197	Data Development
27	2009	38-04-01-0185	Distance Learning
28	2009	40-01-01-0181	Whole Basin Management - TMDL

1	2008	40-01-01-0195	First Quality
2	2009	40-05-04-0180	Spraying and Insecticides
3	2009	40-08-01-0180	Delaware Estuary
4	2009	40-08-02-0190	Harmful Algal Bloom
5	2009	40-09-03-0183	Recycling Community Outreach
6	2009	45-01-01-0186	Real Time Crime Report
7	1986	45-01-01-0381	Hazardous Waste Revolving Fund
8	2003	45-01-30-0197	Federal Disaster Relief
9	2001/02/03	45-01-30-0198	One Time
10	2008	45-02-10-0198	One Time
11	2008	45-06-01-0198	One Time
12	2008	45-06-05-0198	One Time
13	2008	45-06-07-0198	One Time
14	2008	45-06-08-0198	One Time
15	2005	60-01-10-0197	First Quality
16	2009	60-09-20-0182	Summer Youth Program
17	2009	60-09-20-0188	Skill Grant
18	2009	70-01-01-0181	School Elections
19	2009	70-01-01-0183	Voter Purging
20	2007/08	70-01-01-0184	HAVA Repayment
21	2009	70-02-01-0201	Technology Development
22	2008	76-01-01-0181	Educational Assistance
23	2008	76-01-01-0183	Service Member Group Life Insurance
24	2009	95-01-01-0131	Parents as Teachers
25	2009	95-01-01-0189	State Board of Education
26	2008/09	95-01-01-0200	Standards and Assessment
27	2008/09	95-01-01-0202	DSTP
28	2009	95-01-01-0203	Pupil Accounting

2009	95-01-01-0210	DE Science Coalition
2009	95-01-01-0212	Professional Standards Board
2009	95-01-01-0226	DE Educator Recruitment
2009	95-01-01-0229	Infrastructure Capacity
2009	95-01-01-0230	Educator Accountability
2008/09	95-02-02-0204	School Improvement
2008/09	95-03-10-0191	Professional Development
2009	95-03-20-0127	Student Discipline Program
2009	95-03-20-0153	3-5 Program
2009	95-03-20-0181	Unique Alternatives
2009	95-08-01-0183	Scholarships
2008/09	95-08-01-0185	Ferguson DSTP Scholarship
2008	95-08-01-0188	Physician Loan
2008	95-08-01-0189	Legislative Essay
2009	95-08-01-0191	SEED Scholarship

(b) Funds appropriated for the following programs shall be appropriated on a 15 month basis and not be subject to reversion until September 30, 2010: LEP (appropriation 0233), Professional and Curriculum Development (appropriation 0205), and Student Success Block Grant (appropriation 0234). Program expenses may not be incurred subsequent to the start of the regular 2010-2011 school year.

(c) For the fiscal year ending June 30, 2009, any sums in Fiscal Year 2009 appropriation 0213 (Charter School Operations) for Public Education, shall remain as continuing and not be subject to reversion until June 30, 2010.

(d) For the fiscal year ending June 30, 2009, any sums for Fiscal Year 2009 Division II - All Other Costs (appropriation 0165), Division II - All Other Costs for Vocational Education (appropriation 0265), Division II - Energy (appropriation 0159), Division III - Equalization (appropriation 0186), Education Expense and Property Tax Relief Funds (appropriation 0287), and Innovative After School Initiative (appropriation 0245) shall become a continuing appropriation in each local school district for the period of one fiscal year.

(e) For the fiscal year ending June 30, 2009, any fiscal year 2007, 2008 or 2009 School Improvement Funds (appropriation 0244) shall become a continuing appropriation in each local school district for the period of one fiscal year.

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

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

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

(i) For the fiscal year ending June 30, 2009, any authorizations in the following accounts shall remain as continuing appropriations and shall not be subject to deauthorization until June 30, 2010.

Fiscal Year Appropriation	Account Codes	Remarks
2009	55-01-01-6800	Operations/Capital
2009	55-01-01-6805	Salary Contingency
2009	55-01-01-6815	Personnel Costs
2009	55-01-02-6800	Operations/Capital
2003	55-01-02-6809	Prior Year Operations
2009	55-01-02-6815	Personnel Costs
2009	55-01-03-6800	Operations/Capital
2009	55-01-03-6815	Personnel Costs

1	2009	55-01-04-6801	Travel
2	2009	55-01-04-6802	Contractual/Supplies
3	2009	55-01-04-6815	Personnel Costs
4	2009	55-02-01-6801	Travel
5	2009	55-02-01-6802	Contractual/Supplies
6	2009	55-02-01-6803	Energy
7	2009	55-02-01-6804	Capital Outlay
8	2009	55-02-01-6815	Personnel Costs
9	2009	55-03-01-6800	Operations/Capital
10	2009	55-03-01-6815	Personnel Costs
11	2009	55-04-01-6800	Operations/Capital
12	2009	55-04-01-6815	Personnel Costs
13	2009	55-04-70-6802	Contractual/Supplies
14	2009	55-04-70-6803	Energy
15	2009	55-04-70-6804	Capital Outlay
16	2009	55-04-70-6805	Storm Contingency
17	2009	55-04-70-6815	Personnel Costs
18	2009	55-04-90-6801	Travel
19	2009	55-04-90-6802	Contractual/Supplies
20	2009	55-04-90-6803	Energy
21	2009	55-04-90-6804	Capital Outlay
22	2009	55-04-90-6805	E-ZPass Operations
23	2009	55-04-90-6815	Personnel Costs
24	2009	55-06-01-8572	Transit Operations
25	2009	55-06-01-8581	Newark Transportation
26	2009	55-06-01-8583	Kent and Sussex
27	2009	55-06-01-8589	Taxi Service
28	2009	55-08-10-6815	Personnel Costs

1	2009	55-08-20-6815	Personnel Costs
2	2009	55-08-30-6801	Travel
3	2009	55-08-30-6802	Contractual/Supplies
4	2009	55-08-30-6803	Energy
5	2009	55-08-30-6804	Capital Outlay
6	2009	55-08-30-6815	Personnel Costs
7	2009	55-08-40-6802	Contractual/Supplies
8	2009	55-08-40-6803	Energy
9	2009	55-08-40-6804	Capital Outlay
10	2009	55-08-40-6815	Personnel Costs
11	2009	55-11-10-6801	Travel
12	2009	55-11-10-6804	Capital Outlay
13	2009	55-11-10-6807	Contractual Services
14	2009	55-11-10-6808	Supplies and Materials
15	2009	55-11-10-6815	Personnel Costs
16	2009	55-11-10-6820	Motorcycle Safety
17	2009	55-11-20-6804	Capital Outlay
18	2009	55-11-20-6807	Contractual Services
19	2009	55-11-20-6808	Supplies and Materials
20	2009	55-11-20-6815	Personnel Costs
21	2009	55-11-20-6822	CDL Fees
22	2009	55-11-30-6801	Travel
23	2009	55-11-30-6804	Capital Outlay
24	2009	55-11-30-6807	Contractual Services
25	2009	55-11-30-6808	Supplies and Materials
26	2009	55-11-30-6815	Personnel Costs
27	2009	55-11-30-6823	Odometer Forms
28	2009	55-11-30-6824	Special License Plates

1	2009	55-11-30-6825	DMVT
2	2009	55-11-50-6801	Travel
3	2009	55-11-50-6804	Capital Outlay
4	2009	55-11-50-6807	Contractual Services
5	2009	55-11-50-6808	Supplies and Materials
6	2009	55-11-50-6815	Personnel Costs

TOBACCO – MASTER SETTLEMENT AGREEMENT

Section 34. (a) Section 1 of this Act includes Appropriated Special Funds of $34,932.1 from funds received as a result of the Master Settlement Agreement on tobacco funds. These funds are allocated as follows:

(10-05-01) Health Care Commission

$1,250.0	Uninsured Action Plan
$48.1	1.0 ASF FTE - Assistance to the Commission on health issues
$9.0	Casual and Seasonal assistance

(15-01-01) Attorney General

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

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

$4,420.0	Prescription Drug Program
$3,054.8	Medical Assistance Transition (MAT) Program
$650.0	Increase Medicaid eligibility for pregnant women/infants to 200 percent of poverty
$475.1	Medicaid for Workers with Disabilities
$499.5	Money Follows the Person

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

$500.0	Diabetes
$2,189.8	New Nurse Development Program at Delaware Technical and Community College
$127.7	Delaware State University Nursing Program
$653.7	Personnel Costs associated with Tobacco Control Programs

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

$3,374.2	Tobacco prevention through Community Based organizations
$322.1	E-Resources Program - Delaware Academy of Medicine

$193.2	Kent County/Sussex County Consumer Health Services - Delaware Academy of Medicine
$307.0	Wesley College Nursing Program
$122.3	Polytech Adult Education Nursing Program
$125.2	Delaware Hospice
$115.3	Planned Parenthood of Delaware
$100.2	St. Francis Hospital
$75.0	Hepatitis B Vaccine
$52.4	American Lung Association - Asthma Project
$201.3	Child and Families First - Resource Mothers Program
$37.6	Kelly Heinz - Grundner Brain Tumor Foundation - Awareness Program
$24.2	Neonatal Intensive Care Unit Family Support Project - March of Dimes
$20.1	AIDS Delaware

Also appropriated in this Act is $11,284.4 for Cancer Council Recommendations, of this amount, funding is included for the following agencies:

$120.8	Cancer Care Connection
$161.0	The Wellness Community
$80.5	Delaware Breast Cancer Coalition
$600.0	Breast and Cervical Cancer Treatment (35-02-01)
$238.2	Delaware Helpline

<u>(35-05-30) Health and Social Services - Emergency Medical Services</u>

$250.0	Public Access Defibrillation initiative

<u>(35-06-40) Health and Social Services - Substance Abuse and Mental Health</u>

$60.3	Limen House
$177.1	Transitional housing for persons completing detoxification
$550.0	Heroin Residential Program
$38.3	University of Delaware - Delaware School Survey
$142.2	Brandywine Counseling

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

$1,240.4	SSI Supplement

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

$70.0	Family Support Services

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

$760.0	Attendant Care
$178.1	Caregiver Support
$90.3	Money Follows the Person
$37.6	Easter Seals - Respite Care Services

(37-01-60) Services for Children, Youth and Their Families - Prevention/ Early Intervention

$110.0	Tobacco Prevention Programs for Youth

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

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

(95-01-01) Public Education - Department of Education

$77.0	1.0 ASF FTE School Health Coordinator for statewide training
$120.0	Professional development of public school staff, promotion of prevention activities in private schools, and prevention and health promotion supplies in public schools
$70.0	Pilot Life Skills Training Program or other research-based programs

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

(b) For Fiscal Year 2010, effective June 25, 2010, all remaining unallocated funds for Fiscal Year 2010 shall be invested by the Cash Management Policy Board and any interest accrued shall be deposited to the credit of the funds of the Master Settlement Agreement. All funds from the above allocations left unexpended or unencumbered shall be transferred back to the Cash Management Policy Board and reinvested.

(c) These funds shall be available for Fiscal Year 2010 only.

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

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

FEDERAL FISCAL RELIEF

Section 37. For the fiscal year ending June 30, 2009, any unencumbered and unexpended funds in the following accounts shall continue into the next fiscal year and shall not be subject to reversion to the Federal Fiscal Relief fund until June 30, 2010.

Fiscal Year	Account Code	Remarks
2005	10-02-11-9951	Federally Qualified Health Centers

STRATEGIC REDUCTION/INVESTMENT TARGETS

Section 38. (a) Section 1 of this Act contains appropriation recommendations that were developed during a period of significant economic downturn in the nation's economy. The State of Delaware is experiencing the impacts of this downturn in which projected revenues for Fiscal Year 2010, since June 2008, have decreased by $456.3 million while the demand for state services, including the cost of delivering those services, has increased by $221.9 million. As such, the recommendations contained in Section 1 of this Act include, but are not limited to, base budget reductions, reengineering initiatives, streamlining of operations and doing more with less while minimizing negative impacts to service delivery for the State's most at-risk population or to the quality of the public education system in Delaware. These recommendations, when combined with the Governor's framework for solving the Fiscal Year 2009 budget gap along with various recommendations to redirect dedicated revenue into the General Fund for Fiscal Year 2010, resolves $190.0 million of the $556.8 million budget shortfall projected for Fiscal Year 2010.

(b) The challenges and choices associated with resolving the remaining budget shortfall for Fiscal Year 2010 are significant and represent a crossroads in core government service delivery in Delaware. As such, given the transition to a new Gubernatorial Administration and General Assembly, Section 1 of this Act includes Strategic Reduction/Investment Targets to provide a framework for consideration of additional budget reductions as compared to increased revenue, as budget hearings and deliberations continue for the remainder of the fiscal year. The purpose of said framework is to help ensure the State of Delaware maintains its prudent fiscal practices that have been the hallmark of its AAA bond rating, including, but not limited to, appropriating at 98 percent of available resources, maintaining the budget reserve account, and addressing future liabilities. This framework includes agency specific Strategic Reduction/Investment Targets as well as targets for statewide Personnel Costs, Health and Social Services Assistance Programs, Public Education, and Reengineering/Higher Education initiatives.

(c) The Office of Management and Budget, under the direction of the next Governor and in partnership with the Office of the Controller General, shall provide a list of recommendations to address the Strategic Reduction/Investment Targets to the Joint Finance Committee no later than May 16, 2009. In developing these recommendations, the Office of Management and Budget and Office of Controller

General shall engage affected state agencies and selected constituent groups where necessary, to include, but not be limited to, the Chief School Officers Association, institutions of Higher Education, and the departments of Health and Social Services, Education, and Finance.

LEGISLATIVE

Section 39. Of the total positions authorized in Section 1 of this Act for the Division of Research (01-08-01), the position of Research Assistant to the House and Senate Sunset Standing Committees shall be an exempt position and shall report to the Director.

Section 40. Section l of this Act provides an appropriation to the Office of the Controller General (0l-08-02) for Contingencies: Legislative Council. Requests from the Chairs of Standing Legislative Committees for professional staff assistance shall be submitted to the Legislative Council for approval or disapproval. Approvals for professional staff assistance shall be allowed within the limits of the appropriation and as provided by guidelines established by the Legislative Council.

Section 41. Section 1 of this Act provides an appropriation to the Office of the Controller General (01-08-02) for Contingencies: Legislative Council. Requests from various task forces and committees of either the House of Representatives or the Senate for travel expenses, meeting expenses, contractual services and any other expenses shall be submitted to the Legislative Council for consideration.

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

JUDICIAL

Section 43. Section 1 of this Act contains position authorizations and associated appropriations to the Justice of the Peace Court (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 44. 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 45. 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.

Section 46. (a) Notwithstanding any other provisions of the Delaware Code to the contrary, $655.0 shall be transferred from the Victims Compensation Fund for the following purposes: $230.2 ASF shall be transferred to Contractual Services in the Office of the Attorney General (15-01-01) to fund family violence services in Kent and Sussex counties; $273.8 ASF Victims Rights in the Office of the Attorney General; and $151.0 ASF Contractual Services in the Department of Correction, Community

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

(b) It is the intent of the General Assembly and the Administration that the funds identified in subsection (a) shall be established in the base budget appropriations within the respective departments in the Fiscal Year 2011 budget.

Section 47. Section 1 of this Act appropriates $56.4 in Contractual Services to Justice of the Peace Court (02-13-10) to support lease obligations associated with the Justice of the Peace Court 1 facility located in the Town of Frankford.

Section 48. Upon the approval of a plan submitted to the Director of the Office of Management and Budget, Controller General and the co-chairs of the Joint Finance Committee, the Chief Justice shall have the flexibility to transfer positions from individual courts to the Administrative Office of the Courts for the purpose of further centralizing personnel, finance, collections and filing/records management functions therein. Notwithstanding any other provisions of this Act or the Delaware Code to the contrary, positions and related operating funds may be transferred from Supreme Court (02-01-00), Court of Chancery (02-02-00), Superior Court (02-03-00), Court of Common Pleas (02-06-00), Family Court (02-08-00) and Justice of the Peace Court (02-13-00) to the Administrative Office of the Courts, Office of the State Court Administrator (02-17-01), the Administrative Office of the Courts, Office of State Court Collections Enforcement (02-17-03) or the Administrative Office of the Courts, Judicial Information Center (02-17-04). Only positions from the courts or other judicial positions located in New Castle County may be considered for transfer under this section. In the cases where Merit System positions are transferred, the incumbents shall retain their Merit System status.

Section 49. Section 1 of this Act appropriates $233.7 to the Office of Management and Budget, Contingencies and One-Time Items (10-02-11) for the purpose of providing civil legal services to the indigent. Upon the concurrence and approval of the Director of the Office of Management and Budget and the Controller General, this amount shall be used by the Administrative Office of the Courts, Office of the State Court Administrator (02-17-01) exclusively for civil legal services to the indigent with the guidance of the Delaware Bar Foundation.

Section 50. The Administrative Office of the Courts (AOC) shall coordinate with the Department of Technology and Information to develop electronic document systems projects for the Courts, subject to review and approval by the Technology Investment Council (TIC); provided however, that such review and approval by the TIC shall not apply to existing licensing agreements, contracts or projects related to electronic document systems entered into or approved by the AOC on or prior to June 30, 2006. Notwithstanding 29 Del. C. c. 69, or any other law to the contrary, the AOC is authorized to enter into licensing agreements or other contracts with private companies on behalf of the Courts for electronic document systems. Such systems shall include filing and publication of judicial opinions and related docket files, electronic tracking and researching services, as well as internet access for video transmission of court proceedings, video conferencing and related technological services. Fees derived from such contracts or licensing agreements shall be applied by the respective Courts to offset expenses related to e-filing, video conferencing, video streaming, technological improvements, and related court and courtroom improvements.

Section 51. Section 1 of this Act provides an appropriation to the Child Death, Near Death and Stillbirth Commission (02-18-06) for the Fetal Infant Mortality Review. Included in this appropriation are funds for 3.0 FTEs and associated operating costs.

Section 52. Section 1 of this Act makes an appropriation to the Administrative Office of the Courts, Non-Judicial Services, Delaware Nursing Home Residents Quality Assurance Commission (02-18-07) of 1.0 FTE and $53.2 in Personnel Costs to fund an Administrative Specialist III. This position shall provide clerical support for the Commission. The position shall be hired by and report to the Commission.

Section 53. Section 1 of this Act includes appropriations to the Office of the State Court Administrator (02-17-01) for Conflict Attorneys, Court Appointed Special Advocate (CASA) Attorneys, Family Court Attorneys, and Court Appointed Attorneys. Upon approval by the Director of the Office of Management and Budget and the Controller General, the Chief Justice may use said appropriations, as well as any carryover funding in said appropriations, to address recruitment and retention of contract attorneys under these programs. The Chief Justice may decide upon, but is not limited to, the following options: implement new contract rates, including setting regional or market-based contract rate

structures; increase the number of contracts; or split full-time contracts into part-time contracts. The Chief Justice may implement any combination of these or other reasonable options in an effort to maximize the recruitment and retention of qualified attorneys to serve these programs.

EXECUTIVE

Section 54. (a) Section 1 of this Act appropriates $750.0 to the Office of Management and Budget (10-02-00) for technology development projects. For Fiscal Year 2010, 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**
Technology and Information	
Data Center and Operations	Biggs Mainframe Upgrade
Correction	
Administration, Information Technology	Sentence Automation 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,

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

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

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

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

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

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

Section 55. Effective July 1, 2006, BP #879 shall receive compensation at a rate of a tier 3 level Cabinet position as determined by the Compensation Committee.

Section 56. The Director of the Office of Management and Budget, upon concurrence of the Controller General and the Co-Chairs of the Joint Finance Committee, may restructure internal program units to create greater efficiencies within the Office of Management and Budget.

Section 57. Section 1 of this Act appropriates $3,247.3 to the Office of Management and Budget, Contingencies and One-Times Items (10-02-11) for Two Year Nursing Expansion Initiative. Said funds shall be used to address Delaware Technical and Community College's (DTCC) recommendations to mitigate the shortage in the nursing and allied healthcare fields. Said funds maybe used to hire up to 36 faculty and staff FTEs relevant to meeting said nursing shortage and shall be transferred to DTCC upon approval of the Director of the Office of Management and Budget, Controller General and Co-Chairs of the Joint Finance Committee.

Section 58. Section 1 of this Act appropriates $500.0 to the Office of the Management and Budget, Contingencies and One Times (10-02-11) for Four Year Nursing Expansion Initiative. Of the amount appropriated, $250.0 shall be allocated to the University of Delaware and $250.0 shall be allocated to Delaware State University to expand their nursing programs. Both universities shall provide a detailed expansion plan to the Director of the Office of Management and Budget and Controller General no later than July 31, 2009. Said funds shall be transferred to the University of Delaware and Delaware State University upon approval of the Director of the Office of Management and Budget, Controller General and the Co-Chairs of the Joint Finance Committee.

Section 59. Notwithstanding 29 Del. C. c. 69, the Office of Management and Budget is authorized to contract for an upgraded budget development system to enable interface functionality with the State's new financial system.

