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DELAWARE STATE SENATE

141st GENERAL ASSEMBLY

SENATE BILL NO. 434

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2003; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

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

1 Section 1. The several amounts named in this Act, or such part thereof as may be necessary and
2 essential to the proper conduct of the business of the agencies named herein, during the fiscal year ending
3 June 30, 2003, are hereby appropriated and authorized to be paid out of the Treasury of the State by the
4 respective departments and divisions of State Government, and other specified spending agencies, subject to
5 the limitations of this Act and to the provisions of Title 29, Part VI, Delaware Code, as amended or qualified
6 by this Act, all other provisions of the Delaware Code notwithstanding. All parts or portions of the several
7 sums appropriated by this Act which, on the last day of June 2003, shall not have been paid out of the State
8 Treasury, shall revert to the General Fund; provided, however, that no funds shall revert which are encumbered
9 pursuant to Title 29, Section 6521, Delaware Code.

10 The several amounts hereby appropriated are as follows:

SYNOPSIS

This Bill is the Fiscal Year 2003 Appropriation Act.

Joint Finance Committee

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DEPARTMENTS

Year ending June 30, 2003

(01-00-00) LEGISLATIVE

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
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(01-00-00) LEGISLATIVE

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
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7			19.0					
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16			19.0					
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19			15.0					
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34			15.0					
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48			34.0					
49								
50			79.0					

(01-08-00) Legislative Council

(01-08-01) Division of Research

Personnel Costs							1,097.4
Travel							18.3
Contractual Services							159.1
Supplies and Materials							119.7
Capital Outlay							36.0
Other Items:							
Sunset Committee Expenses							4.5
Technical Advisory Office							50.0
Printing - Laws and Journals							38.5
TOTAL -- Division of Research							1,523.5

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

Personnel Costs							1,147.6
Travel							14.4
Contractual Services							380.9
Supplies and Materials							70.0
Capital Outlay							2.0
Family Law Commission Expenses							8.3
Contingencies:							
Juvenile Detention Oversight Committee							15.0
JFC/CIP							10.0
U. of D. Senior Center Formula Update							25.0
Internship							10.0
Tricentennial Commission							50.0
Legislative Council							25.0
Legal - Neighborhood Schools							50.0
Clean Air Policy Committee							20.0
TOTAL -- Office of the Controller General							1,828.2

(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							18.1
Supplies and Materials							0.2
TOTAL -- Commission on Uniform State Laws							35.3

TOTAL -- Legislative Council

TOTAL -- LEGISLATIVE

(02-00-00) JUDICIAL

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(02-06-00) Court of Common Pleas			
1.0	3.0	125.0			122.0	6,268.0
						16.0
						200.9
						94.2
					4.0	15.5
1.0	3.0	125.0	TOTAL -- Court of Common Pleas		126.0	6,594.6
			(-10) Court of Common Pleas		126.0	6,594.6
1.0	3.0	125.0	TOTAL -- Internal Program Unit		126.0	6,594.6
			(02-08-00) Family Court			
4.0	63.0	268.0			2,675.4	13,653.4
					12.8	30.0
					217.9	487.0
					62.7	129.6
					48.0	
						19.8
4.0	63.0	268.0	TOTAL -- Family Court		3,016.8	14,319.8
			(-10) Family Court		3,016.8	14,319.8
4.0	63.0	268.0	TOTAL -- Internal Program Unit		3,016.8	14,319.8
			(02-13-00) Justices of the Peace Courts			
		245.0				11,457.7
						9.4
						1,240.3
						93.2
						131.2
						12.5
						384.3
		245.0	TOTAL -- Justices of the Peace Courts			13,328.6
			(-10) Justices of the Peace Courts			13,328.6
		245.0	TOTAL -- Internal Program Unit			13,328.6

(02-00-00) JUDICIAL

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(02-17-00) Administrative Office of the Courts - Court Services			
4.0		65.5				3,554.2
						33.3
						1,486.4
						19.6
						400.1
						220.9
						40.0
						73.3
						424.8
						1,587.8
						140.0
						275.1
						50.0
						198.9
						105.3
						50.0
					33.4	355.2
						0.0
4.0		65.5			33.4	9,014.9
			TOTAL -- Administrative Office of the Courts - Court Services			
4.0		23.0	33.4	5,423.1		
		7.0		410.2		
		31.0		2,683.0		
		4.5		498.6		
4.0		65.5	33.4	9,014.9		
			TOTAL -- Internal Program Units			

(02-00-00) JUDICIAL

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Personnel		
NSF	ASF	GF

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

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

	8.0	21.0	Personnel Costs	424.5	1,149.5
			Travel	26.0	25.4
			Contractual Services	81.1	130.3
			Supplies and Materials	7.7	22.8
			Capital Outlay	6.0	1.6
			Other Items:		
			Special Needs Fund		8.0
			Violent Crime Grants	1,700.0	
			Ivy Davis Scholarship Fund		50.0
			Revenue Refund	1.5	
	8.0	21.0	TOTAL -- Administrative Office of the Courts - Non-Judicial Services	2,246.8	1,387.6

		7.5	(-01) Office of the Public Guardian		411.3
	8.0		(-02) Violent Crimes Compensation Board	2,246.8	
		7.5	(-03) Foster Care Review Board		450.9
		1.0	(-04) Educational Surrogate Parent Program		72.3
		5.0	(-05) Office of the Child Advocate		453.1
	8.0	21.0	TOTAL -- Internal Program Units	2,246.8	1,387.6

26.3	95.0	1,064.5	TOTAL -- JUDICIAL	6,744.1	65,547.0
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(10-00-00) EXECUTIVE

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Personnel		
NSF	ASF	GF
	1.0	24.0
	1.0	24.0

(10-01-01) Office of the Governor

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

TOTAL -- Office of the Governor

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

38.0	1,755.8
0.5	14.5
140.9	162.6
0.2	22.7
	43.0
	8.7
179.6	2,007.3

(10-02-00) Office of the Budget

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Other Items:
Data Processing - Development Projects
Juvenile YRS
Budget Automation - Operations
Trans & Invest
Contingency:
One-Time Appropriations
Prior Years' Obligations
Self Insurance
Legal Fees
Evaluation Project
KIDS Count
Salary Contingency
Salary Contingency - Attorney General
Workers' Compensation Contingency
Personnel Costs - Salary Shortage
Judicial Nominating Committee
Livable Delaware
Great Beginnings
Elder Tax Relief and Education Expenses Fund
Tax Relief and Education Expenses Fund
Selective Market/Maintenance Reviews
Contingency - Judicial
Appropriated Special Funds
Budget Commission
Debt Service

TOTAL -- Office of the Budget

3.8	9.0	34.0
3.8	9.0	34.0

493.9	2,741.0
9.1	27.2
212.1	418.4
13.8	31.8
	7.0
	1,900.0
60.6	
	50.0
500.0	
	3,907.1
	450.0
	3,000.0
	3,900.0
	100.0
	100.0
1,500.0	18,121.8
	272.0
	2,450.0
	400.0
	8.0
	100.0
	21.0
	10,000.0
	17,500.0
	1,966.2
	300.0
23,000.0	
	100.0
	1,559.5
25,789.5	69,431.0

	9.0	28.0
3.8		6.0
3.8	9.0	34.0

(-01) Office of the Budget Administration
(-04) Contingencies and One-Time Items
(-06) Budget Commission
(-08) Statistical Analysis Center

TOTAL -- Internal Program Units

1,228.9	6,302.8
24,500.0	62,496.1
	100.0
60.6	532.1
25,789.5	69,431.0

(10-00-00) EXECUTIVE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(10-03-00) Delaware Economic Development Office			
			(10-03-01) Office of the Director			
		27.0				1,574.9
						23.6
					320.9	293.1
					150.0	
						16.0
						10.0
						85.2
						50.0
					1,200.0	
		27.0			1,670.9	2,052.8
			(10-03-02) Delaware Tourism Office			
	10.0				487.9	
					20.2	
					880.5	
					8.5	
					10.0	
					75.0	
					200.0	
					0.5	
					0.8	
					0.8	
					0.8	
					250.0	
					35.0	
					5.0	
					45.0	
	10.0				2,020.0	
			(10-03-03) Delaware Economic Development Authority			
	4.0	15.0			233.0	1,088.0
					20.0	39.4
					634.0	
					10.0	14.9
					1.5	
					30.0	10.0
					125.0	
					350.0	
					300.0	
						15.0
						250.0
						115.0
						50.0
						2,111.9
	4.0	15.0			1,703.5	3,694.2
			TOTAL -- Delaware Economic Development Office			
	14.0	42.0			5,394.4	5,747.0

(10-00-00) EXECUTIVE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(10-04-00) Office of State Personnel			
15.2	85.5	55.3			4,091.2	2,383.2
					42.1	19.4
					3,957.1	1,002.2
					103.5	16.6
					91.8	7.3
						150.0
						20.0
					113.5	
						337.7
						13.6
					140.0	
					16,147.2	
						433.8
						88.0
						39.0
					500.0	
					5.0	
					560.0	17.0
						0.0
15.2	85.5	55.3	TOTAL -- Office of State Personnel		25,751.4	4,527.8
15.2	21.5	51.3	(-02) Operations	1,510.4	2,752.8	
	4.0	4.0	(-04) Staff Development and Training	575.8	523.6	
	5.0		(-05) Insurance Coverage Office	16,207.4	778.6	
	55.0		(-06) Pensions	7,457.8	472.8	
15.2	85.5	55.3	TOTAL -- Internal Program Units		25,751.4	4,527.8
			(10-05-00) Delaware Health Care Commission			
		3.0				221.1
						21.1
						89.5
						6.5
						3.5
	1.0		Personnel Costs		57.1	
			Pilot Projects		1,385.0	
			Other Items:			
			Educational Programs			5.0
			Program Evaluation			15.1
			DIMER Operations			1,965.0
			DIDER Operations			248.0
	1.0	3.0	TOTAL -- Delaware Health Care Commission		1,442.1	2,574.8
	1.0	3.0	(-01) Delaware Health Care Commission	1,442.1	361.8	
			(-02) Delaware Institute of Medical Education and Research		1,965.0	
			(-03) Delaware Institute of Dental Education and Research		248.0	
	1.0	3.0	TOTAL -- Internal Program Units		1,442.1	2,574.8

(10-00-00) EXECUTIVE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(10-07-00) Criminal Justice			
			(10-07-01) Criminal Justice Council			
14.2		12.8				718.8
						1.3
						28.9
						3.8
						12.4
					134.6	25.8
						11.0
						117.2
14.2		12.8			134.6	919.2
			(10-07-02) Delaware Justice Information System			
		10.0				623.4
						3.8
						357.5
						14.9
		10.0				999.6
14.2		22.8			134.6	1,918.8
			(10-08-00) Delaware State Housing Authority			
			(10-08-01) Delaware State Housing Authority			
6.0	50.0				2,599.1	
					116.2	
					965.2	
					61.3	
					181.3	
					40.0	
					100.0	
					145.0	
					755.0	
					28,800.0	3,406.0
					727.9	
					1,665.0	
						400.9
6.0	50.0				36,156.0	3,806.9

(10-00-00) EXECUTIVE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(10-09-00) Office of Information Services			
	15.0	170.0			790.6	10,547.0
					114.7	73.9
					16,665.0	3,099.7
					2,151.5	10,302.3
						223.2
					102.0	364.3
					138.6	10.3
					250.0	
	15.0	170.0	TOTAL --Office of Information Services		20,212.4	24,620.7
	2.0	12.0	(-01) Administration	367.7	1,930.4	
	4.0	44.0	(-10) Application Technology	4,928.9	3,808.2	
	2.5	25.5	(-20) Base Technology	870.9	1,606.6	
	2.0	19.0	(-30) Telecommunication Technology	11,054.8	1,940.2	
	4.5	41.5	(-40) Operations	2,690.0	13,549.4	
		1.0	(-50) Organizational Effectiveness	15.5	52.7	
		2.0	(-60) Architect	145.4	169.3	
		1.0	(-70) Customer Assurance	6.1	84.3	
		15.0	(-80) Customer Services	133.1	734.6	
		9.0	(-90) Consultancy		745.0	
	15.0	170.0	TOTAL -- Internal Program Units	20,212.4	24,620.7	
39.2	175.5	351.1	TOTAL -- EXECUTIVE		115,060.0	114,634.3

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

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Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(11-01-00) Chief Information Officer				
		4.0	Personnel Costs				452.0
			Contractual Services				250.0
		4.0	TOTAL -- Chief Information Officer				702.0
		4.0	(-01) Administration		702.0		
		4.0	TOTAL -- Internal Program Units		702.0		
			(11-02-00) Technology Office				
		17.0	Personnel Costs				1,941.6
			Rental			1,550.0	
		17.0	TOTAL -- Technology Office			1,550.0	1,941.6
		17.0	(-01) Office of the Chief Technology Officer		1,941.6		
			(-02) Application Delivery				
			(-03) System Engineering				
			(-04) Telecommunications	1,550.0			
		17.0	TOTAL -- Internal Program Units	1,550.0	1,941.6		
			(11-03-00) Operations Office				
		1.0	Personnel Costs				129.6
		1.0	TOTAL -- Operations Office				129.6
		1.0	(-01) Office of the Chief Operating Officer		129.6		
			(-02) Business Office				
			(-03) External Operations & Enabling				
			(-04) Data Center & Operations				
		1.0	TOTAL -- Internal Program Units		129.6		
			(11-04-00) Project Management Office - Major Projects				
		1.0	Personnel Costs				129.6
		1.0	TOTAL -- Project Management Office - Major Projects				129.6
		1.0	(-01) Director of Major Projects		129.6		
			(-02) Senior Project Team				
			(-03) Change Management Team				
		1.0	TOTAL -- Internal Program Unit		129.6		
		23.0	TOTAL -- DEPARTMENT OF TECHNOLOGY AND INFORMATION			1,550.0	2,902.8

(12-00-00) OTHER ELECTIVE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(12-01-01) Lieutenant Governor			
		6.0				386.1
						6.3
						22.8
						2.8
						7.7
		6.0				425.7
			(12-02-01) Auditor of Accounts			
	10.0	39.0			424.1	2,293.0
					6.2	20.4
					328.9	371.2
					10.4	12.9
					5.4	29.9
	10.0	39.0			775.0	2,727.4
			(12-03-00) Insurance Commissioner			
			(12-03-01) Regulatory Activities			
	25.0				1,392.0	
					33.6	
					226.2	
					6.3	
					21.5	
					10.0	
	25.0				1,689.6	
			(12-03-02) Bureau of Examination, Rehabilitation and Guaranty			
	2.0	52.0			2,351.2	
					106.5	
					745.5	
					42.0	
					382.4	
					30.0	
					12,750.0	
	2.0	52.0			16,407.6	
	2.0	77.0			18,097.2	

(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			
	8.0	14.0			459.8	824.3
					20.2	6.6
					130.1	113.7
					9.4	19.2
					25.5	
					2,365.0	
					50.0	
					70.0	
	8.0	14.0			3,130.0	963.8
			(12-05-03) Debt Management			
						358.9
						2.5
						2,740.4
						17,588.2
						85.6
						3,389.1
						85.0
						24,249.7
	8.0	14.0			3,130.0	25,213.5
2.0	95.0	59.0	TOTAL -- OTHER ELECTIVE		22,002.2	28,366.6

(15-00-00) LEGAL

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(15-01-01) Office of Attorney General			
39.4	45.9	267.8			687.3	15,886.1
					0.1	13.7
					0.1	2,038.0
						41.3
					0.3	61.4
					75.1	22.0
	2.0				135.2	
						40.0
					179.0	273.8
					30.6	
					618.8	
					15.0	
					1,646.2	
					1,061.7	
39.4	47.9	267.8			4,449.4	18,376.3
			TOTAL -- Office of Attorney General			
			(15-02-01) Public Defender			
6.0	1.0	127.0			49.2	8,963.4
						1.7
						617.2
						7.4
						64.3
						3.8
6.0	1.0	127.0			49.2	9,657.8
			TOTAL -- Public Defender			
			(15-03-01) Board of Parole			
		7.0				333.3
						12.2
						22.7
						3.3
		7.0				371.5
			TOTAL -- Board of Parole			
45.4	48.9	401.8	TOTAL -- LEGAL		4,498.6	28,405.6

(20-00-00) DEPARTMENT OF STATE

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Personnel		
NSF	ASF	GF
	8.0	27.0
	8.0	27.0

(20-01-00) Office of the Secretary

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			442.6	1,259.9
Travel			35.7	38.2
Contractual Services			795.0	229.3
Energy				56.1
Supplies and Materials			105.1	109.1
Capital Outlay			164.4	
Debt Service				307.3
TOTAL -- Office of the Secretary			1,542.8	1,999.9

	8.0	5.0
		5.0
		10.0
		7.0
	8.0	27.0

(-01) Administration	1,431.8	540.3
(-02) Delaware Commission on Veterans Affairs		395.0
(-03) Delaware Veterans Memorial Cemetery	90.0	669.2
(-04) Veterans Cemetery Georgetown	21.0	395.4
TOTAL -- Internal Program Units	1,542.8	1,999.9

(20-02-00) Office of Human Relations

1.0		9.0
1.0		9.0

Personnel Costs		420.7
Travel		9.2
Contractual Services		24.9
Supplies and Materials		2.5
Other Items:		
Human Relations Annual Conference		10.0
TOTAL -- Office of Human Relations		457.3

1.0		9.0
1.0		9.0

(-01) Office of Human Relations	10.0	457.3
TOTAL -- Internal Program Unit	10.0	457.3

(20-03-00) Delaware Public Archives

	7.0	34.0
	7.0	34.0

Personnel Costs	289.8	1,460.2
Travel	5.0	1.8
Contractual Services	35.0	196.9
Supplies and Materials	15.0	93.0
Capital Outlay	15.0	30.1
Other Items		
Document Conservation Fund		20.0
Historical Marker Maintenance		25.0
Debt Service		1,104.0
TOTAL -- Delaware Public Archives	359.8	2,931.0

	7.0	34.0
	7.0	34.0

(-01) Delaware Public Archives	359.8	2,931.0
TOTAL -- Internal Program Unit	359.8	2,931.0

(20-00-00) DEPARTMENT OF STATE

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Personnel		
NSF	ASF	GF
	93.0	
	93.0	

(20-05-00) Corporations

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

TOTAL -- Corporations

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		4,575.8	
		30.1	
		1,702.0	
		134.1	
		919.7	
		165.0	
		2,500.0	
		10,026.7	

	93.0	
	93.0	

(-01) Corporations
TOTAL -- Internal Program Unit

10,026.7	
10,026.7	

(20-06-00) Historical and Cultural Affairs

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

TOTAL -- Historical and Cultural Affairs

6.9	1.5	45.6
6.9	1.5	45.6

78.5	2,104.8
	6.3
	235.7
	211.5
	69.8
	15.3
	15.0
	72.0
20.1	30.0
	15.0
	37.0
78.7	
4.0	
13.0	
64.1	
1.5	
3.0	
10.0	
9.5	
19.6	
	249.2
302.0	3,061.6

	1.0	10.0
6.4		5.6
0.5	0.5	30.0
6.9	1.5	45.6

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

149.1	651.6
	291.0
152.9	2,119.0
302.0	3,061.6

(20-00-00) DEPARTMENT OF STATE

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Personnel		
NSF	ASF	GF
3.0		6.0
3.0		6.0

(20-07-00) Arts
 Personnel Costs
 Travel
 Contractual Services
 Supplies and Materials
 Other Items:
 Delaware Art
 Art for the Disadvantaged
TOTAL -- Arts

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
			338.0
			2.4
			70.0
			3.0
			1,225.5
			10.0
			1,648.9

3.0		6.0
3.0		6.0

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

	1,648.9
	1,648.9

9.0		13.0
9.0		13.0

(20-08-00) Libraries
 Personnel Costs
 Travel
 Contractual Services
 Energy
 Supplies and Materials
 Capital Outlay
 Other Items:
 Library Standards
 Delaware Electronic Library
 DELNET- Statewide
 Public Education Project
 Debt Service
TOTAL -- Libraries

	600.1
	4.0
	153.7
	8.7
	21.6
	7.0
	2,569.5
	387.4
	100.0
	15.0
	669.0
	4,536.0

9.0		13.0
9.0		13.0

(-01) Libraries
TOTAL -- Internal Program Unit

	4,536.0
	4,536.0

	36.0	
	36.0	

(20-15-00) State Banking Commission
 Personnel Costs
 Travel
 Contractual Services
 Supplies and Materials
 Capital Outlay
 Other Items:
 Revenue Refund
TOTAL -- State Banking Commission

2,190.2	
72.4	
347.5	
26.1	
67.5	
100.1	
2,803.8	

	36.0	
	36.0	

(-01) State Banking Commission
TOTAL -- Internal Program Unit

2,803.8	
2,803.8	

19.9	145.5	134.6
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TOTAL -- DEPARTMENT OF STATE

15,045.1	14,634.7
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(25-00-00) DEPARTMENT OF FINANCE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(25-01-00) Office of the Secretary			
		19.0				1,436.4
						16.9
						184.0
						16.7
						1.5
					750.0	
					1,845.0	
		19.0	TOTAL -- Office of the Secretary		2,595.0	1,655.5
		19.0	(-01) Office of the Secretary		2,595.0	1,655.5
		19.0	TOTAL -- Internal Program Unit		2,595.0	1,655.5
			(25-05-00) Accounting			
		37.0				2,248.1
						26.6
						432.3
						42.7
						62.1
						5.0
		37.0	TOTAL -- Accounting			2,816.8
		37.0	(-01) Accounting			2,816.8
		37.0	TOTAL -- Internal Program Unit			2,816.8
			(25-06-00) Revenue			
		213.0				9,641.0
						47.4
						1,522.2
						4.7
						129.9
						80.5
					195.0	
					1,070.5	
		213.0	TOTAL -- Revenue		1,265.5	11,425.7
		213.0	(-01) Revenue		1,265.5	11,425.7
		213.0	TOTAL -- Internal Program Unit		1,265.5	11,425.7

(25-00-00) DEPARTMENT OF FINANCE

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5				(25-07-00) State Lottery Office				
6		30.0		Personnel Costs			1,661.9	
7				Travel			50.0	
8				Contractual Services			41,372.2	
9				Supplies and Materials			47.9	
10				Capital Outlay			217.0	
11		30.0		TOTAL -- State Lottery Office			43,349.0	
12								
13		30.0		(-01) State Lottery Office	43,349.0			
14		30.0		TOTAL -- Internal Program Unit	43,349.0			
15								
16		30.0	269.0	TOTAL -- DEPARTMENT OF FINANCE			47,209.5	15,898.0

(30-00-00) DEPARTMENT OF ADMINISTRATIVE SERVICES

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Personnel		
NSF	ASF	GF

5.0	3.0	31.0
5.0	3.0	31.0

	3.0	23.0
5.0		1.0
		2.0
		4.0
		1.0
5.0	3.0	31.0

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

(30-01-00) Administration

Personnel Costs		196.6	1,727.8
Travel		2.6	21.4
Contractual Services		12.5	192.9
Supplies and Materials		6.0	31.8
Capital Outlay		21.2	3.8
Other Items:			
Payment in Lieu of Taxes			65.0
Debt Service			1.0
TOTAL -- Administration		238.9	2,043.7

(-10) Administration	238.9	1,339.9
(-20) Office of Disability Affairs		91.7
(-30) Public Integrity Commission		164.4
(-40) Public Employment Relations Board		319.9
(-50) Merit Employee Relations Board		127.8
TOTAL -- Internal Program Units	238.9	2,043.7

(30-03-00) Regulation and Licensing

	58.0	
	58.0	

Personnel Costs		3,280.5
Travel		110.9
Contractual Services		2,487.6
Supplies and Materials		66.9
Capital Outlay		215.4
Other Items:		
Real Estate Guaranty Fund		10.0
Examination Costs		54.5
Motor Vehicle Franchise Fund		15.0
TOTAL -- Regulation and Licensing		6,240.8

	23.0	
	31.0	
	4.0	
	58.0	

(-20) Professional Regulation	2,185.7	
(-30) Public Service Commission	3,512.3	
(-50) Public Advocate	542.8	
TOTAL -- Internal Program Units	6,240.8	

(30-00-00) DEPARTMENT OF ADMINISTRATIVE SERVICES

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Personnel		
NSF	ASF	GF

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

2.0	59.0	33.5
2.0	59.0	33.5

(30-04-00) Support Services

Personnel Costs		2,319.3	1,413.9
Travel		26.5	11.0
Contractual Services		3,929.6	366.7
Energy		15.7	22.3
Supplies and Materials		1,820.2	28.8
Capital Outlay		4,512.3	10.6
Other Items:			
Food Processing		613.8	
TOTAL -- Support Services		13,237.4	1,853.3

		9.0
	18.0	
	32.0	
		5.5
		15.0
	5.0	
2.0	4.0	4.0
2.0	59.0	33.5

(-10) Mail/Courier Services	1,949.3	395.3
(-30) Printing and Publishing	2,231.5	
(-40) Fleet Management	7,797.8	
(-50) Service and Information Guide	72.7	460.9
(-60) Contracting	100.0	774.6
(-70) Delaware Surplus Services	285.7	
(-80) Food Distribution	800.4	222.5
TOTAL -- Internal Program Units	13,237.4	1,853.3

(30-05-00) Facilities Management

2.6	3.0	92.4
2.6	3.0	92.4

Personnel Costs		130.4	4,188.9
Travel		24.9	
Contractual Services		184.8	7,942.6
Energy			4,617.2
Supplies and Materials		221.1	1,511.4
Capital Outlay		121.4	
Debt Service			17,421.1
TOTAL -- Facilities Management		682.6	35,681.2

2.6	3.0	92.4
2.6	3.0	92.4

(-10) Facilities Management	682.6	35,681.2
TOTAL -- Internal Program Unit	682.6	35,681.2

TOTAL -- DEPARTMENT OF ADMINISTRATIVE SERVICES

9.6	123.0	156.9
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20,399.7	39,578.2
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(35-00-00) DEPARTMENT OF HEALTH AND SOCIAL SERVICES

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

(35-01-00) Administration

51.9	35.1	435.1
51.9	35.1	435.1

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Other Items:
 Revenue Management
 Program Integrity
 Nurse Recruitment
 EBT
 Operations
Debt Service

1,239.1	17,312.5
12.7	4.6
1,141.8	3,899.2
	130.9
104.5	803.4
215.0	21.2
269.2	
232.8	
	20.0
	138.7
517.9	
	2,504.6
3,733.0	24,835.1

TOTAL -- Administration

	1.0	8.0
51.9	33.1	137.6
	1.0	289.5
51.9	35.1	435.1

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

130.8	602.2
2,681.2	10,233.1
921.0	13,999.8
3,733.0	24,835.1

(35-04-00) Medical Examiner

		34.0
	1.0	
	1.0	34.0

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Other Items:
 Urinalysis
Debt Service

	2,243.9
	12.1
	252.6
	79.6
	423.2
	38.6
46.4	
	84.3
46.4	3,134.3

TOTAL -- Medical Examiner

	1.0	34.0
	1.0	34.0

(-01) Medical Examiner
TOTAL -- Internal Program Unit

46.4	3,134.3
46.4	3,134.3

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

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Personnel		
NSF	ASF	GF
222.7	51.8	1,261.7
222.7	51.8	1,261.7

(35-05-00) Public Health

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			41.8	52,909.0
Travel				19.9
Contractual Services			500.0	7,620.3
Energy				1,258.9
Supplies and Materials				3,731.2
Capital Outlay				119.1
Tobacco Fund:				
Personnel Costs			169.0	
Contractual Services			5,045.5	
Supplies and Materials			0.5	
Capital Outlay			91.0	
Disease Cost Containment			500.0	
New Nurse Development			750.0	
Other Items:				
Long-Term Care Prospective Payment			114.0	
Rodent Control				50.0
Tuberculosis			65.0	
Sexually Transmitted Diseases			105.0	
Child Development Watch			550.0	
Preschool Diagnosis and Treatment			100.0	78.0
Home Visits			150.0	
Immunizations				256.5
School Based Health Centers			65.0	4,651.8
Hepatitis B				40.0
AIDS				128.2
Rabies Control				64.6
Office of Narcotics & Dangerous Drugs				40.0
Child Health			850.0	
Vanity Birth Certificates			14.7	
Public Water			60.0	
Medicaid Enhancements			205.0	
Infant Mortality			150.0	
Medicaid AIDS Waiver			1,100.0	
Children with Special Needs			50.0	
Family Planning			325.0	
Newborn			725.0	
Indirect Costs			206.4	
Food Inspection			21.0	
Food Permits			400.0	
Medicaid Contractors/Lab Testing & Analysis			100.0	
Water Operator Certification			8.0	
IV Therapy			559.0	
Health Statistics			600.0	
Debt Service				65.2
TOTAL -- Public Health			13,620.9	71,032.7

3.0	7.0	50.0
217.7	44.8	321.1
2.0		9.0
		574.6
		171.0
		136.0
222.7	51.8	1,261.7

(-10) Director's Office/Support Services	799.7	3,147.3
(-20) Community Health	12,006.8	25,322.8
(-30) Emergency Medical Services	141.4	1,287.8
(-40) Delaware Hospital for the Chronically Ill	528.6	27,053.5
(-50) Emily Bissell	144.4	8,066.5
(-60) Governor Bacon		6,154.8
TOTAL -- Internal Program Units	13,620.9	71,032.7

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

19.8	8.0	796.4
19.8	8.0	796.4

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Tobacco Fund:
 Contractual Services
 Heroin Residential Program
Other Items:
 SENTAC Treatment Initiatives
 Sheltered Workshop
 Patient Payment
 Debt Service
TOTAL -- Substance Abuse and Mental Health

	364.9	35,800.2
		20.8
	1,438.3	27,650.1
		816.8
	100.6	4,389.2
	9.0	184.0
	200.0	
	500.0	
		1,564.6
		9.9
		28.2
		878.3
	2,612.8	71,342.1

