

Executive Order Number Three - Creation of the governor's stimulus solutions group

March 13 , 2009

TO: Heads Of All State Departments And Agencies

RE: Creation Of The Governor's Stimulus Solutions Group

WHEREAS, the economies of the State of Delaware and the United States suffered extraordinary setbacks in 2008, including frozen credit markets, declining home values, substantial job losses, and continued weaknesses in the financial, manufacturing and automotive industries, and many of these challenges are expected to continue throughout 2009; and

WHEREAS, there are now more Delawareans out of work than at any time in recent history; and

WHEREAS, the State of Delaware's budget is currently estimated to reflect a deficit of \$606 million in fiscal year 2010, and that deficit may grow if Delaware's economy faces further challenges; and

WHEREAS, on February 17, 2009, President Barack Obama helped address these challenges by signing into law the American Recovery and Reinvestment Act of 2009, P.L. 111-5, which will provide approximately \$787 billion in federal supplemental appropriations and tax cuts to stimulate the economy and promote job creation; and

WHEREAS, the American Recovery and Reinvestment Act of 2009 has created substantial opportunities for the State of Delaware to leverage federal stimulus financing to promote responsible growth, job creation, infrastructure improvement, and energy efficiency; and

WHEREAS, the State of Delaware is committed to the transparent and responsible use of the federal stimulus financing, to keeping the public informed about how State agencies are employing stimulus financing to grow Delaware's economy and put Delawareans back to work, and to utilizing the internet to make federal stimulus information freely and widely available;

NOW, THEREFORE, I, JACK A. MARKELL, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby DECLARE and ORDER that:

1. The Governor's Stimulus Solutions Group is hereby established and its members are hereby charged with responsibility for advising the Governor on the efficient, expedient, transparent and responsible use of federal stimulus financing allocated to the State of Delaware and its component agencies pursuant to the American Recovery and Reinvestment Act of 2009, P.L. 111-5 (the "Act").

2. The Governor's Stimulus Solutions Group shall consist of the Lieutenant Governor, the Secretary of the Department of Transportation, the Secretary of the Department of Labor, the Secretary of the Department of Natural Resources and Environmental Control, the Secretary of Education, the Director of the Delaware Economic Development Office, the Director of the Delaware State Housing Authority, and the Director of the Office of Management and Budget, or the designees of such persons, a representative of the Office of the Governor, and such other persons from the public or private sector as the Governor may appoint and who shall serve at the pleasure of the Governor.

3. Members of the Governor's Stimulus Solutions Group shall:

(a) Advise the Governor and the Executive Branch with respect to the use of federal financing allocated pursuant to the Act and compliance with the Act by State agencies;

(b) Assist State agencies in the review of grant programs available under the Act and in developing criteria and procedures for competitive grant programs;

(c) Counsel the Governor and the Executive Branch with respect to the achievement of transparency in the use of federal financing provided by the Act and consideration of any proposed federal or state legislation affecting the State's use of financing under the Act;

(d) Assist State agencies in their efforts to reach out to Delawareans regarding the use of services, tax credits, and other programs financed by the Act;

(e) In conjunction with the Department of Technology and Information and the Government Information Center, provide support and input for the website at recovery.delaware.gov, including assistance with developing a listing of capital projects and other programs financed in whole or in part by the Act, contracts awarded for such projects and programs, the number of jobs created by those projects and programs, and any other information required by the Act;

(f) Comply at all times with the State Employees', Officers' and Officials' Code of Conduct, as set forth in Title 29, Chapter 58, of the Delaware Code, and Executive Order No. 1; and

(g) Undertake such additional tasks relating to the Act as required from time to time by the Governor.

4. The Honorable Matthew Denn, Lieutenant Governor, shall serve as Chairperson of the Governor's Stimulus Solutions Group. The Chairperson shall:

(a) Direct and coordinate the efforts of the members of the Governor's Stimulus Solutions Group;

(b) Serve as the Implementation Czar for oversight of the federal stimulus financing provided by the Act, and undertake such additional responsibilities related to that role as requested by the President of the United States, the Vice President of the United States, or the U.S. Office of Management and Budget;

(c) Appoint a member or members of the Governor's Stimulus Solutions Group to act as liaisons to the General Assembly, school districts, institutions of higher education, and county and local governments regarding federal financing under the Act;

(d) Appoint a member of the Governor's Stimulus Solutions Group to act as a liaison to Delaware's private sector, including non-profits, in the utilization and administration of federal financing under the Act, and provide appropriate assistance to the private sector, including non-profits, in Delaware with securing federal financing under the Act;

(e) In conjunction with the State of Delaware Office of Management and Budget, retain accounting, audit, consulting, legal or other professional services as appropriate in support of the mission of the Governor's Stimulus Solutions Group; and

(f) Provide on or before February 1, 2010 to the Governor and the General Assembly a report summarizing Delaware's use of the federal stimulus funds to date, accounting for amounts that have been or will be expended by State agencies pursuant to the Act, and addressing the Act's impact on Delaware's economy and job creation in Delaware.

5. All State officers and employees who serve on the Governor's Stimulus Solutions Group will make such staff and resources available from their respective organizations to the Stimulus Solutions Group as needed to achieve its goals. All State agencies shall cooperate in providing assistance to the Governor's Stimulus Solutions Group as requested by the Stimulus Solutions Group with the approval of the Governor.

6. Any State agency anticipating that it will receive or apply for federal stimulus financing pursuant to the Act shall coordinate such efforts with the Governor's Stimulus Solutions Group and, after the receipt of such financing, shall work with the Governor's Stimulus Solutions Group to ensure that such financing is responsibly expended and accounted for in a manner that is consistent with state and federal law. Nothing in this executive order shall prohibit county governments, local governments, school districts, institutions of higher education or any entity other than a State agency from seeking federal stimulus financing under the Act.

7. The Governor's Stimulus Solutions Group shall be terminated on December 31, 2010, if not reconstituted by further executive order.