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

Section 61. The General Assembly finds that the establishment of the federal Temporary Aid to Needy Families (TANF) block grant has left the state vulnerable to deficits from caseload increases attributable to an economic downturn. In order to minimize such exposure, the funds within the Reserve Account for Children's Services Cost Recovery Program (CSCRP) Disallowances (10-02-05-80-51) shall

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

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

Section 63. (a) For Fiscal Year 2010, 29 Del. C. § 6529 is interpreted to include the ability to implement a hiring review process. All State agencies with the exception of Legislative, Judicial, Higher Education and school districts shall be subject to the provisions of 29 Del. C. § 6529 as interpreted by this section. Implementation of a hiring review process shall require all positions to be reviewed and approved by the Director of the Office of Management and Budget prior to filling. All non-cabinet agency hiring requests shall also require the review and approval of the Controller General prior to filling.

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

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

Section 64. For Fiscal Year 2010, the Director of the Office of Management and Budget, pursuant to 29 Del. C. § 6529, may implement an overtime management practices review process for all State agencies with the exception of Legislative, Judicial, Higher Education and school districts. Said review shall include, but not be limited to, operational guidelines, guidelines to prohibit excessive utilization, staffing ratios, and standard work week schedules for employees. The Director of the Office of Management and Budget shall report to the Governor and the Co-Chairs of the Joint Finance Committee no later than May 1 of each fiscal year on the status of any review process implemented pursuant to this Section.

Section 65. The appropriation in Section 1 of this Act to the Office of Management and Budget, Contingencies and One-Time Items (10-02-11) for Contingency, Appropriated Special Funds for $27,000.0 shall be used to make adjustments in the amount of state special fund appropriations in the event additional state special funds are received which were not previously anticipated. Such adjustments shall be made in accordance with the approval of the Director of the Office of Management and Budget and the Controller General.

Section 66. The Director of the Office of Management and Budget is authorized to create a State of Delaware Merit Employee Mediation Pilot Program within state agencies selected by the Director and, notwithstanding Chapters 12 and 18 of the Merit Rules and/or any provision of Delaware Code to the contrary, the Director of the Office of Management and Budget is further authorized to promulgate rules and regulations to implement the said pilot program. Matters that may be grieved shall be eligible for mediation. Matters that are otherwise not subject to the merit grievance procedure may be eligible for the pilot mediation program. With the consent of the employee and employing agency, participation in the Mediation Pilot Program will be offered as a voluntary alternative to the ordinary grievance procedure. All mediation proceedings shall be deemed confidential. If a grievance is subjected to mediation pursuant to this section, normal timelines associated with the filing of a grievance shall be tolled pending the completion of mediation. If an employee has filed a formal grievance, subsequent mutual consent to mediation will cause the grievance to be held in abeyance pending completion of mediation and the

timelines that would otherwise have applied to the grievance shall likewise be tolled pending completion of mediation. Upon completion of mediation, an employee may continue to grieve and the normal timelines provided for grievances shall then apply. The Mediation Pilot Program is not intended to limit other dispute resolution procedures available to an agency or an employee or to deny a person a right granted under federal or other state law, including the right to administrative or judicial hearing.

Section 67. Section 1 of this Act provides an appropriation to Office of Management and Budget, Contingencies and One-Time Items (10-02-11). It is the intent that the appropriation for One-Time items in the amount of $1,188.5 shall be non-recurring expenditure items. The Director of the Office of Management and Budget shall transfer the appropriations as itemized to the departments. Each receiving department shall identify the line item, object code and, for all practical purposes, complete and separate accountability for each appropriation amount transferred. No appropriation shall be transferred without the Director of the Office of Management and Budget and the Controller General approvals. Any one-time appropriation for computer hardware, software and telecommunications, which contemplates the development of computer-related systems, shall be transferred into the line Computer One-Time Projects in Office of Management and Budget, Budget Administration (10-02-10). The expenditure of computer or computer related funds shall be subject to the restrictions of the Development Fund.

Furthermore, it is the legislative intent that none of the appropriations for One-Time Appropriations be included, or be considered, as a part of the budget request for the Fiscal Year 2011 Appropriation Bill.

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

(35-01-30)	Delaware Hospital for the Chronically Ill Renovations	$1,188.5

Section 68. The Director of the Office of Management and Budget shall continue to assume the central leadership role for the Executive branch over all matters relating to Senate Bill 36 of the 144th General Assembly, and any other personnel and labor relations matters affecting the Executive branch and its departments and agencies, including collective bargaining negotiations with employee organizations, labor arbitration, Public Employment Relations Board, Department of Labor, Equal Employment Opportunity Commission, and other administrative proceedings. The Director of the Office

of Management and Budget shall also, on behalf of the State, approve and sign all collective bargaining agreements and any other agreement or arrangements made involving employee organizations that represent employees subject to Executive branch authority.

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

Section 70. The provisions of 16 Del. C. c. 102 shall be null and void for Fiscal Year 2010.

Section 71. Notwithstanding any provision of the Delaware Code to the contrary, the Office of Management and Budget is authorized to analyze and implement the most appropriate mechanism to cover any liabilities as a result of Senate Bill 29 of the 144th General Assembly. Such mechanism may include but not be limited to self-insurance, a fully insured proposal, or some other means to insure against any potential liability.

Section 72. Section 1 of this Act includes 1.0 FTE in the Executive Department, Office of Management and Budget, Statistical Analysis Center (10-02-08) for the Director of the Statistical Analysis Center. This position shall be exempt from the Merit System until such time as the current incumbent vacates the position, at which time the position shall be classified by the Director of the Office of Management and Budget in accordance with the Merit System and 29 Del. C. c. 59.

Section 73. The Statistical Analysis Center (10-02-08) shall submit by July 15 an annual project schedule for the fiscal year that details the staff workload and time allocation. Requests for (special) projects to be included in this schedule should be made in advance to the Statistical Analysis Center. This schedule shall be reviewed by the Criminal Justice Council and approved by the Director of the Office of Management and Budget and the Controller General. No changes shall be made to the annual project schedule without the approval of the Director of the Office of Management and Budget. After July 15, all ad hoc requests for projects seeking completion during the fiscal year shall be reviewed by the Director of

the Office of Management and Budget. Work shall not commence on these projects without the approval of the Director of the Office of Management and Budget.

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

Section 75. Notwithstanding any provision to the contrary, for the purposes of developing and implementing PHRST Time & Labor, a new recruitment system, and other PeopleSoft modules, necessary adjustments to existing State human resource procedures shall be implemented during Fiscal Year 2010 with the written approval of the co-chairs of the Joint Finance Committee, the Director of the Office of Management and Budget and the Controller General.

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

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

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

Section 78. The Board of Pension Trustees is authorized to form a subcommittee for the purposes of exploring the viability of creating a Chief Investment Officer position for the Delaware Public Employees Retirement System. The subcommittee will report its findings to the Co-Chairs of the Joint Finance Committee, the Controller General and the Director of the Office of Management and Budget by April 15, 2010.

Section 79. During the fiscal year, the Office of Management and Budget Management, Facilities Management (10-02-50), shall retain the rental fees as Appropriated Special Funds for the buildings known as the Kent County Courthouse, Family Court Building, Sussex County Courthouse, Sussex County Chancery Court, Absolom Jones/Belvedere State Service Center and New Castle County

Courthouse. The retained portion must be deposited as per state laws and shall be disbursed per Section 1 of this Act.

Section 80. Section 1 of this Act makes an appropriation of $605.2 ASF in Contractual Services, $36.1 ASF in Supplies and Materials and $524.7 ASF in Energy to the Office of Management and Budget, Facilities Management (10-02-50) for maintenance costs associated with the state-wide operations of Division of Motor Vehicles and the Transportation Mobile Center.

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

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

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

Section 83. The Delaware Economic Development Office shall be required to submit quarterly staffing reports to the Governor, co-chairs of the Joint Finance Committee, the Director of the Office of Management and Budget and the Controller General detailing existing vacancies and progress on filling said vacancies.

Section 84. (a) Section 1 of this Act includes $290.0 in Personnel Costs and 4.0 FTEs (BP# 65750, 927, 9313 and 9322); $8.0 in Travel; $2.0 in Supplies and Materials; $60.0 in Contractual Services; $125.0 ASF in Taiwan Trade Office; $327.2 in International Trade; $204.0 in World Trade Center; and $17.0 in Italian/American Commission in the Office of Management and Budget, Administration (10-02-05). The affected employees will remain exempt from classified service in

accordance with 29 Del. C. § 5903, and will retain current compensation levels in addition to enacted salary policy.

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

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

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

Section 85. The Delaware Economic Development Office shall limit its scope of international activities including international travel to business attraction objectives.

Section 86. The Delaware Economic Development Office, Economic Development Authority (10-03-03) will continue to use revenue from the Blue Collar Training Fund for the Workforce Development Grant. Funding for this grant shall be maintained at current levels.

Section 87. Section 1 of this Act appropriates $2,205.4 ASF to the Delaware Tourism Office. Of this amount, $593.3 shall be allocated to "Other Items" as designated in Section 1 of this Act and payable by the Delaware Tourism Office in quarterly allotments. The first installment shall be paid by September 30 of each fiscal year or as otherwise approved by the Director of the Office of Management and Budget and the Controller General.

Section 88. Notwithstanding the provisions of any other law, for the fiscal year ending June 30, 2010 interest earnings of the Delaware Strategic Fund as provided for in 29 Del. C. § 5027, shall to the extent of such interest earnings, be used in the following order and manner, not to exceed the amounts so noted:

(i) The first $320.9 shall be used for the general operating expenses of the Delaware Economic Development Office, as determined by the Director of the Delaware Economic Development Office.

(ii) The second $125.0 shall be used for the general operating expenses of the economic development trade office in Taiwan, as structured within the Office of Management and Budget.

(iii) The third $400.0 shall be used for the general operating expenses of the Small Business Development Center. Should interest earnings not be available by December 31, 2009, the Center shall receive funding directly from the Strategic Fund for said expenses and shall waive further interest earnings for that period.

(iv) The fourth $300.0 shall be used to continue the Delaware Business Marketing Program within the Delaware Economic Development Authority (10-03-03). It is the intent of the General Assembly that these funds shall be used for business marketing and recruitment. These funds may be used together with non-state contributions to the Delaware Business Marketing Program. However, in the event that non-state contributions are not available, or in the event such contributions are insufficient to fully access the resources of the Delaware Business Marketing Program, it is the intent of the General Assembly that the Delaware Business Marketing Program shall continue to fully operate using only the interest earnings on the Delaware Strategic Fund as provided for in 29 Del. C. § 5027.

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

When non-state contributions are used, expenditures of the program shall be divided between non-state contributions and state funds for any fiscal year's appropriations such that non-state contributions are not less than fifty percent of total expenditures. Of the fifty percent non-state contributions, up to twenty-five percent shall be cash contributions,

and up to twenty-five percent shall be in-kind contributions. These funds shall not be used for hiring full-time employees. Allocations shall be made by the Director of the Delaware Economic Development Office with the approval of the Director of the Office of Management and Budget and the Controller General.

On or before April 1, 2010, the Director of the Delaware Economic Development Office shall provide to the Director of the Office of Management and Budget and the Controller General a report on the Delaware Business Marketing Program. The report shall include an itemized list of all non-state cash and in-kind contributions received, total expenditures and an assessment of the program to date.

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

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

Section 89. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-02) pursuant to 30 Del. C. § 6102(b) contained in Section 1 of this Act, $160.0 ASF shall be used to fund a matching grants program and $40.0 ASF shall be used for a grant program where no match is required. Funds awarded as either grants or matching grants shall not be used for overhead or personnel related costs by the recipient entities. The Delaware Tourism Office, in cooperation with the Tourism Advisory Board, shall develop rules and regulations for the application and award of the grants and matching grants. The Delaware Tourism Office shall provide the Controller General and Director of the Office of Management and Budget with a report by April 1, 2010, detailing the usage of the funds herein authorized. Said report shall also contain an assessment of the economic impact of the grants programs and effectiveness of extending visitors stays. If subsequent to the enactment of this Act, Public Accommodations revenue should prove greater than the budgeted amount of Fiscal Year 2010, the first $50.0 ASF shall be used to restore full funding for the Matching Grants and Grant appropriation to $250.0 ASF. In this event, the Matching Grant portion of the distribution shall be $200.0 ASF and the Grant portion shall be $50.0 ASF.

Section 90. Section 1 of this Act authorizes ASF positions and funding to the Delaware Tourism Office (10-03-02). Should said ASF authorization prove inadequate to support the authorized positions as contained in Section 1 at any time during Fiscal Year 2010, the Director of the Office of Management and Budget and Controller General are hereby authorized to transfer sufficient funding from any other source to Tourism's Personnel Cost line.

Section 91. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-02) pursuant to 30 Del. C. § 6102 (b) contained in Section 1 of this Act, $212.5 is authorized for the Kalmar Nyckel. During the period beginning July 1, 2009, and ending on June 30, 2010, the State of Delaware, through the Delaware Tourism Office, and the Riverfront Development Corporation, shall be entitled to charter the Kalmar Nyckel. Said use is to include docked guest entertaining privileges and/or day sails at no cost for as many State of Delaware guests as is consistent with Kalmar Nyckel safety policies. Scheduling for State and Riverfront Development Corporation use of the Kalmar Nyckel shall be at mutually agreeable times and locations to the Kalmar Nyckel, the Delaware Tourism Office on behalf of the State of Delaware and the Riverfront Development Corporation.

Section 92. The Kalmar Nyckel Foundation shall provide to the Office of Management and Budget and the Controller General's Office quarterly financial reports detailing year to date expenditures and revenues as well projected expenditures and revenues for the remainder of the fiscal year. Such reports shall be due October 1, January 1, March 1, and June 30 of each fiscal year.

Section 93. The Delaware Economic Development Office shall provide a bi-annual update to the Director of the Office of Management and Budget, Controller General and the Co-Chairs of the Joint Finance Committee regarding the implementation of the industry/cluster-based organization. The bi-annual report, due no later than December 1 and May 15 of each year, shall include a status report on the implementation of the industry clusters, progress of the overall refocusing effort and any proposed changes in implementation of said clusters.

Section 94. Section 1 of this Act appropriates $250.0 to the Delaware Health Care Commission (10-05-00) for the Uninsured Action Plan. It is the intent of the Administration and the General Assembly that these funds shall be used for the continuation of the services provided under the plan after all other available funds for this purpose have been exhausted. The Commission shall submit a report to

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

Section 95. (a) Section 1 of this Act appropriates $563.0 to the Delaware Institute of Dental Education and Research (DIDER) (10-05-03). This amount shall be allocated as follows:

Temple University School of Dentistry	$225.0
Temple University School of Dentistry-Financial Assistance	90.0
General Practice Residents Support	148.0
Loan Repayment Program	100.0

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

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

(d) $90.0 of the allocation identified above shall be used to provide financial assistance for the students attending the Temple University School of Dentistry.

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

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

Section 96. Section 1 of this Act appropriates $2,130.0 to the Delaware Institute of Medical Education and Research (DIMER) (10-05-02). This amount shall be allocated as follows:

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

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

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

Section 97. Section 1 of this Act appropriates funding for a 1.0 FTE Senior Secretary in Criminal Justice Council (10-07-01) to be used as dedicated secretarial support for the Executive Director of the Domestic Violence Coordinating Council. This position shall be an exempt position and shall be excluded from classified service as defined under 29 Del. C. § 5903.

Section 98. (a) Section 1 of this Act includes non-appropriated special fund positions funded through grants administered by the Criminal Justice Council (10-07-01). Further, the Delaware State Clearinghouse Committee may, during the fiscal year, approve additional non-appropriated special fund positions supported by Criminal Justice Council administered grants. By virtue of said positions being

included in the Annual Appropriations Act and/or approved by the Clearinghouse Committee does not guarantee future state funding upon expiration of federal grants supporting the positions. Any requests for state funding for said positions shall be prioritized by the affected department in its budget request for Fiscal Year 2011.

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

(c) Section 1 of this Act includes non-appropriated special fund positions funded through grants administered by the Criminal Justice Council. Any said positions with funding set to expire during this fiscal year shall continue to be funded through June 30, 2010.

Section 99. Section 1 of this Act authorizes the Delaware Justice Information System (10-07-02) to spend up to $260.0 in Appropriated Special Funds. Notwithstanding any provision of the Delaware Code or this Act to the contrary, DELJIS is authorized to utilize these funds to undertake expenditures relating to operational costs.

Section 100. There is hereby established the Delaware Sentencing Research and Evaluation Committee. The committee shall be a permanent committee, and shall consist of the incumbent members of the SENTAC Research Committee. The Office of Management and Budget and the Controller General shall be notified of Committee meetings and a representative of each invited to attend and participate in all such meetings. The committee chair or his or her designee will serve as committee liaison to SENTAC, and will present all findings and reports to SENTAC in a timely fashion for their review and comment.

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

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

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

Section 101. (a) Section 1 of this Act includes a General Fund appropriation within Delaware State Housing Authority (10-08-01). Of these funds, $21.2 shall be used to extend the contractual administration for the Neighborhood Assistance Tax Credit Act (Senate Bill 248) of the 140th General Assembly through the fiscal year ending June 30, 2010. The Neighborhood Assistance Tax Credit Program is intended to foster business investment in low-income communities through financial support to neighborhoods as well as job training, education, crime prevention and community services.

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

Section 102. It is the intent of the Administration and the General Assembly for the Delaware State Housing Authority to explore options to increase fees associated with Recorder of Deed transactions to provide a potential funding source for the Delaware Emergency Mortgage Assistance Program. Any such proposals shall be developed and submitted to the Office of Management and Budget and the Controller General's Office no later than April 1, 2009.

TECHNOLOGY AND INFORMATION

Section 103. 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 104. 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 105. 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 106. (a) The Department of Technology and Information (11-00-00) shall receive a lump sum appropriation calculated as a fixed percentage of all salaries as appropriated to the Department in Section 1 of this Act. The lump sum amount shall be the product of the general salary increase in Section 8 of this Act and Personnel Costs lines less non-salary-driven Other Employment Costs components. Overtime and casual/seasonal components of the Personnel Costs lines shall not be part of the calculation. The resultant lump sum amount may be distributed to employees as determined by the Chief Information Officer. However, in no case shall individually awarded increases exceed ten percent of an individual's base salary, nor shall the aggregate amount awarded exceed the product of the calculation as described above. Further, in no case shall individually awarded amounts be given retroactively.

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

Section 107. The Department of Technology and Information is hereby directed to prepare a formal recommendation regarding further consolidation of IT services throughout state government. The recommendation should include a review of agency IT departments and focus on areas of overlap, redundancy and opportunities for efficiency. Particular consideration should be given to solutions that will maintain levels of service while reducing costs throughout the state. The recommendation shall be submitted to the Director of the Office of Management and Budget and Controller General by September 30, 2009. Any proposed organizational structure changes as a result of said recommendations shall occur through the normal budgetary process.

OTHER ELECTIVE

Section 108. Of the total positions authorized in Section 1 of this Act for the Auditor of Accounts (12-02-01), the position of Community Relations Officer shall be exempt from classified service.

Section 109. Section 1 of this Act reflects for the Auditor of Accounts (12-02-01) sufficient state-match funding for federally-mandated audit services. If, during the first three months of any fiscal year, the State Auditor should experience a cash flow deficit in fulfillment of federal audit responsibilities, the Director of the Office of Management and Budget, upon the request of the State Auditor, shall attempt to advance sufficient funding from the Indirect Cost Account.

Section 110. Section 1 of this Act contains ASF position authorizations and associated appropriations for the Bureau of Examination, Rehabilitation and Guaranty, Insurance Commissioner (12-03-02). Said authorizations and appropriations include an authorization for 1.0 Director of Administration and 1.0 Arbitration Secretary, both of which shall be exempt.

Section 111. Section 1 of this Act provides an ASF appropriation of $3,504.1 to the State Treasurer, Administration (12-05-01), Cash Management Policy Board, authorized by 29 Del. C. c. 27, for the purpose of providing staff support and operational expenses, including payment of fees for banking services. The $3,504.1 in interest income on bank deposits shall be coded as special fund revenue to provide funds for operation of the Cash Management Policy Board.

Section 112. Notwithstanding 18 Del. C. § 305 or any provision of Delaware law to the contrary, up to $500.0 may be transferred from the Insurance Commissioner Regulatory Revolving Fund into a special fund appropriation titled the Medical Malpractice Relief Initiative Pilot Program, to the extent the unencumbered balance of the Insurance Commissioner Regulatory Revolving Fund is greater than $1,400.0 as of June 30, 2009. The requirement to reduce assessments or fees pursuant to 18 Del. C. § 305(e) shall not apply to any balance in excess of $1,400.0 as of June 30, 2009, provided such balance does not exceed $1,900.0. Use of these funds shall be limited to low or non-interest loans, via a surplus note, letter of credit or otherwise, to help foster the establishment of Delaware-domiciled risk reduction group(s) and/or captive entities, provided the purpose of such entities is to increase the availability of medical malpractice insurance and reduce the costs of medical malpractice insurance through enhanced risk management and lower administrative costs. Utilization of these funds, as well as program

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

Section 113. Section 1 of this Act establishes a special fund appropriation entitled Electronic Data Interchange, State Treasurer, Administration (12-05-01) Cash Management Policy Board to support the Electronic Data Interchange/Electronic Funds Transfer initiative. Use of these funds shall be coordinated with and approved by the Chief Information Officer of the Department of Technology and Information and the Secretary of Finance.