16.0		22.0
1.0		137.0
0.8	1.0	601.4
2.0	7.0	36.0
19.8	8.0	796.4

(-10) Administration
(-20) Community Mental Health
(-30) Delaware Psychiatric Center
(-40) Substance Abuse
TOTAL -- Internal Program Units

60.0	1,573.3
1,100.0	24,358.9
168.0	35,018.5
1,284.8	10,391.4
2,612.8	71,342.1

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

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Personnel		
NSF	ASF	GF
317.3	2.0	285.7
317.3	2.0	285.7

(35-07-00) Social Services

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Tobacco Fund:
Prescription Drug Program
Former SSI Beneficiaries
Medicaid Non-State
Other Items:
Cost Recovery
Early Intervention
General Assistance
TANF Cash Assistance
SSI Supplement
Child Care
Emergency Assistance
Employment and Training
Medicaid - State
Medicaid - Non-State
Delaware Healthy Children Program
Delaware Healthy Children Program Premiums
Delaware Healthy Children Program - DSCYF
Legal Non-Citizen Health Care
Renal
TOTAL -- Social Services

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
			12,650.4
			9.1
			6,351.5
			53.0
			103.9
			82.9
		7,212.7	
		1,485.0	
		988.7	
		150.2	
		231.1	2,168.8
			2,581.1
		500.0	2,282.4
			1,041.3
			23,718.3
			798.9
			2,499.8
			27,610.0
		16,400.0	288,910.0
			1,753.1
		500.0	
		585.2	
			320.0
			1,450.0
		28,052.9	374,384.5

317.3	2.0	285.7
317.3	2.0	285.7

(-01) Social Services

28,052.9	374,384.5
28,052.9	374,384.5

TOTAL -- Internal Program Unit

NSF

TOTAL -- Temporary Assistance to Needy Families and Their Children (TANF) NSF appropriation

32,291.0

(35-08-00) Visually Impaired

27.4	3.0	40.6
27.4	3.0	40.6

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Other Items:
BEP Unassigned Vending
BEP Independence
BEP Vending
TOTAL -- Visually Impaired

104.0	1,975.9
	3.1
1.5	456.1
	66.2
	78.2
4.0	39.1
175.0	
450.0	
425.0	
1,159.5	2,618.6

27.4	3.0	40.6
27.4	3.0	40.6

(-01) Visually Impaired Services

1,159.5	2,618.6
1,159.5	2,618.6

TOTAL -- Internal Program Unit

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

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(35-09-00) Long Term Care Residents Protection			
22.4		49.6	Personnel Costs			2,183.7
			Travel			12.3
			Contractual Services			659.4
			Energy			7.8
			Supplies and Materials			15.8
			Capital Outlay			20.3
22.4		49.6	TOTAL -- Long Term Care Residents Protection			2,899.3
22.4		49.6	(-01) Long Term Care Residents Protection			2,899.3
22.4		49.6	TOTAL -- Internal Program Unit			2,899.3
			(35-10-00) Child Support Enforcement			
144.5	27.2	47.3	Personnel Costs		1,094.9	1,953.4
			Travel		5.7	3.9
			Contractual Services		401.5	390.5
			Energy		20.0	9.3
			Supplies and Materials		23.0	9.8
			Capital Outlay		27.9	2.1
			Other Items:			
			Recoupment		25.0	
144.5	27.2	47.3	TOTAL -- Child Support Enforcement		1,598.0	2,369.0
144.5	27.2	47.3	(-01) Child Support Enforcement		1,598.0	2,369.0
144.5	27.2	47.3	TOTAL -- Internal Program Unit		1,598.0	2,369.0
			(35-11-00) Developmental Disabilities Services			
3.0	1.0	735.8	Personnel Costs		24.8	30,484.8
			Travel			22.6
			Contractual Services		1,060.0	4,231.1
			Energy			516.1
			Supplies and Materials			1,309.4
			Capital Outlay			146.6
			Other Items:			
			Facility Repairs & Maintenance			30.0
			Music Stipends			9.6
			Assisted Living		40.0	
			Purchase of Care		1,108.0	18,619.2
			Purchase of Community Services			5,972.5
			Stockley Transition Plan			526.2
			Debt Service			26.6
3.0	1.0	735.8	TOTAL -- Developmental Disabilities Services		2,232.8	61,894.7
3.0	1.0	61.0	(-10) Administration		24.8	3,185.0
		517.0	(-20) Stockley Center		40.0	25,254.0
		157.8	(-30) Community Services		2,168.0	33,455.7
3.0	1.0	735.8	TOTAL -- Internal Program Units		2,232.8	61,894.7

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

(35-12-00) State Service Centers

28.5		102.1
28.5		102.1

Personnel Costs		4,266.1
Travel	7.8	6.1
Contractual Services	419.7	1,607.5
Energy	54.2	543.3
Supplies and Materials	64.1	58.3
Capital Outlay	39.8	17.3
Other Items:		
Family Support		370.4
Kent County RSVP		29.4
Community Food Program		125.5
Emergency Assistance		1,583.1
Kinship Care		50.0
Hispanic Affairs		50.0
Debt Service		308.9
TOTAL -- State Service Centers	585.6	9,015.9

10.8		64.4
11.5		2.0
6.2		17.2
28.5		102.1

(-10) Family Support		3,313.1
(-20) Service Center Management	585.6	1,944.9
(-30) Community Services		1,973.3
(-40) Volunteer Services		1,784.6
TOTAL -- Internal Program Units	585.6	9,015.9

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

51.9		62.3
51.9		62.3

Personnel Costs		2,918.0
Travel		5.0
Contractual Services		4,908.5
Energy		12.4
Supplies and Materials		47.0
Capital Outlay		5.8
Other Items:		
Community Services	261.0	3.0
Nutrition Program		589.9
Long Term Care		249.1
Assisted Living		351.2
TOTAL -- Services for Aging and Adults with Physical Disabilities	261.0	9,089.9

51.9		62.3
51.9		62.3

(-01) Services for Aging and Adults with Physical Disabilities	261.0	9,089.9
TOTAL -- Internal Program Unit	261.0	9,089.9

889.4	129.1	3,850.6
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TOTAL -- DEPARTMENT OF HEALTH AND SOCIAL SERVICES

53,902.9	632,616.1
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**(37-00-00) DEPARTMENT OF SERVICES FOR CHILDREN,
YOUTH AND THEIR FAMILIES**

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Personnel		
NSF	ASF	GF
28.6	31.5	114.2
28.6	31.5	114.2

(37-01-00) Management Support Services

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Other Items:
 MIS Development
 Agency Operations
 Services Integration
 Maintenance and Restoration
Debt Service

TOTAL -- Management Support Services

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

1,460.7	6,751.4
19.7	14.1
1,016.0	844.5
64.9	92.5
27.0	39.6
	362.3
187.0	
102.1	
100.0	70.6
	296.3
2,977.4	8,471.3

4.0	5.0	19.0
	2.0	2.0
10.3	8.5	20.7
2.0	3.0	10.0
	2.0	13.0
	6.0	42.5
12.3	5.0	7.0
28.6	31.5	114.2

(-10) Office of the Secretary
(-15) Office of the Director
(-20) Fiscal Services
(-25) Planning and Evaluation
(-30) Human Resources
(-40) Education Services
(-50) Management Information Systems

TOTAL -- Internal Program Units

352.8	1,388.8
749.5	585.6
410.1	1,083.0
308.5	549.0
131.7	838.7
432.3	3,041.3
592.5	984.9
2,977.4	8,471.3

(37-04-00) Child Mental Health Services

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Other Items
 Drug Court
 MIS Maintenance

TOTAL -- Child Mental Health Services

8.0	22.0	186.6
8.0	22.0	186.6

1,202.8	10,107.3
8.4	21.9
10,077.3	10,352.9
	194.2
41.6	278.1
37.0	9.7
	426.5
16.0	
11,383.1	21,390.6

8.0	22.0	78.1
		39.5
		69.0
8.0	22.0	186.6

(-10) Managed Care Organization
(-30) Periodic Treatment
(-40) 24 Hour Treatment

TOTAL -- Internal Program Units

1,586.5	5,262.6
3,683.8	6,864.4
6,112.8	9,263.6
11,383.1	21,390.6

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

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Personnel		
NSF	ASF	GF
15.0	21.0	362.1
15.0	21.0	362.1

(37-05-00) Youth Rehabilitative Services

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

TOTAL -- Youth Rehabilitative Services

\$ Program	
ASF	GF
1.1	635.3
2,204.0	17,536.2
1,318.5	16,434.9
3,523.6	34,606.4

\$ Line Item	
ASF	GF
1,030.6	16,916.3
10.5	36.8
2,398.5	14,727.1
	485.0
84.0	802.2
	24.4
	1,614.6
3,523.6	34,606.4

6.0		10.1
9.0	6.0	88.5
	15.0	263.5
15.0	21.0	362.1

(-10) Office of the Director
(-30) Community Services
(-50) Secure Care

TOTAL -- Internal Program Units

1.1	635.3
2,204.0	17,536.2
1,318.5	16,434.9
3,523.6	34,606.4

(37-06-00) Family Services

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Child Welfare/Contractual Services
Pass Throughs
Other Items:
 Emergency Material Assistance
 DFS Decentralization

TOTAL -- Family Services

112.9	29.5	308.0
112.9	29.5	308.0

1,510.2	15,173.3
26.1	17.2
2,643.8	1,828.6
	7.7
26.5	82.2
6.0	29.3
	10,627.8
	894.4
	31.0
313.3	
4,525.9	28,691.5

24.9	0.5	59.6
78.0	5.0	18.0
1.0	12.0	97.4
9.0	12.0	133.0
112.9	29.5	308.0

(-10) Office of the Director
(-20) Prevention/Early Intervention
(-30) Intake/Investigation
(-40) Intervention/Treatment

TOTAL -- Internal Program Units

985.9	4,562.0
392.1	1,890.3
780.2	5,295.5
2,367.7	16,943.7
4,525.9	28,691.5

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

164.5	104.0	970.9
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22,410.0	93,159.8
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(38-00-00) DEPARTMENT OF CORRECTION

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Personnel		
NSF	ASF	GF
		274.0
		274.0

(38-01-00) Administration

Personnel Costs
 Travel
 Contractual Services
 Energy
 Supplies and Materials
 Capital Outlay
 Other Items:
 Medical Services
 AIDS Education and Counseling
 Drug and Alcohol Treatment Services
 Contingency - Shakedowns
 Maintenance/Restoration
 MIS
 Warehouse
 Debt Service

TOTAL -- Administration

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
			12,610.7
			21.8
		25.0	1,825.3
			64.9
			6,787.8
			75.7
			21,226.5
			80.0
			3,909.4
			15.4
			2,338.2
			1,551.1
			96.0
			198.0
		25.0	50,800.8

		16.0
		50.0
		48.0
		81.0
		79.0
		274.0

(-01) Office of the Commissioner
 (-02) Human Resources/Employee
 Development Center
 (-10) Management Services
 (-20) Food Services
 (-30) Medical/Treatment Services
 (-31) Drug and Alcohol Treatment
 Services
 (-40) Facilities Maintenance
TOTAL -- Internal Program Units

25.0	1,002.9
	2,583.1
	4,869.4
	9,948.9
	21,306.5
	3,909.4
	7,180.6
25.0	50,800.8

(38-00-00) DEPARTMENT OF CORRECTION

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(38-04-00) Prisons			
	15.0	1,760.6			861.0	77,684.7
					9.0	21.2
					948.4	2,933.5
					10.2	4,486.9
					1,422.2	3,488.0
					177.0	
						19.0
						67.3
						53.0
						23.0
						14,244.1
	15.0	1,760.6			3,427.8	103,020.7
			TOTAL -- Prisons			
		10.0		1,028.2		
	2.0	26.0	82.5	1,486.3		
		747.0	1.0	46,546.9		
		406.0		21,327.3		
	1.0	98.0	40.2	5,657.6		
		382.0		20,224.6		
		53.0		4,349.9		
	7.0	16.0	1,644.7	760.5		
	5.0	6.0	1,658.4	258.5		
		16.6	1.0	1,380.9		
	15.0	1,760.6	3,427.8	103,020.7		
			TOTAL -- Internal Program Units			
			(38-06-00) Community Corrections			
1.0	4.0	586.0			163.0	27,398.4
						51.7
					280.0	3,199.8
						292.8
					25.0	674.2
						26.4
						1,156.6
1.0	4.0	586.0			468.0	32,799.9
			TOTAL -- Community Corrections			
		17.0		1,521.6		
1.0		321.0	250.0	17,314.2		
		39.0		2,351.9		
	2.0	44.0	82.5	2,731.7		
		32.0	50.0	1,919.5		
		43.0	4.0	2,214.4		
		42.0		2,467.5		
	2.0	48.0	81.5	2,279.1		
1.0	4.0	586.0	468.0	32,799.9		
			TOTAL -- Internal Program Units			
			TOTAL -- DEPARTMENT OF CORRECTION			
1.0	19.0	2,620.6	3,920.8	186,621.4		

(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								
	1.0	21.3	33.7	Personnel Costs			1,007.1	2,303.7
				Travel			15.9	13.2
				Contractual Services			291.8	60.9
				Energy			35.0	258.4
				Supplies and Materials			67.8	43.2
				Capital Outlay			7.2	
				Other Items:				
				MCI/Equipment				280.0
				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	1,216.1
				Wholebasin Management-Admin.				1.5
				E-Government			500.0	
				Debt Service				529.5
	1.0	21.3	33.7	TOTAL -- Office of the Secretary			2,434.5	4,706.5
		19.3	29.7	(-01) Office of the Secretary	2,340.8	4,430.8		
	1.0	2.0	4.0	(-02) Business and Permitting Services	93.7	275.7		
	1.0	21.3	33.7	TOTAL -- Internal Program Units	2,434.5	4,706.5		
(40-05-00) Fish and Wildlife								
	29.2	32.8	65.0	Personnel Costs			1,263.2	3,771.3
				Travel			17.0	12.3
				Contractual Services			705.7	1,289.3
				Energy			1.5	93.3
				Supplies and Materials			383.3	202.0
				Capital Outlay			1,624.0	
				Other Items:				
				Spraying and Insecticides				389.9
				Wildlife Damage Control			65.0	
				Non-Game Habitat			50.0	
				Natural Heritage Program			219.0	197.0
				Clean Vessel Program			32.4	
				Duck Stamp			180.0	
				Trout Stamp			50.0	
				Finfish Development			130.0	
				Fisheries Restoration			610.0	
				Northern Delaware Wetlands			277.5	
				Revenue Refund			15.0	
				Debt Service				82.6
	29.2	32.8	65.0	TOTAL -- Fish and Wildlife			5,623.6	6,037.7
		1.0	2.5	(-01) Management and Support - Fish and Wildlife	125.2	257.7		
	25.6	28.9	17.5	(-02) Wildlife/Fisheries	4,291.0	1,544.7		
			18.0	(-04) Mosquito Control	329.6	1,621.9		
				(-05) Dog Control	169.5	836.9		
	3.6	2.9	27.0	(-06) Fish and Wildlife Enforcement	708.3	1,776.5		
	29.2	32.8	65.0	TOTAL -- Internal Program Units	5,623.6	6,037.7		

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

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(40-06-00) Parks and Recreation			
1.0	62.5	105.5			4,276.2	5,290.8
					30.8	5.2
					1,494.3	810.9
					37.9	413.4
					808.1	268.4
					246.1	
						92.3
					440.0	
					540.0	
					706.5	
						1,993.0
1.0	62.5	105.5	TOTAL -- Parks and Recreation		8,579.9	8,874.0
	1.0	12.0	136.0	555.8		
	44.5	46.5	6,477.2	4,196.6		
	9.0	9.0	1,121.0	489.7		
1.0	6.0	15.0	715.4	1,559.7		
	2.0	23.0	130.3	2,072.2		
1.0	62.5	105.5	TOTAL -- Internal Program Units		8,579.9	8,874.0
			(40-07-00) Soil and Water Conservation			
15.3	2.0	47.7			89.8	2,658.0
					5.0	5.9
					1,221.9	839.9
						14.7
					44.0	201.6
					39.0	
						162.5
					6,600.0	
						95.0
						225.0
						619.7
15.3	2.0	47.7	TOTAL -- Soil and Water Conservation		7,999.7	4,822.3
1.5		4.5	160.0	343.9		
		9.0	10.0	1,619.1		
1.8		26.2	7,669.5	1,819.9		
2.0	2.0	7.0	150.2	977.3		
10.0		1.0	10.0	62.1		
15.3	2.0	47.7	TOTAL -- Internal Program Units		7,999.7	4,822.3

*Pursuant to Section 3921, Title 7, Delaware Code

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

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
6				(40-08-00) Water Resources				
7	29.9	62.8	74.3	Personnel Costs			2,201.4	4,362.1
8				Travel			38.0	40.2
9				Contractual Services			716.0	1,413.0
10				Energy			1.0	9.0
11				Supplies and Materials			214.0	91.9
12				Capital Outlay			241.0	40.0
13				Other Items:				
14				Inland Bays Research				102.3
15				Delaware Estuary				38.0
16				Other Items			65.1	
17				Water Resources Agency				280.5
18				SRF Future Administration			300.0	
19				Board of Certification			14.0	
20				Debt Service				2,576.2
21	29.9	62.8	74.3	TOTAL -- Water Resources			3,790.5	8,953.2
22								
23	12.9	8.6	12.5	(-01) Management and Support -	767.1	4,070.6		
24				Water Resources				
25	0.5	25.5	18.0	(-02) Environmental Laboratory	1,517.5	1,156.9		
26	2.0	8.0	6.0	(-04) Surface Water Discharges	460.6	501.8		
27	4.0	13.0	8.0	(-05) Ground Water Discharges	609.1	461.9		
28	6.3	4.7	8.0	(-06) Water Supply	152.4	443.1		
29	4.2		16.8	(-07) Watershed Assessment		1,983.9		
30		3.0	5.0	(-08) Wetlands and Subaqueous	283.8	335.0		
31				Lands				
32	29.9	62.8	74.3	TOTAL -- Internal Program Units	3,790.5	8,953.2		

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

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
				(40-09-00) Air and Waste Management				
	58.7	95.8	54.5	Personnel Costs			3,162.6	3,461.8
				Travel			78.0	15.3
				Contractual Services			1,120.0	340.4
				Energy			10.0	85.7
				Supplies and Materials			185.9	86.3
				Capital Outlay			242.0	4.9
				Other Items:				
				Local Emergency Planning Committees			300.0	
				HSCA - Administration			1,200.0	
				HSCA - Clean-up			3,960.5	
				HSCA - Recovered Administration			100.0	
				SARA			30.0	14.4
				Cost Recovery			525.8	
				UST Administration			350.0	
				UST Recovered Costs			100.0	
				Stage II Vapor Recovery			54.8	
				Extremely Hazardous Substance Program			180.9	
				Non-Title V			164.8	
				Enhanced I & M Program			141.2	
				Public Outreach			50.0	
				Recycling Community Outreach				50.0
				Other Items			834.8	
				Debt Service				4.3
	58.7	95.8	54.5	TOTAL - Air and Waste Management			12,791.3	4,063.1
	3.5	16.0	16.5	(-01) Management and Support - Air and Waste	2,133.2	1,312.1		
	17.0	51.0	19.0	(-02) Air Quality Management	3,943.4	1,359.2		
	38.2	28.8	19.0	(-03) Waste Management	6,714.7	1,391.8		
	58.7	95.8	54.5	TOTAL -- Internal Program Units	12,791.3	4,063.1		
				TOTAL -- DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL			41,219.5	37,456.8
	135.1	277.2	380.7					

(45-00-00) DEPARTMENT OF PUBLIC SAFETY

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(45-01-00) Office of the Secretary			
28.3	1.0	56.7			121.9	2,920.9
						13.1
					116.4	605.9
						51.3
						0.1
					0.7	
						15.0
						112.1
						50.0
						30.0
					244.5	
					100.0	
					85.0	
						584.3
28.3	1.0	56.7	TOTAL -- Office of the Secretary		668.5	4,382.7
		18.0	100.0	1,347.3		
		5.0		290.4		
	1.0	23.0	568.5	1,626.4		
23.8		8.2		980.8		
4.5		2.5		137.8		
28.3	1.0	56.7	668.5	4,382.7		
			(45-02-00) Capitol Police			
		62.0				2,375.1
						4.5
						200.8
						30.0
						30.9
		62.0	TOTAL -- Capitol Police			2,641.3
		62.0		2,641.3		
		62.0	TOTAL -- Internal Program Unit			2,641.3
			(45-03-00) Office of the Alcoholic Beverage Control Commissioner			
		7.0				391.0
					2.0	5.0
					46.4	16.6
						4.0
		7.0	TOTAL -- Office of the Alcoholic Beverage Control Commissioner		48.4	416.6
		7.0	48.4	416.6		
		7.0	TOTAL -- Internal Program Unit		48.4	416.6

(45-00-00) DEPARTMENT OF PUBLIC SAFETY

Personnel

NSF	ASF	GF
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\$ Program

ASF	GF
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\$ Line Item

ASF	GF
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**(45-04-00) Division of Alcoholic Beverage Control
and Tobacco Enforcement**

	2.0	14.0
	4.0	
	6.0	14.0

Personnel Costs	50.2	675.7
Travel	2.8	3.4
Contractual Services	43.3	94.6
Supplies and Materials	2.3	12.1
Capital Outlay	2.0	3.0
Tobacco:		
Personnel Costs	168.9	
Travel	10.0	
Contractual Services	84.0	
Supplies and Materials	67.1	
Capital Outlay	169.0	
Other Items	10.0	
TOTAL -- Division of Alcoholic Beverage Control and Tobacco Enforcement	609.6	788.8

	6.0	14.0
	6.0	14.0

(-10) Division of Alcoholic Beverage Control and Tobacco Enforcement	609.6	788.8
TOTAL -- Internal Program Unit	609.6	788.8

(45-06-00) State Police

30.2	32.5	772.3
30.2	32.5	772.3

Personnel Costs	4,105.3	54,330.6
Travel	146.7	63.3
Contractual Services	706.2	2,689.9
Supplies and Materials	495.3	1,902.4
Capital Outlay	223.2	1,457.7
Other Items:		
Other Items	87.5	
DSP Recruitment		50.0
Pension - 20 Year Retirees		17,845.0
Crime Reduction Fund		75.0
Career Development		35.0
Handicapped/Fire Lane Enforcement		90.0
Debt Service		1,142.0
TOTAL -- State Police	5,764.2	79,680.9

		62.0
		8.0
	10.0	321.0
26.0		143.0
	7.0	37.0
		22.0
4.2		14.8
	12.0	37.0
		12.0
	3.5	88.5
		15.0
		12.0
30.2	32.5	772.3

(-01) Executive	2,717.5	22,656.0
(-02) Building Maintenance & Construction		1,076.5
(-03) Patrol	1,086.1	25,720.3
(-04) Criminal Investigation		11,508.1
(-05) Special Investigation	746.2	3,030.5
(-06) Aviation		2,509.2
(-07) Traffic		933.3
(-08) State Bureau of Identification	1,012.8	1,991.0
(-09) Training		1,426.7
(-10) Communications	165.6	4,873.5
(-11) Transportation	36.0	3,261.7
(-12) Community Relations		694.1
TOTAL - Internal Program Units	5,764.2	79,680.9

(55-00-00) DEPARTMENT OF TRANSPORTATION

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Personnel		
NSF	TFO	TFC

\$ Line Item	
TFO	GF

(55-01-00) Office of the Secretary
(55-01-01) Office of the Secretary

	65.0	
	65.0	

Personnel Costs
Operations/Capital
Salary Contingency
TOTAL -- Office of the Secretary

4,207.9	
5,173.7	
161.0	
9,542.6	

(55-01-02) Financial Management and Budget

2.0	41.0	
2.0	41.0	

Personnel Costs
Operations/Capital
TOTAL -- Financial Management and Budget

2,076.8	
759.4	
2,836.2	

(55-01-03) Public Relations

	13.0	
	13.0	

Personnel Costs
Operations/Capital
TOTAL -- Public Relations

789.6	
113.3	
902.9	

TOTAL-- Office of the Secretary

2.0	119.0	
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13,281.7	
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(55-02-01) Administration

2.0	72.0	
2.0	72.0	

Personnel Costs
Travel
Contractual/Supplies
Energy
Capital Outlay
TOTAL-- Administration

3,779.8	
28.0	
2,047.0	
438.9	
19.0	
6,312.7	

(55-03-01) Planning

	68.0	7.0
	68.0	7.0

Personnel Costs
Operations/Capital
TOTAL -- Planning

3,909.9	
563.9	
4,473.8	

(55-00-00) DEPARTMENT OF TRANSPORTATION

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Personnel		
NSF	TFO	TFC

\$ Line Item	
TFO	GF

(55-04-00) Operations and Maintenance

(55-04-01) Office of the Director

	25.0	
	25.0	

Personnel Costs
Operations/Capital
TOTAL -- Office of the Director

1,248.7	
102.7	
1,351.4	

(55-04-40) Construction

	55.0	74.0
	55.0	74.0

Personnel Costs
TOTAL -- Construction

3,709.4	
3,709.4	

(55-04-50) Traffic Engineering and Management

	124.0	
	124.0	

Personnel Costs
Energy
Capital Outlay
Contractual/Supplies
TOTAL -- Traffic Engineering and Management

5,637.4	
1,054.3	
33.7	
2,775.2	
9,500.6	

(55-04-60) Field Services

	28.0	63.0
	28.0	63.0

Personnel Costs
Operations/Capital
TOTAL -- Field Services

1,856.7	
2,584.2	
4,440.9	

(55-04-70) Maintenance Districts

	653.0	
	653.0	

Personnel Costs
Energy
Capital Outlay
Contractual/Supplies
Snow/Storm Contingency
TOTAL -- Maintenance Districts

27,474.7	
907.6	
223.5	
10,990.8	
3,041.0	
42,637.6	

(55-04-90) Toll Administration

	131.0	
	131.0	

Personnel Costs
Travel
Energy
Capital Outlay
Contractual/Supplies
Turnpike Operating Reserve *
TOTAL -- Toll Administration

5,021.6	
26.0	
444.2	
91.0	
1,945.4	
7,528.2	

	1,016.0	137.0
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TOTAL -- Operations and Maintenance

69,168.1	
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* The Cumulative Turnpike Operating Reserve Fund is established at \$934.9

(60-00-00) DEPARTMENT OF LABOR

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(60-01-00) Administration			
12.5	29.7	9.8			1,700.6	555.3
					18.3	4.9
					715.0	222.2
					116.4	13.6
					73.5	
					10.0	
12.5	29.7	9.8	TOTAL -- Administration		2,633.8	796.0
			(60-06-00) Unemployment Insurance			
	9.7	2.3	1,063.0	281.0		
12.5		2.5		143.0		
		4.0	10.0	284.7		
	20.0	1.0	1,560.8	87.3		
12.5	29.7	9.8	2,633.8	796.0		
			(60-07-00) Industrial Affairs			
134.0	4.0				149.3	
					0.1	
					178.8	
					1.0	
					2.0	
					7.0	
					95.8	
134.0	4.0		TOTAL -- Unemployment Insurance		434.0	
			(60-07-00) Industrial Affairs			
134.0	4.0		434.0			
134.0	4.0		TOTAL -- Internal Program Unit		434.0	
			(60-07-00) Industrial Affairs			
8.0	55.0				2,714.9	
					30.8	
					695.0	
					41.0	
					16.1	
					5,000.0	
8.0	55.0		TOTAL -- Industrial Affairs		8,497.8	
			(60-07-00) Industrial Affairs			
6.0	35.0		7,533.4			
2.0	20.0		964.4			
8.0	55.0		TOTAL -- Internal Program Units		8,497.8	

(60-00-00) DEPARTMENT OF LABOR

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(60-08-00) Vocational Rehabilitation			
115.0	6.0	2.0			362.3	80.7
						0.5
					336.7	1,982.6
					75.0	76.9
					56.9	
						310.4
					15.0	13.0
115.0	6.0	2.0	TOTAL -- Vocational Rehabilitation		845.9	2,464.1
83.0	6.0	2.0	(-10) Vocational Rehabilitation Services		845.9	2,464.1
32.0			(-20) Disability Determination Services			
115.0	6.0	2.0	TOTAL -- Internal Program Units		845.9	2,464.1
			(60-09-00) Employment and Training			
89.9	4.0	24.1			184.9	955.5
					4.2	7.1
					88.1	355.0
						1.9
					6.2	12.6
					13.4	3.8
						235.2
						181.6
						959.0
					2,258.3	
89.9	4.0	24.1	TOTAL -- Employment and Training		2,555.1	2,711.7
89.9	4.0	24.1	(-20) Employment and Training Services		2,555.1	2,711.7
89.9	4.0	24.1	TOTAL -- Internal Program Unit		2,555.1	2,711.7
359.4	98.7	35.9	TOTAL -- DEPARTMENT OF LABOR		14,966.6	5,971.8

(65-00-00) DEPARTMENT OF AGRICULTURE

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Personnel		
NSF	ASF	GF
16.2	34.0	86.8
16.2	34.0	86.8

(65-01-00) Agriculture

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			2,389.1	4,515.4
Travel			53.6	52.6
Contractual Services			324.5	454.1
Energy			7.8	109.5
Supplies and Materials			144.9	150.1
Capital Outlay			145.6	46.0
Other Items:				
Information, Education & Certification				225.0
Nutrient Management Planning				453.7
Poultry Litter Transport				250.0
Agriculture Advertising				50.0
Agriculture Development Program				17.7
Laurel Auction				9.5
Alternative Agriculture Projects				15.0
Cooperative Advertising				40.0
Plant Pest Survey & Control				107.2
Educational Assistance			15.0	
Revenue Refund			4.0	
Fingerprinting			86.5	
Equine Drug Testing			572.0	
County Rollback			25.0	
Debt Service				94.1
TOTAL -- Agriculture			3,768.0	6,589.9