Section 114. The State Treasurer's Office shall develop a rate for the purpose of recovering costs associated with the state's acceptance of funds through the use of credit, debit and purchasing cards. Cost recoverable activities shall include online transactions as well as traditional card transactions. The initial rate and periodic necessary adjustments to the rate shall be approved by the Office of Management and Budget. The Treasurer's Office may initiate an automated revenue reduction process, equal to the approved rate, for all cash receipts received by the aforementioned methods. The Treasurer's Office shall provide the agency with a statement of total revenue or payment, less transaction costs and net revenue. In lieu of an automated revenue reduction process the Treasurer's Office may invoice a state agency for necessary reimbursement. The use of these recovered funds shall be for the sole purpose of payment of Merchant Services fees.

Section 115. The State Treasurer's Office, with the assistance of the Department of Technology and Information and the Delaware Government Information Center, where appropriate, shall evaluate and approve the payment component of all new web-based technology initiatives involving the electronic remittance of funds to the state. Specifically, those projects promoting the use of online credit card payment, online debit card payment, Automated Clearing House payments, "e-checks" and other forms of electronic funds transfer shall be subject to this joint review and approval process. For those agencies that already use online credit card payment, online debit card payment, Automated Clearing House payment,

"e-check" or other forms of electronic funds transfer, those agencies shall be exempt from this requirement unless and until such time as their current electronic payment component must undergo any type of upgrade or the contract is due to expire at which point the agency shall investigate the feasibility of implementing the state's designated payment component. A standard evaluation form will be designed by the State Treasurer's Office with the assistance of the Department of Technology and Information and the Government Information Center, where appropriate, and approved by the Office of Management and Budget.

Section 116. In accordance with 29 Del. C. c. 27, the Office of Management and Budget, Controller General's Office, Department of Technology and Information and State Treasurer, may approve pilot projects for the purpose of electronically transmitting remittance advices to those employees or contractors receiving payments via direct deposit and electronic funds transfer. Agencies, including school districts and higher education, shall submit their request and documentation of cost savings in accordance with the guidelines established by the Office of the State Treasurer. Pilot projects shall be approved for a period of no more than two years, at which time agencies shall report the status of the project and cost savings to the General Assembly, State Treasurer and the Director of the Office of Management and Budget.

LEGAL

Section 117. Section 1 of this Act authorizes an appropriation for Contractual Services for the Office of Attorney General (15-01-01). Of this amount, $868.4 shall be used for the purpose of providing services covering family violence in New Castle County, and $660.0 shall be used for the purpose of providing services covering family violence in Kent and Sussex counties.

Section 118. Of the total Deputy Attorneys General authorized in Section 1 of this Act to the Office of Attorney General (15-01-01):

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 119. Section 1 of this Act makes an appropriation of $1,646.2 ASF, $400.0 GF and 22.0 split-funded FTEs (66 percent ASF and 34 percent GF) to the Office of the Attorney General (15-01-01) to support the Child Support Enforcement function. The Child Support Enforcement function in the Attorney General's Office will operate on a reimbursement basis, wherein the State makes the initial expenditures and is reimbursed from federal funds controlled by the Department of Health and Social Services. The reimbursement rate for operations will be 66 percent of total direct costs; the reimbursement rate for indirect costs will be 31.61 percent of federal dollars spent on direct salary costs.

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

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

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

Section 120. Section 1 of this Act includes $39.5 ASF in Personnel Costs and 1.0 ASF FTE Administrative Specialist II (BP #8131) in the Office of the Attorney General (15-01-01). In order to provide funding for this position, the Department of Natural Resources and Environmental Control (40-00-00) shall allocate monies to the Office of the Attorney General by July 15 of each fiscal year.

Section 121. Section 1 of this Act includes $170.9 ASF in Consumer Protection and 3.0 ASF FTEs in the Office of the Attorney General (15-01-01) for activities associated with the regulation of credit counseling and debt management companies as authorized in 6 Del. C. c. 24A, the Delaware Uniform Debt-Management Services Act.

STATE

Section 122. Section 1 of this Act appropriates $15.0 in the line item Historical Marker Maintenance to the Department of State, Delaware Public Archives (20-03-01). Of this amount, $10.0 shall be used for replacement, repair and refurbishing of historical markers.

Section 123. Section 1 of this Act provides an appropriation to the Department of State, Office of the Secretary, Delaware Commission on Veteran's Affairs (20-01-02) for Contractual Services. Of that amount, $49.9 shall be used to provide mental health services for veterans in Kent and Sussex counties.

Section 124. (a) Section 1 of this Act establishes a special fund appropriation entitled Technology Infrastructure Fund, in the Division of Corporations (20-05-01). All revenues derived as a 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. § 18-1105(b)(1), and 12 Del. C § 3813(b)(1) will be deposited into this fund to be used for technological and infrastructure enhancements, ongoing maintenance, operational expenses for Corporations, electronic government information projects, and library initiatives. Quarterly reports regarding the status of this fund shall be made by the Department of State to the Director of the Office of Management and Budget and the Controller General.

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

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

Section 126. Section 1 of this Act contains an Appropriated Special Fund authorization for Contractual Services in the Division of Corporations (20-05-01). Of this amount, up to $200.0 may be

transferred to a captive insurance regulatory and supervisory fund in the Insurance Commissioner's Office.

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

Section 128. Section 1 of this Act includes an appropriation to the Department of State, Division of Historical and Cultural Affairs, Delaware State Museums (20-06-04) for a Museum Conservation Fund. Of that amount, up to $12.0 can be used for the purpose of matching private grants to purchase art for placement in state museums.

Section 129. Section 1 of this Act authorizes $3.5 to the Department of State, Delaware State Museums (20-06-04) in "Art Object Refurbishing" for the purpose of refurbishing portraits and art objects in Legislative Hall.

Section 130. Notwithstanding the provisions of 29 Del. C. § 6102(a) and 5 Del. C. § 1106, the Office of the State Banking Commissioner is authorized to retain $150.0 of the Bank Franchise Tax for costs associated with the collection and administration of the Bank Franchise Tax. Also, an additional $75.0 of the Bank Franchise Tax shall be used for costs associated with consumer education and information programs.

Section 131. Section 1 of this Act makes an appropriation to Libraries (20-08-01) in the amount of $4,369.5 for Library Standards. Of that amount, Libraries may reserve up to $436.9 for planning and evaluation grants to determine each library's attainment of state and federal library standards. The remaining funds shall be paid to libraries in two installments equal to 50 percent of the total amount allocated to that library, one installment upon signature of the contract and the second installment in January of the fiscal year. Funds granted to any library under the provisions of 29 Del. C. c. 66, if unspent at the end of the fiscal year shall not revert to the General Fund, but instead shall be held in an account for the benefit of the library from which the unspent funds came. These funds may be spent in

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

Section 132. The Department of State shall establish the shift differential for Licensed Practical Nurses employed at the Delaware Veterans Home at 10 percent for 3-11 shifts on weekdays and 7-3 shifts on weekends. The shift differential shall be established at 15 percent for 11-7 shifts on weekdays and 3-11 shifts on weekends. The shift differential for the 11-7 weekend shifts shall be established at 20 percent. To the extent or where an employee is covered by a collective bargaining agreement pursuant to 19 Del. C. § 1311A, the terms and conditions of said agreement shall apply.

Section 133. The Department of State shall have the authority to fill vacant positions at the Delaware Veterans Home with qualified applicants for the Nursing Assistant, Certified Nursing Assistant, Active Treatment Facilitator, 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 134. Section 1 of this Act appropriates $142.7 ASF in Personnel Costs and 2.0 ASF FTEs in the Department of State, Regulation and Licensing, Professional Regulation (20-04-01) for the regulatory inspection of controlled substances. This function was reallocated from the Department of Health and Social Services, Public Health, Community Health (35-05-20) during Fiscal Year 2007. All revenue generated by the activities performed by, or on behalf of, the Division's Office of Controlled Substances, shall be deposited in an ASF account in the Division of Professional Regulation pursuant to 29 Del. C. § 8735 (c). These funds shall be used to fund all costs necessary to defray the expenses of the Office of Controlled Substances, up to the budget authority for any fiscal year or portion thereof.

FINANCE

Section 135. The Department of Finance, Office of the Secretary (25-01-01) is authorized during the fiscal year to maintain special funds with the State Treasurer for the acquisition of technology and payment of other costs incidental (including the hiring of seasonal employees) to the implementation and maintenance of computer systems at the Office of the Secretary or Revenue (25-06-01). Deposits to the special funds shall be from the collection of delinquent taxes and shall not exceed $1,500.0. Of this amount, $600.0 shall be used for the purpose of maintaining the State's mainframe computer system and Revenue's programs that reside thereon. Of the said $600.0, $130.0 shall be used to contract for system maintenance with the Department of Technology and Information.

Section 136. Revenue (25-06-01) is authorized to establish and maintain a special fund with the State Treasurer for the purpose of contracting and/or employing personnel for the collection of delinquent State taxes and other debts that Revenue has undertaken to collect. The contracts and/or personnel may provide for 1) collection or assistance in collection of delinquent accounts from businesses or persons; and/or 2) audit of business taxables under the direct supervision of Revenue management; and/or 3) audit of physical inventory of alcoholic beverage wholesalers. Deposits to the special fund shall be from the collection of delinquent taxes. A detailed report on all expenditures from and collections to this special fund shall be sent annually to the Director of the Office of Management and Budget and the Controller General. Unencumbered balances on June 30 in excess of $275.0 shall revert to the General Fund.

Section 137. The Director of Revenue shall have the authority to accept, on whatever terms and conditions he/she may establish, payment by credit card of taxes, fees and other obligations that Revenue has undertaken to collect. The Director is authorized to enter into contracts for the processing of credit card payments and fees associated with such contracts. Up to $200.0 of the delinquent collections in the Appropriated Special Fund line may be used to pay for fees and expenses associated with the collection of taxes by credit cards.

Section 138. The Director of Revenue shall have the authority to enter into agreements according to which contingency and other fees are provided to finders of property to be escheated to the State or to other persons identifying abandoned property by means of audit or otherwise. When the Director deems it to be appropriate, he/she may enter into escrow, custodian or similar agreements for the purpose of

protecting the state's interest in property to be escheated or fees payable pursuant to the aforesaid agreements. The Director may direct that payment for said fees or other costs incident to escheat of property under the aforesaid agreements, including litigation expenses incident to escheat administration, be made out of such money held in the escrow, custodian or other account established under this paragraph. Section 1 of this Act establishes an Appropriated Special Fund account, Escheat, from which charges relating to receiving and processing remittances and reports by holders, and claims by owners of abandoned property, as well as advertising and travel fees and associated costs may be paid and into which abandoned property remittances may, at the discretion of the Director, be deposited. Unencumbered balances on June 30 in excess of $150.0 shall revert to the General Fund. A semi-annual report of amounts in escrow or in custodian accounts shall be furnished to the Director of the Office of Management and Budget and the Controller General.

Section 139. There shall be established a special fund for the purpose of receiving the proceeds of liquidating stock acquired pursuant to 12 Del. C. c. 11 or liquidating investments described in this section. Such proceeds may at his discretion be invested and reinvested by the Secretary of Finance in issues of the United States Treasury or investments of comparable risk. The Secretary may at his/her discretion cause amounts in such special fund to be remitted to the General Fund of the State.

Section 140. (a) In the event that the State Lottery's amount of Contractual Services shall exceed the amount in Section 1 of this Act due to increased lottery ticket sales, the Appropriated Special Fund Budget in Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and the Director of the Office of Management and Budget, provided that the total operating budget for this fiscal year shall not exceed 20 percent of gross sales as limited by 29 Del. C. § 4815(a).

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

Section 141. Pursuant to 29 Del. C. § 4815(b)(2), funds from the State Lottery Fund shall be released to an appropriately established account within the Department of Health and Social Services,

Substance Abuse and Mental Health (35-06-00) on or before the fifteenth day of each month, the amount of which shall be based on the results of video lottery operations conducted during the immediately preceding month.

Section 142. Pursuant to 29 Del. C. § 4805(b)(4), the State Lottery Office (25-07-01) is authorized to enter into an agreement with other state lotteries for participation in multi-jurisdictional, wide-area, progressive video lottery games. The State Lottery Office is authorized to contract with these other state lotteries for the procurement of services for implementation of multi-jurisdictional, wide-area, progressive video lottery games, and the provisions of 29 Del. C. c. 69 shall not apply.

Section 143. Notwithstanding any other provisions of 29 Del. C. c. 48 to the contrary, video lottery agents shall be required to reimburse the State Lottery Office (25-07-01) for the equipment costs and related fees associated with the installation of the ticket-in, ticket-out system for the video lottery machines.

HEALTH AND SOCIAL SERVICES

Section 144. 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 145. 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 146. (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 147. (a) Section 1 of this Act appropriates $2,858.9 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

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

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

Section 148. Section 1 of this Act makes an appropriation the Department of Health and Social Services, Administration, Management Services (35-01-20) for the Early Intervention Program. Of that amount, $150.0 is appropriated to provide evaluation and direct services for children.

Section 149. The Department of Health and Social Services is authorized to contract with a cooperative Multi-State purchasing contract alliance for the procurement of pharmaceutical products, services and allied supplies. The provisions of 29 Del. C. c. 69 shall not apply to such contract. Prior to entering into any such contracts the department will obtain the approval of the Director of the Office of Management and Budget.

Section 150. (a) The amount appropriated by Section 1 of this Act to the Department of Health and Social Services for Title XIX Federal Programs Medicaid shall be expended solely in accordance with the following conditions and limitations:

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

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

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

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

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

Section 151. Section 1 of this Act makes appropriations to the Department of Health and Social Services, Medicaid and Medical Assistance (35-02-01), for various programs that pay for health care. In the Medicaid program, federal regulations mandate that drug companies must provide rebates in order to participate in the program. The Division of Medicaid and Medical Assistance shall establish a drug rebate process for any prescription benefits provided to clients enrolled in the following non-Medicaid programs administered by the Department of Health and Social Services including but not limited to: the Delaware Healthy Children program, the Renal Disease program, the Cancer Treatment program, the Delaware Prescription Assistance program and the Legal Non-Citizen Health Care program. The division shall establish a rebate process that it determines is in the best interests of the citizens who are being served. The rebate amount shall be calculated using the full methodology prescribed by the federal government for the Medicaid program. In addition, the division is authorized to negotiate rebates with drug companies for both Medicaid and other programs. Notwithstanding any provisions of the Delaware Code to the contrary, the division shall deposit any drug rebate funds received as well as third party

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

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

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

Section 152. The Department of Health and Social Services is authorized to contract for the procurement of managed care services for the Delaware Medical Assistance Program. The provisions of 29 Del. C. c. 69 shall not apply to such contracts.

Section 153. Section 1 of this Act provides an appropriation to the Department of Health and Social Services, Medicaid and Medical Assistance (35-02-01) for Renal Disease.

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

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

Section 154. Delaware's Medicaid program now covers more than one out of every six Delawareans and provides not only health security for over 150,000 Delaware citizens, but economic security as well. Medicaid, when combined with other state public assistance programs, represents nearly 19 percent of the Fiscal Year 2009 Operating Budget. Further, the State of Delaware is experiencing the impacts of a significant downturn in the national economy in which projected revenues, since June 2008, have decreased by $456.3 million for Fiscal Year 2010 while the cost of continuing Delaware's Medicaid program at current service levels is anticipated to grow by nearly $55.0 million. As such, given the anticipated growth in Medicaid and in an attempt to preserve resources for one of Delaware's most at-risk populations in an uncertain economic climate, Section 1 of this Act increases funding for Medicaid by $34,630.5. It is the intent of the Administration for the Office of Management and Budget, under the direction of the next Governor, to work in concert with the Department of Health and Social Services and the Office of the Controller General to develop options for consideration by the Joint Finance Committee to close the funding gap between projected Medicaid funding needs and that which is recommended in Section 1 of this Act. These options shall include, but not be limited to, implementing a provider tax on hospitals, pharmacies, physicians, nursing homes and/or managed care companies; reducing services provided to expanded populations; changing reimbursement methodologies; and holding scheduled rate increases constant. Said list of options shall be provided to the Joint Finance Committee no later than May 16, 2009.

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

Section 156. Notwithstanding any other provisions of the Delaware Code or this Act, positions and funding related to the closing of Emily P. Bissell Hospital (35-05-50) and Governor Bacon Health Center (35-05-60) may be transferred within the Department of Health and Social Services. These transfers may be processed beginning July 1, 2009, but prior to June 30, 2010.

Upon the closure of Governor Bacon Health Center and Emily P. Bissell Hospital, employees shall be transferred to other positions within the Department of Health and Social Services. Because continuity of care is extremely important, whenever possible nursing staff at Governor Bacon Health Center and Emily P. Bissell Hospital shall move with residents. If the Department of Health and Social Services can not accommodate transferring all employees within the Department, the Office of Management and Budget shall assist with placements.

All Governor Bacon Health Center and Emily P. Bissell Hospital employees, as of June 30, 2009, shall continue to be paid their same annual salary upon transfer unless they request a voluntary demotion. Additionally, with the exception of Registered Nurses and Licensed Practical Nurses, all Governor Bacon Health Center and Emily P. Bissell Hospital employees covered by collective bargaining agreements shall become part of the bargaining unit at the Delaware Hospital for the Chronically Ill (DHCI) if transferred to DHCI. Any contractual issues arising from transferring of employees to the DHCI bargaining unit which cannot be resolved may be submitted to arbitration in accordance with the Labor Arbitration Rules of the American Arbitration Association. No such issues shall prevent employees from being transferred or delay implementation of the provisions of this Section.

Notwithstanding any other provisions of the Delaware Code, a total of 52.0 vacant General Fund positions shall be deleted from Facilities Operations (35-01-30), Emily P. Bissell Hospital (35-05-50) and Governor Bacon Health Center (35-05-60) during Fiscal Year 2010. In order to ensure efficiencies in this consolidation, any filled merit positions no longer organizationally needed as identified by Facility Operations (35-01-30), Emily P. Bissell Hospital, (35-05-50) and/or Governor Bacon Health Center (35-05-60) and approved by the Office of Management and Budget shall be deleted and incumbents assisted with placements.

Section 157. Section 1 of this Act includes an appropriation to the Department of Health and Social Services, Public Health, Director's Office/Support Services (35-05-10) for Contractual Services. Of that amount, $379.4 shall be used for the purpose of providing school nursing services five days a week to non-public schools in New Castle County and Kent County.

The Secretary of the Department of Health and Social Services will ensure that the contracts with the various schools in this program are executed no later than August 15 of each fiscal year. The

Secretary will also ensure that timely payments are made to all contractors.

Section 158. Section 1 of this Act provides an appropriation to the Department of Health and Social Services, Public Health, Community Health (35-05-20), for Contractual Services. Of that amount, $77.3 shall be available for medicine, equipment and part time nursing services for a community-based adult health services clinic serving the Claymont area of New Castle County.

Section 159. Section 1 of this Act provides an appropriation for the Department of Health and Social Services, Public Health, Community Health (35-05-20) to provide Hepatitis B and other necessary childhood vaccinations for children between infancy and young adulthood who are uninsured, are not eligible for any Federal program providing the vaccination, and are otherwise medically indigent.

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

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

Section 162. Public Health, Community Health (35-05-20) will receive a portion of the Federal Medicaid reimbursement for services to Medicaid eligible students in School Based Health Centers. The

division shall be allowed to collect and deposit up to $102.0 of the revenue into an ASF account entitled School Based Health Centers to support the cost of this initiative. Up to $600.0 of the remaining revenue will be deposited into an ASF account in Medicaid and Medical Assistance (35-02-01) and used for expenses associated with the normal operations of the Medicaid program. This amount may be increased subject to approval from the Director of the Office of Management and Budget and Controller General.

Section 163. Section 1 of this Act makes an appropriation to the Department of Health and Social Services, Public Health, Community Health (35-05-20) for supplies and materials. Of that appropriation, $10.0 is to be used to purchase chemical reference materials for the Office of Environmental Health Evaluation.

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

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

Section 165. Section 1 of this Act appropriates funds to the Division of Public Health, Community Health (35-05-20) and to the Administrative Office of the Courts, Non-Judicial Services, Child Death, Near Death and Stillbirth Commission (02-18-06) for infant mortality. More specifically, the funds are to implement recommendations of the Infant Mortality Task Force. Included are $5,172.7 in Infant Mortality Task Force and $156.8 and 3.0 FTEs in Personnel Costs in Community Health (35-05-20) and $163.9 in Infant Mortality Task Force in Child Death, Near Death and Stillbirth Commission (02-

18-06). The Department of Health and Social Services shall submit an update on the spending plan for these funds to the Director of the Office of Management and Budget and Controller General no later than November 1 of each fiscal year.

Section 166. Of the funds derived from those State Lottery funds transferred to the Division of Substance Abuse and Mental Health Services of the Department of Health and Social Services pursuant to 29 Del. C. § 4815 (b)(2), $20.0 ASF shall be used by the Division to create and/or continue an Addiction Prevention Program in all Delaware highs schools on the subject of compulsive gambling. These funds shall provide, but not be limited to, the following:

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

Section 167. Prior to the release or expenditure of funds from the Motiva Penalty Fund, the Department of Health and Social Services shall submit a detailed spending plan for approval to the Director of the Office of Management and Budget and the Controller General. At the close of each fiscal year, the Department shall provide a detailed expenditure report to the Director of the Office of Management and Budget and the Controller General. In addition, the Department's annual budget presentation to the Joint Finance Committee shall include information on the expenditure of said funds.

Section 168. The Division of Substance Abuse and Mental Health (35-06-00) is encouraged, where appropriate, to reallocate resources so as to create a balanced system of services and treatment among the Delaware Psychiatric Center (35-06-30), community hospitals, and community-based residential placements for persons with mental illness. Such reallocation initiatives must be made within the total division's appropriation limit with the approval of the Director of the Office of Management and Budget and the Controller General. These reallocation initiatives shall not compromise the standard of care of the remaining Delaware Psychiatric Center population.

Section 169. Section 1 of this Act provides an appropriation of $1,000.0 ASF to the Department of Health and Social Services, Substance Abuse and Mental Health, Community Mental Health (35-06-20). Substance Abuse and Mental Health expects to generate additional retroactive revenue as a result of

the Tax Equity and Fiscal Responsibility Act (TEFRA) rebasing of Medicare payment rates at Delaware Psychiatric Center. These funds shall be used to fund the rebasing project and support the Division of Substance Abuse and Mental Health programs, including but not limited to purchasing medicines for clients.

Section 170. Delaware Psychiatric Center maintains appropriation account 35-06-30-98-37 to receive reimbursement for providing a work study program for local nursing schools and for assigning residents to work in non-psychiatric services at area hospitals on a rotating basis, respectively. Notwithstanding the provisions of 29 Del. C. § 6102, the IPU shall be allowed to collect and expend the proceeds from the aforementioned account.

Section 171. The Merit Rules notwithstanding, Department of Health and Social Services employees designated as Psychiatrists, as well as the Chief Psychiatrist in the Delaware Psychiatric Center (35-06-30) shall be eligible for standby pay and call back pay.

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

Section 173. Section 1 of this Act provides an appropriation to the Department of Health and Social Services, Substance Abuse and Mental Health, Delaware Psychiatric Center (35-06-30), for Contractual Services. Of that amount, $41.2 shall be made available for a Direct Patient Care Intern Program to enable direct care professionals to take courses to increase their skills in specialty areas.

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

Section 174. Section 1 of this Act provides an appropriation to the Department of Health and Social Services, Social Services (35-07-00) for Contractual Services. Of that amount, $750.0 is for DCIS

II system maintenance. Social Services shall have the authority to contract for positions needed to provide system maintenance. The division shall also have the authority, with approval from the Director of the Office of Management and Budget and Controller General, to transfer a portion of these funds to Personnel Costs and establish up to 2.1 General Fund positions and 1.8 NSF positions in order to support DCIS II system maintenance.

Section 175. Notwithstanding any provisions of the Delaware Code to the contrary, Social Services (35-07-01) is authorized to make such policy changes in the administration of the Temporary Assistance for Needy Families (TANF) program as may be necessary to assure that Delaware will qualify for the full amount of its federal block grant entitlement. Any changes require the prior approval of the Director of the Office of Management and Budget and Controller General.

Section 176. Section 1 of this Act appropriates $2,836.0 in Personnel Costs and 40.7 FTEs to Visually Impaired (35-08-00). This section authorizes 1.0 FTE in addition to the 8.0 FTEs itinerant teachers available to meet caseload requirements for the Braille Literacy Act. This additional FTE may be filled if the current fiscal year September educational unit count indicates the number of teachers required to meet caseloads for visually impaired students is greater than the current fiscal year complement of teachers.

Section 177. Section 1 of this Act provides an appropriation to the Department of Health and Social Services, Visually Impaired (35-08-01) for Contractual Services. Of that amount, $15.9 shall be used to compensate correctional inmates for the purpose of producing Braille materials for visually impaired school children.

Section 178. Section 1 of this Act provides an appropriation of $2,459.8 ASF in the Department of Health and Social Services, Child Support Enforcement (35-10-00) for the operation of the division. Revenue from child support collections shall fund this account and the related 27.2 ASF FTEs. The department shall continue its efforts to maintain collections related to child support programs, and all revenue in excess of the division's ASF authority shall be deposited as designated by 29 Del. C. § 6102.

Section 179. Section 1 of this Act provides an appropriation to the Department of Health and Social Services, Division of Child Support Enforcement (35-10-00) for Contractual Services. Of that amount, $211.1 is for programming costs for the DACSES Redevelopment Project. Child Support

Enforcement shall have the authority to contract for IT resources needed to augment existing programming staff for the duration of this project. At the project's conclusion, the division shall have the authority, with approval from the Director of the Office of Management and Budget and Controller General, to transfer these funds to Personnel Costs and establish up to 3.0 General Fund positions and 5.0 NSF positions in order to support DACSES system maintenance.

Section 180. The Division of Developmental Disabilities Services (35-11-00) will rebase, once every one to three years, its Inventory for Client and Agency Planning (ICAP) based rate setting system. This rebasing will be predicated on raising the direct care staff wage and mirroring elements in the model to keep pace with changing economic conditions on regional and national level that will ensure a livable wage for workers and provide continuity of care to individuals with developmental disabilities.

Section 181. Developmental Disabilities Services (35-11-00) is encouraged, where appropriate, to reallocate resources so as to maximize community-based residential placements for persons with mental retardation. Such reallocation initiatives must be made within the total Division's appropriation limit with the approval of the Director of the Office of Management and Budget and the Controller General. These reallocation initiatives shall not compromise the standard of care of the remaining Stockley Center population.

Section 182. Section 1 of this Act makes an appropriation to the Department of Health and Social Services, Division of Developmental Disabilities (35-11-00) for Purchase of Care. Of that appropriation, $50.0 is appropriated to support individuals receiving respite care services at the Fiscal Year 2005 contract levels.

Section 183. Developmental Disabilities Services, Community Services (35-11-30) receives Medicaid reimbursement for the provision of day rehabilitation services provided in state operated day centers. Notwithstanding the provisions of 29 Del. C. § 6102, the division shall be allowed to collect and deposit the Medicaid reimbursement in an Appropriated Special Fund. Receipts in the account may be used to fund community residential, day program, respite and other related contracts currently funded out of the Purchase of Care and Purchase of Community Services lines.

Section 184. Section 1 of this Act provides an appropriation of $2,094.0 ASF to the Division of Developmental Disabilities Services, Community Services (35-11-30) for Purchase of Care. The division

shall be allowed to collect and deposit funds into this account as a result of revenue from implementation of a sliding fee scale, Medicaid transportation reimbursements, patient payments and tenant fees and Medicaid receipts from state operated group homes and state operated apartments.

Section 185. (a) Section 1 of this Act for Department of Health and Social Services, State Service Centers, Family Support (35-12-10) includes 1.0 FTE (BP #3094) and $39.3 Personnel Costs which support the Delaware Helpline. Upon vacancy, this position shall be deleted and the corresponding funding shall be transferred to Contractual Services for the Delaware Helpline.

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

Section 186. Section 1 of this Act appropriates $3.0 in Contractual Services to the Department of Health and Social Services, Division of State Service Centers, Community Services (35-12-30). These funds are to be used to reimburse emergency shelters for housing homeless women in Kent County during Code Purple conditions. Code Purple is defined as nights when the temperature is 25 degrees or below or in emergency weather conditions such as an ice storm or a blizzard.

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

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

Section 189. Section 1 of this Act appropriates funding and .5 ASF and .5 NSF position to the Department of Health and Social Services, Division of Aging and Adults with Physical Disabilities for a Home and Community-Based Services Ombudsman (HCBSO). This position will report directly to the State Long-Term Care Ombudsman and will serve as a principal point of contact for adult home and community-based consumers. The HCBSO will function as a mediator and facilitate conflict resolution relative to services for adults residing in home and community-based settings and/or receiving services from providers licensed to provide home and community-based services in the State of Delaware. In addition, the HCBSO will contribute to the development of state long-term care policy by means of sharing data, information, and funding from an array of home and community-based service system monitoring and related activities.

CHILDREN, YOUTH AND THEIR FAMILIES

Section 190. To maintain the accuracy of information regarding Delaware's juvenile justice system, specifically its institutions, Levels III, IV and V residential alternative programs and non-secure detention:

All juvenile related Statistical Analysis Center (SAC) (10-02-08) positions shall be located in Youth Rehabilitative Services (YRS) (37-05-00) with access to all appropriate computer systems. After July 1, 2009, 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 191. During the fiscal year, the Department of Services for Children, Youth and Their Families may develop proposals to enhance or develop services provided in the State of Delaware. These proposals shall include cost estimates that will demonstrate the cost effectiveness of the new or enhanced services. In the event that a new service would require additional state employees, the department may request new positions that will be funded by a structural change from existing appropriations within the department. Any new positions and funding changes must be approved by the Director of the Office of Management and Budget and the Controller General.

Section 192. Management Services (37-01-00) shall have 1.0 FTE exempt position in addition to those authorized by 29 Del. C. § 5903.

Section 193. (a) Section 1 of this Act includes $1,750.0 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

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

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

Section 194. Section 1 of this Act provides an appropriation of $588.5 and $284.3 ASF to the Department of Services for Children, Youth and Their Families, Child Mental Health Services (37-04-00). These funds shall be used to operate a Drug Court Program with Family Court. In addition, recovered Medicaid funds will be directed towards the Drug Court Program. Said funds are intended to serve 140 youth during this fiscal year, with a maximum of 70 youth at any one time.

Section 195. Funds which are appropriated for foster care of children in Section 1 of this Act in the Department of Services for Children, Youth and Their Families, Family Services (37-06-00), are made available with the goal of limiting the number of children who remain in foster care for more than two years. For the year beginning October 1, 2009, the goal will be 220 children. This goal statement is intended to satisfy the requirements of the Federal Adoption Assistance and Child Welfare Act (P.L. 96-272).

Section 196. (a) As a means of monitoring and continuing to improve the expenditure of casual/seasonal and overtime in Youth Rehabilitative Services, Secure Care (37-05-50), the Secretary of the Department of Services for Children, Youth and Their Families shall file a quarterly report with the Director of the Office of Management and Budget and the Controller General on casual/seasonal and overtime expenditures. The report shall include, but not be limited to, sick leave usage, vacancy rates, training and transportation costs at the Ferris School, New Castle County Detention Center and Stevenson House. The report should reflect all actions (including disciplinary) being taken to expeditiously correct the noted problem areas.

(b) The Department of Services for Children, Youth and Their Families shall report on a quarterly basis to the Controller General and Director of the Office of Management and Budget the status of the Stevenson House Facility in Milford. This report shall include, but not be limited to, staffing

vacancies, total budgetary expenditures vs. appropriations, overtime, casual/seasonal expenditures, population statistics, facility condition and capacities, and incident reports.

Section 197. Section 1 of this Act provides $341.7 ASF to the Department of Services for Children, Youth and Their Families for the purpose of supporting the Young Criminal Offender Program located at the Department of Correction, Prisons, Howard R. Young Correctional Institution (38-04-06).

Section 198. Section 1 of this Act provides $113.3 ASF to the Department of Services for Children, Youth and Their Families for the purpose of supporting a Family Court Commissioner to assist in the Child Protection Registry appeal process as required pursuant to 16 Del. C. c. 9.

Section 199. (a) In addition to the positions authorized in Section 1 of this Act for Family Services, Intake/Investigation (37-06-30) and Intervention/Treatment (37-06-40), the Director of the Office of Management and Budget may authorize additional training positions for the purpose of training investigative and treatment workers.

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

Section 200. If the quarterly average daily population at the New Castle County Detention Center is below 114, the Director of the Office of Management and Budget and the Controller General may reduce the number of casual seasonal or full time positions through attrition.

Section 201. Notwithstanding the provisions of 29 Del. C. § 5916 (e)(3), staff who are employed by the Department of Services for Children, Youth and Their Families and are assigned to work in the Division of Youth Rehabilitative Services facilities shall continue to receive hazardous duty pay, subject to the approval of the Director of the Office of Management and Budget and the Controller General.

CORRECTION

Section 202. Section 1 of this Act appropriates $969.9 to the Office of the Commissioner (38-01-01) for the Correctional Sustainability Contingency. Said funds shall be utilized by the department to address recommendations contained in the final Report of the Task Force on Security Issues at the Delaware Correctional Center, the National Institute of Corrections Technical Assistance Report and other security/equipment issues that may arise during the fiscal year. Funding may be utilized for, but not be limited to, annual equipment and security needs of the department, automating manual record keeping systems to provide immediate and responsive control over staffing and building security, and training of Correctional Officer series positions. On or before September 1 of each fiscal year and prior to disbursement of said funds, the department shall submit to the Office of Management and Budget and the Controller General a plan for approval of expenditure of these funds and the relationship of the expenditure to the recommendations contained within these reports. At the conclusion of the fiscal year, the department shall submit a report on the actual expenditure of the funds, detail the improvements realized and report on the effectiveness of the improvements with regard to fulfilling the recommendations contained within the reports.

Section 203. (a) Section 1 of this Act includes funding for relief positions in the Department of Correction, Administration, Human Resources/Employee Development Center (38-01-02). These positions shall be used primarily for training relief. The Department of Correction shall provide a quarterly report to the Director of the Office of Management and Budget and the Controller General detailing the non-training relief assignments of the staff training relief officers.

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

(c) In addition to the positions authorized in Section 1 of this Act for the Department of Correction, additional positions are authorized in Human Resources/Employee Development Center for

the purpose of Probation and Parole Officer Basic Training classes. During the training sessions, up to 23 FTEs will be made available to accommodate the class being trained. No funding will be authorized for these 23 FTEs. In order to utilize these positions, the department will use salary savings realized throughout the year.

Section 204. Section 1 of this Act makes an appropriation to the Department of Correction, Correctional Healthcare Services, Medical Treatment and Services (38-02-01). Of the total appropriation, $25.0 shall be used for the purpose of inmate hospice care.

Section 205. The Department of Correction is authorized to contract for the procurement of health care services to the Department's incarcerated population. For Fiscal Year 2010, the provisions of 29 Del. C. c. 69 shall not apply to such contracts.

Section 206. The Department of Correction, Administration, Office of the Commissioner (38-01-01) shall provide a report to the members of the Joint Finance Committee, the Controller General and the Director of the Office of Management and Budget relating to bilingual medical services. For each institution, the report shall detail the number of bilingual staff maintained by the medical vendor and the number of inmates who require communication in another language or for whom English is a second language. The semi-annual reports shall be due by the end of October and March.

Section 207. Section 1 of this Act appropriates $40.0 in Personnel Costs to the Department of Correction, Community Corrections, New Castle County Community Corrections (38-06-06) for the purpose of maintenance overtime costs at Riverview Cemetery. Implementation shall not commence until the City of Wilmington agrees to be financially responsible for tipping or hauling expenses associated with Riverview Cemetery.

Section 208. Section 1 of this Act provides an appropriation for the Prison Arts Program funded in the Department of Correction, Prisons, Bureau Chief - Prisons (38-04-01). Included in this appropriation is 1.0 FTE Correctional Arts Program Coordinator and Personnel Costs, and $23.1 for Operating Costs.

Section 209. Section 1 of this Act makes an appropriation to the Department of Correction, Prisons, Bureau Chief - Prisons (38-04-01), Contractual Services. Of this amount, $20.0 shall be used for the purpose of collecting DNA samples.

Section 210. Section 1 of this Act provides an appropriation for Personnel Costs to the Department of Correction, Prisons, James T. Vaughn Correctional Center (38-04-03). Included in this appropriation is 1.0 FTE and Personnel Costs to allow the department to oversee a program to manufacture reading materials in Braille for the visually impaired.

Section 211. Section 1 of this Act appropriates funds to Department of Correction, Prisons, Delores J. Baylor Correctional Institution (38-04-05) in Contractual Services for a contract to provide a program for female offenders at Delores J. Baylor Correctional Institution to address anger and behavior issues from a feminine psychological perspective. The Warden of the facility will submit an annual report to the Joint Finance Committee, Director of the Office of Management and Budget, Controller General and Commissioner of Correction by June 1 of each year, which will include but not be limited to the mission of the organization, the statement of the problem, a synopsis of the program, the number of participants, statistics relating to recidivism rates of those participating in the program and an annual budget of the organization.

Section 212. (a) Section 1 of this Act makes an appropriation of $5,392.0 to the Department of Correction, Correctional Healthcare Services, Medical Treatment and Services (38-02-01) for Drug and Alcohol Treatment Services; $632.0 to the Department of Correction, Community Corrections, Bureau Chief - Community Corrections (38-06-01); and $55.9 to the Department of Correction, Community Corrections, Probation and Parole (38-06-02). Funding in Department of Correction, Community Corrections, Probation and Parole (38-06-02) will be augmented by $250.0 ASF from the Substance Abuse Rehabilitation, Treatment, Education and Prevention Fund. All funds described in this section are intended to support drug and alcohol treatment programs provided by the department to individuals in its custody or under its supervision. The administration of these contracts shall be the responsibility of the Commissioner of Correction or his designee.

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

(c) The Commissioner of Correction and the Secretary of Health and Social Services, or their designees, shall jointly participate in developing the appropriate requests for proposals (RFPs) for

contract services to provide drug and alcohol treatment. All selected contract providers shall report on a regular basis to the Department of Correction on all follow-up regarding referrals and services provided to the offender population.

Section 213. Section 1 of this Act provides an appropriation to Community Corrections, Probation and Parole (38-06-02). The department must submit a semi-annual report to the Director of the Office of Management and Budget and the Controller General that details the expenditure of these funds by SENTAC level (levels I, II and III) and the average personnel complement for each level. These reports are due on December 31 and June 30.

Section 214. (a) The Department of Correction shall have the authority, upon the concurrence and approval of the Director of the Office of Management and Budget and Controller General, to establish up to 6.0 ASF FTEs. The positions shall be Correctional Officers who will supervise inmate work crews assigned to the completion of projects requested by the Department of Transportation. Upon approval, 4.0 ASF FTEs shall be assigned to the Department of Correction, Community Corrections, New Castle County Community Corrections (38-06-06) and 2.0 ASF FTEs in Department of Correction, Community Corrections, Kent County Community Corrections (38-06-08). The source of funding shall be the Department of Transportation, Maintenance and Operations, Maintenance Districts (55-04-70). Adjustments to Appropriated Special Fund spending authority for this program can be made upon the concurrence and approval of the Director of the Office of Management and Budget and the Controller General.

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

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

Section 215. The Department of Correction, Administration, Office of the Commissioner (38-01-01) shall maintain an overtime expenditure report and shall provide such report quarterly to the Director

of the Office of Management and Budget and Controller General. The report shall include the number of overtime hours worked and the amount of overtime salary expended by each agency within the Department, and shall include a breakdown of the reason for overtime.

Section 216. Prison education services shall be provided by utilizing existing teachers that are in the Department of Correction as well as authorized teaching positions in the Department of Education. The management of all educational positions shall be provided by the Department of Education. Department of Correction teachers shall have the opportunity each year to notify both agencies of their intent to transfer to the Department of Education. Such notification shall be made by April 15 of each year to become effective July 1 of that calendar year. Any position transfer made pursuant to this section shall be permanent.

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

Section 217. The Department of Correction, Community Corrections, House Arrest (38-06-04) shall provide 24 hour, 7 day a week supervision of community correction's offenders. The department shall determine the number of employees needed on duty throughout each 24-hour period and arrange staff coverage accordingly. At no time shall the ratio of Probation Officers I's to other staff exceed 50 percent during night time and weekend hours.

Section 218. The Merit Rules notwithstanding, Department of Correction employees designated as Correctional Emergency Response Team (CERT) members, as well as the Chief of Security and Inspections (BP #61023), in the Office of the Commissioner (38-01-01), and the Health Services Director (BP #85588) and Treatment Administrators (BP #67423 and 99247) in Medical Treatment and Services (38-02-01) shall be eligible for standby pay regardless of their classification.

Section 219. For the upcoming fiscal year, the Videophones System Specialist in the Office of the Public Defender (15-02-01) shall work with the Department of Correction under the manager of the Research and Planning Unit within the Office of the Commissioner to continue a pilot Distance Learning

Program for persons supervised in Level V facilities, employee development and telemedicine. The Department shall submit an annual report on distance learning including pilot project recommendations to the Director of the Office of Management and Budget and the Controller General.

Section 220. The Department of Correction is hereby authorized to review the current security status classification of its facilities and submit a report, including but not limited to, any proposed security level changes deemed necessary and appropriate to accommodate the needs of the Department. Such report shall be submitted to the Director of the Office of Management and Budget and the Controller General no later than January 1 of each fiscal year. No change shall be made to the security status of the facility without the prior approval of the Director of the Office of Management and Budget and the Controller General.