	1.0	19.0
		7.0
6.7	12.0	7.3
4.5	3.5	17.0
1.0	5.5	
3.0	6.0	
1.0		4.0
	0.5	14.5
		7.0
	4.5	
		8.0
		3.0
	1.0	
16.2	34.0	86.8

(-01) Administration	226.4	1,644.0
(-02) Agriculture Compliance	12.2	353.7
(-03) Food Products Inspection	736.9	395.9
(-04) Forest Service	328.9	911.1
(-05) Harness Racing Commission	1,105.3	
(-06) Pesticides	389.3	
(-07) Planning	41.8	345.6
(-08) Plant Industries	93.8	923.0
(-09) Poultry and Animal Health		431.5
(-10) Thoroughbred Racing Commission	780.3	
(-11) Weights and Measures		436.5
(-12) Nutrient Management		1,148.6
(-13) Agricultural Lands Preservation Foundation	53.1	
TOTAL -- Internal Program Units	3,768.0	6,589.9

TOTAL -- DEPARTMENT OF AGRICULTURE

16.2	34.0	86.8
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3,768.0	6,589.9
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(70-00-00) DEPARTMENT OF ELECTIONS

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					(70-01-01) Commissioner of Elections	
		11.0				521.3
						1.3
						281.8
						19.4
						0.8
						17.0
						20.0
						350.0
		11.0	TOTAL -- Commissioner of Elections			1,211.6
					(70-02-01) New Castle County Department of Elections	
		17.0				786.7
						13.1
						182.8
						16.1
						16.9
						3.5
		17.0	TOTAL -- New Castle County Department of Elections			1,019.1
					(70-03-01) Kent County Department of Elections	
		8.0				411.6
						1.5
						133.3
						17.0
						5.1
						1.5
						3.0
		8.0	TOTAL -- Kent County Department of Elections			573.0
					(70-04-01) Sussex County Department of Elections	
		7.0				396.7
						1.4
						29.7
						12.2
						2.0
						2.1
		7.0	TOTAL -- Sussex County Department of Elections			444.1
		43.0	TOTAL -- DEPARTMENT OF ELECTIONS			3,247.8

(75-00-00) FIRE PREVENTION COMMISSION

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Personnel		
NSF	ASF	GF
	28.2	22.8
	28.2	22.8

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

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

TOTAL -- Office of the State Fire Marshal

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		1,395.8	1,322.6
		34.0	
		395.3	154.1
			46.2
		71.0	37.5
		377.5	10.8
		1.5	
			2.0
			215.8
		2,275.1	1,789.0

(75-02-01) State Fire School

Personnel Costs
Contractual Services
Energy
Capital Outlay
Other Items:
 Fire School Operations
 Local Emergency Planning Committee
 Stress Management
Debt Service

TOTAL -- State Fire School

		18.0
		18.0

	971.9
	384.0
	120.8
	75.0
50.0	
50.0	
	5.0
	313.1
100.0	1,869.8

(75-03-01) State Fire Prevention Commission

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

TOTAL -- State Fire Prevention Commission

		1.0
		1.0

	47.1
	25.5
7.5	25.0
	2.6
	100.0
	16.0
10.0	7.2
	10.0
4.0	
21.5	233.4

	28.2	41.8
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TOTAL -- FIRE PREVENTION COMMISSION

2,396.6	3,892.2
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(76-00-00) DELAWARE NATIONAL GUARD

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Personnel		
NSF	ASF	GF
75.3		31.0
75.3		31.0

(76-01-01) Delaware National Guard

Personnel Costs	
Travel	
Contractual Services	
Energy	
Supplies and Materials	
Other Items:	
Educational Assistance	
Unit Fund Allowance	
Debt Service	
TOTAL -- DELAWARE NATIONAL GUARD	

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
			1,910.0
			4.7
			252.4
			457.0
			94.5
			490.0
			3.7
			277.5
			3,489.8

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

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Personnel		
NSF	ASF	GF
		2.0
		2.0

**(77-01-01) Advisory Council For
Exceptional Citizens**

Personnel Costs
Travel
Contractual Services
Supplies and Materials

**TOTAL -- ADVISORY COUNCIL FOR
EXCEPTIONAL CITIZENS**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
			93.5
			6.0
			13.2
			1.1
			113.8

(90-00-00) HIGHER EDUCATION

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

(90-01-00) University of Delaware

(90-01-01) University of Delaware

Operations		80,771.8
Scholarships		7,872.1
Agricultural Programs		3,463.6
Other Programs		9,944.1
The College School		83.1
Medical Technology		38.0
Debt Service		6,530.1
MCI/Equipment		1,500.0
TOTAL -- University of Delaware		110,202.8

(90-01-02) Delaware Geological Survey

Operations		1,224.1
River Master Program		90.0
TOTAL -- Delaware Geological Survey		1,314.1

TOTAL -- University of Delaware

	111,516.9
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(90-03-00) Delaware State University

(90-03-01) Operations

Operations		24,510.7
Administrative Computing		125.0
Work Study		211.7
Faculty Development		100.0
Mishoe Scholarships		50.0
Cooperative Extension		154.3
Cooperative Research		238.6
Title VI Compliance		220.0
Academic Incentive		50.0
General Scholarships		506.0
Athletic Grant		133.1
Aid to Needy Students		854.8
Energy		1,479.7
Debt Service		6,096.8
MCI/Equipment		615.2
TOTAL -- Operations		35,345.9

(90-03-05) Sponsored Programs and Research

TOTAL -- Delaware State University

	35,345.9
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(90-00-00) HIGHER EDUCATION

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Personnel		
NSF	ASF	GF

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

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

(90-04-01) Office of the President

12.0		43.0
12.0		43.0

Personnel Costs			3,577.4
Travel			6.8
Contractual Services			155.2
Energy			25.0
Supplies and Materials			29.7
Capital Outlay			2.0
Occupational Teacher Program			36.8
Academic Incentive			50.0
Salary Plan A & D			757.1
Parallel Program - Operations			273.8
Parallel Program - Academic			1,502.5
Debt Service			11.8
TOTAL -- Office of the President			6,428.1

(90-04-02) Owens Campus

54.0		191.0
54.0		191.0

Personnel Costs			12,515.2
Contractual Services			142.8
Energy			550.3
Supplies and Materials			4.0
Capital Outlay			42.4
Grants			48.2
Aid to Needy Students			172.8
Work Study			31.2
Debt Service			2,041.4
Day Care Training			16.8
TOTAL -- Owens Campus			15,565.1

(90-04-04) Wilmington Campus

37.0		153.0
37.0		153.0

Personnel Costs			9,745.7
Contractual Services			333.7
Energy			470.3
Capital Outlay			76.1
Aid to Needy Students			137.8
Grants			27.5
Work Study			35.1
Debt Service			1,872.5
Dental Program			78.8
Day Care Training			17.2
TOTAL -- Wilmington Campus			12,794.7

(90-00-00) HIGHER EDUCATION

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Personnel		
NSF	ASF	GF
47.0		186.0
47.0		186.0

(90-04-05) Stanton Campus

Personnel Costs
Contractual Services
Energy
Capital Outlay
Aid to Needy Students
Grants
Work Study
Debt Service
TOTAL -- Stanton Campus

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF
	12,226.7
	113.2
	247.3
	9.0
	122.8
	22.5
	36.1
	654.8
	13,432.4

(90-04-06) Terry Campus

Personnel Costs
Contractual Services
Energy
Supplies and Materials
Capital Outlay
NDSL Match
Aid to Needy Students
Work Study
Grants
Instructional Equipment
Debt Service
Day Care Training
TOTAL -- Terry Campus

54.4		124.0
54.4		124.0

	7,582.4
	343.3
	358.8
	20.8
	55.0
	1.0
	145.3
	21.7
	21.0
	51.8
	824.6
	6.0
	9,431.7

**TOTAL -- Delaware Technical and
Community College**

204.4		697.0
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	57,652.0
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**(90-07-01) Delaware Institute of Veterinary
Medical Education**

Tuition Assistance
TOTAL -- Delaware Institute of Veterinary Medical Education

	232.4
	232.4

204.4		697.0	TOTAL -- HIGHER EDUCATION
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	204,747.2
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(95-00-00) DEPARTMENT OF EDUCATION

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(95-01-00) State Board of Education and State Board for Vocational Education and Department of Education			
68.3		109.2				9,047.9
						35.8
						201.3
						36.6
						37.6
		1.0				224.5
	1.0				217.7	
						1,300.0
						2,120.0
		4.0				325.1
						35.0
						1,254.1
						112.5
						45.7
						2.0
						1.0
						55.7
						42.0
					65.1	580.7
						160.8
		1.0				166.2
						500.0
		2.5				265.5
						100.0
						2,476.9
						2,884.5
						1,888.7
					100.0	429.5
						6,998.8
						60.0
						100.0
					3.8	
					34.0	
					27.5	
					15.0	
	1.0				500.0	
					40.0	
			TOTAL -- State Board of Education and State Board for Vocational Education and Department of Education			
68.3	2.0	117.7			1,003.1	31,488.4
68.3	2.0	117.7				
68.3	2.0	117.7				
			(-01) State Board and Secretary of Education and Department of Education		1,003.1	31,488.4
			TOTAL -- Internal Program Unit		1,003.1	31,488.4

(95-00-00) DEPARTMENT OF EDUCATION

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(95-02-00) School District Operations			
		10,619.0				
						341,082.8
						6,030.6
						113,928.1
						26,628.5
						13,794.0
						61,361.8
						5,062.3
						1,000.0
						2,800.0
						506.4
						293.8
						184.1
						894.3
						21,501.8
		10,619.0	TOTAL -- School District Operations			595,068.5
		10,619.0				
				562,825.8		
				9,846.6		
				22,396.1		
		10,619.0	TOTAL -- Internal Program Units			595,068.5

(95-00-00) DEPARTMENT OF EDUCATION

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					(95-04-00) Pupil Transportation	
						55,399.9
						269.4
						3,300.0
						58,969.3
					TOTAL -- Pupil Transportation	
						58,969.3
						58,969.3
					(95-06-00) Delaware Advisory Council on Career and Vocational Education	
		3.0				188.7
						11.7
						113.8
						5.0
		3.0				319.2
					TOTAL -- Delaware Advisory Council on Career and Vocational Education	
		3.0				
		3.0				319.2
					(95-07-00) Delaware Center for Educational Technology	
		7.0				679.0
						426.2
						1,000.0
		7.0				2,105.2
					TOTAL -- Delaware Center for Educational Technology	
		7.0				
		7.0				2,105.2
					(95-08-00) Delaware Higher Education Commission	
		7.0				414.4
						8.0
						311.8
						6.1
						2,289.2
						100.0
						600.0
		7.0				3,729.5
					TOTAL -- Delaware Higher Education Commission	
		7.0				
		7.0				3,729.5
68.3	8.0	10,803.9			3,505.6	794,961.3

1 **Personnel**

2	TFO	TFC	NSF	ASF	GF
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\$

TTF	ASF	GF
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4 **TOTALS**

5

6	1,365.0	229.0	1,847.8	1,468.6	11,715.2	TOTAL - DEPARTMENTS	232,276.5	386,683.1	1,392,482.9
7									
8			204.4		697.0	TOTAL - HIGHER EDUCATION			204,747.2
9									
10			68.3	8.0	10,803.9	TOTAL - PUBLIC EDUCATION		3,505.6	794,961.3
11									
12	1,365.0	229.0	2,120.5	1,476.6	23,216.1	GRAND TOTAL	232,276.5	390,188.7	2,392,191.4

GENERAL

1
2 Section 2. Any previous Act inconsistent with the provisions of this Act is hereby repealed to the
3 extent of such inconsistency.

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

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

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

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

17 Section 7. (a) Notwithstanding the provisions of 29 Del. C. § 6334(c), for Fiscal Year 2003, the
18 proposed budget plan, as prepared by the Budget Director, shall be in such a format that it can readily be
19 analyzed and comprehensive in nature.

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

22 (c) For Fiscal Year 2003, the payroll recovery rate for the Worker's Compensation Program shall
23 be 1.22 percent.

24 (d) For Fiscal Year 2003, the payroll recovery rate for the Deferred Compensation Program shall
25 be .14 percent. This rate shall be combined with the Fiscal Year 2003 payroll recovery rate for Worker's
26 Compensation. An amount equal to fourteen one-hundredths (.0014) of the total payroll recovery shall be

1 transferred from the Office of State Personnel to the Office of the State Treasurer after each pay cycle is
2 completed. The funds shall be used exclusively for the state match of the Deferred Compensation
3 Program.

4 (e) Section 1 of this Act provides funding for a state employee pension rate of 9.47 percent. The
5 components of the rate are 2.99 percent for the pension liability, 4.78 percent for retiree health insurance
6 costs, 1.33 percent for the Post-Retirement Increase Fund and .37 percent for the retiree health insurance
7 prefund.

8 (f) Section 1 of this Act provides funding for a judicial pension rate of 21.31 percent.

9 (g) Section 1 of this Act provides funding for a new State Police pension rate of 9.98 percent.

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

12 GF – General Fund

13 ASF – Appropriated Special Funds

14 NSF – Non-appropriated Special Funds

15 TFO – Trust Fund Operations

16 TFC – Trust Fund Capital

17 FTE – Full-Time Equivalent

18 (i) All Merit Rules referenced in this Act refer to the Merit Rules in effect June 30, 2002.
19

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

21 (a) The General Assembly of the State of Delaware supports the statewide policy that the pay
22 plan for Merit System employees be developed in accordance with the results of valid surveys of salaries
23 provided by a defined labor market. The Director of State Personnel shall conduct such surveys on a
24 yearly basis and report the findings of such surveys by December 15 to the Governor and members of the
25 General Assembly who will be responsible for recommending and approving yearly adjustments as are
26 necessary to maintain the competitive posture of the plan.

(i) The defined labor market survey for Fiscal Year 2003 shall be limited to those governments and institutions of higher education as follows:

<u>Delaware</u>	<u>Other Counties and Municipalities</u>	<u>Other States</u>
New Castle County	Cecil County, Maryland	Maryland
Kent County	Caroline County, Maryland	Pennsylvania
Sussex County	Salisbury, Maryland	New Jersey
Wilmington	Chester County, Pennsylvania	North Carolina
Newark	Delaware County, Pennsylvania	Massachusetts
Dover	Salem County, New Jersey	New York
University of Delaware		Virginia

(ii) The findings of the survey in Section 8(a) for Fiscal Year 2003 shall be calculated in the same manner as Fiscal Year 2002, using a comparable weighting formula and other components.

Effective July 1, 2002, 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	15,759*	18,982	22,779
2	16,250	20,311	24,374
3	17,390	21,737	26,084
4	18,603	23,253	27,904
5	19,908	24,885	29,863
6	21,301	26,626	31,952
7	22,788	28,486	34,182
8	24,385	30,482	36,578
9	26,094	32,618	39,141
10	27,920	34,901	41,881
11	29,873	37,341	44,810
12	31,965	39,956	47,947
13	34,204	42,754	51,305
14	36,594	45,742	54,890
15	39,158	48,948	58,737

1	16	41,902	52,377	62,852
2	17	44,834	56,043	67,251
3	18	47,969	59,961	71,954
4	19	51,328	64,161	76,993
5	20	54,925	68,656	82,387
6	21	58,767	73,459	88,151
7	22	62,881	78,601	94,321
8	23	67,284	84,105	100,926
9	24	71,997	89,996	107,995
10	25	77,033	96,292	115,550
11	26	82,425	103,032	123,638

12 * - Annual Salary in Whole Dollars.

13 **STATE OF DELAWARE PAY PLAN***

14 **(Standard Work Schedule of 40 Hours Per Work Week)**

15	PAY	80% of	100% of	120% of
16	GRADE	Midpoint	Midpoint	Midpoint
17	1	16,198*	20,247	24,296
18	2	17,332	21,665	25,999
19	3	18,545	23,182	27,817
20	4	19,842	24,803	29,764
21	5	21,235	26,543	31,853
22	6	22,719	28,399	34,078
23	7	24,310	30,387	36,464
24	8	26,012	32,516	39,019
25	9	27,833	34,791	41,750
26	10	29,780	37,226	44,671
27	11	31,863	39,829	47,794
28	12	34,096	42,620	51,144
29	13	36,482	45,603	54,723
30	14	39,037	48,797	58,556
31	15	41,769	52,212	62,654
32	16	44,695	55,869	67,044
33	17	47,822	59,777	71,733
34	18	51,167	63,960	76,752
35	19	54,751	68,439	82,126
36	20	58,586	73,232	87,878
37	21	62,688	78,359	94,032
38	22	67,076	83,845	100,614
39	23	71,767	89,710	107,652
40	24	76,794	95,992	115,191
41	25	82,169	102,711	123,254
42	26	87,921	109,901	131,881

43 * - Annual Salary in Whole Dollars.

1 (iii) Merit Rule 5.0200 notwithstanding, the standard work week for employees in the following
2 classification series and designated positions assigned to the Department of Transportation's
3 Transportation Management Center as approved by the Personnel Director, Budget Director
4 and Controller General shall be 40 hours:

5 **DEPARTMENT**

CLASS SERIES

6 Department of Health & Social Services

Drug Control and Enforcement Agents

7 Chief Drug Control and Enforcement

8 Drug Control Administrator

9 Department of Correction

Food Service Quality Control Administrator

10 Community Work Program Coordinator

11 Director of Probation and Parole

12 Pre-Trial Presentence Manager

13 Probation and Parole Officer

14 Probation and Parole Regional Manager

15 Probation and Parole Supervisor

16 Probation and Parole Operations Manager

17 Support Services Manager–DCC

18 Special Services Manager

19 Trainer/Educator I, II, III

20 Correctional Treatment Administrator-DCC

21 Correctional Treatment Administrator - SCI

22 Correctional Officer

23 Correctional Security Superintendent

24 Warden and Deputy Warden

25 Department of Agriculture

Meat Inspectors/Supervisor

26 Meat and Poultry Inspector Officer

27 Food Products Inspection Administrator

1	State Fire School	Training Administrator I
2	Public Safety	Telecommunications Specialist Series (ERC)
3		Telecommunications Central Control Specialist
4		Series
5	Department of Transportation	Toll Collectors
6		Toll Collection Supervisor
7		Transportation Management Center
8		Toll Corporals
9		Toll Sergeants

10 (iv) During the fiscal year ending June 30, 2003, the State Personnel Director may designate,
11 with the concurrence of the Budget Director and the Controller General, other appropriate
12 classes or groups of employees to work and be paid according to a standard work week of
13 40 hours. Such designation shall be based upon the operational necessity of agencies to
14 require employees to regularly and consistently work in excess of 37.5 hours per week
15 and upon the availability of any required funding.

16 (b) **SELECTIVE MARKET VARIATIONS.**

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

20 (1) The appointing authority shall identify job classes or job families to be considered for
21 selective market variations according to turnover rates, recruitment problems, vacancy
22 rates, feasibility for the work to be performed on a contractual basis and other criteria
23 established by the State Personnel Director.

24 (2) Upon receipt of the identified classes, the State Personnel Director shall survey the
25 appropriate labor market to determine the State's position in this labor market.

- 1 (3) The Budget Director, the State Personnel Director and the Controller General shall
2 review the information provided in Sections 8(b)(1) and (2) and shall recommend
3 approval or disapproval for the classes for selective market compensation variations.
- 4 (4) Any such selective market variations which the State Personnel Director, the Budget
5 Director and the Controller General have determined to be warranted and have been
6 approved by the Joint Finance Committee, shall be designated to become effective July 1,
7 2002, provided that such variations have been processed as part of the regular budgetary
8 process and the funds for such changes shall be appropriated.
- 9 (5) The State Personnel Director shall establish criteria with the State Budget Director and the
10 Controller General to allow for selective market to be effective January 1, 2003. An
11 appointing authority may apply for selective market variation for job classes or job
12 families that are experiencing severe recruitment and retention issues for January 1, 2003.
13 Funds must be available within the agency budget to fund the selective market variation
14 until such time as the General Assembly appropriates such funds.
- 15 (6) Upon approval, the minimum, mid-point and maximum salary values shall be raised
16 according to the results of the labor market surveys for the job class. For the purposes of
17 this section, the minimum value of the salary scale shall remain at 75 percent of midpoint
18 and the maximum value shall remain at 125 percent unless the minimum value under the
19 selective market range for a class is less than the minimum value of the merit system pay
20 range. The minimum for the class on selective market shall be no less than the merit
21 system pay range minimum value. No further increases shall be applied to the scale
22 and/or the midpoints.
- 23 (7) Employees assigned to job classifications approved under the selective market variation
24 program shall have their salaries adjusted in accordance with the following:
- 25 (i) The salary of employees in positions added to the selective market variation program
26 on or after July 1, 2002, prior to application of the general increase outlined in
27 Section 8(c)(1), whose salary in effect as of June 30, 2002, is below the adjusted

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

5 (ii) The salary of employees in positions added to the selective market variation program
6 before June 30, 2002, after the application of the general increase outlined in
7 Section 8(c)(1), whose salary in effect as of June 30, 2001, is below the adjusted
8 minimum salary for the assigned job classification shall be increased to the adjusted
9 minimum salary or an advanced starting salary recommended by the State Personnel
10 Director and the salary of employees whose current salary falls within the adjusted
11 salary range shall not be increased.

12 (8) All classes assigned to selective market variation who have not met the criteria to qualify
13 for an adjustment for two consecutive years, shall have their midpoints reduced by seven
14 percent effective July 1, 2002. All classes whose selective market midpoint is not seven
15 percent higher than the midpoint of the regular merit State of Delaware payscale once the
16 general increase has been applied shall move back on to the State of Delaware Pay Plan.
17 The process by which job classes are removed from selective market variation to the
18 regular merit State of Delaware Pay Plan will not result in a reduction in salary for
19 current incumbents who will move from selective market variation to the regular merit
20 State of Delaware Pay Plan.

21 (9) Effective July 1, 2002, the shift differential rates paid to registered nurses in accordance
22 with the provisions of Merit Rule 5.1425 shall be the same amount in effect as of
23 June 30, 2000.

24 **(c) SALARY INCREASES FOR FISCAL YEAR 2003.**

25 The amount appropriated by Section 1 of this Act for salaries includes the estimated amount
26 needed to provide for a general salary increase for each state employee, unless as otherwise excepted by
27 subsections of this Section. This increase is to be provided as follows:

1 (1) Salary adjustments for departments 01 through 77 and Delaware Technical and
2 Community College Plan B:

3 (i) Effective July 1, 2002, the salary of each employee shall be increased by
4 2 percent or by \$600.00, whichever is greater.

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

8 (2) (i) The provisions of Subsection (c) of this Section shall not apply to the employees
9 of the General Assembly - House or the General Assembly - Senate. Salaries for
10 those employees will be established by the Speaker of the House of
11 Representatives and the President Pro-Tempore of the Senate, respectively.

12 (ii) The provisions of Subsection (c) of this Section shall not apply to the Governor,
13 members of the General Assembly, Deputy Attorneys General covered by the
14 attorney pay plan, Associate Public Defenders covered by the attorney pay plan,
15 DNREC employees covered by the competency based pay plan, Uniformed State
16 Police, all full-time and regular part-time non-merit Telecommunications
17 Specialists, Senior Telecommunications Specialist, Telecommunication Shift
18 Supervisors, Telecommunications Central Control Specialists, Senior
19 Telecommunications Central Control Specialists and Telecommunications
20 Central Control Shift Supervisors employed in the Communications Section of
21 the Division of State Police in the Department of Public Safety, employees of the
22 University of Delaware, Delaware State University and members and employees
23 of the Delaware National Guard, excluding the Adjutant General. Funds have
24 been appropriated in Section 1 of this Act for Delaware State University and for
25 the University of Delaware to provide for an increase in salaries paid from
26 General Funds.

1 (iii) Any Merit System employee who is denied the general salary increase referred to
2 in Section 8(c)(1)(i)(ii) due to an unsatisfactory performance rating in accordance
3 with Merit Rule 5.1000, shall become eligible for the salary increase upon
4 meeting job requirements as defined by their supervisor, but the salary increase
5 shall not be retroactive.

6 (iv) Notwithstanding Chapters 5.0 and 6.0 of the Merit rules, any Merit System
7 employee who is covered by the Competency Based Pay Plan provided to the
8 Controller General's Office on June 8, 1998, shall receive a 2 percent salary
9 increase effective July 1, 2002. This plan shall continue as it was established in
10 71 Del. Laws, c. 354 § 247, in Fiscal Year 2003. In addition, the salary levels
11 established in the competency Base Pay Plan shall be increased by 2 percent
12 effective July 1, 2002.

13 (v) Notwithstanding Chapters 5.0 and 6.0 of the Merit rules, any attorney covered
14 under the salary matrices approved for the Office of the Attorney General and the
15 Public Defender not receiving a level increase shall receive a 2 percent salary
16 increase, effective July 1, 2002.

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

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

20 (b) negotiated, collective bargaining increases for Uniformed members of the Delaware
21 State Police and full-time and regular part-time non-merit Telecommunications
22 Specialists, Senior Telecommunications Specialist, Telecommunication Shift
23 Supervisors, Telecommunication Central Control Specialists, Senior
24 Telecommunications Central Control Specialists and Telecommunications Central
25 Control Shift Supervisors employed in the Communications Section of the Division
26 of State Police in the Department of Public Safety, and

27 (c) federal salary plan increases for Delaware National Guard employees.

1 (4) The Competency Based Pay Plan shall continue in Fiscal Year 2003 as 71 Del. c. 354
2 §247.

3 (5) In Fiscal Year 2003, the salary plans approved for the Office of the Attorney General and
4 Public Defender shall continue as established.

5 (6) Section 1 of this Act appropriates funding in Personnel Costs to the Office of the
6 Attorney General (15-01-00) and to the Public Defender (15-02-00) to be used to pay for
7 salary matrixes as approved by the Joint Finance Committee, notwithstanding Chapters
8 5.000 and 6.000 of the Merit Rules. These salary matrixes are intended to maintain the
9 salaries of these attorneys at competitive rates. A committee consisting of the Attorney
10 General, the State Personnel Director, the Budget Director and the Controller General
11 will biannually review the Department of Justice Salary Plan. A committee consisting of
12 the Public Defender, the State Personnel Director, the Budget Director and the Controller
13 General will biannually review the Public Defender Salary Matrix.

14 (d) **MAINTENANCE REVIEWS.**

15 Any such reclassifications/regrades which the State Personnel Director determines to be
16 warranted as a result of the classification maintenance reviews regularly scheduled by the State Personnel
17 Office shall be designated to become effective July 1, 2002, provided that such reclassifications/regrades
18 have been processed as part of the regular budgetary process and the funds for such
19 reclassifications/regrades shall be appropriated. Maintenance Review classification determination may be
20 appealed to the Merit Employee Relations Board in accordance with 29 Del. C. § 5915. Paygrade
21 determinations shall not be appealed.

1 (e) **CRITICAL RECLASSIFICATIONS.**

2 The classification of any position whose salary is covered by the appropriations in Section 1 of
3 this Act, may be changed to be effective January 1, 2003, or July 1, 2003, if the requested change is
4 certified critical by the appointing authority; and approved by the State Personnel Director, Budget
5 Director and Controller General prior to the effective date. Critical reclassification requests and paygrade
6 determinations shall not be appealed to the Merit Employee Relations Board.

7 (f) **OTHER RECLASSIFICATIONS.**

8 Other than those reclassifications/regrades approved in accordance with Section 8(d) or 8(e), no
9 position shall be reclassified or regraded during the fiscal year ending June 30, 2003.

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

11 The salaries of teachers and administrators employed by state agencies and who are paid based on
12 the Basic Schedule contained in 14 Del. C. § 1305, as amended by this Act, shall receive as salary an
13 amount equal to the index value specified in the appropriate training and experience cell multiplied by the
14 base salary amount defined in 14 Del. C. § 1305(b), divided by 0.7 for ten months employment. If
15 employed on an 11 or 12 month basis, the ten-month amount shall be multiplied by 1.1 or 1.2,
16 respectively.

17 (h) **ADMINISTRATIVE REGULATIONS.**

- 18 (1) The administrative regulation and procedures necessary to implement this Section shall
19 be promulgated by the State Personnel Director, Budget Director and Controller General.
- 20 (2) During the fiscal year ending June 30, 2003, paragraph 5.1100 of the Merit Rules for a
21 Merit System of Personnel Administration shall be null and void.
- 22 (3) Consistent with Chapter 16 of the Merit Rules, all state agencies shall implement the
23 performance review prescribed by Office of State Personnel after applicable training by
24 the Office of State Personnel. A performance review shall be completed for employees
25 between January 1 and December 31, 2003.
- 26 (4) Employees who retain salary upon voluntary demotion in accordance with Merit Rule
27 13.0340 shall be ineligible for a promotional increase upon promotion to a paygrade

1 lower than or equal to their original paygrade prior to voluntary demotion for a one year
2 period from the date of their voluntary demotion.

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

5 Merit Rules 5.1410 and 5.1411 notwithstanding, all Department of Transportation
6 employees directly engaged in toll collection operations, or directly engaged in the
7 Transportation Management Center's 24-hour operation, shall be entitled to receive
8 compensation at their normal rate of pay for holidays in lieu of compensatory time, and
9 they shall also be entitled to receive compensation in accordance with the Fair Labor
10 Standards Act.

11 **(j) OVERTIME FOR WEATHER RELATED EMERGENCIES - DEPARTMENT OF**
12 **TRANSPORTATION EMPLOYEES.**

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

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

22 The Merit Rules notwithstanding, employees designated as Highway Emergency
23 Response Team members shall be eligible for call back pay regardless of their
24 classification.

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

2 The Merit Rules notwithstanding, employees designated as Highway Emergency
3 Response Team members shall be eligible for standby pay regardless of their
4 classification.

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

6 Salary schedules and staffing formulas contained in 14 Del. C. c. 13, shall be revised as
7 specified in this Subsection.

8 (1) Amend 14 Del. C. § 1305(b), by deleting the first sentence and inserting in lieu thereof
9 the following sentence:

10 “The base salary amount for this section, for the fiscal year ending June 30, 2003,
11 shall be \$23,597.”