Section 221. Section 1 of this Act appropriates $64.0 in Contractual Services to Department of Correction, Probation and Parole (38-06-02). These funds shall be used to support reentry services provided by The Way Home.

Section 222. Section 1 of this Act appropriates $48,592.8 to the Department of Correction, Correctional Healthcare Services, Medical Treatment and Services (38-02-01). The Department of Correction shall provide quarterly reports relating to medical vendor performance to the Chairs of the Joint Finance Committee, the Chairs of the House and Senate Correction Committees, the Controller General and the Director of the Office of Management and Budget. Reports shall include, but not be limited to, medical staffing levels, overall performance and plans for improvement.

NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

Section 223. Section 1 of this Act appropriates 1.0 ASF FTE Enforcement Coordinator position, which shall be exempt from the Merit System, to the Department of Natural Resources and Environmental Control, Office of the Secretary (40-01-01) to be funded through expenses incurred and recovered by the department, related to processing of administrative enforcement actions under 7 Del. C. c. 60. Violators shall be liable for the following expenses of the investigation incurred by the State after the notice of violation is issued: direct costs of the investigation; legal assistance including paralegal assistance; public hearings; all other costs expressly determined by the Secretary as reasonably related to the investigation of the incident; and the indirect costs related to all of the above.

Section 224. Section 1 of this Act appropriates $66.3 ASF in Personnel Costs and 1.0 ASF FTE Green Energy Program Administrator, $1.0 ASF in Travel, and $5.0 ASF in Contractual Services from the Green Energy Fund to the Department of Natural Resources and Environmental Control, Office of the Secretary, Energy Office (40-01-04).

Section 225. Fish and Wildlife is authorized to expend funds carried forward from the sale of boat registration fees, effective Fiscal Year 2000 and thereafter, for the purpose of supporting fisheries programs and marine enforcement.

Section 226. Section 1 of this Act appropriates funding to Fish and Wildlife, Wildlife/Fisheries (40-05-02) for the Deer Damage Assistance Program. This funding includes $51.3 in Personnel Costs and 1.0 FTE for an Environmental Scientist III, $61.5 in Contractual Services for butchering fees, seminars and deer school and $20.7 in Supplies and Materials for the Master Hunter Program, videos and literature.

Section 227. Section 1 of this Act authorizes Fish and Wildlife, Wildlife/Fisheries (40-05-02) to spend up to $4,284.5 in Appropriated Special Funds. Within this amount, the division is authorized to undertake capital expenditures to maintain/develop fish and wildlife recreational areas. These expenditures should be in accordance with the Capital Development Plan for the division, submitted as an attachment to the department's Annual Fiscal Year Capital Improvement Program. Any deviation from the listed projects must be approved by the Director of the Office of Management and Budget and the Controller General.

Section 228. (a) Pursuant to 7 Del. C. c. 17, it is the intent of the General Assembly that the contract for statewide dog control with Kent County SPCA, or its successor, shall be extended to December 31, 2009. During the extended contract period, the department shall maintain all administrative responsibilities for the statewide dog control program.

(b) Until December 31, 2009, the department shall continue to sell dog licenses using the existing fee structure and may retain up to $50.0 in special fund revenue to administer the program. The remaining revenue collected from the sale of dog licenses shall be applied towards the statewide contractual obligation. The remaining contractual obligation shall be borne by the counties in a prorated amount as previously determined by negotiations. Each county shall pay its obligation for the contract extension by July 31, 2009.

(c) It is the intent of the General Assembly that the department shall work with the counties to transfer full authority and control of the statewide dog control program no later than December 31, 2009. Any dog license purchased from the department shall remain valid through the expiration date noted, upon which a county license shall be purchased.

Section 229. Section 1 of this Act makes an appropriation of $30.0 in Personnel Costs to the Department of Natural Resources and Environmental Control, Fish and Wildlife, Fish and Wildlife Enforcement (40-05-06). This appropriation is to fund four casual/seasonal enforcement officers to patrol the inland bays.

Section 230. Section 1 of this Act appropriates funds for Contractual Services in Parks and Recreation (40-06-00). Of this amount, $14.4 shall be used for the leasing of an enforcement vehicle and Interpretive Program vehicle at Killens Pond State Park.

Section 231. Section 1 of this Act makes an appropriation to the Department of Natural Resources, Parks and Recreation, Operations and Maintenance (40-06-02). Of this amount, $115.0 shall be used to fund casual/seasonal positions for Killens Pond Waterpark and $8.5 shall be used for program services and contractual services at the Bellevue State Park system.

Section 232. Section 1 of this Act makes an appropriation to the Department of Natural Resources and Environmental Control, Parks and Recreation, Cultural and Recreational Services (40-06-

03). Of that appropriation $10.1 is to be spent on promotion and programs for Trap Pond State Park as follows: $5.0 for Contractual Services, $5.0 for Supplies and Materials and $0.1 for Travel.

Section 233. Section 1 of this Act makes an appropriation to the Division of Parks and Recreation, Wilmington State Parks (40-06-05). Of this amount, $50.0 shall be used for monument and general maintenance within the parks, including the maintenance of war memorials and ball fields.

Section 234. Section 1 of this Act provides an appropriation and 1.0 FTE to the Division of Parks and Recreation, Wilmington Parks (40-06-05) to fund a Park Technician II. This position shall be dedicated primarily to the South Park Drive area and the Brandywine Zoo with additional duties throughout Wilmington State Parks.

Section 235. Section 1 of this Act makes an appropriation to Soil and Water Conservation, District Operations (40-07-04) for Contractual Services. Of that amount, $180.0 shall be used for additional field staff personnel for the preparation of nutrient management plans.

Section 236. Section 1 of this Act makes an appropriation for Contractual Services to the Department of Natural Resources and Environmental Control, Water Resources, (40-08-01). Of that amount $42.5 shall be used to support the Partnership for the Delaware Estuary.

Section 237. Section 1 of this Act makes an appropriation to the Department of Natural Resources and Environmental Control, Water Resources, Management and Support - Water Resources (40-08-01). Of the total appropriation, $245.0 will pass through the department to fund the Environmental Training Center at Delaware Technical and Community College, Owens Campus. Funding is to be used to provide training for state and local water and wastewater operators.

Section 238. Section 1 of this Act makes an appropriation to the Department of Natural Resources and Environmental Control, Water Resources, Management and Support - Water Resources (40-08-01). Of that amount, $1.0 shall be set aside for the Environmental Science Scholarship program.

Section 239. Section 1 of this Act appropriates $122.6 to Water Resources, Watershed Assessment (40-08-07) for Inland Bays Research. The appropriation shall be used to support citizen-monitoring activities including, but not limited to, the Stream Watch Program in the amount of $82.9 and the Inland Bays Citizen Monitoring Program in the amount of $39.7. In addition, $211.1 of the

Watershed Assessment (40-08-07) Contractual Services funding shall be used by the Center for the Inland Bays for programs promoting strategies to improve the quality of water in the Inland Bays.

Section 240. It is intent of the General Assembly that the Department of Natural Resources and Environmental Control shall be required, pending legal review, to post on its Internet website within three working days, all unclassified misdemeanors issued by Air and Waste Management Enforcement Officers after such citations have been entered in the courts.

Section 241. Section 1 of this Act appropriates funds to support 2.0 FTEs within the Department of Natural Resources and Environmental Control, Air and Waste Management, Air Quality Management (40-09-02). One position is an Environmental Engineer II/IV assigned to the Delaware City Petro Chemical Complex. The second position is an Environmental Engineer II/IV assigned to Claymont/Edgemoor Industrial Complex and located at the Robinson House. The incumbents shall each submit an annual report to the Joint Finance Committee on February 1 of each year, which summarizes the complaints and activities of the previous calendar year. These positions will respond to and provide follow-up on complaints from the community on the air quality throughout New Castle County.

Section 242. Section 1 of this Act appropriates funds to the Hazardous Substance Cleanup Act (HSCA) Cleanup Fund in Air and Waste Management, Waste Management (40-09-03). A maximum of $500.0 ASF per fiscal year will be set aside from the HSCA Cleanup Fund to address orphaned and abandoned underground storage tank (UST) systems. These USTs shall include those where no viable responsible parties exist or can be found or where the responsible parties have shown to the satisfaction of the Department of Natural Resources and Environmental Control, that they do not have the ability to pay for the necessary UST system removal and the remediation of any resulting contamination. In such case, the department shall not seek cost recovery of the funds expended under the HSCA fund.

Section 243. Air and Waste Management (40-09-03) shall have 1.0 FTE exempt position in addition to those authorized by 29 Del. C. § 5903. When position BP #09228 becomes vacant, it shall be classified by the Director of the Office of Management and Budget in accordance with the Merit System, 29 Del. C. c. 59.

Section 244. The General Assembly herein acknowledges that certain programs within the Department are funded all or in part by fee-based revenues. At least every five years the Secretary shall

perform a periodic review of fees assessed and collected by the Department to determine the revenue sufficiency of the fees and programs they support.

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

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

SAFETY AND HOMELAND SECURITY

Section 245. The Department of Safety and Homeland Security is hereby authorized to continue funding its share of the existing 40 patrol officers that have been established through agreements between State Police (45-06-00) and Sussex County Council through the end of Fiscal Year 2009.

The prescribed establishment of 4.0 patrol officers during Fiscal Year 2010 shall be delayed until financial conditions improve. State Police will be authorized to establish these patrol officers as well as all additional patrol officers that are called for through the terms of the agreement as funding becomes available through the normal budgetary process.

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

Section 246. 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 247. 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 248. 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

towers under their administration. The revenues paid to the State under these agreements shall be designated for use by State Police in support of mobile data computing telecommunications infrastructure cost, effective retroactively.

Section 249. The Department of Safety and Homeland Security, Office of the Secretary, Administration (45-01-01) shall maintain an overtime expenditure report tracking the overtime usage of Capitol Police (45-02-10). This report shall include the number of overtime hours worked as a result of normal operating demand, the number of overtime hours worked as a result of special events demand, the amount of overtime expenditures, and a detailed justification for the usage of the overtime hours. This report shall be submitted to the Director of the Office of Management and Budget and the Controller General on a quarterly basis.

Section 250. Section 1 of this Act appropriates $180.0 ASF Personnel Costs and 3.0 Traffic Light Enforcement FTEs in Safety and Homeland Security, State Police, Traffic (45-06-07). The source of the funding shall be from revenues generated as a result of the Red Light Enforcement Safety Program within the Department of Transportation.

Section 251. Section 1 of this Act appropriates $20.0 in Contractual Services to Developmental Disabilities Council (45-01-50) for the Partners in Policymaking Program.

Section 252. Section 1 of this Act includes $569.8 ASF in Personnel Costs and 7.0 ASF FTEs; $58.6 ASF in Contractual Services; and $148.2 ASF in Supplies and Materials in the Department of Safety and Homeland Security, State Police, Traffic (45-06-07) for the personnel and operating costs associated with the Truck Enforcement Unit (TEU) to be funded through the Department of Transportation. Any additional enhancements that are made to the TEU to remain in compliance with Title 23, Code of Federal Regulations Part 657, shall occur through the annual budgetary process.

Section 253. Notwithstanding the provisions of 16 Del. C. § 10104, the Department of Safety and Homeland Security shall disburse funds from the E-911 Emergency Reporting System Fund to cover rent obligations at statewide 911 answering points. An annual report on the E-911 Emergency Reporting System Fund shall be submitted to the Director of the Office of Management and Budget and Controller General no later than September 15th of each year identifying prior year revenue and expenditures, and forecasted revenue and expenditures for the current and upcoming three fiscal years.

Section 254. (a) Section 1 of this Act appropriates $382.2 in Capital Outlay to State Police, Transportation (45-06-11) to fund a vehicle replacement program. As new vehicles are purchased through this program, they shall only be deployed to support patrol functions. All other vehicle deployments shall be done at the discretion of the Superintendent of the State Police.

(b) The Secretary of the Department of Safety and Homeland Security shall submit a proposal to the Director of the Office of Management and Budget and the Controller General for the implementation of a model to recover commuting costs associated with the provision of State Police take home cars. Said proposal shall be submitted by September 30, 2009.

Section 255. The Department of Safety and Homeland Security shall transfer $107.3 into appropriation 10-02-32-8484 (Disability Insurance Program) as a result of the passage of Senate Bill 304 of the 144th General Assembly.

Section 256. Section 1 of this Act includes $160.0 ASF in Personnel Costs in State Police, Patrol and $40.0 ASF in Supplies and Materials in State Police, Training for the purpose of recovering costs associated with providing patrol services at the State Fair and for providing meals to recruits at the State Police Academy.

Section 257. Amend 20 Del. C. § 3107A. by deleting the section in its entirety, and inserting in lieu thereof the following new section:

"3107A. The State Emergency Management Fund

The State Emergency Management Fund is established to provide DEMA with funds to manage natural and man-made disasters when federal funds are not available or when matching funds are required to receive federal funds. The fund may be used to make purchases of life saving or life sustaining equipment; pay for costs associated with the activation of the State Emergency Operations Center; pay for Delaware National Guard costs when deployment is authorized by the Governor; and reimburse state and local employees for travel costs associated with a deployment under the Emergency Management Assistance Compact (EMAC) for authorized missions that will be fully reimbursed by the requesting states. As the requesting states provide reimbursement, funds will be deposited back into the Fund."

TRANSPORTATION

Section 258. 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.

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

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

2) provide service to dialysis patients in Kent and Sussex counties during hours identical to those offered in New Castle County.

Section 259. Section 1 of this Act appropriates $1,333.5 TFO to Finance (55-01-02) for Operations/Capital. Of this amount, $200.0 shall be allocated to the Maritime Exchange for the Delaware River and Bay.

Section 260. Section 1 of this Act makes an appropriation of $1,688.5 TFO to Planning (55-03-01) for Operations/Capital.

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

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

Section 261. Section 1 of this Act makes an appropriation in the amount of $63,022.9 TFO to Maintenance and Operations, Maintenance Districts (55-04-70) and $19,293.2 TFO to Maintenance and Operations, Toll Administration (55-04-90).

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	3,328.8	4,089.1	8,336.9		15,754.8
Travel	6.0				6.0
Contractual/Supplies	1,506.5	898.1	2,055.6	8,819.5	13,279.7
Energy	146.5	477.7	1,343.4		1,967.6
Capital Outlay	21.0		20.5		41.5
TOTALS	5,008.8	5,464.9	11,756.4	8,819.5	31,049.6
FTEs	65.0	74.0	158.0		297.0

Section 262. Section 1 of this Act provides an appropriation to Maintenance Districts (55-04-70) for Contractual/Supplies. Of this appropriation, $5.0 TFO shall be allocated to the Tina Fallon Ferry.

Section 263. The Department of Transportation and/or its E-ZPass contractor is prohibited from monitoring the speed of motor vehicles through E-ZPass toll booths for the purpose of issuing traffic citations or the suspension of E-ZPass privileges. Nothing in this section shall prohibit the State Police from enforcing traffic laws including speed enforcement at the E-ZPass toll booths.

Section 264. Section 1 of this Act makes an appropriation to Maintenance and Operations, Maintenance Districts (55-04-70) in the amount of $3,277.4 TFO to establish a Special Line called Snow/Storm Contingency that will provide for the expenses of weather/emergency operations. Notwithstanding any other provision of the law to the contrary, any sums in this account not expended by the end of a fiscal year shall be carried over for use in future fiscal years, with appropriate transfers to current fiscal year accounts. The department shall be allowed to transfer funds from this account to divisions on an as-needed basis for expenditures incurred. The department may also transfer funds to municipalities and other qualified entities to reimburse them pursuant to contracts entered into by the department and the municipality to keep transit routes open during snow and storm emergencies. The transfer of funds from this account shall not require the approval of the Director of the Office of Management and Budget or the Controller General. The department shall provide quarterly reports each fiscal year to the Director of the Office of Management and Budget and the Controller General.

Section 265. In addition to the positions authorized in Section 1 of this Act for the Department of Transportation, Technology and Support Services (55-02-01), additional positions are authorized in Delaware Transportation Authority (55-06-01) for the purpose of information technology support. As

remaining positions for the purpose of information technology support become vacant, up to 2.0 FTEs and associated funding from the Delaware Transportation Authority may be reallocated to continue the centralization of the information technology function within Technology and Support Services (55-02-01). The Director of the Office of Management and Budget and Controller General may authorize this reallocation accordingly.

Section 266. During the fiscal year, the Department of Transportation shall be prohibited from changing its departmental policy regarding access pipe installation on private homeowner entrances. Specifically, the department shall not charge said homeowners for the labor costs associated with the installation of the access pipe.

Section 267. Notwithstanding any other provisions of the Delaware Code, the Department of Transportation, Motor Vehicles (55-11-00) shall have the authority to charge state agencies for state identification cards, not to exceed $20 per card. The amount to be reimbursed shall be determined by Motor Vehicles and will be deposited into a holding account coded as special fund revenue and shall not be subject to General Fund deposit or Transportation Trust Fund deposit at any time.

Section 268. Section 1 of this Act appropriates $200.0 TFO to the Department of Transportation, Motor Vehicles, Vehicle Services (55-11-30) for the purpose of replacing vehicle inspection equipment.

Section 269. Notwithstanding the provisions of 29 Del. C. § 6102(o)(3), any remaining balance in the Inspection and Maintenance (I/M) Fund shall not be subject to General Fund deposit until June 30, 2009. These funds may be used for costs associated with Motor Vehicles (55-11-00) lane construction.

Section 270. Notwithstanding the provisions of 2 Del. C. § 1325 or 29 Del. C. § 7106(d) the employees in the Delaware Transit Corporation that are riders of the State van pool program known as Fleetlink, effective March 1, 2007 may remain in this program provided that they remain on a single van, that the necessary liability policy as defined by the Insurance Risk Office of the Office of Management and Budget is provided and maintained in good standing by the Delaware Transit Corporation, and that riders continue to pay the fees associated with participation in this program. Such eligibility shall be continuous for these individuals until and unless these conditions are not met.

Section 271. Notwithstanding 29 Del. C. § 5903, the position of Deputy Principal Assistant (BP# 9493) in the Department of Transportation shall remain as exempt until vacated. Once vacated, this

position will be classified by the Director of the Office of Management and Budget and the Controller General in accordance with the Merit System and 29 Del. C. c. 59.

Section 272. The General Assembly directs the Department of Agriculture, the Department of Transportation and the Delaware Economic Development Office to promulgate regulations defining agritourism as a cultural and recreational interest for benefit of adoption into the Brown Sign Program. Final adoption of these regulations is contingent upon approval by the Federal Highway Administration (FHWA) under the Manual for Uniform Traffic Control Devices.

Section 273. Notwithstanding the provisions of 17 Del. C. or any regulation to the contrary, the Department of Transportation shall permit an existing church, school or fire department sign, located on the premises of such church, school or fire department, presently located within 25 feet of the right-of-way line of any public highway to be replaced with a variable message sign or new fixed outdoor advertising display, device or sign structure of equal or smaller dimension than the existing sign, sign structure, display or device, relating to the activities conducted on such property.

LABOR

Section 274. (a) Section 1 of this Act provides an appropriation of $430.0 in Employment and Training, Employment and Training Services (60-09-20) for the Delaware State Summer Youth Employment Program to operate a program commencing July 1, 2009. The budget will take into consideration the funds required to commence the program at the end of Fiscal Year 2010, on or about June 15, 2010. This sum is to be allocated in the following manner:

New Castle County (outside the City of Wilmington)	$ 70.5
City of Wilmington	259.7
Kent County	49.9
Sussex County	49.9
TOTAL	$430.0

(b) In each of the political subdivisions wherein funds have been appropriated, no more than $5.0 shall be expended for administrative purposes and no more than $2.0 shall be expended for equipment, supplies and mileage. A record of all equipment and supplies purchased with funds herein appropriated shall be kept by the sponsoring agent, and at the conclusion of the ten-week program such supplies and equipment shall be reverted to the Department of Labor.

(c) The funds appropriated for the Delaware State Summer Youth Employment Program shall not be co-mingled with funds appropriated from any other source. The guidelines for youth employment and administrative costs for all persons employed in the State Summer Youth Employment Program shall be based in accordance with prior year's practice of payment for services.

Section 275. Section 1 of this Act makes an appropriation of $117.0 in Contractual Services to Industrial Affairs, Office of Labor Law Enforcement (60-07-02). Of this amount $51.0 shall be used to fund the Public Allies program at the University of Delaware, which is a non-profit professional apprenticeship and training program for young Delawareans ages 18-30. The training and apprenticeships shall include leadership skills, team building, problem solving and community issues.

AGRICULTURE

Section 276. Section 1 of this Act makes an appropriation of $500.0 ASF to the Department of Agriculture for the Delaware Agriculture Land Preservation Foundation pursuant to 29 Del. C. § 6102A(d)(3). The Foundation shall not operate any accounts outside of the State accounting system.

Section 277. Beginning Fiscal Year 2004, the Delaware Department of Agriculture is hereby authorized to develop and implement a state crop insurance program, not to exceed a funding level of $750.0, to provide assistance to farmers in purchasing federal crop insurance coverage. The state crop insurance program is intended to encourage farmers to enroll in federal crop insurance programs and provide limited financial assistance to farmers in purchasing coverage. This program shall provide cost share assistance at a rate not to exceed 30 percent of farmer paid premium with a maximum subsidy of $3.00 per acre. To ensure accessibility of funds for all eligible applicants, the department will include guidelines to prorate available resources accordingly if applications exceed funding. The Department of Agriculture shall provide the Controller General and the Director of the Office of Management and Budget with a report by April 1, 2010 detailing the commitments and expenditure of said funds. It is the expectation that when a significant number of agricultural landowners participate in crop insurance the necessity of this program will be re-evaluated.

Section 278. The Delaware Department of Agriculture may use up to $150.0 annually from forest timber sales for the following programs:

(a) $75.0 shall be used for marketing and promoting Delaware's agricultural and forestry products and commodities.

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

Section 279. Section 1 of this Act makes an appropriation to the Harness Racing Commission (65-01-05) and the Thoroughbred Racing Commission (65-01-10) for fingerprinting. It is the intent of the General Assembly that the Commissions are required to use the State Bureau of Identification for all fingerprinting activities and background investigations per recommendation of the Joint Sunset Committee.

Section 280. Subject to the approval of the Director of Management and Budget and the Controller General, the State Lottery may:

(a) Deduct up to $450.0 from the proceeds due to the video lottery agents licensed only to conduct thoroughbred racing in the current fiscal year to pay for expenses associated with conducting thoroughbred racing at their respective racetrack; and

(b) Deduct up to $200.0 from the proceeds, which would otherwise fund purses for thoroughbred racing in the current fiscal year to pay for racing expenses.

Section 281. Subject to the approval of the Director of Management and Budget and the Controller General, the State Lottery may:

(a) Deduct up to $1,035.2 from the proceeds due to the video lottery agents licensed only to conduct harness racing in the current fiscal year to pay for expenses associated with conducting harness racing at their respective racetrack; and

(b) Deduct up to $178.4 from the proceeds, which would otherwise fund purses for harness racing in the current fiscal year to pay for racing expenses.

Section 282. The Director of the Office of Management and Budget and the Controller General, with the approval of the Co-Chairs of the Joint Finance Committee, may authorize up to five (5.0) ASF positions for the purposes of conducting live thoroughbred racing in the Department of Agriculture.

Section 283. The Department of Agriculture shall expend up to $246.0 from the ASF holding account within Pesticides (65-01-06) to fund the activities of the Nutrient Management Poultry Litter Transport Program. The Poultry Litter Transportation Program reimburses transportation costs associated with exporting excess poultry litter for alternative uses or land that can demonstrate a need for the product.

Section 284. Section 1 of this Act appropriates $50.0 ASF to the Department of Agriculture, Animal Health and Food Products Inspection (65-01-09) for the Spay/Neuter Program. Notwithstanding the Delaware Code or any other provision of this Act to the contrary, the Department of Agriculture is authorized to fund the Spay/Neuter Administrator from the special fund revenues received during the course of the fiscal year.

ELECTIONS

Section 285. Any Department of Election, upon approval of the respective Board of Elections, may establish polling places in which one or more small mandated districts of less than 300 registered voters as of 60 days prior to the date of an election may be administered by the election officers of another election district.

These entities shall hereinafter be referred to as "Combined Election Districts". Each election district that is part of a Combined Election District shall have designated voting machine(s), voting machine certificate, absentee ballot box, poll list, signature cards and other documents and/or materials necessary to certify the election.

The respective department may assign up to two additional clerks for each such mandated district so assigned to a Combined Election District. If any Board of Elections is unable to meet due to a vacancy, the Commissioner of Elections shall approve the establishment of Combined Election Districts within that respective county.

Section 286. 70 Del. Laws, c. 515 transferred the responsibility for the conduct of school board, referenda and bond issue elections to the Department of Elections, should this law be funded by the General Assembly.

Section 1 of this Act provides appropriations to the New Castle County Department of Elections (70-02-01) in the amount of $158.4, Kent County Department of Elections (70-03-01) in the amount of $45.8 and Sussex County Department of Elections (70-04-01) in the amount of $45.8, which includes all costs for transporting voting machines used in all public school elections. Funding may be reallocated between counties if necessary, with the approval of the Office of Management and Budget and the Controller General Office. Unencumbered balances on June 30 shall revert to the General Fund.

The Department of Elections for the county responsible for conducting a public school election shall appoint, compensate and train an inspector and such election officers as it deems necessary to properly staff the polling places designated for use in a public school election. The respective Department of Elections shall also designate two of the other election officers to join with the inspector in deciding all questions regarding voter eligibility. All other questions concerning operation of the polling place shall be decided by the inspector.

The total statewide expenditures for school elections shall not exceed the amount appropriated in Section 1 of this Act or approved transfers for said purpose.

Section 287. Section 1 of this Act contains an appropriation for Commissioner of Elections, (70-01-01), Other Items: Voter Purging, for the purpose of assisting the Department of Elections with its statewide efforts to maintain the voter rolls in an orderly manner.

Section 288. For purposes of designating and procuring polling places for primary, general and special elections, the respective county department of elections shall pay a rental fee totaling $300.00 for each facility used, no matter how many election districts are assigned to that facility.

Section 289. Any state agency, office or department is prohibited from publishing or funding the publication of voter guides.

Section 290. Based on findings of the 2001 Tax Compliance Audit, specifically those regarding poll worker compensation and deductions, all Department of Election poll workers shall be compensated through the Payroll/Human Resource Statewide Technology (PHRST) system if paid $1,400.00 or more during a calendar year. In addition, all appropriate deductions shall be taken from such compensation. All Department of Election poll workers who are paid under $1,400.00 may be paid through the Delaware Financial Management System.

FIRE PREVENTION

Section 291. Section 1 of this Act provides an appropriation of $79.5 to the State Fire Prevention Commission (75-03-01) in the line item Statewide Fire Safety Education. These funds are to be matched by members of the Delaware Volunteer Firemen's Association and are to be used for the purpose of operating a statewide Fire Safety Education Program.

Section 292. Section 1 of this Act appropriates $2.0 to the Office of the State Fire Marshal (75-01-01) for the purchase of smoke detectors and educational materials for the Juvenile Firesetter Intervention Program.

NATIONAL GUARD

Section 293. Section 1 of this Act provides an appropriation to Delaware National Guard (76-01-01) for energy. Within this appropriation, sufficient energy funds are included to defray energy expenses of the Lora Little School building that are not directly attributable to occupancy by the Delaware National Guard.

Section 294. (a) Section 1 of this Act provides an appropriation to the Delaware National Guard (76-01-01) for educational assistance. The National Guard shall not be required to pay fees.

(b) The Delaware National Guard, with the approval of the Director of the Office of Management and Budget and Controller General, is authorized to use excess educational funds to fund recruitment programs.

Section 295. Section 1 of this Act appropriates $5.0 to Delaware National Guard (76-01-01) for Service members' Group Life Insurance (SGLI). These funds are for the purpose of reimbursing insurance premiums for active duty Delaware National Guard members.

HIGHER EDUCATION

Section 296. 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 $3,929.6 for energy.

Section 297. (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	114.6
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	201.5

Total	$ 4,931.9
Other Programs:	
Sea Grant	$ 559.0
Urban Agent Program	135.6
Public Service and Applied Research Projects	452.9
Diversity Enhancement	293.0
Local Government Research and Assistance	238.7
Graduate Education (Southern Delaware)	37.3
Library Automation	52.0
Nurse Practitioner	269.0
Science, Engineering and Technology Service Program	156.3
Molecular Biology/Biotechnology Program	499.2
Math/Science Education for DE Teachers	1,020.1
Center for Community Development and Family Policy	261.2
Training and Research (Educational Management)	466.7
Computer Aided Math Instruction	80.0
Delaware Center for Teacher Education	656.0
Research on School Finance Issues	90.5
Delaware Education Research and Development Center	235.1
Delaware Research Scholars Program	150.0
Milford Professional Development School	117.2
Information Technology Partnership	2,541.3
Biotechnology	734.3
Computer Aided Instruction, Arts & Science	100.0
Clinical Instruction in Teacher Education	238.5
Early Childhood Education	114.2
Civics Education for Teachers	100.0
Biotechnology Institute	584.8

Software License Support	314.6
Study Abroad for Delaware Residents	50.0
Associate in Arts Degree	170.1
Early Learning Center	423.4
Service Learning Scholarships	200.0
Nursing Program Expansion	318.7
Improved Campus Security	101.6
Coastal Community Development	302.9
Center for Translational Research	365.3
Undergraduate Multimedia Instruction	202.3
Secondary Clinical Teacher Education	127.1
Total	$12,758.9

(b) Notwithstanding any provision to the contrary, and assuming the Fiscal Year 2010 budget is as herein recommended, the University will, and has agreed to, meet ongoing commitments in Fiscal Year 2010 utilizing University funds for those programs identified for reduction in State funds during Fiscal Year 2004. In addition, the University will, and has agreed to, not lay off any faculty or staff in these programs nor discontinue any of the impacted programs.

(c) Subsection (a) of this section appropriates $200.0 for the Governor's Scholars Program. Of said funds, $100.0 shall be combined with University funds to honor commitments made to currently enrolled eligible recipients prior to Fiscal Year 2010, until said completion. The remaining $100.0 shall be used for new students in Fiscal Year 2010. Students that are pursuing educational or nursing degrees shall have priority in receiving a merit scholarship under this Program.

Section 298. Section 1 of this Act provides an appropriation to the University of Delaware (90-01-01) for Agricultural Programs. Within that appropriation are sufficient funds to fully fund 5.0 FTEs Agricultural Extension Agents in New Castle County, 3.0 FTEs Agents in Kent County, 2.5 FTEs Agents in Sussex County, and 1.0 FTE Agricultural Extension Engineer for the Agricultural Cooperative Extension Program.

Section 299. Section 1 of this Act provides an appropriation to the University of Delaware for the Milford Professional Development School. The University and the Milford School District shall submit to the Controller General and the Director of the Office of Management and Budget, by March 1, 2010, a joint report detailing the implementation status of this program as it relates to the appropriation herein.

Section 300. Section 1 of this Act makes an appropriation to Delaware State University, Operations (90-03-01), for General Scholarships. Of that amount, $22.0 shall be for state scholarships for high ability students, $20.0 shall be for departmental scholarships to attract high achievers into the sciences, $200.0 shall be for scholarships to attract high ability students into the teaching program, and $100.0 shall be for scholarships for female athletes.

Section 301. For the fiscal year covered by this Act, in order to continue the assessment of procedures implemented during Fiscal Year 1993 intended to reduce the administrative burden incurred as a result of processing accounting transaction data into two independent accounting systems, the Director of the Office of Management and Budget has authorized Delaware State University to:

(a) Discontinue detail data input to the Delaware Financial Management System (DFMS) for encumbrance and vendor payment transactions related to General Fund, federal financial assistance and college funds;

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

(c) Summarize General Fund and federal financial assistance fund disbursements on a weekly, post disbursement basis, and draw down the corresponding amounts through the standard DFMS Payment Voucher process.

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

The University shall comply with specific procedures developed and prescribed by the Office of Management and Budget and the Department of Finance, Accounting. In addition, the University shall

cooperate fully with the Office of Auditor of Accounts to aid in any review or examination of the University's accounting procedures, records and system.

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

Section 302. Section 1 of this Act provides an appropriation to Delaware Technical and Community College, Office of the President (90-04-01), for Associate in Arts Program - Operation and Associate in Arts Program - Academic. This appropriation is to assist in the provision of the Delaware Technical/University of Delaware Associate in Arts Program which will be operated jointly by the two institutions under a contract initiated by Delaware Technical and Community College. Under this contract, the University of Delaware will teach students at Delaware Technical and Community College's facilities. Future budget requests will be made jointly by Delaware Technical and Community College and the University of Delaware, and budget cuts, if necessary, will be shared on a pro rata basis. Approval of tuition and other fees will be made by the Board of Trustees of the institution that delivers the relevant service and after the institutions have reached an agreement for tuition sharing. Representatives from both institutions will meet at least once each semester to review program operations.

Section 303. Section 1 of this Act contains an appropriation of $314.6 for the Delaware Institute of Veterinary Medical Education (DIVME), (90-07-01). Notwithstanding current Laws of Delaware relating to the DIVME Program, these funds shall be used to provide tuition support for six Delaware residents studying at the veterinary medicine program at the University of Georgia, three Delaware residents studying at the veterinary medicine program at Oklahoma State University, plus four additional students accepted to a veterinary medicine program for the coming year.

Section 304. All higher education institutions in Delaware who have not been contracted members of the National Student Clearinghouse for the past year shall be required to join and input data. Participation will allow the Department of Education to track Delaware’s students as they enroll or

transfer into Delaware higher education institutions or other member higher education institutions across the country. Membership requires higher education institutions to report data elements to the National Student Clearinghouse.

EDUCATION

Section 305. During the course of the fiscal year, the Department of Education is authorized to continue the work of the Public Education Compensation Committee to review and make recommendations to the Governor and Joint Finance Committee regarding the public education salary schedules authorized in 14 Del. C. c. 13. The committee shall consist of the following individuals or their designee: Controller General, Director of the Office of Management and Budget, Secretary of Education, Executive Director of the Delaware State Education Association (DSEA), one school business manager, and one school superintendent. The committee shall review comparability of salaries statewide, in addition to surrounding areas and alternative compensation models. A report of findings shall be submitted to the Governor and co-chairs of the Joint Finance Committee no later than May 1, 2010.

Section 306. It is the goal of the General Assembly to implement by Fiscal Year 2011 the recommendations of the Public Education Compensation Committee with respect to Instructional and Service Aides contained in the report of said committee, dated May 15, 2007, as follows; (1) to ensure that the first Step of the salary schedule for Instructional Aides is equivalent to the U.S. Department of Commerce poverty income level for a family of four for the year 2010; the first Step of the salary schedule for Service Aides to be equivalent to 85 percent of the first Step for Instructional Aides; (2) to reduce the number of steps on the Instructional Aides and Service Aides salary schedules to ten; (3) to ensure that the percentage difference between steps on the Instructional Aides and Service Aides salary schedules are equal percentage amounts as specified in the recommendation found in the aforementioned report.

Section 307. Notwithstanding the provisions of 14 Del. C. § 1305(m), (o) and (p), for those employees who have achieved certification from the National Board for Professional Teaching Standards and serve as teacher or lead mentors, the mentor stipend payment for such service will be excluded from the 15 percent salary supplement limit only.

Section 308. (a) For this fiscal year, employees who have been issued an initial license and are in a third or fourth year extension due to failure to pass Praxis I shall receive a ten percent salary reduction. Employees currently on an emergency certificate as a result of being assigned to an area outside the area of certification shall not receive a ten percent salary reduction.

(b) Section 1 of this Act makes an appropriation of $6,800.0 to Public Education, School District Operations, Other Items (95-02-02) for Skills, Knowledge and Responsibilities Pay Supplements. This appropriation provides funding for the supplements associated with professional development clusters, mentor stipends and National Board Certifications.

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

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

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

Section 309. Section 1 of this Act makes an appropriation of $775.0 ASF and 2.0 ASF FTEs to the Department of Education (95-01-01) for the Delaware Interscholastic Athletic Fund. The Association shall not operate any accounts outside of the State accounting system and the Fund shall be interest bearing.

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

Section 310. For this fiscal year, the inflation factor for the local per pupil payments required under the state's Enrollment Choice Program, as specified in 14 Del. C. § 408(e), and for the local per pupil payments required under the state's Charter School Program, as specified in 14 Del. C. § 509(d), shall be equal to the general salary increase enumerated in Section 8 of this Act.

Section 311. Any course offered at a vocational technical high school may be offered in the comprehensive high schools if a sufficient student interest can be demonstrated as determined by the Secretary of Education.

Section 312. Section 1 of this Act makes an appropriation to the Department of Education (95-01-01) for Educator Certification and Development activities. This appropriation to the Department of Education is intended to offset expenditures in the following areas: standard setting for PRAXIS II; teacher and administrator assessment procedures; revision and update of teacher and administrator evaluation procedures (DPASII); diversity and educator recruitment; professional recertification and expanding the Alternative Routes to Teacher Certification program.

Section 313. Section 1 of this Act provides an appropriation of $329.5 to the Department of Education (95-01-01) for Standards and Assessment. Part of the Standards and Assessment program agenda is to support the development and implementation of performance indicators.

Section 314. Section 1 of this Act appropriates $600.0 to the Department of Education (95-01-01) for Infrastructure Capacity. These funds shall be used to support the development and implementation of automated systems to manage such activities as the licensure and certification process; the Delaware Performance Appraisal System; the tracking of skills and knowledge supplements; development of on-line standards-based units of instruction; and the accountability reporting system.

Section 315. Section 1 of this Act appropriates $1,942.9 to the Department of Education (95-01-01) for Educator Accountability. These funds shall be used to support the design and implementation of DPAS II; teacher recruitment and retention programs; and modification of the licensure and certification system. Prior to expending any of these funds, an approved budget must be submitted by the Secretary of Education, after consultation with the Professional Standards Board, and approved by the Director of the Office of Management and Budget and Controller General.

Section 316. Title 14, Del. C. § 122(e), requires the Department of Education to review all regulations to ensure that all regulations are current and not burdensome, and 14 Del. C. § 122(f) and (g) provide a means for districts to pursue waivers of state regulations. The Federal Education Flexibility Partnership Act of 1999 allows districts to apply for waivers of federal regulation in states that have adopted challenging content and performance standards, have aligned assessments to those standards, have established a system of school and district accountability, and allow waiver of State statutory and regulatory requirements relating to education.

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

Section 317. Effective July 1, 2007, notwithstanding the provisions of 29 Del. C. c. 69, during Fiscal Year 2008, the Department of Education is authorized to extend, for a period not to exceed two years, its existing contract including any subsequent negotiated administrative changes for student assessment as required under the federal No Child Left Behind Act. For the remainder of the DSTP contract, the Department of Education is authorized to: 1) modify the administration of the Delaware Student Testing Program to eliminate the writing assessment for grades 3, 4, 6, 7 and 9; and 2) eliminate the reading and mathematics summer retests at grades 3, 5, and 8 in reading and grade 8 in mathematics. The Department of Education is also authorized to make other administrative changes as negotiated with

the test vendor. In addition, notwithstanding any law or regulation to the contrary, all consequences for individual students including summer school, Individual Improvement Plans, retention and DSTP retakes shall be eliminated for the remainder of the DSTP contract. Further provided, notwithstanding any law or regulation to the contrary, retests at high school grades and the related student consequences shall be eliminated.

Section 318. During Fiscal Year 2010, the Department of Education may be authorized to continue a needs-based funding structure within Brandywine and Seaford School Districts, to provide resources to students with disabilities in the most flexible and equitable manner possible, upon approval of the Director of the Office of Management and Budget and Controller General. Any changes to the existing structure must be approved by the Director of the Office of Management and Budget and the Controller General. In addition the Department may expand this funding structure to include the Appoquinimink, Caesar Rodney, Cape Henlopen, Lake Forest, Capital, Laurel, Milford, New Castle County Vocational Technical, Sussex Tech, and Woodbridge school districts, provided those districts shall not realize an increase or decrease in the number of units earned which is greater than three units over the previous school year.

Section 319. The Delaware Code notwithstanding, during this fiscal year, the Director of the Office of Management and Budget is authorized to continue funding for issues such as, but not limited to, the number of administrative positions and activity busing for which the State was required to provide funding as a result of a 1978 federal court order. This authorization, as it relates to administrative positions, shall apply only to positions filled for employment, and shall not be considered as authorization to fund any cash options pursuant to 14 Del. C. § 13. It is the intent of the General Assembly that beginning in Fiscal Year 2010, existing filled positions authorized pursuant to this section shall, upon vacancy, be permanently ineligible for the State share of salary pursuant to 14 Del. C. § 1305.

Section 320. General Fund appropriations to Public Education in appropriation units (95-03-00), (95-04-00) and the Delmar Tuition, General Contingency and Debt Service appropriations in appropriation units (95-01-00) and (95-02-00) shall not be subject to the limitations as defined for Division I and Division II in 14 Del. C. § 1706 and § 1709.

Section 321. For Fiscal Year 2010 only, Division II – All Other Costs allocations to school districts , excluding Division II vocational units earned, may used for any Division III purpose pursuant to 14 Del. C. §1304 and §1707(h).

Section 322. Notwithstanding the provisions of 14 Del. C. § 1703, the First State School Program shall be guaranteed state funding based upon a minimum of two Division I units. In addition, Section 1 of this Act appropriates $314.5 to Public Education, Block Grants and Pass Through Programs, Special Needs Programs for the First State School.

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

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

Section 323. Section 1 of this Act provides certain appropriations to Public Education, School District Operations, Other Items and Debt Service. These amounts are not based on the unit system. Allocation of these funds shall conform to the following:

(a) Debt Service amounts are predicated upon the amortization schedule as provided by the State Treasurer.