12 (2) Amend 14 Del. C. § 1308(a), by striking the salary schedule contained in said
13 subsection in its entirety and by substituting in lieu thereof the following:

14	"Years of					
15	Experience	Clerk	Secretary	Senior Secretary	Financial Secretary	Administrative Secretary
16	0	12,161	13,611	14,451	14,942	15,757
17	1	12,691	14,159	15,003	15,497	16,319
18	2	13,219	14,709	15,557	16,054	16,883
19	3	13,750	15,261	16,109	16,608	17,445
20	4	14,278	15,811	16,661	17,164	18,009
21	5	14,808	16,362	17,215	17,719	18,571
22	6	15,336	16,912	17,767	18,275	19,135
23	7	15,865	17,460	18,320	18,830	19,697
24	8	16,394	18,012	18,873	19,385	20,261
25	9	16,923	18,562	19,425	19,941	20,823
26	10	17,452	19,112	19,977	20,498	21,386
27	11	17,982	19,662	20,529	21,053	21,949
28	12	18,510	20,211	21,083	21,608	22,513
29	13	19,039	20,762	21,636	22,164	23,075
30	14	19,569	21,313	22,187	22,721	23,637
31	15	20,098	21,863	22,740	23,274	24,203
32	16	20,626	22,412	23,293	23,829	24,765
33	17	21,157	22,963	23,847	24,385	25,327
34	18	21,684	23,513	24,399	24,940	25,890
35	19	22,214	24,064	24,951	25,498	26,454

1						
2	20	22,741	24,614	25,503	26,053	27,016
3	21	23,283	25,176	26,068	26,620	27,591
4	22	23,838	25,751	26,646	27,200	28,180
5						

6 (3) Amend 14 Del. C. § 1311(a), by striking the salary schedule contained in said
7 subsection in its entirety and by substituting in lieu thereof the following:

8				Chief	Chief		
9				Custodian	Custodian		
10				Supervising	Supervising		
11	“Years of	Custodian	Fireman	5 or Fewer	6 or More	Maintenance	Skilled
12	Exp.	Custodian	Fireman	Custodians	Custodians	Mechanic	Craftsman
13							
14	0	15,117	15,671	15,952	17,064	17,580	18,034
15	1	15,534	16,089	16,370	17,483	18,063	18,594
16	2	15,952	16,506	16,788	17,898	18,550	19,149
17	3	16,369	16,924	17,204	18,314	19,033	19,705
18	4	16,788	17,340	17,624	18,734	19,455	20,262
19	5	17,204	17,755	18,036	19,152	20,002	20,818
20	6	17,624	18,177	18,455	19,567	20,487	21,374
21	7	18,036	18,596	18,871	19,983	20,972	21,931
22	8	18,455	19,011	19,289	20,401	21,457	22,487
23	9	18,871	19,428	19,705	20,818	21,939	23,046
24	10	19,289	19,846	20,123	21,236	22,426	23,600
25	11	19,705	20,265	20,542	21,651	22,910	24,158
26	12	20,131	20,695	20,971	22,074	23,405	24,729
27	13	20,566	21,134	21,411	22,506	23,911	25,314"
28							

29 (4) Amend 14 Del. C. § 1322(a), by striking said section in its entirety and substituting in
30 lieu thereof the following:

31 "(a) School food service managers who have the qualifications required by the
32 department with the approval of the State Board of Education and who work on a
33 program of at least seven (7) hours per day of the 10-month school year (185
34 days) shall receive annual salaries in accordance with the following schedule:

35

SCHOOL FOOD SERVICE MANAGERS

Number of Pupils in School Served by Cafeteria

Yrs of Exp.	Below 351	351-500	501-800	801-1200	1201-1600	1601-2000	2000+
0	13,783	14,685	15,585	16,484	17,388	18,592	19,189
1	14,233	15,132	16,036	16,936	17,836	18,738	19,640
2	14,685	15,585	16,484	17,388	18,286	19,189	20,090
3	15,132	16,036	16,936	17,836	18,738	19,640	20,541
4	15,585	16,484	17,388	18,286	19,189	20,090	20,992
5	16,036	16,936	17,836	18,738	19,640	20,541	21,443
6	16,484	17,388	18,286	19,189	20,090	20,992	21,892
7	16,936	17,836	18,738	19,640	20,541	21,443	22,343
8	17,388	18,286	19,189	20,090	20,992	21,892	22,796
9	17,836	18,738	19,640	20,541	21,443	22,343	23,247
10	18,286	19,189	20,090	20,992	21,892	22,796	23,695
11	18,738	19,640	20,541	21,443	22,343	23,247	24,145
12	19,189	20,090	20,992	21,892	22,796	23,695	24,598
13	19,640	20,541	21,443	22,343	23,247	24,145	25,048
14	20,090	20,992	21,892	22,796	23,695	24,598	25,502
15	20,541	21,443	22,343	23,247	24,145	25,048	25,954
16	21,004	21,907	22,804	23,706	24,606	25,506	26,415
17	21,478	22,381	23,275	24,175	25,077	25,973	26,885

Salaries provided for in this schedule shall be paid to the school food service manager of a single cafeteria. A food service manager responsible for the preparation of food for more than one (1) cafeteria shall receive \$400 for each additional cafeteria. A manager of satellite cafeteria(s) shall receive the salary provided for in this schedules less \$200. A satellite cafeteria is defined as one where no basic food preparation takes place. A manager who manages more than one (1) cafeteria shall receive the salary provided in this scale using the total school enrollments of all cafeterias managed. The salaries listed in this schedule for school food service managers shall be increased for additional training as defined by the State Board of Education as follows:

One Year of College	\$ 452
Two Years of College	\$ 682
Bachelor's Degree	\$1,360"

(5) Amend 14 Del. C. § 1322(c), by striking the salary schedule contained in said subsection in its entirety and by substituting in lieu thereof the following:

1 **“SCHOOL LUNCH COOKS AND GENERAL WORKERS**

2	Years of		
3	Experience	General Worker	Cook/Baker
4	0	8.27	9.06
5	1	8.40	9.17
6	2	8.55	9.29
7	3	8.63	9.39
8	4	8.75	9.53
9	5	8.91	9.69
10	6	9.05	9.79
11	7	9.14	9.87
12	8	9.21	9.96
13	9	9.31	10.08
14	10	9.42	10.22
15	11	9.60	10.34
16	12	9.72	10.48
17	13	9.84	10.59
18	14	9.96	10.69
19	15	10.08	10.84
20	16	10.23	10.99
21	17	10.36	11.08
22	18	10.51	11.17
23	19	10.65	11.27"

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

26 "(b) Aides actually working and paid ten months per year shall receive annual
 27 salaries in accordance with the following schedule:

28	Years of Experience	Service Aides	Instructional Aides
29	0	11,403	13,592
30	1	11,729	13,992
31	2	12,056	14,392
32	3	12,387	14,794
33	4	12,714	15,193
34	5	13,040	15,596
35	6	13,367	15,996
36	7	13,695	16,397
37	8	14,022	16,795
38	9	14,351	17,196
39	10	14,678	17,595
40	11	15,003	17,998
41	12	15,333	18,397
42	13	15,659	18,798
43	14	15,985	19,196
44	15	16,314	19,600
45	16	16,642	19,999

1	17	16,969	20,400
2	18	17,296	20,799
3	19	17,625	21,200
4	20	17,951	21,601
5	21	18,286	22,009
6	22	18,627	22,425"

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

(8) Effective July 1, 2002, the State shall pay 66 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 54.5 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.

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

(10) 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.

1 (n) **SALARY PLAN - DELAWARE TECHNICAL AND COMMUNITY COLLEGE.**

2 (1) For each fiscal year, the minimum increase for a Plan A or Plan D employee shall be one-
3 half of the general increase of the current fiscal year for all eligible merit and merit
4 comparable state employees.

5 (2) The base salary for ten-month Plan A employees at Delaware Technical and Community
6 College shall be calculated by using the salary amount specified for the Bachelor's
7 Degree, 0 years of experience amount from 14 Del. C. § 1305(b), divided by 0.7 to
8 account for 100 percent state funding.

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Section 9. Salaries and wage rates for state employees who are not covered by the provisions of 14 Del. C. c. 13, 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 Public Safety, 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 Educational Technology Center, 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 State Personnel Director shall establish an exempt position classification only for the purpose of assigning a salary or wage rate to said position. On or before August 15, 2002, the State Personnel Director shall publish a list of exempt positions and the comparable Merit System class and/or paygrade for each position. In addition, such listing shall show the name of the incumbent, if the position is filled, and shall show the statutory citation which authorizes the establishment of the exempt position(s). The State Personnel Director shall provide copies of such listing to members of the Joint Finance Committee and the Controller General. No exempt employee shall be hired until an approved comparability has been assigned to the position. No reclassification/regrading, change in paygrade 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 State Budget Director, State Personnel Director and the Controller General. In order to permit the development of the comparability

1 list, state agencies shall provide to the State Personnel Director job descriptions of all exempt positions
2 and position classification questionnaires describing the duties and responsibilities of each of the
3 positions. The certification of comparability by the State Personnel Director shall not be withheld
4 unreasonably. Those positions assigned on a list of comparability that are assigned a comparable class
5 and/or paygrade in the Merit System shall be paid in accordance with Sections 8(b) and (c) of this Act and
6 Merit System Rules 13.0110 and 5.0900 through 5.0931; no other salary increases shall be given to such
7 employees unless specifically authorized in this Act.

8 (b) The salary of employees whose salary in effect as of June 30, 2002, is below the minimum
9 salary of the assigned paygrade of the pay plan shall be raised to the minimum salary.

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

1 Section 10. (a) For the fiscal year ending June 30, 2003, the salaries displayed below represent
 2 the salary effective on July 1, 2002.

3			General	All Other
4	<u>Budget Unit</u>	<u>Line Item</u>	<u>Funds</u>	<u>Funds</u>
5	(01-01-01)	Representative	34.8	
6	(01-02-01)	Senator	34.8	
7	(02-01-00)	Chief Justice - Supreme Court	152.5	
8	(02-01-00)	Justice - Supreme Court	147.0	
9	(02-02-00)	Chancellor - Court of Chancery	145.3	
10	(02-02-00)	Vice Chancellor - Court of Chancery	140.2	
11	(02-03-00)	President Judge - Superior Court	145.3	
12	(02-03-00)	Associate Judge - Superior Court	140.2	
13	(02-03-00)	Commissioner- Superior Court	85.7	
14	(02-03-00)	New Castle County Prothonotary	57.2	
15	(02-03-00)	Kent County Prothonotary	50.7	
16	(02-03-00)	Sussex County Prothonotary	50.7	
17	(02-06-00)	Chief Judge - Court of Common Pleas	143.8	
18	(02-06-00)	Judge - Court of Common Pleas	136.5	
19	(02-06-00)	Commissioner - Court of Common Pleas	85.7	
20	(02-08-00)	Chief Judge - Family Court	145.3	
21	(02-08-00)	Associate Judge - Family Court	140.2	
22	(02-08-00)	Commissioner - Family Court	85.7	

			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(02-13-00)	Chief Magistrate - Justice of the Peace Courts	100.5	
4	(02-13-00)	Magistrate - Justice of the Peace Courts - 1st Term	57.6	
5	(02-13-00)	Magistrate - Justice of the Peace Courts - 2nd Term	59.6	
6	(02-13-00)	Magistrate - Justice of the Peace Courts - 3rd Term	61.5	
7	(02-17-00)	St. Court Administrator – Off. of the St. Court Administrator	107.9	
8	(02-18-00)	Public Guardian	60.0	
9	(02-18-00)	Executive Director - Violent Crimes Compensation		
10		Board		49.0
11	(02-18-00)	Executive Director - Child Placement Review Board	54.2	
12	(10-01-01)	Governor	116.3	
13	(10-02-00)	Budget Director	113.4	
14	(10-02-08)	Director - SAC	79.2	
15	(10-03-01)	Director - Delaware Economic Development Office	106.0	
16	(10-04-00)	Personnel Director	106.0	
17	(10-07-01)	Executive Director - CJC	80.2	
18	(10-07-01)	Director – Domestic Violence Coordinating Council	59.0	
19	(10-07-02)	Executive Director - DELJIS	71.1	
20	(10-08-01)	Director - Delaware State Housing Authority		99.0
21	(11-00-00)	Chief Information Officer	133.6	
22	(12-01-01)	Lieutenant Governor	62.4	

			General Funds	All Other Funds
1				
2				
3	<u>Budget Unit</u>	<u>Line Item</u>		
4	(12-02-01)	Auditor	89.9	
5	(12-03-01)	Insurance Commissioner		89.9
6	(12-05-01)	State Treasurer	94.0	
7	(15-01-01)	Attorney General	116.7	
8	(15-01-01)	Chief Deputy Attorney General	110.0	
9	(15-02-01)	Public Defender	116.7	
10	(15-02-01)	Chief Deputy Public Defender	110.0	
11	(15-03-01)	Parole Board Chairman	55.0	
12	(20-01-00)	Secretary - State	106.0	
13	(20-02-00)	Director - Human Relations	63.2	
14	(20-03-00)	Director – Division of Archives	76.4	
15	(20-05-00)	Director - Corporations		96.4
16	(20-06-00)	Director - Historical and Cultural Affairs	79.4	
17	(20-07-00)	Director - Arts	69.6	
18	(20-08-00)	State Librarian	75.2	
19	(20-15-00)	State Banking Commissioner		95.7
20	(25-01-00)	Secretary – Finance	113.4	
21	(25-05-00)	Director - Accounting	91.9	
22	(25-06-00)	Director – Revenue	106.9	
23	(25-07-00)	Director - State Lottery		90.3
24	(30-01-00)	Secretary - Administrative Services	98.8	
25	(30-01-00)	Director - Administration	78.1	
26	(30-01-00)	Executive Director - Public Employment Relations		
27		Board	67.8	

			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(30-03-00)	Public Advocate		72.8
4	(30-03-00)	Director - Public Service Commission		77.9
5	(30-03-00)	Director - Professional Regulation		75.6
6	(30-04-00)	Director – Support Services	25.7	49.9
7	(30-05-00)	Director - Facilities Management	83.4	
8	(30-05-00)	Executive Secretary - Architectural Accessibility Bd.	40.6	
9	(35-01-00)	Secretary - Health and Social Services	113.4	
10	(35-01-00)	Director - Management Services	88.3	9.9
11	(35-04-00)	Chief Medical Examiner	135.4	
12	(35-05-00)	Director - Public Health	141.6	
13	(35-06-00)	Director – Substance Abuse and Mental Health	121.8	
14	(35-07-00)	Director - Social Services	49.2	49.2
15	(35-08-00)	Director - Visually Impaired	69.4	
16	(35-09-00)	Director - Long-Term Care Residence Protection	78.9	
17	(35-10-00)	Director - Child Support Enforcement	26.0	52.8
18	(35-11-00)	Director – Developmental Disabilities Services	98.3	
19	(35-12-00)	Director - State Service Centers	78.9	
20	(35-12-00)	Director - Community and Volunteer Services	64.5	
21	(35-14-00)	Director - Services for Aging and Adults		
22		with Physical Disabilities	78.9	
23	(37-01-00)	Secretary - Services for Children,		
24		Youth and Their Families	106.0	
25	(37-01-00)	Director - Management Services	89.5	

			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(37-03-00)	Director - Child Mental Health Services	86.9	
4	(37-05-00)	Director - Youth Rehabilitative Services	89.5	
5	(37-06-00)	Director - Family Services	89.5	
6	(38-01-00)	Commissioner - Correction	113.4	
7	(38-01-00)	Bureau Chief - Management Services	81.4	
8	(38-04-00)	Bureau Chief - Prisons	98.3	
9	(38-06-00)	Bureau Chief - Community Corrections	93.6	
10	(40-01-00)	Secretary - Natural Resources and		
11		Environmental Control	106.0	
12	(40-01-00)	Deputy Secretary - Natural Resources		
13		and Environmental Control	78.4	
14	(40-05-00)	Director - Fish and Wildlife	42.1	42.1
15	(40-06-00)	Director - Parks and Recreation	85.0	
16	(40-07-00)	Director - Soil and Water Conservation	84.3	
17	(40-08-00)	Director - Water Resources	86.8	
18	(40-09-00)	Director - Air and Waste Management	86.8	
19	(45-01-00)	Secretary - Public Safety	106.0	
20	(45-01-00)	Director - Boiler Safety	54.5	
21	(45-01-00)	Director - Del. Emergency Management Agency	34.9	34.9
22	(45-03-00)	Commissioner – Alcoholic Beverage Control	98.8	
23	(45-04-00)	Director - Alcoholic Beverage		
24		Control and Tobacco Enforcement	70.0	
25	(45-06-00)	Superintendent - State Police	126.9	
26	(45-06-00)	Assistant Superintendent - State Police	116.4	

			General Funds	All Other Funds
1	Budget Unit	Line Item		
2				
3	(45-07-00)	Director - Motor Vehicles	83.7	
4	(55-01-01)	Secretary - Transportation		106.0
5	(55-01-01)	Chief Engineer		100.0
6	(55-02-01)	Director - Administration		84.8
7	(55-03-01)	Director - Transportation Planning		100.0
8	(55-04-01)	Director - Highway Operations		100.0
9	(55-06-01)	Director - Delaware Transit Corporation		100.0
10	(55-07-10)	Director - Pre-Construction		100.0
11	(60-01-00)	Secretary - Labor	9.4	86.1
12	(60-06-00)	Director - Unemployment Insurance		81.8
13	(60-07-00)	Director - Industrial Affairs		81.8
14	(60-08-00)	Director - Vocational Rehabilitation		81.8
15	(60-09-00)	Director - Employment and Training	8.2	73.6
16	(65-01-00)	Secretary - Agriculture	98.8	
17	(65-01-00)	Deputy Secretary - Agriculture	73.3	
18	(70-01-01)	Commissioner - Elections	69.1	
19	(70-02-01)	Administrative Director - New Castle County Elections	65.4	
20	(70-02-01)	Deputy Administrative Director - New Castle		
21		County Elections	64.2	
22	(70-03-01)	Administrative Director - Kent County Elections	65.4	
23	(70-03-01)	Deputy Administrative Director - Kent County Elections	64.2	
24	(70-04-01)	Administrative Director - Sussex County Elections	65.4	
25	(70-04-01)	Deputy Administrative Director - Sussex County Elections	64.2	
26	(75-01-01)	State Fire Marshal	46.5	23.0
27	(75-02-01)	Director - State Fire School	69.5	

	<u>Budget Unit</u>	<u>Line Item</u>	General Funds	All Other Funds
1				
2				
3	(76-01-01)	Adjutant General	91.8	
4	(95-01-00)	Secretary of Education	133.6	
5	(95-01-00)	Deputy Secretary of Education	109.5	
6	(95-06-00)	Executive Secretary - Advisory Council on Career		
7		and Vocational Education	86.6	
8	(95-08-01)	Executive Director - Higher Education Commission	71.9	

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

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

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

1 promotional increase in excess of five percent based upon the qualifications of the
2 selected candidate. The request and appropriate justification shall be submitted to the
3 State Personnel Director. In reviewing requests made pursuant to this paragraph, the
4 State Personnel Director shall provide an analysis of the request and shall solicit the
5 advice and written consent of the Budget Director and the Controller General.

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

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

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

25 (vi) If the incumbent in the position of Secretary - Health and Social Services holds a State
26 Medical license, the salary listed in Section 10(a) of this Act for that position shall be
27 increased by \$12.0. Additionally, if the incumbent in the position of Secretary - Health

1 and Social Services is a Board Certified physician, a \$3.0 supplement shall be added to
2 the annual salary listed in Section 10(a) of this Act.

3 (vii) The salary in Section 10 for the Superintendent and Assistant Superintendent of the State
4 Police has been calculated in accordance with 11 Del. C. § 8303. If the salary of the
5 highest paid Major increases during the fiscal year, the salaries of the Superintendent and
6 the Assistant Superintendent shall be increased in accordance with 11 Del. C. § 8303. If
7 the salary of the highest paid Major decreases during the fiscal year, the incumbent
8 Superintendent's and Assistant Superintendent's salaries shall not change.

9 (viii) The salary listed in sub-section (a) of this section for Chief Information Officer may be
10 adjusted upon the recommendations of the Budget Director with the approval of the
11 Controller General and the Co-Chairs of the Joint Finance Committee.

12 (c) Effective May 1, 2003, the Office of State Personnel shall submit to the Joint Finance
13 Committee a listing of employees designated in Section 10(a). The listing shall indicate for each position
14 the number of points applicable for Fiscal Year 2002 and the number of points of any recommended
15 changes for any position for Fiscal Year 2004.

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

July 1, 2002

			<u>General</u>	<u>All Other</u>
	<u>Budget Unit</u>	<u>Line Item</u>	<u>Funds</u>	<u>Funds</u>
4	(10-04-00)	Board Members - Pensions		9.6
5	(15-01-01)	Board Members - Consumer Protection	3.5	
6	(15-03-01)	Board Members - Parole	19.5	
7	(20-02-00)	Board Members - Human Relations	2.5	
8	(25-01-00)	Board Members - Revenue	33.0	
9	(30-01-00)	Board Members - Public Employment Relations Board	7.4	
10	(30-01-00)	Board Members - Merit Employee Relations Board	20.0	
11	(30-03-00)	Board Members - Professional Regulation		71.5
12	(30-03-00)	Board Members - Public Service Commission		130.0
13	(30-05-00)	Board Members - Architectural Accessibility Board	2.3	
14	(38-04-00)	Board Members - Institutional Classification	12.0	
15	(45-04-00)	Board Members - Alcoholic Beverage Control Commission	8.6	
16	(60-07-00)	Board Members - Industrial Accident Board		153.0
17	(65-01-05)	Harness Racing Commission		13.6
18	(65-01-10)	Thoroughbred Racing Commission		13.6
19	(65-01-12)	Nutrient Management Commission	22.4	
20	(70-02-01)	Board Members - New Castle County Elections	21.5	
21	(70-03-01)	Board Members - Kent County Elections	13.0	
22	(70-04-01)	Board Members - Sussex County Elections	13.0	
23	(95-01-01)	Board Members - State Board of Education	16.8	
24	(95-08-01)	Higher Education Commissioners	2.4	

25 (e) Upon the enactment of legislation to standardize property assessments across all three
26 counties and the creation of a State Assessment Practices Board, consisting of seven members, to provide

1 guidance and oversight of the property tax system, there shall be established a salary of \$.5 per Board
2 member.

3 (f) Amend 29 Del. C. § 710 by deleting subsections (a), (b), and (c) in their entirety and
4 substituting in lieu thereof the following:

5 "(a) The Lieutenant Governor shall receive an annual salary of \$61,200 for serving as
6 President of the Senate, of which \$10,200 shall be for performing other duties.

7 (b) Effective July 1, 2001, each member of the Senate and the House of Representatives shall
8 receive an annual salary, as determined in the annual appropriations act, for the period
9 commencing on Election Day in the year in which the member is elected and extending
10 through and including the day preceding Election Day in the year in which the term expires.

11 The salary shall be payable biweekly and shall be lagged in accordance with the PHRST
12 payroll system.

13 (c) Any member of the Senate or the House of Representatives who is elected or appointed to
14 any of the following positions shall, while serving in such position, receive additional yearly
15 compensation as follows:

16	1. President Pro Tempore of the Senate	\$17,271.00
17	2. Speaker of the House of Representatives	17,271.00
18	3. Majority and Minority Leader of the Senate	10,313.00
19	4. Majority and Minority Leader of the House	10,313.00
20	5. Chairperson and Vice Chairperson of the Joint Finance Committee	9,549.00
21	6. Majority and Minority Whip of the Senate	6,495.00
22	7. Majority and Minority Whip of the House	6,495.00
23	8. Members of the Joint Finance Committee	8,022.00
24	9. Chairperson & Vice Chairperson of the Capital Improvement 25 Program Committee	3,815.00
26	10. Members of the Capital Improvement Program Committee	3,210.00
27	11. Chairperson & Vice Chairperson of the Joint Sunset Committee	3,815.00

2 A member of the General Assembly shall be entitled to receive the higher of any one of the above
3 stipends and receive one-half of the amount of a second stipend of an equal or lesser amount. Eligible
4 recipients of a second stipend may choose not to accept such additional stipend. The stipend(s) included
5 herein shall commence immediately when such member is elected or appointed to such position(s).
6 Payments to such members shall be as described in 29 Del. C. § 2712."

7 Section 11. Any employee eligible for termination pay, whose regular pay was from special funds,
8 shall have termination pay paid from special funds. If the employee's regular pay is from both General
9 Funds and special funds, termination pay shall be on a pro rata basis. The intent of this Section is that if
10 any school district charges their local share to Division III - Equalization Funds, that for termination pay
11 purposes only, these funds are considered special funds. Exceptions to this method of payment must have
12 the approval of the Budget Director and the Controller General. All agencies shall absorb termination pay
13 within the appropriations set forth in Section 1 of this Act.

14 Section 12. Vacant positions in pay grades 1 - 5 will be filled by agency recruitment efforts unless
15 an eligibility list is required by federal law for a position.

16 Section 13. All agencies or schools receiving federal funds subject to the federal Single Audit
17 Act shall:

18 (a) Include in program budgets an amount sufficient to cover actual program audit costs incurred
19 by the Office of Auditor of Accounts. Such amount shall be based on estimated audit costs determined
20 and provided by the Office of Auditor of Accounts.

21 (b) Process audit cost payment documents (Intergovernmental Vouchers) within 30 days of
22 receipt of same from the Office of Auditor of Accounts.

23 Section 14. All state agencies and departments that own land shall inform the Budget Director,
24 the Controller General, the Secretary of Administrative Services, and the General Assembly, quarterly, as
25 to any and all developments relating to the possible new use, lease or sale, of any portion of said land.

1 This section shall not apply to lands owned by the Department of Transportation that are intended for
2 transportation purposes except as provided in 17 Del. C. § 137.

3 Section 15. With the exception of the custodial work associated with Legislative Hall and the
4 Governor's Office, the Department of Administrative Services may not hire any permanent, full-time
5 custodial employees in any fiscal year without the approval of the Budget Director and the Controller
6 General.

7 Section 16. Chapters 5.0000 and 6.0000 of the Merit Rules notwithstanding, the State Personnel
8 Director, in accordance with the Budget Director and the Controller General, shall have the authority to
9 designate and approve pilot projects within specified agencies. Such pilot projects shall accrue to the
10 mutual benefit of the State as an employer and its affected employees in the Department of Health and
11 Social Services, the Department of Services for Children Youth and Their Families, the Department of
12 Correction, and the Department of Transportation. These pilot projects may include employee incentives
13 which have the impact of reducing overtime usage in these departments, and which are designed to
14 achieve a net reduction in costs to the State. Such projects may include elimination of pre-employment
15 testing for certain classifications, eliminating the cap on vacation carry-over, gain sharing, and the
16 substitution of certain fixed state holidays by floating holidays. Such pilot projects shall not exceed a
17 period of two years duration, subject to renewal on a six month basis, and shall include a written
18 assessment to the Budget Director and the Controller General of their effectiveness at the end of each
19 period.

20 Section 17. For the fiscal year, the provisions of 29 Del. C. § 6502(a), shall be waived for school
21 districts. In its place, school districts shall be required to provide to the Budget Director and Controller
22 General a signed copy of its approved district budget for expenditures, including positions to be funded
23 from all funds, as well as any other information required by the Budget Director (provided the Budget
24 Director furnishes official blank forms for such data).

25 Section 18. All agencies receiving an Energy appropriation in Section 1 of this Act must work
26 through Department of Administrative Services and the Executive Department, Office of the Budget to

1 attain any contract(s) dealing with the retail wheeling of natural gas or electricity. This includes agencies
2 01 through 95 with the exception of the University of Delaware.

3 During the current fiscal year, all energy use systems for new facilities, rental/leasing changes,
4 and/or renovations to energy use systems must be coordinated with the Energy Office within the
5 Department of Administrative Services and with the Executive Department, Office of the Budget.

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

13 Section 19. Members of the Board overseeing the Delaware College Investment Plan may be
14 reimbursed for mileage expenses incident to their duties.

15 Section 20. (a) Increased use of videophones and related technologies by agencies comprising
16 the criminal justice system is beginning to have a positive impact on the operations of these agencies.
17 One such positive impact is the reduction in the number of trips Department of Correction personnel need
18 to make to transport offenders from the secure facilities in the prisons to the courts for various hearings
19 and other procedural matters. To help quantify these positive impacts, agencies with videophones
20 obtained through the Videophone Committee of the Criminal Justice Council shall submit to the Budget
21 Director and Controller General an annual report on their use of their videophone(s). This report shall be
22 submitted no later than December 1 and shall contain information such as but not limited to 1) the number
23 of videophones used; 2) what types of activities the videophone(s) are used for; 3) the number of times
24 the videophone(s) was used for each activity; 4) any savings or deferred costs resulting from the use of
25 the videophone(s); 5) any costs directly associated with the use of the videophone(s); and 6) future plans
26 for the use of the videophone(s).

1 (b) The Department of Correction shall submit a report of videophone usage to the Budget
2 Director, Controller General and members of the Joint Finance Committee annually by December 1. This
3 report shall include a detailed description of the actual savings, deferred costs and previously anticipated
4 savings and deferrals that were not realized.

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

10 Section 22. (a) For Fiscal Year 2003, Merit Rule 5.0711 shall be amended to authorize the
11 appointing authority to approve a starting rate or promotional rate up to 85 percent of midpoint where the
12 applicant's qualifications are clearly over and above those required by the minimum for the class
13 specification.

14 (b) Pursuant to Merit Rules 5.0711 and 5.0712, an agency that requests approval of a starting rate
15 higher than 85 percent of midpoint, or that requests that incumbents be leveled up to the advanced salary
16 of newly hired employee, shall provide documentation that sufficient funds exist within the agency's base
17 budget to fund such actions. An agency that requests approval of a starting rate higher than 85 percent of
18 midpoint shall also indicate if the approval of such starting rate will result in a request to level up the
19 salary of existing employees, and shall indicate if sufficient funds exist within the agency's base budget to
20 fund such a leveling up action.

21 Section 23. Effective July 1, 2000 all employee benefit deductions shall be made on a pre-tax
22 basis. Employees who have currently designated employee deductions on a post-tax basis shall continue
23 to have those deductions on a post-tax basis as long as the employee remains in a benefit program or the
24 employee makes a change to pre-tax employee benefit deductions.

25 Section 24. In an effort to reduce the financial impact of worker's compensation and property
26 losses to the State, the agencies and school districts shall work with the Insurance Coverage Office to
27 implement safety and return to work policies. Any employee who has been on Worker's Compensation

1 shall be a preferential hire for any position for which the employee is qualified. In accordance with State
2 law, the employee shall receive a salary supplement based on that employee's prior earnings in the event
3 the new salary is less than their current salary.

4 Section 25. Notwithstanding Chapter 2.0 and Chapter 12.0 of the Merit Rules, upon approval by
5 the Budget Director, Controller General and the State Personnel Director, temporary appointees may be
6 assigned to the same position as that already assigned to a permanent employee in order to complete a
7 special project.

8 Section 26. (a) For the fiscal year ending June 30, 2002 any sums in the following accounts shall
9 remain as continuing appropriations and shall not be subject to a reversion until June 30, 2003.

10	Fiscal Year	Account	
11	<u>Appropriation</u>	<u>Codes</u>	<u>Remarks</u>
12	2002	(01-01-01-01-40)	Travel
13	2002	(01-01-01-01-50)	Contractual
14	2002	(01-01-01-01-60)	Supplies
15	2002	(01-01-01-01-70)	Capital Outlay
16	2002	(01-01-01-01-81)	Committee Expenses
17	2000/01/02	(01-05-01-01-40)	Travel
18	2002	(01-05-01-01-41)	Legislative Travel
19	1999/00/01/02	(01-05-01-01-50)	Contractual
20	2001/02	(01-05-01-01-60)	Supplies
21	1998/99	(01-05-01-01-85)	Delegation Expense
22	2001	(01-08-01-01-85)	TriCent Committee
23	2001	(01-08-01-01-98)	One-Time
24	2002	(01-08-02-01-40)	Travel
25	2002	(01-08-02-01-50)	Contractual
26	2001/2002	(01-08-02-01-60)	Supplies
27	2001/2002	(01-08-02-01-70)	Capital

1	1997/98/99	(01-08-02-01-80)	Senior Center Reporting
2	2001/02	(01-08-02-01-81)	Contingency - Legislative
3	2002	(01-08-02-01-82)	Family Law Commission
4	2002	(01-08-02-01-85)	Formula Update
5	1998/99/00/01/02	(01-08-02-01-86)	Juvenile Detention Oversight Committee
6	1996	(01-08-02-01-87)	Contingency – Legal
7	2001/02	(01-08-02-01-90)	Neighborhood Schools
8	2001/02	(01-08-02-01-91)	Clean Air
9	2001	(01-08-02-01-92)	Redistricting
10	2001	(01-08-02-01-96)	DACS Review
11	2001/02	(01-08-02-01-97)	Contingency - Intern
12	1999/01	(01-08-02-01-98)	One-Time
13	2002	(01-08-02-02-00)	TriCent Committee
14	2002	(01-08-02-09-85)	Senior Center Projects
15	2002	(01-08-02-09-87)	Fox Point Park
16	2001	(02-06-10-01-95)	First Quality
17	2002	(02-08-10-01-95)	First Quality
18	2001	(02-13-10-01-95)	First Quality
19	2002	(02-17-01-01-90)	New Castle County Courthouse
20	2002	(02-17-01-01-98)	One-Time (NCCCH)
21	1998	(02-17-04-01-85)	Development Fund
22	2001	(02-17-04-01-96)	Data Development
23	2001	(02-17-04-01-98)	One-Time
24	2002	(02-18-05-01-98)	One-Time
25	2001	(10-02-01-01-53)	LIS Project
26	2000/01	(10-02-01-01-82)	Computer One-Time

1	2000/01	(10-02-01-01-85)	Data Development
2	2001/02	(10-02-01-01-91)	Budget Automation
3	1998	(10-02-01-01-98)	One-Time (Automated Release Date Project)
4	2000	(10-02-01-01-99)	Technology
5	1997	(10-02-01-02-01)	Infrastructure
6	2002	(10-02-01-02-02)	Evaluation Project
7	2001	(10-02-01-02-04)	Security
8	1999/00/01/02	(10-02-04-01-85)	Legal Fees
9	2001/02	(10-02-04-01-89)	Salary/OEC
10	2000	(10-02-04-01-99)	Technology Initiative
11	2001	(10-02-04-02-49)	High School Football
12	2002	(10-02-04-02-55)	Liveable Delaware
13	2001/02	(10-02-06-01-96)	Contingency Fund
14	1999	(10-02-08-01-98)	One-Time (SAC)
15	2001	(10-02-08-01-98)	SENTAC Study
16	2001	(10-03-01-01-87)	Welfare Reform
17	2001/02	(10-03-01-01-88)	Workplace Literacy
18	2002	(10-04-02-01-81)	Employee Recognition
19	2002	(10-04-02-01-84)	Blood Bank
20	2002	(10-04-02-01-87)	School-to-Work
21	2001/02	(10-04-04-01-99)	First Quality
22	2002	(10-04-05-01-50)	Contractual Services
23	2001/02	(10-04-05-01-83)	Self Insurance
24	1995/97	(10-05-01-01-80)	Pilot Programs
25	1999/00/01	(10-05-02-01-80)	Operations
26	2002	(10-07-01-01-88)	Grants 92
27	2000	(10-07-02-01-96)	Technology

1	1997	(10-09-01-01-99)	Technology Initiative
2	1996	(10-09-40-01-98)	One-Time
3	2001	(10-09-90-01-97)	Data Development
4	2002	(11-01-01-01-99)	First Quality
5	2002	(12-01-01-01-98)	One-Time
6	2002	(12-03-01-01-95)	First Quality
7	2001	(12-05-01-01-96)	First Quality
8	1995	(20-01-01-01-82)	Millsboro Historical Society
9	1998	(20-03-01-01-80)	Historic Markers
10	2001/02	(20-03-01-01-81)	Document Conservation
11	2002	(20-03-01-01-82)	Historical Markers
12	1997/99/00/01/02	(20-03-01-01-98)	One-Time
13	2000	(20-06-01-01-98)	One-Time
14	2002	(20-06-04-01-84)	Operations
15	2002	(20-06-04-01-98)	One-Time
16	2002	(20-07-01-01-82)	Arts Grants
17	2001/02	(20-08-01-01-80)	Library Standards
18	2002	(20-08-01-01-81)	Delaware Electronic Library
19	2002	(20-08-01-01-86)	DeINET
20	2002	(25-06-01-01-99)	First Quality
21	1998	(30-01-40-01-98)	One-Time
22	1998	(30-04-50-01-98)	One-Time
23	2000	(30-05-10-01-61)	MCI - Judicial
24	2001	(30-05-10-01-87)	UST
25	1999/2001	(30-05-10-01-95)	Asbestos/UST

1	2001/02	(30-05-10-01-98)	One-Time
2	2002	(30-05-10-02-00)	DOS/Woodlawn
3	2001	(35-01-20-01-97)	Development
4	2002	(35-05-20-01-80)	School Based Health Clinics
5	2002	(35-05-20-01-82)	Immunizations
6	2002	(35-05-20-01-83)	Hepatitis B
7	2002	(35-07-01-01-89)	Medicaid Non-State
8	2000	(35-07-01-01-97)	Medicaid Management Information System
9	2002	(35-07-01-01-97)	Technology
10	2001	(35-07-01-01-98)	Staff Development One-Time
11	1997	(35-07-01-01-99)	DCIS
12	2002	(35-11-20-02-00)	Facility Repair
13	2002	(35-11-30-01-80)	Community Placements
14	2002	(35-11-30-01-81)	Purchase of Care
15	2001/02	(35-11-30-01-82)	Stockley Transition
16	2002	(35-12-10-01-84)	Kinship Care
17	2002	(35-14-01-01-98)	One-Time
18	2002	(37-01-15-01-96)	First Quality
19	2002	(37-01-50-01-81)	MIS Development
20	1995	(37-05-50-01-98)	Ferris Retraining
21	2002	(38-01-01-01-82)	Education Enhancement
22	2002	(38-01-10-01-95)	First Quality
23	2002	(38-01-10-01-99)	MIS
24	2002	(38-01-30-01-80)	Medical
25	2002	(38-01-31-01-80)	Drug Treatment

1	2002	(38-01-40-01-99)	Maintenance and Restoration
2	2002	(40-01-01-01-80)	Magazine
3	2001	(40-01-01-01-88)	CZM Administration
4	2002	(40-01-01-01-97)	MCI/Equipment
5	2002	(40-01-01-02-01)	First Quality
6	2002	(40-05-04-01-98)	One-Time
7	2002	(40-08-01-01-80)	Delaware Estuary
8	2001	(40-08-02-01-97)	First Quality
9	1998	(40-08-05-01-97)	Permitting Project
10	2002	(40-08-07-01-81)	Whole Basin TMDL
11	2001/02	(40-09-03-01-83)	Recycle Commission
12	2001	(40-09-03-01-84)	First Quality
13	2002	(45-01-01-01-82)	ITC
14	2002	(45-01-01-01-86)	Real Time Crime
15	2001	(45-01-01-01-87)	OABCC
16	1986	(45-01-01-03-81)	Hazardous Waste Revolving Fund
17	2001/02	(45-01-30-01-98)	Assistance Relief Fund
18	2002	(45-01-30-02-00)	LEPC Expenses
19	2001	(45-04-10-01-80)	Tobacco Enforcement
20	2000	(45-04-10-01-97)	One-Time – Advert. and Database Replacement
21			Study
22	2002	(45-06-10-01-82)	First Quality
23	1995	(45-07-01-01-99)	Anti-Theft Project
24	2002	(60-08-10-01-90)	First Quality
25	2002	(60-09-20-01-82)	Summer Youth Program
26	2002	(65-01-12-01-81)	Nutrient Management Contingency

1	2001/02	(65-01-12-01-82)	Education – Certification
2	2002	(70-01-01-01-81)	School Elections
3	2002	(70-01-01-01-83)	Voter Purge
4	2000	(70-01-01-01-98)	Voter Education Initiative
5	2001	(70-01-01-02-00)	Reapportionment
6	2002	(70-01-01-02-01)	Technology Development
7	2001	(70-02-01-02-00)	Reapportionment/Address Verification
8	2001	(70-03-01-02-00)	Reapportionment
9	1997	(70-04-01-01-98)	One-Time
10	2001	(70-04-01-02-00)	Reapportionment
11	2001	(75-02-01-01-96)	EMT Training
12	2001	(75-02-01-01-98)	One-Time
13	2002	(75-03-01-01-83)	Background Checks
14	2002	(76-01-01-01-81)	Education Assistance
15	2000	(90-04-01-01-99)	MCI/Equipment
16	2002	(95-01-01-01-89)	State Board of Education
17	2001/02	(95-01-01-01-93)	Building Improvement
18	2002	(95-01-01-01-94)	Educator Certification and Development
19	2001/02	(95-01-01-01-98)	One-Time
20	2001/02	(95-01-01-02-00)	Standards and Assessment
21	2002	(95-01-01-02-02)	DSTP – On Grade Assessment
22	2002	(95-01-01-02-03)	Pupil Accounting
23	2002	(95-01-01-02-06)	Americorps Kickstart Program
24	1999/2001/02	(95-01-01-02-08)	Family Involvement
25	2002	(95-01-01-02-12)	Professional Standards Board

1	2002	(95-01-01-02-27)	DSTP – Off Grade Assessment
2	2002	(95-01-01-02-28)	DSTP – Retest/EOS/AI
3	2002	(95-01-01-02-30)	Educator Accountability
4	2002	(95-01-01-02-81)	DSTP Common Costs
5	2001	(95-02-02-02-02)	Educator Accountability
6	2002	(95-02-02-02-04)	School Building Awards
7	2001/02	(95-03-10-01-91)	Professional Development
8	2002	(95-03-15-01-27)	Smithsonian Project
9	2002	(95-03-15-01-31)	Early Education Center
10	2002	(95-03-20-01-27)	Student Discipline Program
11	2002	(95-03-20-01-53)	3-5 Program
12	2002	(95-03-20-01-82)	Early Childhood Assistance
13	2002	(95-03-20-01-90)	Prison Education
14	1999/2002	(95-03-20-01-98)	One-Time
15	2002	(95-04-01-01-90)	Public School Transportation
16	2002	(95-07-01-01-80)	Operations
17	2002	(95-08-01-01-83)	Scholarship
18	1998	(95-08-01-01-84)	DHEC
19	2000/02	(95-08-01-01-85)	Ferguson DSTP Scholarship
20	2000/01/02	(95-08-01-01-88)	Physician Loan
21	2001/02	(95-08-01-01-89)	Legislative Essay
22	1997	(95-08-01-09-75)	GIA Section 1
23	1998	(95-08-01-09-77)	GIA Tuition
24	1994	(95-13-00-01-48)	Teacher in Space
25	2002	(95-17-00-02-02)	Discipline
26	2002	(95-18-00-02-41)	Construction Market Pressure
27	2002	(95-23-00-02-02)	Discipline

1 2002 (95-29-00-02-41) Construction Market Pressure
2 2002 (95-33-00-02-02) Discipline

3 (b) Funds appropriated for the following programs shall be appropriated on a 15 month basis and
4 not be subject to reversion until September 30, 2003: Student Mentoring (appropriation 0207), Discipline
5 Part II (appropriation 0201), LEP (appropriation 0233), Professional and Curriculum Development
6 (appropriation 0205), Professional Mentoring (appropriation 0151), Teacher to Teacher Instructional
7 Cadre (appropriation 0206). Program expenses may not be incurred subsequent to the start of the regular
8 2003-2004 school year.

9 (c) Funds appropriated to Extra Time for Students (appropriations 0203 and 0204) shall not be
10 subject to reversion until December 31, 2003.

11 (d) For the Fiscal Year ending June 30, 2002, any sums in Fiscal Year 2002 Appropriation 0213
12 (Charter School Operations) for Public Education, shall remain as continuing and not be subject to
13 reversion until June 30, 2003.

14 (e) For the fiscal year ending June 30, 2002, any sums for Fiscal Year 2002 Division II – All
15 Other Costs (Appropriation 0165), Division II – All Other Costs for Vocational Education (Appropriation
16 0265), Division II – Energy (Appropriation 0159), Division II – Equalization (Appropriation 0186),
17 Education Expense and Property Tax Relief Funds (Appropriation 0287), School Building Awards
18 (Appropriation 0243), School Improvement Funds (Appropriation 0244), and Innovative After School
19 Initiative (Appropriation 0245) shall become a continuing appropriation in each local school district for
20 the period of one fiscal year.

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

24 (g) Section 1 of this Act provides funds for the University of Delaware (90-01-01) for
25 MCI/Equipment. These funds shall not be subject to reversion until June 30, 2005.

1 (h) Volume 73, Chapter 74 of the Laws of Delaware made a one-time appropriation through the
2 Office of the Budget, Contingencies and One-Time Items (10-02-04) to the University of Delaware,
3 Agricultural Research Center. Funds remaining in the University account which are unspent shall be
4 considered continuing through the Fiscal Year ending June 30, 2003.

5 (i) Section 1 of this Act provides funds for Delaware State University, Operations (90-03-00) for
6 MCI/Equipment. These funds shall not be subject to reversion until June 30, 2005.

7 (j) Section 1 of this Act provides funds for Delaware Technical and Community College (90-04-
8 00) for MCI/Equipment. This appropriation may be utilized for the acquisition of computer hardware and
9 software. These funds shall not be subject to reversion until June 30, 2005.

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

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

21 (ii) For fiscal year ending June 30, 2002, any authorizations in the following accounts shall
22 remain as continuing appropriations and shall not be subject to deauthorization until
23 June 30, 2003:

<u>Fiscal Year</u> <u>Appropriation</u>	<u>Account</u> <u>Code</u>	<u>Remarks</u>
2002	(55-01-01-68-00)	Operations/Capital
2002	(55-01-01-68-05)	Salary Contingency

1999/2001	(55-01-01-68-06)	Environmental Contingency
2002	(55-01-01-68-15)	Personnel Costs
2000/01/02	(55-01-02-68-00)	Operations/Capital
2001/02	(55-01-02-68-05)	EZ-Pass Liability
2002	(55-01-02-68-15)	Personnel Costs
2002	(55-01-03-68-00)	Operations/Capital
2002	(55-01-03-68-15)	Personnel Costs
2002	(55-02-01-68-01)	Travel
2000/02	(55-02-01-68-02)	Contractual/Supplies
2002	(55-02-01-68-03)	Energy
2002	(55-02-01-68-04)	Capital Outlay
2002	(55-02-01-68-15)	Personnel Costs
2000/01/02	(55-03-01-68-00)	Operations/Capital
2002	(55-03-01-68-15)	Personnel Costs
2002	(55-04-01-68-00)	Operations/Capital
2002	(55-04-01-68-15)	Personnel Costs
2002	(55-04-40-68-00)	Operations/Capital
2002	(55-04-40-68-15)	Personnel Costs
2001/02	(55-04-50-68-02)	Contractual/Supplies
2001/02	(55-04-50-68-03)	Energy
2002	(55-04-50-68-04)	Capital Outlay
2002	(55-04-50-68-15)	Personnel Costs
2001/02	(55-04-60-68-00)	Operations/Capital
2002	(55-04-60-68-15)	Personnel Costs
1999/00/01/02	(55-04-70-68-02)	Contractual/Supplies
2002	(55-04-70-68-03)	Energy

2001/02	(55-04-70-68-04)	Capital Outlay
2002	(55-04-70-68-05)	Storm Contingency
2002	(55-04-70-68-15)	Personnel Costs
2002	(55-04-90-68-01)	Travel
2001/02	(55-04-90-68-02)	Contractual/Supplies
2002	(55-04-90-68-03)	Energy
2002	(55-04-90-68-04)	Capital Outlay
2002	(55-04-90-68-15)	Personnel Costs
2002	(55-06-01-85-70)	Transit Administration
2002	(55-06-01-85-71)	Transit Ops Plng/Cust Serv
2002	(55-06-01-85-72)	Transit Operations
1987	(55-06-01-85-80)	DTA Operations
2002	(55-06-01-85-81)	Newark Transportation
2002	(55-06-01-85-83)	Kent & Sussex
2002	(55-06-01-85-89)	Taxi Service
2000/01/02	(55-07-10-68-00)	Operations/Capital
2002	(55-07-10-68-15)	Personnel Costs

TOBACCO – MASTER SETTLEMENT AGREEMENT

Section 27. (a) Section 1 of this Act includes Appropriated Special Funds of \$19,986.4 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

\$ 885.0	Uninsured Action Plan
500.0	Diabetes
48.1	1.0 ASF FTE – Assistance to the Commission on health issues
9.0	Casual and Seasonal assistance

(15-01-01) Attorney General

\$ 135.2	2.0 ASF FTEs - legal matters relating to tobacco laws and regulations
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(25-01-01) Department of Finance

\$ 750.0	Fire Suppression Equipment Loan Fund
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(35-05-20) Health and Social Services – Community Health

\$4,705.6	Tobacco prevention through Community Based organizations including \$110.0 for Department of Services for Children, Youth, and their Families
169.0	for Personnel Costs
100.0	Research and testing regimens of detecting lesser known illnesses
150.0	Acquisition of instruments and software for TB and metabolic disorders
40.0	Delaware Breast Cancer Collation
500.0	Disease Cost Containment
750.0	New Nurse Development

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

\$ 141.4	Public Access Defibrillation initiative
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1 (35-06-40) Health and Social Services – Alcoholism, Drug Abuse, and Mental Health

2 \$ 200.0 Transitional housing for persons completing detoxification

3 500.0 Heroin Residential Program

4 (35-07-01) Health and Social Services – Social Services

5 \$7,212.7 Prescription Drug Program

6 1,485.0 SSI coverage for persons who lose benefits due to unearned income; Health care
7 coverage and supplemental payments necessary to insure federal Medicaid
8 matching funds for former SSI persons who lose benefits due to unearned income

9 988.7 Increase Medicaid eligibility for pregnant women/infants to 200 percent of
10 poverty, attendant care and Breast/Cervical cancer treatment.

11 (45-04-10) Public Safety – Alcoholic Beverage Control

12 \$ 499.0 3.0 FTE Agents and 1.0 FTE Clerical for Enhanced Enforcement

13 (95-01-01) Public Education – State Board of Education and Department of Education

14 \$ 77.7 1.0 ASF FTE School Health Coordinator for statewide training

15 70.0 Professional development of public school staff, promotion of prevention
16 activities in private schools, and prevention and health promotion supplies in
17 public schools

18 70.0 Pilot Life Skills Training Program or other research-based programs

19 All of the above allocations are contained in the specified budget units in Section 1 of this Act
20 including associated positions and line item funding. The funds herein appropriated shall be disbursed in
21 accordance with the recommendations of the Delaware Health Fund Advisory Committee as amended by
22 the Joint Finance Committee. The Budget Director is charged with reviewing proposed project
23 disbursements to insure that the resources are being spent in an efficient and effective manner. In this
24 effort, the Budget Director may consult with the Chairs of the Joint Finance Committee.

25 (b) Effective June 15, 2002, all remaining unallocated funds shall be invested by the Cash
26 Management Policy Board and any interest accrued shall be deposited to the credit of the funds of the

1 Master Settlement Agreement. All funds from the above allocations left unexpended or unencumbered
2 shall be transferred back to the Cash Management Policy Board and reinvested.

3 (c) This section includes Appropriated Special Funds from funds received as a result of the
4 Master Settlement Agreement on tobacco funds. Should House Bill No. 291 or similar legislation related
5 to requirements to install fire suppressant sprinkler systems in school and college dormitories be enacted
6 by the 141st General Assembly, \$750.0 from said funds shall be appropriated to the Department of
7 Finance, Office of the Secretary. The purpose of said appropriation is to establish a revolving loan fund
8 to which colleges and other schools offering on campus boarding of students may apply for low interest
9 loans to initiate compliance with the requirements of the legislation. Rules and regulations governing the
10 distribution of loans to applicants shall be promulgated by the Secretary of Finance in concert with the
11 State Fire Marshall and the State Fire Prevention Commission.

LEGISLATIVE

1
2 Section 28. Of the total positions authorized in Section 1 of this Act for the Division of Research
3 (01-08-01), the position of Research Assistant to the House and Senate Sunset Standing Committees shall
4 be an exempt position and shall report to the Director.

5 Section 29. Section 1 of this Act provides an appropriation to the Office of the Controller General
6 (01-08-02) for Contingencies: Legislative Council. Requests from the Chairs of Standing Legislative
7 Committees for professional staff assistance shall be submitted to the Legislative Council for approval or
8 disapproval. Approvals for professional staff assistance shall be allowed within the limits of the
9 appropriation and as provided by guidelines established by the Legislative Council.

10 Section 30. Section 1 of this Act provides an appropriation to the Office of the Controller
11 General (01-08-02) for Contingencies: Legislative Council. Requests from various task forces and
12 committees of either the House of Representatives or the Senate for travel expenses, meeting expenses,
13 contractual services and any other expenses shall be submitted to the Legislative Council for
14 consideration.

15 Section 31. The Controller General shall receive compensation at a rate of a Tier 1 level Cabinet
16 position as determined by the Compensation Commission. Such compensation may be adjusted by the
17 Legislative Council as defined in Title 29, Section 1110 (e), Delaware Code.

18 Section 32. Section 1 of this Act makes an appropriation to the Office of the Controller General
19 (01-08-02) for legal expenses regarding neighborhood schools. Expenditures of such funds shall be
20 approved by both the Speaker of the House and the President Pro Tempore of the Senate on issues arising
21 from planning for and implementation of neighborhood schools.

JUDICIAL

Section 33. Section 1 of this Act contains position authorizations and associated appropriations to the Justices of the Peace Courts (02-13-10) included for the purpose of maintaining business hours in the following courts as required by caseload and permitted by staffing:

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

Section 34. This Act appropriates Appropriated Special Funds to the Court of Chancery (02-02-00) and 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, and 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 collected from receivables inherited from the former City of Wilmington Municipal Court in an amount sufficient to cover the personnel and operating costs of the two Court Clerks and one Fiscal Administrative Officer assigned to collect these receivables. Adjustments to the Appropriated Special Fund spending authority for these courts may be made upon the concurrence and approval of the Budget Director and the Controller General.

Section 35. Section 1 of this Act appropriates \$424.8 in Contractual Services to the Office of the State Court Administrator (02-17-01) for Victim Offender Mediation Programs. The Victim Offender Mediation Committee will determine which programs are to be awarded funds from this appropriation.

Section 36. Amend 11 Del. C. §9012 (b) by adding a new sentence at the end of subsection (b) to read as follows:

“Beginning with the Fiscal Year ending June 30, 2002, the unencumbered balances on June 30 of each fiscal year, in excess of \$6,000,000, shall be deposited in the General Fund.”

1 Section 37. Section 1 of this Act appropriates \$12.0 in one-time funding and \$13.0 in Contractual
2 Services to Justice of Peace Court to support lease obligations associated with the establishment of a new
3 Justice of the Peace Court 1 facility located in the Town of Frankford. Disbursement of such funds shall
4 be permitted only upon evidence that the Town of Frankford had secured adequate private funding to
5 complete alterations to the facility as specified by the Court; and only in accordance with the provisions
6 of a Lease agreement to be mutually agreed upon by both parties and approved by the Budget Director
7 and the Controller General.

8 Section 38. Upon the approval of a plan submitted to the Budget Director, Controller General
9 and the co-chairs of the Joint Finance Committee, the Chief Justice shall have the flexibility to transfer
10 positions from individual courts to the Administrative Office of the Courts for the purpose of centralizing
11 administrative functions for operations in the New Castle County Court House. Notwithstanding any
12 other provisions of this Act, or the Delaware Code, positions and funding may be transferred from
13 Supreme Court (02-01-00), Court of Chancery (02-02-00), Superior Court (02-03-00), Court of Common
14 Pleas (02-06-00), and Family Court (02-08-00) to the Administrative Office of the Courts, Office of the
15 State Court Administrator (02-17-01) or the Administrative Office of the Courts, Judicial Information
16 Center (02-17-04). Only positions from the courts or other judicial positions located in New Castle
17 County may be considered for transfer under this section. In the cases where Merit System positions are
18 transferred, the incumbents shall retain their Merit System status.

1 **EXECUTIVE**

2 Section 39. (a) Section 1 of this Act appropriates \$1,900.0 to the Office of the Budget (10-02-
3 01) for Data Processing – Development Projects which contemplates information technology planning,
4 development and procurement services for the following state department/agencies development projects
5 and feasibility studies:

<u>DEPARTMENT / AGENCY</u>	<u>SERVICE NEED</u>
Judicial	
AOC – Court Services	NCCCH – Building Technology
Technology and Information	
Operations	
Disaster Recovery	
Health and Social Services	
Management Services	EBT

14 Allocation of the funds appropriated for this purpose shall be made by the Budget Director in
15 consultation with the affected department/agency head. Service need allocations shall not be transferred
16 to another department or service need unless approved by the Budget Director. In the event there are
17 federal funds available for match in support of a project or projects, the Budget Director and the
18 Controller General may transfer such funds as are necessary for matching purposes to the
19 department/agency involved.

20 (b) No computer or computer-programming related systems project identified in Subsection (a)
21 of this Section may be initiated by the departments/agencies during this fiscal year, unless covered by a
22 formalized plan approved by the department/agency head and the Budget Director. After the Budget
23 Director approves a formalized project, he/she shall forward a copy to the Controller General and the
24 Chief Information Officer. Such project will be in the form approved by the Budget Director, or his/her
25 designee, and shall include:

- 26 (i) statement of work to be done;

- 1 (ii) existing work to be modified or displaced;
- 2 (iii) total cost of systems development and conversion effort, including systems analysis and
3 programming cost, establishment of master files, testing, documentation, special
4 equipment costs, including full overhead, savings or additions in positions and operating
5 costs that will result after development or conversion;
- 6 (iv) other advantages or reasons that justify the work;
- 7 (v) source of funding for the work and whether or not work is within scope of work
8 envisioned under this Section; and
- 9 (vi) estimated costs of such project shall include a three-year projection, i.e., current fiscal
10 year and two succeeding fiscal years.

11 (c) No project is to be undertaken which is beyond the scope of work approved by the
12 department/agency head and the Budget Director. This requirement applies to all computer or computer-
13 programming related systems development performed by the Department of Technology and Information
14 and approved by the Office of the Budget, department/agency itself or an outside consultant or contractor.
15 Further, this requirement applies to new computer programs or systems purchased or otherwise acquired
16 and placed in use.

17 (d) Status reports supplied to the Office of the Budget and approved by the Department of
18 Technology and Information and the Controller General, sufficiently descriptive in nature of each project,
19 shall be completed by each department/agency and provided quarterly to the Budget Director, Chief
20 Information Officer and the Controller General.

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

25 (f) No funds appropriated in Section 1 of this Act may be used to employ data or word
26 processing professionals in support of current or proposed data or word processing systems without prior
27 written approval of the Budget Director.

1 Section 40. All agencies are directed to remit payment for services rendered by the Office of
2 Information Services/Department of Technology and Information within 30 days of receipt of invoice.
3 Services may include, but are not limited to, postal metering, distribution supplies, telecommunication
4 and telephone services, professional services, and data processing services.

5 If a timely payment problem exists, the Office of Information Services/Department of
6 Technology and Information may require all agencies and school districts receiving services to make
7 monthly estimated payments toward their invoice. The estimated payments should be equal to the
8 average of the last three months of reconciled payments; or payments based on a schedule established by
9 the department. The department will continue to be responsible for the actual payments to telephone
10 companies and other vendors. In addition, the department will be responsible for the reconciliation of
11 accounts with the user agencies and school districts.