(b) The line item Other Items in the internal program unit Other Items (95-02-02) shall be allocated as follows:

Caesar Rodney - Americanization	$ 14.1
Red Clay - Americanization	113.6
Margaret S. Sterck -	
Residence - Other Costs	85.4
Consultant Services	11.0

Preschool Summer Program	6.9
Christina Autistic -	
Residence - Other Costs	206.5
Contractual Services	11.4
John G. Leach	50.0
Sussex Orthopedic School	12.9
Total	$511.8

Section 324. Section 1 of this Act makes an appropriation to Public Education, School District Operations, Other Items (95-02-02) of $1,540.0 for School Improvement Funds. Of that amount, $1,500.0 shall be used to provide technical assistance and support to schools and districts rated as academic review, academic watch or academic progress. The remaining $40.0 shall be allocated for recognition of schools and districts that receive the superior designation. Such recognition shall include special ceremonies and/or the award of plaques or flags.

Section 325. Section 1 of this Act makes an appropriation of $15,430.8 to Public Education, School District Operations, Other Items (95-02-02) for Full-day Kindergarten Implementation to continue the phase-in of statewide full-day Kindergarten. This appropriation will provide funding to continue the existing pilot program, as awarded by the Department of Education at the Fiscal Year 2008 funding level, in the Indian River School District.

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

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

and local resources. Transportation shall be made available for half-day and full-day Kindergarten programs.

Section 326. Section 1 of this Act makes appropriations to the Department of Education, School District Operations, Division Funding (95-02-01) for Division II - All Other Costs and Energy. A Division II- Energy Unit shall be valued at $2,402.00. A Division II - All Other Costs Unit shall be valued at $3,115.00.

Section 327. Provisions of 29 Del. C. § 6102(r)(2) and § 6102(r)(3) notwithstanding, during Fiscal Year 2010, the sum authorized to the Education Expense and Property Tax Relief Fund shall be allocated as follows:

District Allocation	**Increase Support for Education**	**Offset Local Current Expense Taxes**	**Total**
Appoquinimink	$ 0	$ 523,260	$ 523,260
Appoquinimink ILC	18,468	0	18,468
Brandywine	0	2,158,200	2,158,200
Bush	16,350	0	16,350
AI Institute	6,298	0	6,298
Brandywine ILC	75,210	0	75,210
Christina	0	3,691,830	3,691,830
Autistic Program	135,407	0	135,407
REACH	53,533	0	53,533
Sterck	85,023	0	85,023
Christina ILC	170,040	0	170,040
Colonial	0	2,001,240	2,001,240
Leach	75,576	0	75,576
Colonial ILC	42,510	0	42,510
Red Clay	0	2,897,220	2,897,220
Meadowood	75,576	0	75,576
Red Clay ILC	122,811	0	122,811
Caesar Rodney	0	567,840	567,840
Caesar Rodney ILC	9,204	0	9,204
Charlton	47,554	0	47,554
Capital	0	728,495	728,495
Capital ILC	4,820	0	4,820
Kent Orthopedic	16,874	0	16,874
Lake Forest	0	412,230	412,230
Milford	0	584,661	584,661
Milford ILC	5,062	0	5,062
Smyrna	0	520,000	520,000
Smyrna ILC	5,000	0	5,000
Cape Henlopen	0	24,174	24,174
Delmar	0	125,000	125,000
Delmar ILC	1,303	0	1,303
Indian River	0	592,680	592,680
Laurel	0	358,314	358,314
Laurel ILC	5,874	0	5,874
Seaford	0	263,895	263,895

Seaford ILC	6,025	0	6,025
Woodbridge	0	125,000	125,000
New Castle Vo-Tech	0	834,485	834,485
New Castle Vo-Tech ILC	25,192	0	25,192
Polytech	0	125,000	125,000
Polytech ILC	12,272	0	12,272
Sussex Technical	0	0	0
Total	$1,015,982	$16,533,524	$17,549,506

Section 328. Section 1 of this Act provides an appropriation to Public Education, Block Grants and Pass Through Programs, Adult Education Work Force Training Block Grant (95-03-10). This appropriation shall be allocated by the Department of Education to the following programs/districts:

Adult Trade Extension/Apprentice Program (statewide)	$1,745.2
James H. Groves High School (statewide)	3,573.1
Adult Basic Education (statewide)	457.7
New Castle County Learning Center (Christina School District)	224.1
Delaware Skills Center (N.C.C. Vo-Tech)	1,402.4
Alternative Secondary Education Program (statewide)	906.0
Marine Mechanics Apprentice Program (Sussex Vo-Tech)	21.3
Interagency Council on Adult Literacy	289.9
Diploma-at-a-Distance	127.9
TOTAL	$8,747.6

Section 329. Section 1 of this Act makes an appropriation to Public Education, Block Grants and Pass Through Programs, Professional Accountability and Instructional Advancement Fund (95-03-10).

(a) The following allocations shall be provided:

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

(2) $1,566.5 shall be allocated by the Department of Education to districts for professional and curriculum development activities. Districts shall submit applications to the Department of Education detailing the district's plan for the utilization of these funds. The Department of Education shall review and approve plans and allocate an amount not

to exceed $157.00 per certified employee, based on a district's personnel complement for the 2008-2009 school year. Grants are to be used for developing and implementing curriculum based on the content standards established by the Curriculum Frameworks Commission, as approved by the State Board of Education or for other professional development activities, including, but not limited to: Discipline, Special Education/Inclusion Collaboration/Consensus Building, Conflict Resolution, Shared Decision Making, local school board member training, and Educational Technology. Districts are encouraged to collaborate as a means of maximizing resources as well as focusing district activities on consistent principles. Grants may be utilized for training, planning, in-service programs and contractual services. The Department of Education is authorized to transfer 50 percent of the estimated district grant amount by July 30 of the fiscal year. The remaining 50 percent shall be transferred within 30 days of the final approval of the district application for funding.

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

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

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

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

(4) $759.4 for the Summer School for Teachers Program. Of this appropriation, $590.3 will be allocated to the University of Delaware and $169.1 to Delaware State University to fund summer programs for the professional development of teachers. It is intended that curriculum of the summer classes offered through this program, to teachers and aides, be consistent with the curriculum standards which are currently under development or have previously been adopted by the Department of Education. Both the University of Delaware and Delaware State University shall incorporate into their Summer School for Teachers course structure, the appropriate and necessary elements that will enable participants to develop relevant classroom curriculum as well as to gain additional exposure to best teaching practices in the standardized content areas. The Department of Education shall continue to make staff available to assist each institution in the preparation of the summer coursework. Future budget requests for this program will be made by the Department of Education in their annual budget request, following consultation with the University of Delaware and Delaware State University.

(5) $150.0 for the Delaware Center for Teacher Education to support professional and curriculum development activities in the content areas of reading and social studies. The Department of Education shall determine, in coordination with the agency (or agencies) performing such activities, the training goals and objectives, including how the objectives of Standards and Assessment will be furthered. The Department of Education, Controller General and Director of the Office of Management and Budget shall ensure that the proposed development activities are cost efficient and meet the objectives outlined in this section before agreeing to transfer the appropriation from the Department of Education to the operating agency.

(6) $898.5 for Reading Cadre. This appropriation will provide each local school district, excluding charter schools, with the state share of salaries in accordance with 14 Del. C. § 1305 and the state share of the Division III Equalization Unit amount as defined in 14 Del. C. § 1707 for one 10-month Reading Specialist. The purpose of this Specialist

will be the creation of a Reading to Reading Cadre which will provide assistance to districts in designing, demonstrating and implementing best practices in reading instruction. Such position shall be responsible for curriculum alignment and professional development in reading for district educators.

(7) $75.0 for Models of Excellence. These funds shall be used to identify the achievements of Delaware schools, to learn from program success in improving student achievement and to recognize and share best practices among districts.

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

Section 330. Section 1 of this Act makes an appropriation to Public Education, Block Grant and Pass Through Programs, Academic Excellence Block Grant (95-03-10). Of the amount appropriated, $33,584.4 shall be used to fund units for academic excellence in the school districts in accordance with 14 Del. C. § 1716. The balance of $4,595.7 shall be allocated to school districts in proportion to the number of Division I Units each district enrolls on the last school day in September. School districts may use the funds to: purchase computer hardware, software or services; calculators; library resources; fund homebound instruction costs; provide substitute teachers; provide additional nurses so long as the district is entitled to less than one nurse per school; provide a student work-study program; provide conflict resolution training; provide extended day or extended year programs for students performing below the standard level; and provide stipends for professionals engaged in curriculum or professional development activities sponsored by a local school district or the Department of Education, outside of the regular school day. School districts may form consortia, utilizing homebound funds, to purchase or provide homebound services. No homebound funds may be spent to provide services to students who have been suspended or expelled from school, except for special education students. The Department of Education shall provide an annual summary of school district plans for use of Academic Excellence funds to the Director of the Office of Management and Budget and the Controller General no later than December 1 of each year.

Section 331. For the fiscal year beginning July 1, 2009, any local school district that has had two consecutive failed current expense tax referendums during the time period July 1, 2007 to January 1,

2010, is authorized to exercise the cash option on Academic Excellence units up to the total number of units provided under that program. This provision will apply for Fiscal Year 2010 only. In addition, districts meeting this criteria are authorized to utilize funds derived from this cash option to pay local salary supplements. Any district that has had a successful current expense tax referendum subsequent to two consecutive failed current expense tax referendums is ineligible for the provisions of this section.

Section 332. Section 1 of this Act makes an appropriation to Public Education, Block Grants and Pass Through Programs, Student Success Block Grant (95-03-10). This appropriation shall be allocated by the Department of Education to school districts and charter schools based on Fiscal Year 2008 allocations. This block grant represents the consolidation of the Teacher to Teacher Instructional Cadre, Extra Time Early Intervention Reading Program, Extra Time K-12, and Student Discipline Part II funds. School districts shall be allowed to continue their Fiscal Year 2008 local match as it relates to Extra Time.

Each school district shall be required to submit a plan to the Department of Education for the use, distribution and expected outcomes of allocated Student Success Block Grant funds. The plan provided to the Department of Education shall indicate the student populations to be served; the type of program(s) proposed; the levels of academic improvement the services are intended to achieve; and the measurement and/or evaluation process the district will use to determine program effectiveness. The plan shall be submitted and approved through the Education Success Planning and Evaluation System web-based consolidated application process.

To the extent that these funds are used to pay salary expenses, they may only be used for the state share in accordance in the schedule contained 14 Del. C. c. 13.

Section 333. Section 1 of this Act makes an ASF appropriation to Public Education, Block Grants and Pass Through Programs, Special Needs Programs (95-03-20) for the Children's Services Cost Recovery Project (CSCRP). All local school districts shall fully participate in the implementation and operation of the project for the fiscal year ending June 30. Local school district participation shall be on a district-wide basis.

The following resources are appropriated to operate the Children's Services Cost Recovery Project during the fiscal year ending June 30. No appropriation is made for the purchase of additional state-owned vehicles pursuant to this section. The appropriated funds for supplies and in-state travel

which, pursuant to this section, are passed through to the local school district shall be dedicated to implementing the Children's Services Cost Recovery Project.

In addition, 14.0 FTEs staff positions are appropriated to support this project: 3.0 FTEs shall be located at the Department of Education. The Department of Education is hereby permitted to authorize the hiring of up to 11.0 FTEs in the local school districts for the sole purpose of implementing this section. The 11.0 FTEs in the local school districts shall be paid in accordance with the Financial Secretary Salary Schedules 1308 and 1309 including the local salary supplement in place at the employing school districts. At the discretion of the Department of Education, 1.0 FTE may be paid in accordance with the Administrative Secretary Salary Schedules as defined in 14 Del. C. § 1308 and § 1309, including the local salary supplement in place at the employing local school district.

When it is deemed in the best interest of the program to have positions transferred between school districts, the employees in those positions will be compensated in accordance with the local salary supplement in place at the new district. The employees may elect to have their sick and annual leave balances transfer with them between districts.

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

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

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

Section 334. For the purpose of participating in the Children's Services Cost Recovery Project, provisions of the Delaware Code to the contrary notwithstanding, school psychologists certified or otherwise licensed by the Department of Education in accordance with the provisions 14 Del. C.

§ 1092, shall be considered in compliance with qualification standards equivalent to state licensure to practice psychology as set forth in 24 Del. C. § 3508. Such equivalent state licensure status shall be limited to the delivery of services related to the Department of Education or local school district approved school programs conducted within the course of the regular school day at a Department of Education or local school district approved school site or least restrictive environment location. The provisions of this section shall in no way be construed as entitling a person not otherwise qualified to do so to represent himself to the public by any title or description of services incorporating the words "psychology," "psychological," and/or "psychologist" within the meaning of 24 Del. C. § 3502, except as may be herein specifically provided.

Section 335. The Interagency Resource Management Committee (IRMC) fosters an interagency approach in coordinating the delivery of early care and education services in Delaware, and the establishment and operation of the Office of Early Childhood.

The IRMC will coordinate the implementation of the recommendations of the October 1999 report: “Early Success: Creating a Quality Early Care and Education System for Delaware’s Children”, where feasible, and, if applicable, subject to an annual appropriation. The IRMC shall report to the Governor, President Pro-Tempore of the Senate, and the Speaker of the House on April 15 of each fiscal year. Each report shall include:

1. A summary of IRMC experiences in attempting to accomplish its purposes as stated above; and,
2. A recommendation of the IRMC whether and how to institutionalize its activities and functions.

The IRMC may, at its discretion, apply for grant funds that will further any of the purposes of this section.

The Director of the Office of Management and Budget and the Controller General are hereby authorized to transfer funds among the budgets of the departments represented on the IRMC if there is prior agreement by the secretary of the department, as the case may be, to which the funds were previously allocated. Such transfers shall be intended to further the purposes of this section. The IRMC shall be staffed by the Office of Early Childhood in the Department of Education. Such Office shall be composed of a director, an assistant director and a clerical support position. Funding shall be provided by the Department of Health and Social Services and the Department of Services for Children, Youth and

Their Families no later than July of each fiscal year to support the operational costs associated with the assistant director and clerical support positions. Funds allocated in this section are to be used to support the work of the Office and to continue the interagency evaluation process for Delaware's early childhood programs.

Section 336. Section 1 of this Act makes an appropriation to Public Education, Block Grants and Pass Through Programs, Special Needs Programs (95-03-20) for the Student Discipline Program.

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

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

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

(c) The Department of Education shall determine common data definitions and data collection methodologies for each program in this section. Districts shall use such definitions and methodologies and shall provide information as requested by the Department of Education. This information shall include but not be limited to the following: the number of students served, reasons for service, measures

of behavioral improvement, measures of academic improvement as appropriate, rates of recidivism within programs, and number and types of referrals for additional services. The Department of Education shall prepare a statewide management report to identify needs for program improvement and best practice.

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

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

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

(e) Based on the recommendations that resulted from House Joint Resolution 25 of the 139th General Assembly, a total of $1,325.0 shall be allocated for the continued operation of the alternative school program. The program shall be developed utilizing research based best-practice models as described in "Comprehensive Programs Which Improve Student Discipline, Final Report, April 1999". The program shall provide year-round services to no more than 100 students. This program shall be considered a special school for the purposes of charging tuition payments to be made by school districts of residence under the statutory provisions of 14 Del. C. c. 6, such that the districts shall fund at least 30 percent of the total cost of the program. The New Castle County Consortium and the Department of Education shall oversee administration of the program, and may enter into contractual arrangements to operate the program. Such oversight shall include an annual evaluation of the program to be submitted to the Department of Education.

Section 337. Section 1 of this Act provides an appropriation to Public Education, Block Grants and Pass Through Programs, Special Needs Programs, Unique Alternatives (95-03-20). Funds may only be allocated to the Sussex ICT to provide direct services and supports to interagency students that would be referred to the ICT. The local share of payment shall continue to be subject to the same criteria as all other ICT decisions. This authorization is based on the signed Memorandum of Agreement between the school districts and other ICT agencies.

Section 338. Section 1 of this Act provides an appropriation to Public Education, Block Grants and Pass Through Programs, Special Needs Programs (95-03-20) for Exceptional Student Unit - Vocational. This appropriation shall be used to continue the program of vocational education for handicapped students. The funds appropriated shall provide for Divisions I, II, and III funding for a maximum of six units, prior to application of the vocational deduct, units in a single program. The unit shall be based upon 13,500 pupil minutes per week of instruction or major fraction thereof after the first full unit and shall be in addition to the funding otherwise provided under 14 Del. C. § 1703(d).

Section 339. Section 1 of this Act appropriates 37.7 FTEs, of which up to 4.0 shall be authorized as teachers/supervisors, 29.7 authorized as teachers, 3.0 authorized as secretaries for the Department of Education, and 1.0 education associate to operate the Prison Education Program. The qualification of employees for the prison education program shall be the same as the qualification for employees in the

public high schools. Teachers/supervisors shall have teaching responsibilities as defined by job responsibilities and duties developed by the Department of Education.

Salary for employees in the prison education program when paid from funds of this State, shall be in accordance with the regularly adopted salary schedules set forth in 14 Del. C. c. 13. The salary so computed shall be divided by .7 for ten months employment. If employed on an 11 or 12 month basis, the ten month amount shall be multiplied by 1.1 or 1.2 respectively. In addition to the above calculation, teachers and administrators qualifying for professional development clusters in accordance with 14 Del. C. § 1305(l) shall receive an additional amount equal to the approved cluster percentage multiplied by the base salary amount defined in 14 Del. C. § 1305(b). This calculation shall not be increased for 11 or 12 month employment. The percentage shall only be applied to the base 10 month salary for 10, 11 and 12 month employees. In accordance with 14 Del. C. § 1305(p), the cluster percentage is capped at 15 percent. Employees whose primary job location is onsite within the institution shall also receive hazardous duty supplements as provided in the Merit System. Teachers/supervisors shall receive an administrative supplement of four to eight percent to be determined by the Department of Education with the approval of the co-chairs of the Joint Finance Committee.

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

Section 340. Any provisions of the Delaware Code to the contrary notwithstanding, the Department of Education with the approval of the Director of the Office of Management and Budget and Control General is authorized and directed to provide aides for the purpose of providing mainstreaming services to deaf students.

Section 341. Section 1 of this Act makes an appropriation to Public Education, Block Grants and Pass Through Programs, Special Needs Programs (95-03-20), for Tech Prep 2+2. A Delaware Tech Prep Consortium is formed to provide for overall program development and management, coordination and technical assistance. The Consortium will review and provide technical assistance and in-service training for each proposal submitted to the Department of Education by any partnership initiating or operating a

Tech Prep Program. The Consortium will adopt rules and regulations consistent with state regulations and federal legislation.

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

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

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

Section 342. Section 1 of this Act makes an appropriation to Public Education, Block Grants and Pass Through Programs, Special Needs Program (95-03-20). Of the amount appropriated, $1,625.0 shall be used to provide services to Limited English Proficient (LEP) students.

The Department of Education shall administer an application process to determine grant awards to local districts.

To the extent that these funds are used to pay salary expenses, they may only be used for the state share in accordance with the schedules contained in 14 Del. C., c. 13.

Section 343. Section 1 of this Act provides an appropriation to Public Education, Block Grants and Pass Through Programs, Special Needs Programs for Reading Resource Teachers. This funding shall provide one Reading Resource Teacher in each school, excluding state approved special schools, as long as it maintains a grade configuration including any combination of grades Kindergarten through Fifth.

Reading Resource Teachers shall provide direct reading instruction to students which must include explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency and reading comprehension strategies. Reading Resource Teachers shall work with the Reading Cadre to ensure that appropriate reading activities and support are embedded in all curricular areas. Reading Resource Teachers shall meet the requirements for the Standard Certification Reading Specialist.

This appropriation will provide districts and charter schools with the state share of salaries in accordance with 14 Del. C. § 1305 for 10-month Reading Resource Teachers, as well as the appropriate per unit amount of Division III funding. In order to maximize resources provided under this program local school districts are encouraged to match this funding on a 70/30 state/local basis pursuant to the provisions of 14 Del. C. § 1902(b).

The Department of Education will study and collect information from each school district regarding the utilization of these educators, achievements and anticipated outcomes. The Department will report this information to the Joint Finance Committee co-chairs, Director of the Office of Management and Budget and Controller General no later than December 31 of each fiscal year.

Section 344. Section 1 of this Act provides an appropriation to Public Education, Block Grants and Pass Through Programs, Special Needs Programs for Mathematics Resource Teachers/Specialists. This funding shall provide one Mathematics Resource Teacher/Specialist to all schools with a grade configuration containing both seventh and eighth grades.

Mathematics Resource Teachers/Specialists shall be utilized during the regular school day with students who need additional support and instruction in standards based mathematics with the intent that the students will be taught the skills they need to meet the Delaware mathematics standards as assessed by the DSTP. Specifically these Teachers/Specialists will examine DSTP and other standards based assessment data to determine students' progress toward meeting grade level expectations in Mathematics, and will instruct students individually or in small groups to teach specific skills and concepts in which students are deficient.

This appropriation will provide schools within districts and charter schools with the state share of salaries in accordance with 14 Del. C. § 1305 for 10-month Mathematics Resource Teachers/Specialists, as well as the appropriate per unit amount of Division III funding. In order to maximize resources

provided under this program local school districts are encouraged to match this funding on a 70/30 state/local basis pursuant to the provisions of 14 Del. C. § 1902(b).