12 Section 41. The General Assembly finds that the establishment of the federal Temporary Aid to
13 Needy Families (TANF) block grant has left the state vulnerable to deficits from caseload increases
14 attributable to an economic downturn. In order to minimize such exposure, the funds within the Reserve
15 Account for Children's Services Cost Recovery Program (CSCR) Disallowances (10-02-01-80-51), and
16 any funds which may become available from a one-time federal surplus resulting from the old AFDC
17 (Title IV-A) and JOBS (Title IV-F) Programs, shall be available to mitigate to the extent possible,
18 projected deficits in TANF supported programs within Social Services, Department of Health and Social
19 Services. The use of such funds for such purposes shall require the approval of the Budget Director and
20 Controller General.

21 For Fiscal Year 2003, \$3,654.5 shall be deposited to the General Fund.

22 Section 42. The amount appropriated to the Office of the Budget, Contingency and One-Time
23 Items, Prior Years' Obligations, shall be used to pay Personnel Costs, reimbursement of overpayment of
24 fringe benefits, and other obligations except coding errors by a school district which require adjustment of
25 the state's accounts. Any use of the Prior Years' Obligations account by any agency receiving funds in
26 Section 1 of this Act, in excess of the amount reverted from the applicable line code on June 30 of the
27 fiscal year in which the expense was incurred, will require the requesting agency or school district to

1 reimburse the Prior Years' Obligations account by the amount equal to the excess requested. A line code
2 reversion sum does not negate the necessity of encumbering sufficient funds to cover known expenses,
3 proof of circumstances beyond an agency's ability to encumber must be documented on the request for
4 transfer to be excluded from the reimbursement clause. All requests for prior year funds to complete the
5 payment of one-time items will require a reimbursement to the Prior Years' Obligations account by the
6 requesting agency from any appropriation other than personnel costs. The reimbursement can be
7 removed from the current fiscal year's budget. The reimbursement clause shall not apply to legal
8 judgments against the agency or school district. A reimbursement under this Section shall not be deemed
9 to be prohibited by 10 Del. C. § 8111.

10 Section 43. For Fiscal Year 2003, 29 Del. C. § 6529 is interpreted to include the ability to
11 implement a hiring review process. All State agencies with the exception of Legislative, Judicial, Higher
12 Education and School Districts shall be subject to the provisions of 29 Del. C. § 6529 as interpreted by this
13 section. Implementation of a hiring review process shall require all positions to be reviewed and approved
14 by the Budget Director and the State Personnel Director prior to filling. All non-cabinet agency hiring
15 requests shall also require the review and approval of the Controller General prior to filling.

16 Section 44. The appropriation in Section 1 of this Act to the Office of the Budget, Contingencies
17 and One-Time Items (10-02-04) for Contingency, Appropriated Special Funds for \$23,000.0 shall be used
18 to make adjustments in the amount of state special fund appropriations in the event additional state special
19 funds are received which were not previously anticipated. Such adjustments shall be made in accordance
20 with the approval of the Budget Director and the Controller General.

21 Section 45. Section 1 of this Act provides an appropriation to Office of the Budget,
22 Contingencies and One-Time Items (10-02-04). It is the intent that the appropriation for One-Time
23 Appropriations in the amount of \$3,907.1 shall be non-recurring expenditure items. The Budget Director
24 shall transfer the appropriations as itemized to the departments. Each receiving department shall identify
25 the line item, object code and, for all practical purposes, complete and separate accountability for each
26 appropriation amount transferred. No appropriation shall be transferred without the Budget Director and
27 the Controller General approvals. Any one-time appropriation for computer hardware, software and

1 telecommunications, which contemplates the development of computer-related systems, shall be
 2 transferred into the line Computer One-Time Projects in Office of the Budget, Administration (10-02-01).
 3 The expenditure of computer or computer related funds shall be subject to the restrictions of the
 4 Development Fund.

5 Further, it is the legislative intent that none of the appropriations for One-Time Appropriations be
 6 included, or be considered, as a part of the budget request for the Fiscal Year 2004 Appropriation Bill.

7 Where applicable, the appropriations to Office of the Budget, Contingencies and One-Time Items
 8 (10-02-04), are subject to the following terms and conditions:

9	Account		Fiscal Year
10	Codes	Remarks	Appropriation
11	(01-05-01)	CSG - World Trade Center Fund	\$9.7
12	(01-08-01)	Legislative Stationary	\$20.0
13	(01-08-01)	Color Copier	\$37.4
14			
15	(02-03-10)	Board of Canvass	\$25.0
16	(02-13-10)	Justice of the Peace Court 1 - Moving Expenses/Voice and Data Hookup	\$12.0
17	(02-17-01)	New Castle County Courthouse - Equipment, Archiving	\$742.6
18		and Associated Moving Costs	
19	(02-18-05)	Kent and Sussex Counties - Computer and Office Equipment	\$2.0
20			
21	(15-01-01)	New Castle County Court House - Office Furniture	\$5.0
22	(15-02-01)	Life Cycle Replacement of Computers and Related Items	\$25.0
23			
24	(20-01-02)	Clean-up Riverview Cemetery	\$20.0
25	(20-03-01)	Historical Markers	\$78.0
26	(20-06-01)	Cooch's Bridge Anniversary	\$10.0
27	(20-06-01)	Out-Of-Print Books	\$10.0
28	(20-06-04)	Native Americans	\$10.0
29			
30	(38-04-08)	Security Equipment for Additional NCC Courthouse Positions	\$21.5
31	(38-06-02)	Computers and Furniture for Annualized FTEs	\$40.0
32			
33	(40-05-05)	Animal Spay/Neutering Program	\$50.0
34			
35	(45-01-30)	Emergency Fund	\$12.5
36	(45-06-03)	Troop 2 Moving Costs	\$70.0
37	(45-06-05)	Surveillance Equipment Upgrade	\$26.3
38	(45-06-09)	Replacement for Vests	\$129.6
39	(45-06-11)	Supplies for Troop 2 Garage	\$75.0
40			
41	(70-01-01)	2002 General and Primary Elections	\$385.0
42	(70-01-01)	Contingency - New Districts	\$305.0
43	(70-02-01)	New Castle County - 2002 General and Primary Elections	\$1,227.7
44	(70-03-01)	Kent County - 2002 General and Primary Elections	\$278.9

1	(70-04-01)	Sussex County - 2002 General and Primary Elections	\$253.9
2			
3	(95-03-20)	ECAP Relocation Costs	\$25.0

4 Section 46. Notwithstanding the provisions of any other law, for the fiscal year ending
5 June 30, 2003 interest earnings of the Delaware Strategic Fund as provided for in 29 Del. C. § 5027, shall
6 to the extent of such interest earnings, be used in the following order and manner, not to exceed the
7 amounts so noted:

- 8 (i) The first \$320.9 shall be used for the general operating expenses of the Delaware Economic
9 Development Office, as determined by the Director of the Delaware Economic
10 Development Office.
- 11 (ii) The second \$125.0 shall be used for the general operating expenses of the economic
12 development trade office in Taiwan.
- 13 (iii) The third \$350.0 shall be used for the general operating expenses of the Delaware Small
14 Business Development Center.
- 15 (iv) The fourth \$300.0 shall be used to continue the Delaware Business Marketing Program
16 within the Delaware Economic Development Authority (10-03-03). It is the intent of the
17 General Assembly that these funds shall be used together with non-state contributions to
18 the Delaware Business Marketing Program. Non-state contributions may be made in cash,
19 or in-kind. Non-state cash contributions shall be deposited in a special fund for business
20 marketing and recruitment purposes only. Non-state in-kind contributions shall be valued
21 at their fair market value and recorded in records maintained by the Delaware Economic
22 Development Authority in connection with the Delaware Business Marketing Program.
23 Expenditures of the program shall be divided between non-state contributions and state
24 funds for any fiscal year's appropriations such that non-state contributions are not less than
25 fifty percent of total expenditures. Of the fifty percent non-state contributions, up to
26 twenty-five percent shall be cash contributions, and up to twenty-five percent shall be in-
27 kind contributions. These funds shall not be used for hiring full-time employees. On or
28 before April 1, 2003, the Director of the Delaware Economic Development Office shall

1 provide to the Budget Director and the Controller General a report on the Delaware
2 Business Marketing Program. The report shall include an itemized list of non-state cash
3 and in-kind contributions received, total expenditures and an assessment of the program to
4 date.

5 (v) The fifth \$150.0 shall be used to provide customized information technology training to
6 small and medium-sized businesses through grants made by Delaware Technical and
7 Community College I. T. Learning Center. Funds allocated to the Workforce Development
8 section during Fiscal Year 2002, to the extent not already distributed or committed, shall
9 also be allocated to said Learning Center.

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

11 Section 47. The Delaware Economic Development Office, Office of the Director (10-03-01) will
12 continue to use revenue from the Blue Collar Training Fund for the Workforce Development Grant.
13 Funding for this grant shall be maintained at current levels.

14 Section 48. Section 1 of this Act includes a General Fund appropriation for Contractual Services
15 within (10-03-01) Office of the Director. Of these funds, \$49.5 shall be used to extend the contractual
16 administration for the Neighborhood Assistance Tax Credit Act (Senate Bill 248) of the 140th General
17 Assembly through the fiscal year ending June 30, 2003.

18 Section 49. Section 1 of this Act appropriates \$2,020.0 ASF to the Delaware Tourism Office. Of
19 this amount, \$612.9 shall be allocated to "Other Items" as designated in Section 1 of this Act and payable
20 by the Delaware Tourism Office in quarterly allotments. The first installment shall be paid by September
21 30, 2002 or as otherwise approved by the Budget Director and the Controller General.

22 Section 50. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-
23 02) pursuant to 30 Del. C. § 6102(b) contained in Section 1 of this act, \$160.0 ASF shall be used to fund a
24 matching grants program and \$40.0 ASF shall be used for a grant program where no match is required.
25 Funds awarded as either grants or matching grants shall not be used for overhead or personnel related
26 costs by the recipient entities. The Delaware Tourism Office, in cooperation with the Tourism Advisory
27 Board shall develop rules and regulations for the application and award of the grants and matching grants.

1 The Delaware Tourism Office shall provide the Controller General and Budget Director with a report by
2 April 1, 2003, detailing the usage of the funds herein authorized. Said report shall also contain an
3 assessment of the effectiveness of the programs in increasing tourism throng. If subsequent to the
4 enactment of this Act, Public Accommodations revenue should prove greater than the budgeted amount of
5 Fiscal Year 2003, the first \$50.0 shall be used to restore full funding for the Matching Grants and Grant
6 appropriation to \$250.0. In this event, the Matching Grant portion of the distribution shall be \$200.0 and
7 the Grant portion shall be \$50.0.

8 Section 51. Section 1 of this Act authorizes ASF positions and funding to the Delaware Tourism
9 Office (10-03-02). Should said ASF authorization prove inadequate to support the authorized positions as
10 contained in Section 1 at any time during Fiscal Year 2003, the Budget Director and Controller General
11 are hereby authorized to transfer sufficient funding from any other source to Tourism's Personnel Cost
12 line.

13 Section 52. Of the Appropriated Special Funds allocated to the Delaware Tourism Office
14 (10-03-02) pursuant to 30 Del. C. §6102(b) contained in Section 1 of this Act, \$200.0 ASF shall be used
15 to fund a grant program(s) to develop tourism and market Delaware as a destination. Funds awarded as
16 either grants or matching grants shall not be used for overhead or personnel-related costs by the recipient
17 entities. The Delaware Tourism Office, in cooperation with the Governor's Tourism Advisory Board,
18 shall develop rules and regulations for the application and award of the grants. The Delaware Tourism
19 Office shall provide the Controller General and Budget Director with a report by April 1, 2003, detailing
20 the usage of the funds herein authorized.

21 Section 53. Section 1 of this Act authorizes \$35.0 ASF within the Delaware Tourism Office for
22 the National Wrestling Coaches Association Tournament. This is a one-time authorization for
23 expenditure during Fiscal Year 2003.

24 Section 54. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-
25 02) pursuant to 30 Del. C. § 6102 (b) contained in Section 1 of this Act, \$250.0 is authorized for the
26 Kalmar Nyckel. During the period beginning July 1, 2002, and ending on June 30, 2003, the State of
27 Delaware, through the Delaware Tourism Office, and the Riverfront Development Corporation, shall be

1 entitled to charter the Kalmar Nyckel. Said use is to include docked guest entertaining privileges and /or
2 day sails at no cost for as many State of Delaware guests as is consistent with Kalmar Nyckel safety
3 policies. Scheduling for State and Riverfront Development Corporation use of the Kalmar Nyckel shall
4 be at mutually agreeable times and locations to the Kalmar Nyckel, the Delaware Tourism Office on
5 behalf of the State of Delaware and the Riverfront Development Corporation.

6 Section 55. Any other statutory provision notwithstanding, any change to the Merit Rules
7 required by an Act of the Legislature, shall be codified in the Merit Rules by the Office of State
8 Personnel.

9 Section 56. Section 1 of this Act appropriates 2.0 ASF FTEs in the Office of State Personnel (10-
10 04-00). The State Personnel Director shall be the appointment authority for these positions, which shall
11 be Human Resource Officers who will work on personnel issues for the Department of Transportation.
12 The source of funding for these positions shall be the Department of Transportation, Division of
13 Administration (55-02-01), and that agency shall reimburse the Office of State Personnel quarterly for all
14 Personnel Costs and Other Employee Costs associated with these two positions.

15 Section 57. The State Employees Pension Benefits Review Committee will continue to review
16 the pension plan by using appropriate and accepted comparative analysis, including, but not limited to, the
17 benefit structure of the various state pension systems for the purpose of evaluating current pension plan
18 benefits and recommending changes.

19 The committee membership will consist of the Chairman and the Vice Chairman of the
20 Legislative Joint Finance Committee, one member of the Senate appointed by the President Pro Tem, one
21 member of the House of Representatives appointed by the Speaker, three members appointed by the
22 Chairman of the Board of Pension Trustees, one member of the Pension Advisory Council, the Pension
23 Administrator, the State Personnel Director, the Budget Director, and the Controller General.

24 The Budget Office, the Controller General's Office, and the Pension Office shall provide the
25 committee with staff support and such other resources as the committee may require.

1 Section 58. (a)Whenever the annual valuation of the market value of the assets of the Special
2 Pension Fund exceeds the actuarial value of benefits available to persons entitled to receive special
3 pensions by a factor of at least 20 percent, the Board of Pension Trustees may transfer the excess over 20
4 percent or any part of it to the State Employees Pension Fund for the benefit of that Fund.

5 (b) For Fiscal Year 2003, the projected special pension fund surplus shall be used to reduce the
6 Closed State Police pension liability.

7 Section 59. The Board of Pension Trustees may allocate the pension/health insurance monies
8 received from the State during any month to ensure that funds are available to pay health insurance
9 premiums for retirees in each month.

10 Section 60. The line item, DIDER Operations, in Section 1 of this Act, Delaware Institute of
11 Dental Education and Research (10-05-03), as provided by 14 Del. C. c. 88, provides for three dental
12 internships and sufficient funds to contract with the Delaware Psychiatric Center to continue the Dental
13 Internship Program. This program also will serve clients in the Community Mental Retardation Program.

14 Section 61. Section 1 of this Act appropriates \$1,965.0 to the Delaware Institute of Medical
15 Education and Research (DIMER) (10-05-02). This amount shall be allocated as follows:

16 Jefferson Medical College	\$1,000.0
17 Philadelphia School of Osteopathic Medicine	175.0
18 University of Delaware	50.0
19 Christiana Care Health System	200.0
20 Scholarships/Loans	440.0
21 Loan Repayment	<u>100.0</u>
22	\$1,965.0

23 Any changes in this allocation must receive prior approval from the Budget Director and the
24 Controller General.

25 Of the Scholarship/Loans allocation identified above, \$400.0 is to be used to provide financial
26 assistance for students attending the Jefferson Medical College and \$40.0 is to be used for students
27 attending Philadelphia College of Osteopathic Medicine. The DIMER Board will be responsible for

1 restructuring grant/loan program in effect since 1993 into either a scholarship program or a loan program
2 with more favorable tax consequences than the previous program. Any loan or scholarship program
3 developed by the DIMER Board will be repaid under terms and conditions that will be coordinated with
4 the Delaware Higher Education Commission, who shall be responsible for monitoring and enforcement.
5 In designing either a scholarship or loan program, the DIMER Board will consider the need to assure that
6 there is a continuing supply of physicians for Delaware. The loan repayment allocation of \$100.0 shall be
7 used to recruit physicians, either medical doctors or doctors of osteopathic medicine, to Delaware.
8 Recruitment tools include, but are not limited to, loan repayment programs. Scholarships, loans and loan
9 repayment programs will be approved by the Delaware Health Care Commission, the Budget Director and
10 the Controller General.

11 Section 62. Section 1 of this Act appropriates funding for a 1.0 FTE Senior Secretary in Criminal
12 Justice Council (10-07-01) to be used as dedicated secretarial support for the Executive Director of the
13 Domestic Violence Coordinating Council. This position shall be an exempt position and shall be
14 excluded from classified service as defined under 29 Del. C. § 5903.

15 Section 63. Section 1 of this Act includes 1.0 FTE in the Executive Department, Office of the
16 Budget, Statistical Analysis Center (10-02-08) for the Director of the Statistical Analysis Center. This
17 position shall be exempt from the Merit System until such time as the current incumbent vacates the
18 position, at which time the position shall be classified by the Director of State Personnel in accordance
19 with the Merit System and 29 Del. C. c. 59.

20 Section 64. The Statistical Analysis Center (10-02-08) shall submit an annual project schedule
21 detailing the staff workload and time allocation by July 15. This schedule shall be reviewed by the
22 Criminal Justice Council and approved by the Budget Director and the Controller General. No changes
23 shall be made to the work schedule without the approval of the Budget Director.

DEPARTMENT OF TECHNOLOGY AND INFORMATION

Section 65. The Department of Technology and Information, to facilitate the transition to its new organizational structure, is hereby authorized with the approval of the Budget Director and Controller General the transfer of unexpended Contractual Services to Personnel Costs within the Department of Technology and Information (11-00-00) and the Office of Information Services (10-09-00).

Section 66. (a) The CIO may, with the approval of the Budget Director and the Controller General establish or inactivate divisions, sections or offices within the Department of Technology and Information (11-00-00) and the Office of Information Services (10-09-00). In addition, the CIO may also, with the approval of the Budget Director and the Controller General, transfer any General Funds, Appropriated Special Funds and associated spending authority from the Office of Information Services (10-09-00) to the Department of Technology and Information (11-00-00).

(b) The Chief Information Office may not make changes to the department's compensation plan regarding any aspect of employee compensation without the approval of the State Personnel Director, Budget Director and the Controller General. Further, sufficient funding within the department must be available for any change to be approved.

Section 67. The state government of Delaware, recognizing the inherent value in implementing common standards, has chosen Windows 2000 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, the State Budget Director and the Controller General. Any agency seeking exemption from this requirement must submit a request to the Chief Information Office stating clearly reasons for migrating to an alternative platform.

Section 68. General salary increases as per Section 8 of this Act shall be distributed to the Office of Information Services (10-09-00) as so stated in said section.

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 1 of this Act. The lump sum amount shall be the product of the general salary increase in Section 8 of
2 this Act and Personnel Cost lines less non-salary driven OEC components. Overtime and Casual and
3 Seasonal components of the Personnel Cost lines shall not be part of the calculation. The resultant lump
4 sum amount may be distributed to employees as determined by the Chief Information Officer. However,
5 in no case shall individually awarded increases exceed ten percent of an individual's base salary, nor shall
6 the aggregate amount awarded exceed the product of the calculation as described above. Further, in no
7 case shall individually awarded amounts be given retroactively.

OTHER ELECTIVE OFFICES

Section 69. 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 70. 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 Budget Director, upon the request of the State Auditor, shall attempt to advance sufficient funding from the Indirect Cost Account.

Section 71. 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 72. Amend 18 Del. C., §312(c) by deleting said subsection in its entirety and substituting in lieu thereof the following:

"(c) Except as may be provided by particular law or regulation, any order, notice, bulletin or the like may be given to the person(s) affected thereby by any one or more of the following methods:

- (1) First class or bulk mail, postage prepaid, addressed to such person at the person's principal place of business or residence as last of record in the Department. Delivery of said item shall be deemed to have been given when deposited in a mail depository of the United States Postal Service,
- (2) By receipted ground or air commercial delivery service. Delivery of said item shall be deemed to have been given when a receipt therefor is obtained from said commercial delivery service,
- (3) By publication in the Register of Regulations, or

1 (4) By publication on the internet, including but not limited to, the Department's webpage,
2 the webpage of the National Association of Insurance Commissioners (NAIC) and the
3 webpage of the National Insurance Producer Registry (NIPR)."

4 Section 73. Section 1 of this Act provides an ASF appropriation of \$2,010.6 to the State
5 Treasurer, Administration (12-05-01), Cash Management Policy Board, authorized by 29 Del. C. c. 27,
6 for the purpose of providing staff support and operational expenses, including payment of fees for
7 banking services. The \$2,010.6 in interest income on bank deposits shall be coded as special fund
8 revenue to provide funds for operation of the Cash Management Policy Board.

9 Section 74. Section 1 of this Act establishes a special fund appropriation entitled Electronic Data
10 Interchange, State Treasurer, Administration (12-05-01) Cash Management Policy Board to support the
11 Electronic Data Interchange/Electronic Funds Transfer initiative. Use of these funds shall be coordinated
12 with and approved by the Chief Information Officer of the Department of Technology and Information
13 and the Secretary of Finance.

14 Section 75. Notwithstanding 29 Del. C. § 6059, the program participants shall pay for all costs,
15 excluding personnel, associated with the administration of the Deferred Compensation Program.

16 Section 76. The State Treasurer's Office shall develop a rate for the purpose of recovering costs
17 associated with the state's acceptance of funds through the use of credit, debit and purchasing cards. Cost
18 recoverable activities shall include online transactions as well as traditional card transactions. The initial
19 rate and periodic necessary adjustments to the rate shall be approved by the Office of the Budget. The
20 Treasurer's Office may initiate an automated revenue reduction process, equal to the approved rate, for all
21 cash receipts received by the aforementioned methods. The Treasurer's Office shall provide the agency
22 with a statement of total revenue or payment, less transaction costs and net revenue. In lieu of an
23 automated revenue reduction process the Treasurer's Office may invoice a state agency for necessary
24 reimbursement. The use of these recovered funds shall be for the sole purpose of payment of Merchant
25 Services fees.

26 Section 77. The State Treasurer's Office, with the assistance of the Department of Technology
27 and Information and the Delaware Government Information Center, where appropriate, shall evaluate and

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

12 Section 78. In accordance with 29 Del. C. c. 27, the State Treasurer, with the concurrence of the
13 Department of Technology and Information, may approve pilot projects for the purpose of electronically
14 transmitting remittance advices to those employees or contractors receiving payments via direct deposit
15 and electronic funds transfer. Agencies, including school districts and higher education, shall submit their
16 request and documentation of cost savings in accordance with the guidelines established by the Office of
17 the State Treasurer. Beginning in FY 2003, the University of Delaware is authorized to begin such a pilot
18 for the distribution of payroll remittance advices. Pilot projects shall be approved for a period of no more
19 than two years, at which time agencies shall report the status of the project and cost savings to the General
20 Assembly, State Treasurer and the Budget Director.

21 Section 79. The positions of Director and Deputy Director of the Department of Insurance, Fraud
22 Prevention Bureau (12-03-01) will be classified as merit positions.

LEGAL

1
2 Section 80. Section 1 of this Act authorizes an appropriation for Contractual Services for the
3 Office of Attorney General (15-01-01). Of this amount, \$823.6 shall be used for the purpose of providing
4 services covering family violence in New Castle County, and \$441.5 shall be used for the purpose of
5 providing services covering family violence in Kent and Sussex counties.

6 Section 81. Of the total Deputy Attorneys General authorized in Section 1 of this Act to the
7 Office of Attorney General (15-01-01):

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

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

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

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

20 (e) .5 GF FTE Deputy Attorney General shall be assigned to the Child Placement Review Board;

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

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

1 (h) 1.0 GF FTE Deputy Attorney General shall be devoted exclusively to the handling of Office
2 of State Personnel and other related personnel issues and is not intended to supplant existing Deputy
3 Attorney General assignments in this area;

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

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

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

11 (l) 1.0 ASF FTE Deputy Attorney General shall be assigned to provide legal representation to
12 the boards and commissions under the Department of Administrative Services, Regulation and Licensing,
13 Professional Regulation. A second split-funded (.5 GF and .5 ASF) Deputy Attorney General shall be
14 assigned to provide additional contract review, general legal services and legal counsel as needed for the
15 Department of Administrative Services, Division of Professional Regulation;

16 (m) 1.0 split-funded (.5 NSF FTE and .5 GF FTE) Deputy Attorney General and 1.0 ASF FTE
17 Deputy Attorney General, and 3.0 NSF FTE Deputy Attorneys General (one for each county), shall be
18 assigned to the Department of Services for Children, Youth and their Families, Family Services to work
19 on termination of parental rights, pursuit of custody, adoption and provide other legal advice and
20 appearances related to the work done by this Division;

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

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

26 (p) 1.0 ASF FTE Deputy Attorney General IV shall be assigned to the Department of Services
27 for Children, Youth and Their Families, Family Services to work on termination of parental rights, pursuit

1 of custody, adoption and provide other legal advice and appearances related to the work done by this
2 division. Such work shall specifically include thoroughly preparing termination and temporary custody
3 cases, in concert with division investigators and their supervisors, sufficiently before trial so as to ensure
4 these cases are presented properly and effectively;

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

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

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

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

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

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

24 Section 82. Section 1 of this Act makes an appropriation of \$1,646.2 ASF, \$400.0 GF and 22.0
25 FTEs, split-funded 66 percent ASF and 34 percent General Funds to the Office of the Attorney General to
26 support the Child Support Enforcement function. The Child Support Enforcement function in the
27 Attorney General's Office will operate on a reimbursement basis, wherein the State makes the initial

1 expenditures and is reimbursed from federal funds controlled by the Department of Health and Social
2 Services. The reimbursement rate for operations will be 66 percent of total direct costs; the
3 reimbursement rate for indirect costs will be 25 percent of federal dollars spent on direct salary costs.

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

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

15 Adjustments to Appropriated Special Fund spending authority for the Office of the Attorney
16 General (15-01-01) may be made upon the concurrence and approval of the Budget Director and the
17 Controller General.

18 Section 83. Section 1 of this Act makes an appropriation to Contingency – Attorney Pay Plan in
19 the Office of the Budget, Contingencies and One-Time Items (10-02-04). This appropriation is for the
20 purpose of funding the salary matrices of the Attorney General (15-01-01) and Public Defender (15-02-
21 01). Of the total amount, \$185.0 is allocated for the Office of the Attorney General, and \$87.0 is
22 allocated for the Office of the Public Defender. Upon requesting contingency funds, each agency must
23 present a report of personnel activity relating to salary plan movements with a description of the need to
24 use said funds for approval by the Budget Director and the Controller General. Total personnel
25 expenditures for these agencies may not exceed total personnel appropriations.

STATE

1
2 Section 84. Section 1 of this Act appropriates \$25.0 in the line item Historical Marker
3 Maintenance to the Department of State, Delaware Public Archives (20-03-01). Of this amount, \$10.0
4 shall be used for replacement, \$10.0 used for repair and refurbishing and \$5.0 for contractual assistance.

5 Section 85. Section 1 of this Act provides an appropriation to the Department of State, Office of
6 the Secretary, Delaware Commission on Veteran's Affairs (20-01-02) for Contractual Services. Of that
7 amount, \$49.9 shall be used to provide mental health services for veterans in Kent and Sussex counties.

8 Section 86. Section 1 of this Act establishes a special fund appropriation entitled Technology
9 Infrastructure Fund, in the Division of Corporations (20-05-01). All revenues derived as a result of 69
10 Del. Laws, c. 52, will be deposited into this fund to be used for technological and infrastructure
11 enhancements, ongoing maintenance, operational expenses for Corporations, and electronic commerce
12 and library initiatives. Quarterly reports regarding the status of this fund shall be made by the Department
13 of State to the Budget Director and the Controller General.

14 Section 87. Section 1 of this Act provides an appropriation to the Department of State, Historical
15 and Cultural Affairs, Office of Administration (20-06-01) for Delaware Heritage Commission. Of that
16 amount, \$15.0 shall be used at the discretion of the Delaware Heritage Commission for scholar awards,
17 challenge grants and publications.

18 Section 88. Pursuant to 29 Del. C. § 5903(4), the position of Director of the Delaware Heritage
19 Commission (20-06-01) shall be exempt from the Merit System.

20 Section 89. The Delaware Heritage Commission shall investigate which out of print books and
21 writings on Delaware history should be considered for republication. Further, the Delaware Heritage
22 Commission shall investigate what writings in these categories would be valuable for republication. A
23 report shall be made to the Controller General and Budget Director by December 1, 2002.

24 Section 90. Section 1 of this Act includes an appropriation to the Department of State, Division
25 of Historical and Cultural Affairs, Delaware State Museums (20-06-04) for a Museum Conservation

1 Fund. Of that amount, up to \$25.0 can be used for the purpose of matching private grants to purchase art
2 for placement in state museums.

3 Section 91. Section 1 of this Act authorizes \$15.0 to the Department of State, Delaware State
4 Museums (20-06-04) in the line item "Art Object Refurbishing" for the purpose of refurbishing portraits
5 and art objects in Legislative Hall.

6 Section 92. Notwithstanding the provisions of 29 Del. C. § 6102(a) and 5 Del. C. § 1106, the
7 Office of the State Bank Commissioner is authorized to retain \$100.0 of the Bank Franchise Tax for costs
8 associated with the collection and administration of the Bank Franchise Tax.

9 Section 93. Section 1 of this Act makes an appropriation to Libraries (20-08-01) in the amount of
10 \$2,569.5 for Library Standards. Of that amount, Libraries may reserve up to \$256.9 for planning and
11 evaluation grants to determine each library's attainment of state and federal library standards. The
12 remaining funds shall be paid to libraries in two installments equal to 50 percent of the total amount
13 allocated to that library, one installment upon signature of the contract and the second installment in
14 January of the fiscal year. Funds granted to any library under the provisions of 29 Del. C. c. 66, if
15 unspent at the end of the fiscal year shall not revert to the General Fund, but instead shall be held in an
16 account for the benefit of the library from which the unspent funds came. These funds may be spent in
17 subsequent years for purposes described in 29 Del. C. c. 66. The use of such carryover funds shall not be
18 used as part of any subsequent years' formula payment.

19 Section 94. Amend Section 3, Chapter 492, Volume 72, Laws of Delaware by inserting after the
20 words "community library" the following:

21 "by leasing the property to New Castle County for \$1.00 yearly with New Castle County
22 constructing a new library on the site and maintaining the site with improvements as a community
23 library".

FINANCE

1
2 Section 95. The Department of Finance, Office of the Secretary, is authorized during the
3 fiscal year to maintain special funds with the State Treasurer for the acquisition of technology and
4 payment of other costs incidental to the implementation and maintenance of computer systems at the
5 Department of Finance. Deposits to the special funds shall be from the collection of delinquent taxes and
6 shall not exceed \$1,845.0. Of this amount, \$600.0 shall be used for the purpose of maintaining the
7 Revenue's mainframe computer system and the programs that reside thereon, the provisions of 29 Del. C.
8 subchapter IV or 29 Del. C. c. 63 notwithstanding. Of the said \$600.0, \$130.0 shall be used to contract
9 for system maintenance with the Department of Technology and Information.

10 Section 96. Revenue (25-06-01) is authorized to establish and maintain a special fund with the
11 State Treasurer for the purposes of contracting for the collection of delinquent State taxes and other debts
12 that Revenue has undertaken to collect. The contracts may provide for either or both: (a) collection or
13 assistance in collection of delinquent accounts from businesses or persons; (b) audit of business taxables
14 under the direct supervision of Revenue management; or (c) audit of physical inventory of alcoholic
15 beverage wholesalers. Deposits to the special fund shall be from the collection of delinquent taxes under
16 such contracts. A detailed report on all expenditures from and collections to this special fund shall be
17 sent annually to the Budget Director and the Controller General. Unencumbered balances on June 30 in
18 excess of \$275.0 shall revert to the General Fund.

19 Section 97. The Director of Revenue shall have the authority to accept, on whatever terms and
20 conditions he/she may establish, payment by credit card of taxes, fees and other obligations which
21 Revenue has undertaken to collect. The Director is authorized to enter into contracts for the processing of
22 credit card payments and fees associated with such contracts. Up to \$80.0 of the delinquent collections in
23 the Appropriated Special Fund line may be used to pay for fees and expenses associated with the
24 collection of taxes by credit cards.

25 Section 98. The Director of Revenue shall have the authority to enter into agreements according
26 to which contingency and other fees are provided to finders of property to be escheated to the State or to

1 other persons identifying abandoned property by means of audit or otherwise. When the Director deems
2 it to be appropriate, he/she may enter into escrow, custodian, or similar agreements for the purpose of
3 protecting the state's interest in property to be escheated or fees payable pursuant to the aforesaid
4 agreements. The Director may direct that payment for said fees or other costs incident to escheat of
5 property under the aforesaid agreements, including litigation expenses incident to escheat administration
6 be made out of such money held in the escrow, custodian or other account established under this
7 paragraph. No account shall be used to pay for employees of the Division of Revenue. Section 1 of this
8 Act establishes an Appropriated Special Fund account, Escheat, from which charges relating to receiving
9 and processing remittances and reports by holders, and claims by owners of abandoned property, as well
10 as advertising and travel fees and associated costs may be paid and into which abandoned property
11 remittances may, at the discretion of the Director, be deposited. Unencumbered balances on June 30, in
12 excess of \$150.0, shall revert to the General Fund. A semi-annual report of amounts in escrow or
13 custodian accounts shall be furnished to the Budget Director and the Controller General.

14 Section 99. (a) In the event that the State Lottery's amount of Contractual Services shall exceed
15 the amount in Section 1 of this Act due to increased lottery ticket sales, the Appropriated Special Fund
16 Budget in Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and
17 the Budget Director; provided that the total operating budget for this fiscal year shall not exceed 20
18 percent of gross sales as limited by 29 Del. C. § 4815(a).

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

23 Section 100. There shall be established a special fund for the purpose of receiving the proceeds
24 of liquidating stock acquired pursuant to 12 Del. C. ch. 11 or liquidating investments described in this
25 section. Such proceeds may at his discretion be invested and reinvested by the Secretary of Finance in
26 issues of the United States Treasury or investments of comparable risk. The Secretary may at his
27 discretion cause amounts in such special fund to be remitted to the General Fund of the State.

ADMINISTRATIVE SERVICES

Section 101. During Fiscal Year 2003, notwithstanding the provisions of 29 Del. C. §5915, the Merit Employee Relations Board shall hear all maintenance review classification appeals before it in chronological order, beginning with the oldest such appeal unless all parties are in agreement with other such arrangements.

Section 102. Section 1 of this Act appropriates contractual services to Office of Disability Affairs (30-01-20). Of this amount, \$20.0 shall be used for Partners in Policymaking Program.

Section 103. Upon receipt of information from the DMA (Delaware Manicurist Alliance), the Board of Barbering and Cosmetology shall publish a newsletter periodically to its members containing pertinent materials relative to nail technology.

Section 104. During the fiscal year, the Department of Administrative Services, Facilities Management (30-05-10), shall retain the rental fees as Appropriated Special Funds for the buildings known as the Daniel L. Herrmann Courthouse, Kent County Courthouse and the Sussex County Courthouse. The retained portion must be deposited as per state laws and shall be disbursed per Section 1 of this Act.

Section 105. For energy backcharge purposes, the Department of Administrative Services (host department) the 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 106. The Secretary of the Department of Administrative Services shall work in concert with the State Court Administrator in the Administrative Office of the Courts, Office of the State Court Administrator to prioritize projects and ensure completion of necessary renovations and equipment acquisitions within the court system.

Section 107. 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

1 of payments made prior to May 31, 1998. Such payments shall cease when the employee leaves the
2 positions he or she occupied prior to May 31, 1998.

3 Section 108. Personnel in the Department of Administrative Services, Facilities Management
4 who respond to weather related emergencies, and are not covered under FLSA, shall be entitled to receive
5 compensation at their straight time rate of pay for all overtime services performed beyond the normal
6 work week. The method of compensation is subject to the availability of funds and/or the operational
7 needs of the Department of Administrative Services, Facilities Management.

HEALTH AND SOCIAL SERVICES

Section 109. 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 Nursing Assistant, Certified Nursing Assistant, Active Treatment Facilitator, Licensed Practical Nurse and Registered Nurse classifications by agency recruitment efforts unless an eligibility list is required by federal law for that position.

Section 110. 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 Budget Director and the Controller General. These reallocation initiatives shall not compromise the standard of care of the remaining Delaware Psychiatric Center population.

Section 111. 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 Budget Director and the Controller General.

Section 112. Notwithstanding any other provisions of the Delaware Code, the merit position Nursing Home Director I, Governor Bacon Health Center BP #4554 shall become exempt at such time as the current incumbent vacates such position.

When this position becomes vacant, the State Personnel Director shall take the appropriate steps to carry out the provisions of this section.

1 Section 113. (a) The amount appropriated by Section 1 of this Act to the Department of Health
2 and Social Services for Title XIX Federal Programs Medicaid- Non-State shall be expended solely in
3 accordance with the following conditions and limitations:

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

8 (ii) The state plan of medical care to be carried out by the Department of Health and Social
9 Services shall meet the requirement for Federal Financial Participation under the
10 Aforementioned Title XIX.

11 (b) The amount appropriated by Section 1 of this Act to the Department of Health and Social
12 Services for Title XIX – Medicaid-State shall be expended solely for the purpose of providing medical
13 services to patients eligible under the Federal Title XIX Medicaid Program residing in various facilities
14 of, or under the jurisdiction of, the Department of Health and Social Services;

15 (c) Funds appropriated by Section 1 of this Act for Title XIX Medicaid Non-State or Medicaid
16 State may be expended by the Department of Health and Social Services for administrative costs involved
17 in carrying out the purpose of this Section if approved by the Budget Director.

18 (d) The funds hereby appropriated for Title XIX OTSI Medicaid – Non-State or State Institutions
19 shall be expended only on condition that the program is approved and federal matching funds are
20 provided by the appropriate federal agency.

21 (e) The Department of Health and Social Services shall file a report to the Budget Director and
22 Controller General of all services provided by the Medicaid Non-State appropriation. The report shall
23 clearly identify any services that were changed, added or deleted during the current fiscal year. This
24 report is due by May 15, 2003.

25 Section 114. Section 1 of this Act includes an appropriation to the Department of Health and
26 Social Services, Public Health, Director's Office/Support Services (35-05-10) for Contractual Services.

1 Of that amount, \$446.4 shall be used for the purpose of providing school nursing services five days a
2 week to non-public schools in New Castle County and Kent County.

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

6 Section 115. Section 1 of this Act provides a tobacco fund appropriation to the Department of
7 Health and Social Services, Public Health, Community Health (35-05-20). Of that amount, \$200.0 shall
8 be used to contract with the Perinatal Association of Delaware for the Resource Mothers Program; \$150.0
9 shall be used to contract with Cancer Care Connection; \$200.0 shall be used to contract with The
10 Wellness Community, both to provide support services for people with cancer; \$120.0 shall be used for
11 Southbridge Community Outreach; and \$47.6 shall be used for a Delaware School Survey contract with
12 the University of Delaware. These funding amounts shall be made available for Fiscal Year 2003 only.

13 Section 116. Section 1 of this Act provides an appropriation to the Department of Health and
14 Social Services, Public Health, Community Health (35-05-20), in the line item, Office of Narcotics and
15 Dangerous Drugs, in the amount of \$40.0. This amount shall be used at the discretion of the Drug
16 Control Administrator and shall not be utilized for normal operating budget items attributed to the Office
17 of Narcotics and Dangerous Drugs.

18 Section 117. Section 1 of this Act provides an appropriation to the Department of Health and
19 Social Services, Public Health, Community Health (35-05-20), for Contractual Services. Of that amount,
20 \$84.0 shall be available for medicine, equipment and part-time nursing services for a community-based
21 adult health services clinic serving the Claymont area of New Castle County.

22 Section 118. Section 1 of this Act provides an appropriation to the Department of Health and
23 Social Services, Public Health, Community Health (35-05-20) for Contractual Services. Of that amount,
24 \$65.0 shall be used to contract for mammography screening. These services shall be provided by the
25 mobile mammography van. In addition to the above General Funds, \$19.0 shall be made available from
26 the Preventive Health and Health Services Block Grant or other federal funds.

1 Section 119. Section 1 of this Act provides an appropriation of \$40.0 to the Department of
2 Health and Social Services, Public Health, Community Health (35-05-20) to provide vaccinations to
3 individuals who are members of volunteer ambulance companies or volunteer fire companies acting as
4 “first responders” in the State of Delaware. Public Health shall purchase vaccine and administer or
5 contract vaccine at local fire stations or other sites mutually agreed upon by the fire companies and Public
6 Health. No such vaccinations shall be furnished until after certification by the volunteer fire or
7 ambulance company on a form provided by Public Health, indicating that the person for whom the
8 vaccination is desired, is a member in good standing of a volunteer ambulance or volunteer fire company
9 in the State of Delaware. A record of the names and addresses of all persons immunized shall be
10 maintained by Public Health. To insure the success of this program, Public Health and representatives of
11 the Delaware Volunteer Firemen’s Association shall work collaboratively in the best interests of all
12 parties. Public Health may promulgate reasonable rules and regulations regarding the vaccination of
13 volunteer firemen and individuals who volunteer for ambulance companies. If resources allow, after the
14 needs of the volunteer community have been met, similar assistance may be offered to other fire and
15 ambulance companies such as the Wilmington City fire company. Such funds, as are necessary from this
16 fund, may also be spent to provide any required post vaccination antibody testing in order to assure
17 adequate protection has been achieved.

18 Section 120. Section 1 of this Act provides an appropriation for the Department of Health and
19 Social Services, Public Health, Community Health (35-05-20) to provide Hepatitis B and other necessary
20 childhood vaccinations for children between infancy and young adulthood who are uninsured, are not
21 eligible for any Federal program providing the vaccination, and are otherwise medically indigent.

22 Section 121. The State desires to establish a permanent funding program for rodent control
23 activities at the local level by providing the City of Wilmington-\$15.0 New Castle County \$15.0; Kent
24 County \$10.0; and Sussex County \$10.0. The Department of Health and Social Services, Public Health,
25 Community Health (35-05-20) shall dispense these funds to local governments in lump sum payments to
26 be made no later than September 1, 2003; establish program objectives and spending guidelines; require

1 regular expenditure reporting to the State; and allow unexpended funds to carry over at the local level into
2 the next fiscal year.

3 Section 122. Public Health, Community Health (35-05-20) will receive Medicaid reimbursement
4 for services provided to Medicaid eligible students in the School Based Health Centers. The division
5 shall be allowed to collect and deposit up to \$65.0 of the revenue into an ASF account entitled School
6 Based Health Centers to support the cost of this initiative.

7 Section 123. Section 1 of this Act provides an appropriation to the Department of Health and
8 Social Services, Substance Abuse and Mental Health, Delaware Psychiatric Center (35-06-30), for
9 Contractual Services. Of that amount, \$41.2 shall be made available for a Nurse Intern Program to enable
10 graduate nurses to take graduate courses to increase their skills in specialty areas.

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

15 Section 124. Delaware Psychiatric Center maintains appropriation account 35-06-30-98-37 to
16 receive reimbursement for providing a work study program for local nursing schools and for assigning
17 residents to work in non-psychiatric services at area hospitals on a rotating basis, respectively.

18 Notwithstanding the provisions of 29 Del. C. § 6102, the IPU shall be allowed to collect and expend the
19 proceeds from the aforementioned account.

20 Section 125. Section 1 of this Act provides an appropriation to the Department of Health and
21 Social Services, Substance Abuse and Mental Health, Substance Abuse (35-06-40) in Contractual
22 Services. In addition to this General Fund appropriation, the Director of Substance Abuse and Mental
23 Health, shall ensure that the amount of \$60.0 be expended from available federal funds to contract for
24 employment, alcohol, and drug counseling and referral services for youth and adults to encourage an
25 alcohol and drug-free environment in South Wilmington; and that the amount of \$35.0 be expended from
26 available federal funds to contract for employment, alcohol, and drug counseling and referral services for
27 youth and adults to encourage an alcohol and drug-free environment in the Claymont community.

1 Section 126. Section 1 of this Act makes appropriations to the Department of Health and Social
2 Services, Social Services (35-07-01), for various programs that pay for health care including drugs for
3 many citizens of Delaware. In the Medicaid program, federal regulations mandate that drug companies
4 must provide rebates in order to participate in the program. Social Services shall establish a drug rebate
5 process for the non-Medicaid programs administered by the division including but not limited to: the
6 Delaware Healthy Children program, the Renal Disease program, the Delaware Prescription Assistance
7 program and the Legal Non-Citizen Health Care program. The division shall establish a rebate process
8 for these programs that it determines is in the best interests of the citizens who are being served. The
9 rebate amount shall be calculated using the full methodology prescribed by the federal government for the
10 Medicaid program. Notwithstanding any provisions of the Delaware Code to the contrary, the division
11 shall deposit any drug rebate funds received as well as third party insurance collections (minus retention
12 amounts) and other collections into the appropriate Social Services program account and used to meet
13 program costs.

14 Section 1 of this Act also makes appropriations to other agencies of state government for health
15 care programs that purchase drugs. The Department of Health and Social Services shall work with other
16 state agencies to develop a drug rebate process for these programs.

17 The rebate amounts may be calculated using the full methodology prescribed by the Federal
18 government for the Medicaid program. Rebates received for non-Division of Social Service programs
19 shall be deposited into General Funds.

20 Section 127. (a) Section 1 of this Act appropriates \$2,168.8 in Social Services (35-07-00) under
21 Early Intervention for the Part C Birth to Three Program. The Interagency Resource Management
22 Committee (IRMC) shall consult and advise the lead agency in setting program eligibility standards and
23 shall have the authority to allocate such funds, and may advise on the use of other funds specifically
24 designated for this project. The IRMC shall also have the authority to maintain up to 37.5 FTEs and
25 establish or contract for an additional 2.0 FTEs needed to provide appropriate services for Children Birth to
26 Three, selected through the early intervention process and to ensure coordination with the Program for
27 Children with Disabilities. In addition, the IRMC may recommend the transfer of General Fund positions

1 and/or General Fund dollars from the Department of Health and Social Services as necessary to operate
2 this program. The lead agency shall report to the Budget Director and the Controller General on additional
3 revenues that will be generated from Medicaid matching funds for reimbursable appropriate services that
4 will be deposited into the General Fund in Fiscal Year 2003.

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

13 Section 128. Section 1 of this Act provides an appropriation to the Department of Health and
14 Social Services, Social Services (35-07-01) for Renal Disease.

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

21 Social Services will provide the following support for the Chronic Renal Disease Program:
22 1) develop standards for determining eligibility for services provided by the program, with the advice of
23 the Advisory Committee; 2) extend financial assistance to persons suffering from chronic renal disease
24 who meet eligibility criteria; and, 3) periodically provide information to the Advisory Committee on
25 services provided and expenditures for these services. Those clients not Medicaid eligible will receive the
26 same level of services as in previous years.

1 Section 129. Section 1 of this Act includes 2.0 NSF FTEs in the Department of Health and Social
2 Services, Social Services (35-07-01). These Medicaid Eligibility Specialist positions will be funded
3 through voluntary contributions from medical facilities and from federal matching funds. These positions
4 will expedite the Medicaid Eligibility application process for Medicaid clients, and will ensure that these
5 clients apply for services through Medicaid, if appropriate, thereby maximizing federal revenues for the
6 State of Delaware. Other medical facilities throughout the state may participate in this program.

7 Section 130. Section 1 of this Act appropriates \$16,400.0 ASF in Social Services (35-07-00) for
8 Medicaid – Non-State. Of that amount, \$400.0 is revenue from Medicaid reimbursements for services
9 provided to Medicaid eligible students in the School-Based Health Centers. This \$400.0 shall be used for
10 expenses associated with the normal operations of Medicaid – Non-State program.

11 Section 131. Section 1 of this Act provides an appropriation to the Department of Health and
12 Social Services, Social Services (35-07-00) for Contractual Services. Of that amount, \$750.0 is for DCIS
13 II system maintenance. Social Services shall have the authority to contract for positions needed to
14 provide system maintenance. The division shall also have the authority, with approval from the Budget
15 Director and Controller General, to transfer a portion of these funds to Personnel Costs and establish up to
16 2.1 General Fund positions and 1.8 NSF positions in order to support DCIS II system maintenance.

17 Section 132. The Department of Health and Social Services is authorized to contract with a
18 cooperative Multi-State purchasing contract alliance for the procurement of pharmaceutical products,
19 services and allied supplies. The provisions of 29 Del. C. c. 69 shall not apply to such contract. Prior to
20 entering into any such contracts the department will obtain the approval of the Secretary of the
21 Department of Administrative Services. The provisions of 29 Del. C.c. 69 shall not apply to the above
22 contracts.

23 Section 133. Section 1 of this Act makes ASF appropriations to the Department of Health and
24 Social Services, Social Services (35-07-00) for the Prescription Assistance Program and other programs
25 funded with Tobacco Settlement funds. These funds may be used for both the client services and
26 administrative costs of the programs.

1 Section 134. Section 1 of this Act appropriates \$1,975.9 in Personnel Costs and 40.6 FTEs to
2 Visually Impaired, (35-08-00). This section authorizes 1.0 FTE in addition to the 8.0 FTEs itinerant
3 teachers available to meet caseload requirements for the Braille Literacy Act. This additional FTE may
4 be filled if the September 2002 educational unit count indicates the number of teachers required to meet
5 caseloads for visually impaired students is greater than the Fiscal Year 2003 complement of teachers.

6 Section 135. Section 1 of this Act provides an appropriation to the Department of Health and
7 Social Services, Visually Impaired (35-08-01), for Contractual Services. Of that amount, \$18.9 shall be
8 used to compensate correctional inmates for the purpose of producing Braille materials for visually
9 impaired school children.

10 Section 136. The Budget Director and Controller General shall transfer Budget Position 6739 in
11 the Department of Health & Social Services, Division of Long Term Care Residents Protection (35-09-
12 01) to the Department of Health & Social Services, Division of Developmental Disabilities Services,
13 Administration (35-11-10) along with the associated salary and non-salary costs.

14 Section 137. Section 1 of this Act provides an appropriation of \$1,598.0 ASF in the Department
15 of Health and Social Services, Child Support Enforcement (35-10-00), for the operation of the division.
16 Revenue from child support collections shall fund this account and the related 27.2 ASF FTEs. The
17 department shall continue its efforts to maintain collections related to child support programs, and all
18 revenue in excess of the division's ASF authority shall be deposited as designated by 29 Del. C. § 6102.

19 Section 138. Section 1 of this Act provides an appropriation to the Department of Health and
20 Social Services, Developmental Disabilities Services, Stockley Center (35-11-20) for Contractual
21 Services. Of that amount, up to \$10.0 shall be available for services provided by Camp Barnes.

22 Section 139. Section 1 of this Act appropriates funding to the Developmental Disabilities
23 Services, Community Services (35-11-30) for the Purchase of Community Services. Of this amount,
24 \$57.0 shall be used for the Mary Campbell Center.

25 Section 140. Developmental Disabilities Services, Community Services (35-11-30) receives
26 Medicaid reimbursement for the provision of day rehabilitation services provided in state operated day
27 centers. Notwithstanding the provisions of 29 Del. C. § 6102, the division shall be allowed to collect and

1 deposit the Medicaid reimbursement in an Appropriated Special Fund account entitled "Day
2 Rehabilitation Services Reimbursement." Receipts in the account may be used to fund community
3 residential and day program contracts currently funded out of the Purchase of Care and Purchase of
4 Community Services lines.

5 Section 141. (a) Developmental Disabilities Services (35-11-00) is encouraged, where
6 appropriate, to reallocate resources so as to maximize community-based residential placements for
7 persons with mental retardation. Such reallocation initiatives must be made within the total Division's
8 appropriation limit with the approval of the Budget Director and the Controller General. These
9 reallocation initiatives shall not compromise the standard of care of the remaining Stockley Center
10 population.

11 (b) Section 1 of this Act provides an appropriation to Developmental Disabilities Services,
12 Community Services (35-11-20) for the Stockley Transition Plan. This reallocation is the result of the
13 authority found in subsection (a) to reallocate resources to maximize community-based residential
14 placements and shall be monitored to assure the most appropriate levels of care are provided both in the
15 community and at Stockley Center.

16 (c) Section 1 of this Act also provides an appropriation to Social Services (35-07-00), for the SSI
17 Supplement and Medicaid – Non-State. Of those amounts, \$30.3 and \$559.5, respectively, are the result
18 of a reallocation from Developmental Disabilities Services, Community Services (35-11-20) as part of the
19 Stockley Transition Plan and shall be used exclusively for the community placements of Developmental
20 Disabilities Services clients. This reallocation is also the result of the authority found in subsection (a) to
21 reallocate resources to maximize community-based residential placements and was needed in order to
22 maximize federal participation in such placements.

23 Section 142. Section 1 of this Act provides an appropriation of \$1,108.0 ASF to the Division of
24 Developmental Disabilities Services, Community Services (35-11-30) for the Purchase of Care. The
25 division shall be allowed to collect and deposit funds into this account as a result of revenue from
26 implementation of a sliding fee scale, Medicaid transportation reimbursements, patient payments and
27 tenant fees.

1 Section 143. State Service Centers, Family Support (35-12-10) maintains appropriation accounts
2 35-12-10-80-00 and 35-12-10-80-01 for the purposes of lending car seats to families who cannot afford to
3 buy them and to publish a Human Services Directory, respectively.

4 Section 144. Section 1 of this Act for Department of Health and Social Services, State Service
5 Centers, Family Support (35-12-10) includes 3.0 FTE (#59625, #3094, #16224) and \$120.2 Personnel
6 Costs which support the Delaware Helpline. Upon vacancy, these positions shall be deleted and the
7 corresponding funding shall be transferred to Contractual Services for the Delaware Helpline.

8 Section 145. Section 1 of this Act includes funding for Contractual Services for Department of
9 Health and Social Services, State Service Centers, Family Support (35-12-10). Of this amount, \$10.0
10 shall be used for the Delaware Helpline. Available funds designated for the Delaware Helpline may be
11 distributed annually in a lump sum at the beginning of the contract year.

12 Section 146. The position of Director, Community and Volunteer Services, shall remain exempt
13 from classified service until such time as the position becomes vacant.

14 Section 147. Notwithstanding any other provisions of the Delaware Code, State employee
15 recognition funds may be used per existing guidelines to include the recognition of volunteers and other
16 non-state employees at the discretion of the Secretary of the Department of Health and Social Services.

17 Section 148. Services for Aging and Adults with Physical Disabilities (35-14-00) will receive
18 Medicaid reimbursement for the administration of community based services for the Aging and Adults
19 with Physical Disabilities population. Notwithstanding the provisions of 29 Del. C. § 6102, the Division
20 shall be allowed to collect and deposit the Medicaid reimbursement in an Appropriated Special Fund
21 account entitled "Community Based Services Reimbursement." Receipts in the account may be used to
22 maintain existing services and provide additional services for adults with physical disabilities. Such
23 services are not to exceed the estimated annualized revenue, and are subject to initial and on-going review
24 by the Budget Director and the Controller General.

CHILDREN, YOUTH AND THEIR FAMILIES

Section 149. To maintain the accuracy of information regarding Delaware's juvenile justice system, specifically its institutions, Levels III, IV and V residential alternative programs and non-secure detention:

All juvenile related Statistical Analysis Center (SAC) (10-02-08) positions shall be located in Youth Rehabilitation Services (YRS) (37-05-00) with access to all appropriate computer systems. After July 1, 2002, the Budget Director 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 150. 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 Budget Director and the Controller General.

Section 151. Section 1 of this Act provides an appropriation to the Department of Services for Children, Youth and their Families, Child Mental Health Services, Managed Care Organization (37-04-10) for Drug Court. These funds, \$426.5, shall be used to implement a Drug Court Program with Family Court. In addition, funds from the Juvenile Accountability Incentive Block Grant (JAIBG) and recovered Medicaid funds will be directed towards the Drug Court Program.

Section 152. Management Services (37-01-00) shall have 1.0 FTE exempt position in addition to those authorized by 29 Del. C. § 5903. When position BP #55138 becomes vacant, it shall be classified by the Director of Personnel in accordance with the Merit System, 29 Del. C. c. 59.

Section 153. 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

1 two years. For the year beginning October 1, 2002, the goal will be 220 children. This goal statement is
2 intended to satisfy the requirements of the Federal Adoption Assistance and Child Welfare Act (P.L. 96-
3 272).

4 Section 154. Family Services is hereby directed to formally notify, in advance, the Foster Care
5 Review Board of any meeting, hearing or other event of which the Board desires notification. Said
6 notification shall be directed to the Executive Director of the Board.

7 Section 155. (a) During the Fiscal Year, any employee who is currently enrolled in an education
8 program as part of the Ferris School Restructuring Transition Plan shall continue to receive financial
9 support from Youth Rehabilitative Services until the completion of a relevant bachelor's degree. Any
10 remaining balance in (37-05-50-01-98) shall remain authorized and available for training and staff
11 development within the division. Special consideration shall be given to probation and parole officers.

12 (b) The NSF account (37-05-50-80-04), established in Fiscal Year 1996, shall remain authorized
13 until June 30, 2003. This appropriation will allow the Department of Children, Youth and Their Families
14 to receive reimbursements from employees who do not successfully complete Ferris work-force transition
15 training. These funds may also be used for general training and staff development in YRS.

16 Section 156. As a means of monitoring and improving the excessive expenditure of
17 casual/seasonal and overtime in Youth Rehabilitative Services, Secure Care (37-05-50), the Secretary of
18 the Department of Services for Children, Youth and Their Families shall file a quarterly report with the
19 Budget Director and the Controller General on casual/seasonal and overtime expenditures. The report
20 should include but not be limited to sick leave usage, vacancy rates, training and transportation costs at
21 the Ferris School, New Castle County Detention Center and Stevenson House. The report should reflect
22 all actions (including disciplinary) being taken to expeditiously correct the noted problem areas.

23 Section 157. The Department of Services for Children, Youth and Their Families shall report on
24 a quarterly basis to the Controller General and Budget Director the status of the Stevenson House Facility
25 in Milford. This report shall include, but not be limited to, staffing vacancies, total budgetary
26 expenditures vs. appropriations, overtime, casual/seasonal expenditures, population statistics, facility
27 condition and capacities, and incident reports.

1 Section 158. Section 1 of this Act provides an Appropriated Special Fund authorization of
2 \$341.7 to the Department of Services for Children, Youth and their Families for the purpose of supporting
3 the Young Criminal Offender Program located at the Department of Correction, Prisons, Multi-Purpose
4 Criminal Justice Facility (38-04-06).

5 Section 159. (a) In addition to the position authorized in Section 1 of this Act for Family
6 Services, Intake/Investigation (37-06-30) and Intervention/Treatment (37-06-40), the Budget Director
7 may authorize additional training positions for the purpose of training investigative and treatment
8 workers.

9 (b) An additional 2.0 FTEs were authorized in Fiscal Year 2000 in Family Services, Office of the
10 Director (37-06-10) for the purposes of training workers hired in accordance with (c) of this Section. As
11 the need for the over-hire provisions and the associated training authority is reduced, the Budget Director
12 and the Controller General may eliminate 2.0 positions through attrition.