The Department of Education will collect and study information from each school district regarding the use of these educators, achievements and anticipated outcomes. The Department shall report this information to the Joint Finance Committee co-chairs, the Director of Office of Management and Budget and Controller General no later than February 1 of each fiscal year.

Section 345. Section 1 of this Act makes an appropriation to Public Education, Block Grants and Pass Through Programs, Special Needs Programs (95-03-20) for Early Childhood Initiatives. These funds are to be used to support the T.E.A.C.H. program and the Early Childhood Apprenticeship program to support career training and education for early childhood workers. Additionally, the Department of Education may develop an implementation plan for creation of a Leadership Academy for Early Childhood workers and a program to train child care workers who are English Language Learners or have low literacy levels, as outlined in Early Success, for approval by the Director of the Office of Management and Budget and the Controller General prior to implementation.

Section 346. (a) Section 1 of this Act provides an appropriation of $1,912.5 to Public Education, Pupil Transportation (95-04-01) for Non-Public School Transportation Reimbursements. This appropriation shall be allocated for qualifying non-public, non-profit schools, based on the procedure adopted by the Joint Finance Committee on April 16, 1981. The Public School Transportation Committee, consisting of representatives from the Department of Education, Controller General's Office, Office of Management and Budget and representatives for bus contractors and school district transportation supervisors shall make recommendations to the Director of Office of Management and Budget and Controller General for revisions to components of the transportation formula no later than April 1, 2010.

(b) Transportation funds for public school districts during the fiscal year ending June 30, 2010, shall be allocated and shall not exceed $86,795.9 (of which $6,413.1 is designated as a transportation contingency for Charter initiatives), according to bus contract or district transportation formula, as adopted by the State Board of Education on July 23, 1987, subject to the following amendments and procedural modifications:

(1) The per gallon price used to calculate the fuel allowance shall be based on the state contract bid price for fuel plus $.07 per gallon for districts and plus $.31 per gallon for contractors. For districts and contractors north of the Chesapeake and Delaware Canal, the per gallon price shall be based on delivery to a large-sized tank (5,000 or more gallons). In the case of contractors located south of the Chesapeake and Delaware Canal, the per gallon price shall be based on delivery to a small-sized tank (275 - 1,900 gallons). Upon determination by the Department of Education that a contractor located North of the Chesapeake and Delaware Canal and operating five or fewer buses does not have existing storage capacity in the large tank range, the per gallon price shall be based on the smaller tank size.

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

(2) For this Fiscal Year, the operating allowance will not be adjusted for inflation.

(3) For the fiscal year ending June 30, 2010, the allowable cost of a new unused bus that was purchased by a contractor and put on contract and that was produced between January 1, 2009 and December 31, 2009 (as noted on the school bus identification plate) shall begin its seven-year capital allowance schedule using the 2009 state bid price for new school buses, minus two percent for salvage value, plus eleven percent to account for dealer charges and profits not reflected in the state bid price due to the higher number of buses being purchased and the lag time between ordering and delivery. Any bus produced on or after January 1, 2010 must meet the 2010 Federal emissions requirements in order to receive a capital allowance. Any bus produced and placed in service after January 1,

2010 the current fiscal year shall be entitled to an allowance based on the 2010 state bid price.

A used bus placed in service shall utilize the allowance schedule which would have been allowed had the bus been placed in service when new based on its production date. The bus shall receive the remaining years of capital allowance. The Department of Education shall continue to utilize the procedures developed in Fiscal Year 1989 for determining the allowable cost for any size bus that it did not bid in Fiscal Year 2009. In addition to the procedure for establishing the allowable cost of a new bus specified above, the Department of Education is requested to structure its bids for buses in the fiscal year ending June 30, 2010, in such a manner that public school bus contractors will be permitted to purchase buses from the successful lower bidder at the same price as the State of Delaware. If a contractor elects to purchase a bus at the bid price, the lowest base bid of an awarded contract minus two percent for salvage value will be the allowable cost in subsequent reimbursements to the contractor.

(4) In Fiscal Year 2010, the school bus contractor insurance allowance shall not be increased.

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

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

Section 347. Notwithstanding any other provisions of the Delaware Code or this Act to the contrary, the Department of Education is authorized to approve and provide funding for additional

transportation routes necessary to support the Seaford School District's pilot implementation of a balanced calendar schedule, beginning in Fiscal Year 2003.

Section 348. (a) During the fiscal year, the Department of Education is hereby directed to provide bus transportation of public school students previously declared ineligible by the Unique Hazards Committee, including the following:

(1) Students attending the Stanton Middle School who are now forced to walk along Telegraph Road with a constant threat of injury.

(2) Students attending Mt. Pleasant High School who are now forced to walk along Marsh Road with a constant threat of injury.

(3) Students in the town of Seaford, living west of Conrail and north of the Nanticoke River, who attend the Seaford schools, grades K-6.

(4) Students attending Seaford Central Elementary who live in the area east of Conrail, north of the Nanticoke River, and west of Williams Pond, within the Seaford city limits.

(5) Students attending the Cab Calloway School of the Arts and Wilmington Charter School on Lancaster Avenue to Delaware Avenue in the north-south grid and on Jackson Street to duPont Street on the east-west grid.

(6) Students attending Newark High School who live in Windy Hills and are forced to walk along Kirkwood Highway with a constant threat of injury.

(7) Students attending schools in Laurel living in the areas of Lakeside Manor, Route 24 east of Laurel town limits, Route 13A South of Laurel town limits and Dogwood Acres.

(8) Students attending Delcastle Technical High School who live in Newport and are forced to walk along Centerville Road (Rt. 141) with a constant threat of injury.

(9) Students attending Woodbridge Junior-Senior High School who must travel along Route 13A south of Bridgeville, and students living west of Bridgeville who must travel along Route 404 or Route 18.

(10) Students attending Smyrna Middle School who reside in the Sunnyside Acres area between Sunnyside Road and U.S. 13 and who would otherwise be required to walk along U.S. 13 in order to reach school.

(11) Students attending the Concord High School who live south of Naamans Road in the Talleybrook-Chalfonte, Brandywood, Brandon and Beacon Hill areas who must walk along Grubb and/or Naamans Road with a constant threat of injury.

(12) Students attending the Laurel Elementary Schools in Grades K-6 who live in the Town of Laurel and the surrounding areas.

(13) Students attending Dover High School who live in Old Sherwood, south of Waples Avenue.

(14) Students attending the Mt. Pleasant Elementary School, who would be forced to walk along Bellevue Road.

(15) Students attending the Mt. Pleasant Elementary School, who would be forced to cross over and/or walk along River Road between Lore and Bellevue.

(16) Students attending the Douglas Kindergarten Center, who would be forced to walk along Route 2 (Union Street) or through Canby Park via the paths, with a constant threat of injury.

(17) K-3 - New Todd Estates Development to Jeannie Smith Elementary School - because of hazards of Route 4 at Pierson Drive intersection.

(18) Children living in West Wilmington Manor who walk to Wilmington Manor Elementary School.

(19) Woodbridge Elementary School students living in the town of Greenwood, west of the railroad tracks.

(20) Woodbridge Jr./Sr. High School students living on Route 13A from Route 13 north of Bridgeville to Bridgeville north of town limits including streets with access to that part of Route 13A.

(21) Talley Jr. High School students who reside in the Ashbourne Hills, Greentree, Stoney Brook areas, students who reside in the Woodacre Apartments and students who live along Peachtree Road.

(22) Springer Middle School students residing in Eden Ridge III, Tavistock, Sharpley and Eden Ridge who must cross Concord Pike.

(23) Georgetown Elementary School students who live east of Bedford Street.

(24) Lombardy Elementary School students who must cross Foulk Road.

(25) Central Middle School students who reside in the vicinity of 1508 Dinahs Corner Road.

(26) Students attending Central Middle School, living in the area south of Kent General Hospital, to include students living along and south of Westview Terrace, Dover Street, Hope Street and Sackarackin Avenue.

(27) Students of the Appoquinimink School District who reside in Odessa Heights.

(28) Students attending Brandywine High School who live in Concord Manor and are forced to walk along Shellpot Drive and Windley Hill.

(29) Students attending Clayton Elementary, North Elementary or the Bassett Middle School in the Smyrna School District who live on Buresch Drive.

(30) Notwithstanding the construction of any sidewalk or footpath along Grubb Road between Naamans Road and Marsh Road, any child currently receiving bus transportation by the Brandywine School district who lives along Grubb Road (between Naamans Road and Marsh Road) or lives in a neighborhood which enters directly onto Grubb Road (between Naamans Road and Marsh Road) shall continue to receive bus transportation to and from school.

(31) Students residing in Brookview Apartments and lower Ashbourne Hills who attend Darley Road Elementary School.

(32) Stanton Middle School students residing in Kiamensi Gardens, Kiamensi Heights and Westfield who must cross Limestone Road.

(33) Students attending Warner Elementary or Warner Kindergarten who also attend the Brandywine Day Care Center.

(34) Students attending Brandywine Springs Elementary School who live along Newport Gap Pike.

(35) Students attending Mt. Pleasant High School who reside in the vicinity of Rysing Drive in Edgemoor Gardens, in the vicinity of Rysing Drive in the Village of Woods Edge, and

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

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

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

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

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

(b) The transportation of the students specified herein shall continue until the funds requested are appropriated and construction is completed. Spur routes shall continue to be served as at present.

Section 349. Notwithstanding the provisions of any state law or regulation to the contrary, the Colonial School District is hereby directed to provide bus transportation for public school students who attend the Panda Early Education Center at 1169 South DuPont Highway in New Castle to and from Kathleen H. Wilbur Elementary School and Southern Elementary School. The Colonial School district is authorized to utilize state transportation dollars to fund the transportation of students as directed herein.

Section 350. Notwithstanding the provisions of any state law to the contrary, the Red Clay Consolidated School District is authorized to utilize state transportation dollars to fund students traveling from routes to and from the Cab Calloway School of the Arts and Brandywine Spring Elementary School and the Indian River School District is authorized to utilize state transportation dollars to fund students traveling from routes to and from the Southern Delaware School of the Arts.

Section 351. During the fiscal year, the Department of Education will continue and broaden implementation of the computerized routing system for school bus transportation. During this implementation, the Department is directed to continue to provide bus transportation services to any residential area which has received transportation services since October 1, 1977.

Section 352. Section 1 of this Act provides an appropriation to Department of Education, Pupil Transportation (95-04-00) for Public School Transportation. Notwithstanding the provisions of 21 Del. C. § 4366, the following reimbursement methodology is in effect:

(a) For those school districts or private contractors who are operating school buses equipped with cellular phone technology or have no radio or telephonic communication equipment, the Department of Education is authorized to bring said districts and contractors under a State negotiated cellular phone contract such that the State shall pay one-half of the costs associated with the monthly connect charge, subject to the availability of funds.

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

Section 353. Section 1 of this Act provides $500.0 ASF to the Department of Education, Driver Training (95-03-30) to develop and implement a fee structure for the provision of driver's education services to non-public school students beginning in Fiscal Year 2009. Upon approval of the co-chairs of the Joint Finance Committee, the Department shall be authorized to promulgate rules and regulations associated with this fee structure. The fee shall not be greater than the amount charged to out-of-state non-public students attending Delaware schools. Additionally, the Department is authorized to transfer GF FTEs in 95-03-30 to appropriated special funds throughout the fiscal year as revenue becomes available.

Section 354. Section 1 of this Act provides an appropriation to the Department of Education, Delaware Center for Educational Technology (DCET) for a Technology Block Grant. DCET shall administer a non-competitive application process to determine grant awards to local school districts and charter schools. Funds provided by this Act shall be used in the following priority order: (1) Supporting the maintenance of existing equipment in the schools either through the use of a full time technology position or contractually, (2) replacement of existing equipment, or (3) such other technology needs as may arise which could improve or enhance the technology capabilities of the district. To the extent that these funds are used to pay salary expenses, they may only be used for the state share in accordance with the schedules contained in 14 Del. C. c. 13. Funding will be distributed based on the formula developed

and approved by the co-chairs of the Joint Finance Committee in Fiscal Year 2001. Local districts are encouraged to match their allocation pursuant to the provisions of 14 Del. C. § 1902(b), provided the local match does not exceed those established under 71 Del Laws c. 378. Beginning in Fiscal Year 2008, the matching provisions provided in this section shall not be interpreted to provide duplicative rate increases. It shall be the responsibility of the Department of Education to receive and disburse these funds. The department shall also be charged with the authority to verify the use of the funds and shall require each school district to annually report on expenditures of the funds.

Section 355. Section 1 of this Act provides an appropriation to the Department of Education, Delaware Center for Education Technology (DCET). It is the intent of the General Assembly that DCET be responsible for and engage in activities related to total project needs and budgets for statewide education technology projects, the establishment of cost-sharing policies, the initiation and delivery of instructional technology programs, implementation on an on-going basis of professional training programs related to statewide education technology and providing technical assistance to the Department of Education for the initiation of system-wide applications including administrative and curriculum development.

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

Section 356. Section 1 of this Act makes an appropriation to Public Education, Delaware Center for Educational Technology (95-07-01) for the Delaware Virtual School. These funds shall be used to support the development of the infrastructure needed to create and sustain a delivery system for Virtual school initiatives. Efforts should follow best practices and should be focused on creating new opportunities for students.

Section 357. The provisions of this Act to the contrary notwithstanding, consistent with the provisions of 14 Del. C. § 509(b), charter schools eligible to receive allocations from the Professional Accountability and Instructional Advancement fund, Student Success Block Grant, Limited English Proficient, Academic Excellence, Technology Block Grant and Minor Capital Improvements program

will not be required to submit an application to the Department of Education. Any funds received as a result of the allocation of these programs may be used for current operations, Minor Capital Improvements, Debt Service payments or tuition payments.

Section 358. Section 1 of this Act makes an appropriation to the Department of Education, Delaware Higher Education Commission (95-08-01) for Scholarships and Grants. Of that amount, $36.7 shall be used for the Herman M. Holloway, Sr. Scholarship Program per the provisions of 14 Del. C. c. 34; $255.0 shall be used for the FAME Scholarship Program; $30.0 shall be used for the MERIT Scholarship Program; $275.0 shall be used for the Professional Librarian/Archives Incentive Program; $64.2 for the Charles L. Hebner Scholarship; $125.0 for Critical Teacher Scholarships; $250.0 for Delaware Teacher Corps and $40.0 for the Washington Center for Internships. Any funds excluding the Herman Holloway Sr. Scholarship Program remaining after payment to the prescribed Scholarships and Grants provided in this appropriation may be awarded to students with financial need who applied to the Scholarship Incentive Program. Any Herman M. Holloway Sr. Scholarship Program funds remaining after payment of the Holloway Scholarships may be awarded to Delaware State University students with financial need who applied to the Scholarship Incentive Program.

Section 359. The Delaware Higher Education Commission (DHEC) in the initial award cycle of the SCIP Program shall not exceed 120 percent of the annual SCIP appropriation. Funds unused in any given fiscal year may be carried over into a reserve account to be utilized for SCIP awards in the subsequent year with approval of the Department of Education. In the event that actual awards exceed projected award amounts, spring awards may be reduced to cover the difference.

Section 360. The Delaware Higher Education Commission is hereby authorized to use up to $25.0 of the interest income from the Michael C. Ferguson Achievement Award to support the recognition of students who are awarded scholarships associated with that appropriation.

Section 361. During the fiscal year, the Department of Education, with the approval of the State Board of Education, is authorized to establish and maintain procedures, by regulation pursuant to 14 Del. C. 3110(c), for the conduct of expedited due process hearings which shall be available to children with disabilities and their parents where required by federal or state law, and/or departmental regulation. For the purposes of such expedited due process hearings, during each fiscal year the Department of Education

is authorized to engage the professional services of a cadre of single hearing officers to preside over such hearings.

Section 362. The Brandywine School District Board shall maintain as a stand alone program its Gifted and Talented Program (also known as the Odyssey Program, formally known as the Brandywine Academically Gifted Program) at least through the end of the 2011-2012 school year. The program shall be fully maintained at Mt. Pleasant Elementary School and Claymont Elementary School and expanded to PS DuPont Middle school in the 2009-2010 school year. During this time, the District shall fully support the Odyssey Program in terms of outreach, recruitment, assessment of students for entry into the program, curriculum development, teacher assignment and other support elements as currently exist.

Section 363. The Department of Education shall continue to work towards the collection of school-level financial data. To this end, when processing transactions in the Delaware Financial Management System (DFMS), local school districts shall use a standard set of program codes as established by the Department of Education effective July 1, 2003.

Section 364. Notwithstanding the provisions of 14 Del. C. § 203, § 604 or any sections of this Act to the contrary, the Christina School District is authorized to operate the Sarah Pyle Academy as a special program and charge tuition for the support of the Academy as provided in 14 Del. C. § 604 during the 2009-2010 school year. The Academy shall operate as an academic recovery, drop-out prevention pilot at no additional cost to the State. The students attending this program shall continue to be counted in the enrollment of their regular school, however, the state funding associated with these students as determined by the Secretary of Education shall be utilized by the Sarah Pyle Academy. This program shall be for the express purpose of providing educational services for students in high school who are no less than 16 years of age, who have less than five credits toward graduation, and have a documented family or personal situation that indicates traditional school enrollment is not feasible. This program shall not be a discipline program as defined or authorized by 14 Del. C. c. 16. An independent evaluation, with oversight by the Department of Education, shall be conducted at the expense of the Christina School District. A final report shall be provided to the Secretary of Education, the Director of the Office of Management and Budget, the Controller General, and the Co-Chairs of the Joint Finance Committee by June 15 of each fiscal year.

Section 365. A school district operating a tuition eligible program or school may not reallocate state units earned for the special school or program, if such reallocation requires an increase in the tuition tax rate or tuition billing amount. If a reallocation of state units earned will not require such an increase, districts may reallocate positions as necessary to ensure the most efficient delivery of services, except for those instances currently prohibited by Delaware Code.

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

Section 366. In accordance with the Salary and Personnel Performance Audit completed February 16, 2007, and the successful appeal as approved by the Office of Management and Budget and the Controller General, the Christina School District shall repay the amount of $1,190,247. These funds shall be repaid by withholding Division III Equalization funds in accordance with the following schedule:

Fiscal Year 2010	$297,562
Fiscal Year 2011	$297,561

Section 367. (a) Section 1 of this Act makes an appropriation to the Department of Education, Delaware Higher Education Commission (95-08-01) for SEED (Student Excellence Equals Degree) Scholarship. This appropriation shall be used to award scholarships to graduates of Delaware public and nonpublic high schools who meet the eligibility criteria pursuant to the provisions of 14 Del. C. c. 34 Subchapter XIV. Delaware Technical and Community College and the University of Delaware (The Institutions) have established regulations for the implementation and administration of the SEED Program. The Institutions are responsible for requesting a transfer of funds from the Department of Education based on the enrollment of students receiving the SEED Scholarship. Funds awarded under the SEED program are portable in the event that an eligible student transfers between the two eligible institutions.

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

Section 368. The Department of Education is hereby directed to maintain the Sussex County Learning Center at it current location at the Delaware Technical and Community College Owens Campus in the amount of $60.9 which includes one Resource Center Manager position.

Section 369. Beginning in Fiscal Year 2009, all school districts and charter schools shall access the data services and technical assistance of the New Castle County Data Service Center (DSC) for compliance with the provisions of 14 Del. C. § 122(11). Such access shall ensure that all financial reports remain available in the new financial system and are accessible by the Department of Education, Office of Management and Budget and Controller General's Office. Services provided by the DSC, which is owned and operated by the Colonial and Red Clay Consolidated School Districts, for compliance with this section shall be provided through a contract with the State of Delaware.

Section 370. Notwithstanding the provisions of 14 Del C. c. 13, any reference to years of experience for the purpose of determining placement on a salary schedule will equate to steps in the new state payroll system, when it becomes operational, where zero years of experience will be the equivalent of step one, one year of experience will be the equivalent of step two and so forth to align with the current salary schedules. This change in language shall not be interpreted to increase the number of levels of compensation provided on any given salary schedule.

Section 371. Amend 14 Del. C. 1705A. (b) by deleting the language "federal Title I," as it appears in this subsection.

Section 372. Amend 14 Del. C. § 1702(f) by adding the language "Mathematics Resource Teacher/Specialist," after the language "Reading Resource Teachers," as it appears therein.

Section 373. The Department of Education is authorized to study the provisions of 14 DE Administrative Code 506 Policies for Dual Enrollment and Awarding Dual Credit and make recommendations to the Office of Management and Budget and Controller General's Office on the development of a statewide policy to address the costs of said provision by December 1, 2009.

Section 374. Amend 14 Del. C. §1326(a) by adding the words "or is eligible to hold" between the language "who holds" and "a valid" in the first sentence therein.

Section 375. The Department of Education is authorized to develop a fee structure for providing copies or certification of diplomas and certificates under the provisions of 14 DE Administrative Code

505, Section 9.4. This structure, including a spending plan for revenue generated, is to be approved by the Director of the Office of Management and Budget and Controller General prior to implementation.

SYNOPSIS

This Bill is the Fiscal Year 2010 Appropriation Act.