13 (c) For the purposes of retaining and attracting experienced investigation and treatment workers
14 in Family Services, the division may competitively recruit for Family Crisis Therapists in their
15 investigation and treatment units. Current Family Services employees who successfully apply for these
16 positions shall have their position reclassified to Family Crisis Therapist. Such reclassifications or
17 reclassifications of vacant positions to Family Crisis Therapist shall be effective upon the approval of the
18 State Personnel Director, Budget Director and the Controller General. Family Services is authorized to
19 transfer positions between budget units in order to adjust its complement to ensure the correct number of
20 FTEs are in each functional unit of the division. Family Services shall submit a quarterly report to the
21 Budget Director and the Controller General detailing any adjustments to the complement, the number of
22 Family Crisis Therapists hired and retention statistics.

23 Section 160. Section 1 of this Act provides an appropriation to the Department of Services for
24 Children, Youth and Their Families, Family Services, Office of the Director (37-06-10) of \$894.4 for
25 Pass Throughs. It includes:

1	Child Advocacy Center	\$587.7
2	People's Place, Milford	\$ 67.0
3	CHILD, Inc.	\$193.3
4	Watchful Shepherd	\$ 46.4

5 Section 161. Section 1 of this Act for Youth Rehabilitative Services, Secure Care (37-05-50)
6 authorizes 28.0 FTEs for the purpose of providing additional staffing for the New Castle County
7 Detention Center. These positions shall include 22.0 FTEs Youth Rehabilitation Counselor II and 6.0
8 FTEs Youth Rehabilitation Counselor Supervisors. These positions shall be funded by a corresponding
9 reduction in the casual seasonal and overtime expenditures for Secure Care. If the quarterly average daily
10 population at the New Castle County Detention Center is below 114, the Budget Director and the
11 Controller General may reduce the number of casual seasonal or full time positions through attrition.

CORRECTION

1
2 Section 162. (a) Section 1 of this Act includes funding for relief positions in the Department of
3 Correction, Administration, Human Resources/Employee Development Center (38-01-02). These
4 positions shall be used primarily for training relief. The Department of Correction shall provide a
5 quarterly report to the Budget Director and the Controller General detailing the non-training relief
6 assignments of the staff training relief officers.

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

13 (c) In addition to the positions authorized in Section 1 of this Act for the Department of
14 Correction, additional positions are authorized in Human Resources/Employee Development Center for
15 the purpose of Probation and Parole Officer Basic Training classes. During the training sessions, up to 25
16 FTEs will be made available to accommodate the class being trained. No funding will be authorized for
17 these 25 FTEs. In order to utilize these positions, the department will use salary savings realized
18 throughout the year.

19 Section 163. Section 1 of this Act makes an appropriation to the Department of Correction,
20 Medical/Treatment Services (38-01-30). Of the total appropriation, \$25.0 shall be used for the purpose of
21 inmate hospice care.

22 Section 164. Notwithstanding any provision in Title 29, Chapter 69, Delaware Code or any other
23 law to the contrary, the Department of Correction may approve a subcontractor for the purchase and
24 delivery of pharmaceuticals pursuant to the Contract #2828 for correctional health services.

25 Section 165. The Department of Correction, Administration, Facilities Maintenance (38-01-40),
26 receives funding for maintenance and restoration projects in the Budget Act. The department must submit
27 a quarterly report to the Budget Director and the Controller General, detailing the expenditure of such

1 funds and the respective projects. The department shall submit a preliminary plan for maintenance
2 projects for the following fiscal year by October 31, to the Budget Director and the Controller General.

3 Section 166. Section 1 of this Act provides an appropriation for the Prison Arts Program funded
4 in the Department of Correction, Prisons, Bureau Chief - Prisons (38-04-01). Included in this
5 appropriation is a 1.0 FTE Administrative Assistant I and Personnel Costs, \$4.4 for Supplies and
6 Materials, \$8.4 for casual/seasonal, \$5.7 for Contractual Services and \$0.8 for Travel.

7 Section 167. Section 1 of this Act provides an appropriation for Personnel Costs to the
8 Department of Correction, Prisons, Delaware Correctional Center (38-04-03). Included in this
9 appropriation is 1.0 FTE and Personnel Costs to allow the department to oversee a program to
10 manufacture reading materials in Braille for the visually impaired. Also included in this appropriation is
11 \$15.0 for legal services as required by the Warden of Delaware Correctional Center.

12 Section 168. Section 1 of this Act appropriates funds to Department of Correction, Prisons,
13 Delores J. Baylor Correctional Institution (38-04-05) in contractual services for a contract to provide a
14 program for female offenders at Delores J. Baylor Correctional Institution to address anger and behavior
15 issues from a feminine psychological perspective. The Warden of the facility will submit an annual
16 report to the Joint Finance Committee, Budget Director, Controller General and Commissioner of
17 Correction by June 1 of each year, which will include but not be limited to the mission of the
18 organization, the statement of the problem, a synopsis of the program, the number of participants,
19 statistics relating to recidivism rates of those participating in the program and an annual budget of the
20 organization.

21 Section 169. (a) Section 1 of this Act makes an appropriation of \$3,909.4 to the Department of
22 Correction, Administration, Drug and Alcohol Treatment Services (38-01-31) for Drug and Alcohol
23 Treatment Services; and \$132.0 to the Department of Correction, Community Corrections, Bureau Chief -
24 Community Corrections (38-06-01); and \$55.9 to the Department of Correction, Community Corrections,
25 Probation and Parole (38-06-02). Funding in Department of Correction, Community Corrections,
26 Probation and Parole (38-06-02) will be augmented by \$250.0 ASF from the Substance Abuse
27 Rehabilitation, Treatment, Education and Prevention Fund. All funds described in this section are

1 intended to support drug and alcohol treatment programs provided by the department to individuals in its
2 custody or under its supervision. The administration of these contracts shall be the responsibility of the
3 Commissioner of Correction or his designee.

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

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

12 Section 170. Section 1 of this Act provides an appropriation to Community Corrections,
13 Probation and Parole (38-06-02). The department must submit a semi-annual report to the Budget
14 Director and the Controller General that details the expenditure of these funds by SENTAC level (levels I,
15 II and III) and the average personnel complement for each level. These reports are due on December 31
16 and June 30.

17 Section 171. Section 1 of this Act provides an appropriation to Department of Correction,
18 Community Corrections, Probation and Parole (38-06-02) for Contractual Services. Of this appropriation,
19 \$94.0 shall be used to support a community restorative justice program in New Castle County.

20 Section 172. (a) Section I of this Act makes appropriations of 2.0 ASF FTEs in Department of
21 Correction, Prisons, Webb Correctional Facility (38-04-02), 2.0 ASF FTEs in Department of Correction,
22 Community Corrections, Plummer Work Release Center (38-06-06) and 2.0 ASF FTEs in Department of
23 Correction, Community Corrections, Central Violation of Probation Center (38-06-10). These positions
24 shall be Correctional Corporals who will supervise inmate work crews primarily for completing projects
25 requested by the Delaware Department of Transportation. The source of funding shall be the Department
26 of Transportation, Division of Highway Operations, Maintenance Districts (55-04-70). Adjustments to

1 Appropriated Special Fund spending authority for this program can be made upon the concurrence and
2 approval of the Budget Director and the Controller General.

3 (b) Of the total positions authorization in Section 1 of this Act for the Department of Correction,
4 the following shall be used to continue the existing highway beautification projects: Kent County Work
5 Release Center (38-06-08) – at least 3.0 positions, Central Violation of Probation Center (38-06-10) – at
6 least 4.0 positions, and Sussex Correctional Institution (38-04-04) – at least 4.0 positions.

7 (c) Section 1 of this Act also makes an appropriation for Contractual Services to Department of
8 Correction, Community Corrections, Kent County Work Release Center (38-06-08). Of this amount, \$5.0
9 shall be used for “tipping” fees.

10 Section 173. The Department of Correction, Administration, Office of the Commissioner (38-01-
11 01) shall maintain an overtime expenditure report and shall provide such report quarterly to the Budget
12 Director and Controller General. The report shall include the number of overtime hours worked and the
13 amount of overtime salary expended by each agency within the Department, and shall include a
14 breakdown of the reason for overtime.

15 Section 174. To facilitate the coordination of education services within the prison system the
16 Department of Correction may use an existing vacancy during Fiscal Year 2003 or may reimburse a
17 school district or state agency to cover the salary and expenses for those services. Prison education
18 services shall be provided by utilizing existing teachers that are in the Department of Correction as well
19 as authorized teaching positions in the Department of Education. The management of all educational
20 positions shall be provided by the Department of Education. Department of Correction teachers shall
21 have the opportunity each year to notify both agencies of their intent to transfer to the Department of
22 Education. Such notification shall be made by April 15 of each year to become effective July 1 of that
23 calendar year. Any position transfer made pursuant to this section shall be permanent.

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

1 Correction teacher position becomes otherwise vacant, the position and associated funding shall be
2 transferred to the Department of Education for the operation of prison education services.

3 Section 175. The Department of Correction, Community Corrections, House Arrest (38-06-04)
4 shall provide 24 hour, 7 day a week supervision of community correction's offenders. The department
5 shall determine the number of employees needed on duty throughout each 24-hour period and arrange
6 staff coverage accordingly. At no time shall the ratio of Probation Officers I's to other staff exceed 50
7 percent during night time and weekend hours.

8 Section 176. The Merit Rules notwithstanding, Department of Correction employees designated
9 as Correctional Emergency Response Team (CERT) members shall be eligible for standby pay regardless
10 of their classification.

1 **NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**

2 Section 177. Section 1 of this Act authorizes Fish and Wildlife, Wildlife/Fisheries (40-05-02) to
3 spend up to \$4,291.0 in Appropriated Special Funds. Within this amount, the division is authorized to
4 undertake capital expenditures to maintain/develop fish and wildlife recreational areas. These
5 expenditures should be in accordance with the Capital Development Plan for the division, submitted as an
6 attachment to the department's Annual Fiscal Year Capital Improvement Program. Any deviation from
7 the listed projects must be approved by the Budget Director and the Controller General.

8 Section 178. The Department of Natural Resources and Environmental Control will provide the
9 Joint Finance Committee with information on the actual cost of all Title V program activities, including
10 permitting, enforcement and monitoring. Reports on each six months of activity will be submitted to the
11 Joint Finance Committee by January 31 and July 31, respectively.

12 Section 179. Section 1 of this Act appropriates \$102.3 to Water Resources, Watershed
13 Assessment (40-08-07) for Inland Bays Research. The appropriation shall be used to support citizen-
14 monitoring activities including, but not limited to, the Stream Watch Program in the amount of \$66.5 and
15 the Inland Bays Citizen Monitoring Program in the amount of \$35.8. In addition, \$270.0 of the
16 Watershed Assessment (40-08-07) Contractual Services funding shall be used by the Center for the Inland
17 Bays for programs promoting strategies to improve the quality of water in the Inland Bays.

18 Section 1 of this Act makes an appropriation for Contractual Services to the Department of
19 Natural Resources and Environmental Control, Water Resources, (40-08-01). Of that amount \$50.0 shall
20 be used to support the Partnership for the Delaware Estuary.

21 Section 180. Section 1 of this Act appropriates \$836.9 in General Funds and any revenues
22 collected in Appropriated Special Funds for a dog control contract in the Department of Natural
23 Resources and Environmental Control, Division of Fish and Wildlife (40-05-05). The recipient of this
24 contract will be responsible for the enforcement of Title 7, Chapter 17 (Dogs), of the Delaware Code.
25 The contract will require that at a minimum there will be 7 dog control officers in New Castle County, 3
26 in Kent County and 3 in Sussex County during Fiscal Year 2003.

1 Section 181. Section 1 of this Act makes an appropriation for contractual services to the
2 Department of Natural Resources and Environmental Control, Division of Fish and Wildlife, (40-05-02).
3 Of that total appropriation \$25.0 is to be dedicated to beaver control.

4 Section 182. Section 1 of this Act appropriates one-time funding of \$50.0 to the Department of
5 Natural Resources and Environmental Control, Fish and Wildlife, Dog Control (40-05-05). These funds
6 shall pass through the department to fund the Delaware Humane Association mobile spay/neuter clinic to
7 reduce pet overpopulation on a statewide basis.

8 Section 183. Section 1 of this Act makes an appropriation to the Department of Natural
9 Resources and Environmental Control. Of that appropriation the Department of Natural Resources and
10 Environmental Control is directed to pay \$40.8 to the New Castle Conservation District for the rental of
11 office space, storage facility, and garage for the Mosquito Control Section.

12 Section 184. Section 1 of this Act appropriates funds to support a position within the Department
13 of Natural Resources and Environmental Control, Air and Waste Management, Management and Support
14 - Air and Waste (40-09-01). This position is an Environmental Engineer II/IV and assigned to the
15 Delaware City Petro Chemical Complex. This position will respond to and provide follow-up on
16 complaints from the community on air quality throughout New Castle County. The position incumbent
17 shall submit an annual report to the Joint Finance Committee on February 1 of each year which
18 summarizes the complaints and activities of the previous calendar year.

19 Section 185. Section 1 of this Act makes an appropriation for Contractual Services to the
20 Department of Natural Resources and Environmental Control, Division of Air Waste Management (40-
21 09-01). Of that appropriation \$70.0 is to be used to fund an Environmental Engineer II/IV position to be
22 assigned to Claymont/Edgemoor Industrial Complex. This position in conjunction with the engineer
23 assigned to the Delaware City Petro Chemical Complex will respond to and provide follow-up on
24 complaints from the community on the air quality throughout New Castle County. The incumbent shall
25 submit an annual report to the Joint Finance Committee on February 1 of each year, which summarizes
26 the complaints and activities of the previous year.

1 Section 186. Section 1 of this Act appropriates funding for an Environmental Engineer assigned
2 to the Claymont/Edgemoor Industrial Complex and to be located at the Robinson House in Claymont.
3 The Department of State, Division of Historical and Cultural Affairs will, in consultation with the
4 Department of Natural Resources and Environmental Control, develop a plan for the renovation of office
5 space within the Robinson House. The Department is also authorized to expend monies from the Penalty
6 Fund to pay for the renovation, subject to approval by the Budget Director and the Controller General.

7 Section 187. Fish and Wildlife (40-05-00) is authorized to establish, maintain and administer:

8 (a) An interest-bearing, Non-appropriated Special Fund known as the Delaware Marsh
9 Management and Maintenance Trust, as allowed by conditions of the DNREC/PSE&G Settlement
10 Agreement of March 23, 1995, and further allowed by the subsequent Settlement Agreement of June 24,
11 2001. The interest income from this Trust Account will be dedicated to implement the Settlement
12 Agreement's provisions to enhance or restore tidal wetlands habitats for coastal fish and wildlife
13 resources along Delaware Bay and River in Delaware, and to maintain such tidal wetlands habitat
14 enhancements or restoration in perpetuity, as partial compensation for natural resource losses caused by
15 past, ongoing and future operation of the PSE&G Salem Nuclear Generating Station.

16 (b) A Non-appropriated Special Fund for administration of the dedicated interest earned on the
17 fund established above, with said dedicated interest to be expended to help support or implement
18 compensatory tidal wetlands habitat enhancements or restorations and associated maintenance activities
19 referred to in (a).

20 Section 188. Section 1 of this Act appropriates \$705.7 ASF to Fish and Wildlife for contractual
21 services. Of this amount, \$14.9 shall be paid to the Office of State Personnel for fish and wildlife
22 insurance.

23 Section 189. Section 1 of this Act appropriates \$4,196.6 to the Department of Natural Resources,
24 Parks and Recreation, Operations and Maintenance (40-06-02). Of this amount, \$115.0 shall be used to
25 fund casual/seasonal positions for Killens Pond Waterpark and \$8.5 shall be used for program services
26 and contractual services at the Bellevue State Park system.

1 Section 190. The budget complement of the Department of Natural Resources and
2 Environmental Control, Water Resources, Environmental Services (40-08-02) includes 2.0 FTEs Analytic
3 Chemist, position numbers BP #58598 and BP #8339. When one of these positions becomes vacant, it
4 shall be converted to ASF. The remaining position shall not be converted.

5 Section 191. Section 1 of the Act appropriates \$4,070.6 to the Department of Natural Resources
6 and Environmental Control, Water Resources, Management and Support – Water Resources (40-08-01).
7 Of that amount, \$1.0 shall be set aside for the Environmental Science Scholarship program.

8 Section 192. Section 1 of this Act appropriates \$489.7 to the Department of Natural Resources
9 and Environmental Control, Parks and Recreation, Cultural and Recreational Services (40-06-03). Of that
10 appropriation \$10.1 is to be spent on promotion and programs for Trap Pond State Park as follows: \$5.0
11 for Contractual Services, \$5.0 for Supplies and Materials and \$.1 for Travel.

12 Section 193. Section 1 of this Act appropriates \$23.9 to the Department of Natural Resources and
13 Environmental Control to annualize the competency-based pay project. Notwithstanding Chapters 5.0 and
14 6.0 of the Merit Rules, this pay plan is intended for the enforcement classes within Fish and Wildlife,
15 Parks and Recreation, and Air and Waste Management, and shall be based upon the Competency-Based
16 Pay Plan report provided to the Controller General's Office on June 8, 1998.

17 The competency-based pay plan shall provide a plan for employees to follow in order to achieve
18 promotional increases based on objective, measurable, pre-determined standards for all enforcement
19 employees. These standards include, but are not limited to, training and education, certification, time and
20 experience, public relations, performance review and operational readiness.

21 The promotional increases shall be based on a competency based matrix. The matrix shall provide
22 for promotional standards both within and between pay grades. There shall be three levels that an
23 employee must achieve within one paygrade before in order to be eligible for promotion to a higher
24 paygrade. These three levels are skill building, full performance, and expert. Decisions related to
25 promotion to a higher paygrade shall be determined by an Enforcement Oral Board made up of 2
26 representatives from the Department of Natural Resources and Environmental Control and 3
27 representatives from the State Personnel Office.

1 Section 194. Section 1 of this Act appropriates \$454.5 to Soil and Water Conservation, District
2 Operations (40-07-04) for Contractual Services. Of that amount, \$130.0 shall be used for additional field
3 staff personnel for the preparation of nutrient management plans.

4 Section 195. Section 1 of this Act appropriates funds to the Hazardous Substance Cleanup Act
5 (HSCA) Cleanup Fund in Air and Waste Management, Waste Management (40-09-03). A maximum of
6 \$500.0 ASF per fiscal year will be set aside from the HSCA Cleanup Fund to address orphaned and
7 abandoned underground storage tank (UST) systems. These USTs shall include those where the
8 responsible parties have shown to the satisfaction of the Department of Natural Resources and
9 Environmental Control, that they do not have the ability to pay for the necessary UST system removal and
10 the remediation of any resulting contamination. In such case, the department shall not seek cost recovery
11 of the funds expended under the HSCA fund.

12 Section 196. Section 1 of this Act makes an appropriation to the Department of Natural
13 Resources and Environmental Control, Water Resources, Management and Support – Water Resources
14 (40-08-01). Of the total appropriation, \$220.0 will pass through the department to fund the
15 Environmental Training Center at Delaware Technical and Community College, Owens Campus.
16 Funding is to be used to provide training for state and local water and wastewater operators.

17 Section 197. Fish and Wildlife is authorized to expend funds carried forward from the sale of
18 boat registration fees, effective Fiscal Year 2000 and thereafter, for the purpose of supporting fisheries
19 programs and marine enforcement.

20 Section 198. It is intent of the General Assembly that the Department of Natural Resources and
21 Environmental Control shall be required, pending legal review, to post on its Internet website within three
22 working days, all unclassified misdemeanors issued by Air and Waste Management Enforcement Officers
23 after such citations have been entered in the courts.

24 Section 199. Section 1 of this Act appropriates 1.0 ASF FTE Enforcement Coordinator position,
25 which shall be exempt from the Merit System, to the Department of Natural Resources and
26 Environmental Control, Office of the Secretary (40-01-01) to be funded through expenses incurred and
27 recovered by the department, related to processing of administrative enforcement actions under 7 Del. C.

1 c. 60. Violators shall be liable for the following expenses of the investigation incurred by the State after
2 the notice of violation is issued: direct costs of the investigation; legal assistance including paralegal
3 assistance; public hearings; all other costs expressly determined by the Secretary as reasonably related to
4 the investigation of the incident; and the indirect costs related to all of the above.

5 Section 200. Section 1 of this Act makes an appropriation for contractual services to Department
6 of Natural Resources and Environmental Control, Parks and Recreation, Operations and Maintenance (40-
7 06-02). Of the total appropriation, \$25.0 is dedicated to Greenways and Trails maintenance.

8 Section 201. Section 1 of this Act makes an appropriation of \$30.0 in Personnel Costs to the
9 Department of Natural Resources and Environmental Control, Fish and Wildlife, Fish and Wildlife
10 Enforcement (40-05-06). This appropriation is to fund five casual/seasonal enforcement officers to patrol
11 the inland bays.

PUBLIC SAFETY

1
2 Section 202. The Department of Public Safety is hereby authorized to continue the agreement
3 between State Police (45-06-00) and Sussex County Council to provide up to 19 additional patrol officers
4 in Sussex County.

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

9 Section 203. Section 1 of this Act makes an appropriation to State Police, Executive (45-06-01).
10 Included in this amount are funds for implementation of a Career Development Program. Any adjustment
11 received under this program will be added to base compensation and will be included to determine
12 retirement benefits.

13 Section 204. State Police receives funds resulting from drug and other seizure activities. If
14 seizure is defined as being under federal jurisdiction, then the funds flow to State Police, Executive (45-
15 06-01), as Non-appropriated Special Funds. The division shall submit a plan for the expenditure of these
16 funds to the Budget Director and the Controller General. This plan shall be updated quarterly. A
17 quarterly report as to the expenditure of such funds and to the respective projects shall be submitted to the
18 Budget Director and the Controller General.

19 Section 205. In addition to the positions authorized in Section 1 of this Act for State Police (45-
20 06-00), additional positions are authorized in State Police, Patrol (45-06-03) for the purpose of training
21 State Police recruits. During recruit training, up to 20 positions will be made available to accommodate
22 the class being trained. Funding is authorized for initial use of these positions to accommodate an
23 anticipated graduating class of 15 troopers. The Budget Director may authorize additional recruit
24 positions accordingly.

25 Section 206. Notwithstanding 29 Del. C. c. 63 and c. 69 or any other statutory provision to the
26 contrary, the Department of Public Safety is authorized to enter into agreements with private
27 telecommunications companies to use space for communication facilities on telecommunications towers

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

4 Section 207. Notwithstanding the provisions of 29 Del. C. § 6102(o)(3), any remaining balance
5 in the Inspection and Maintenance (I/M) Fund shall not be subject to General Fund deposit until June 30,
6 2002. These funds may be used for costs associated with Division of Motor Vehicle lane construction.

7 Section 208. Section 1 of this Act appropriates \$200.0 Appropriated Special Funds to the
8 Department of Public Safety, Division of Motor Vehicle, Vehicle Services (45-07-20) for the purpose of
9 replacing vehicle inspection equipment.

10 Section 209. Notwithstanding any other provisions of the Delaware Code, the Department of
11 Public Safety, Division of Motor Vehicles (45-07-00) shall have the authority to charge state agencies for
12 state identification cards, not to exceed \$10 per card. The amount to be reimbursed shall be determined
13 by the Division of Motor Vehicles and will be deposited into a holding account coded as special fund
14 revenue and shall not be subject to General Fund deposit or Transportation Trust fund deposit at any time.

15 Section 210. Section 1 of this Act provides 3.0 Physical Plant Maintenance/Trades Mechanic I
16 FTEs to the Department of Public Safety, State Police, Building Maintenance and Construction (45-06-
17 02). These positions shall report to Delaware State Police Troop 1, Troop 2 and Troop 6.

18 Section 211. Section 1 of this act authorizes the conversion of 2.0 NSF Auto Theft Technician
19 FTEs within State Police, Special Investigation (45-06-05), which are currently funded by the COPS
20 More Grant, to General Funds. Each of these positions will retain its NSF funding status until such time
21 as available federal funding is depleted.

22 Section 212. Section I of this Act authorizes the conversion of 2.0 NSF Victim Service Specialist
23 FTEs within State Police, Community Relations (45-06-12), which are currently funded by the Crime
24 Assistance Grant, to General Funds. Each of these positions will retain NSF funding status until such
25 time as available federal funding is depleted.

1 Section 213. Amend 29 Del. C. §6404A(b) by striking the words “maintenance of 800 MHz
2 Digital Trunked Radio System” and inserting in lieu thereof the words “maintenance or other expenses
3 associated with the 800 MHz Digital Trunked Radio System.”

4 Section 214. The Department of Public Safety, Division of Highway Safety (45-01-40) and the
5 Department of Education shall submit an evaluation of driver’s education simulation systems to the
6 Budget Director and the Controller General by March 1, 2003. The report shall include an evaluation of
7 equipment currently utilized in Delaware and competitive products; a description of potential
8 improvement to driver’s education with the addition of simulation systems; and a search for statistical or
9 analytical reports on the improvement to public safety due to the addition of simulation systems to
10 driver’s education programs.

11

TRANSPORTATION

1
2 Section 215. The department shall provide a quarterly report of potential liabilities and
3 expenditures from the Environmental Contingency account to the Office of Controller General and the
4 Budget Office.

5 Section 216. The Delaware Transportation Authority budget, as set forth in memorandum form
6 in Section 1 of this Act, shall be expended in accordance with the following limitations:

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

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

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

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

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

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

- 25 1) continue to provide the present level of service to dialysis patients on normal service days
26 during the hours offered in New Castle County by the Delaware Transit Corporation to

1 the extent that such service does not place the Delaware Transit Corporation in violation
2 of the federal Americans with Disabilities Act.

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

5 Section 217. Section 1 of this Act appropriates \$759.4 to the Division of Financial Management
6 and Budget (55-01-02) for Operations/Capital. Of this amount, \$200.0 shall be allocated to the Maritime
7 Exchange for the Delaware River and Bay.

8 Section 218. Section 1 of this Act makes an appropriation of \$563.9 to the Division of Planning
9 (55-03-01) for Operations/Capital.

10 (a) Of this amount, \$25.0 shall be used for infrastructure research and forums through the
11 University of Delaware, School of Urban Affairs and Public Policy. An additional \$25.0 shall be
12 allocated for the purposes set forth in this Section to be funded from eligible Federal Funds. The
13 activities funded by this appropriation shall be approved by the Secretary of the Department of
14 Transportation.

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

22 Section 219. The Department of Technology and Information shall bill the Department of
23 Transportation, Division of Administration (55-02-01) on an actual usage basis.

24 Section 220. Section 1 of this Act provides an appropriation to Operations and Maintenance (55-
25 04-00). Of this appropriation, \$2,629.2 shall be used to implement the National Pollutant Discharge
26 Elimination System (NPDES). The Secretary of Transportation shall report quarterly to the Budget
27 Director and the Controller General on the status of the implementation of NPDES and provide associated

1 cost projections for the remainder of the fiscal year. The Secretary of Transportation shall also report to
 2 the Budget Director and the Controller General upon final settlement of the related Consent Decree
 3 between the Department of Transportation and its co-defendants; and U.S. Environmental Protection
 4 Agency and U.S. Department of Justice, including a summary of settlement terms and applicable fines.

5 Section 221. Section I of this Act makes an appropriation in the amount of \$41,908.0 to
 6 Operations and Maintenance, Maintenance Districts (55-04-70) and \$7,417.0 to Operations and
 7 Maintenance, Toll Administration (55-04-90). Additionally, the Turnpike Operating Reserve Fund is
 8 authorized at \$934.9.

9 The appropriation for this unit may be allocated among the State’s toll roads as follows:

Line Item	Toll Operations		Maintenance	Total All
	I-95	SR-1		
Personnel Costs	2,719.3	2,302.3	3,878.2	8,899.8
Travel	26.0	0.0	0.0	26.0
Contractual/Supplies	1,140.3	805.1	1,848.8	3,794.2
Energy	114.8	329.4	279.8	724.0
Capital Outlay	91.0	0.0	66.0	157.0
TOTALS	4,091.4	3,436.8	6,072.8	13,601.0
FTE's	67.0	64.0	87.0	218.0

10
 11 Section 222. Section 1 of this Act provides an appropriation to Maintenance Districts (55-04-70)
 12 for Contractual/Supplies. Of this appropriation, \$29.5 shall be allocated to the Woodland Ferry.

13 Section 223. Section 1 of this Act makes various appropriations from the Transportation Trust
 14 Fund for transportation-related operations. Chapters 5.0000 and 6.0000 of the Merit Rules
 15 notwithstanding, the State Personnel Office, the Budget Director and the Controller General support the
 16 Department of Transportation’s (“Department”) efforts to develop and implement two pilot programs to
 17 provide employee incentives designed to acknowledge outstanding performance and to achieve a net
 18 reduction in costs to the department.

19 The pilot programs, Shared Savings Program and Quality Service Award Program, shall have
 20 oversight by a committee comprised of the Secretary of Transportation, Budget Director, State Personnel
 21 Director, State Controller General, a Representative of Council 81 AFL-CIO, a Representative of the

1 Amalgamated Transit Union AFL-CIO-CLC and a Representative of the American Arbitration
2 Association. Guidelines for both pilot programs shall be developed by the department for approval by the
3 Committee. Analytical assistance shall be provided by staffs of the Financial Management and Budget,
4 Budget Office and Controller General's Office.

5 Annual savings realized as a result of proposals implemented under the Shared Savings Program
6 shall be distributed as follows: 50 percent distributed at a per capita rate to all permanent full-time and
7 permanent part-time department employees and 50 percent to the Transportation Trust Fund.

8 Of the 50 percent share distribution to the Transportation Trust Fund realized from the Shared
9 Savings Program, not more than \$200,000 per year shall support the Quality Service Award Program with
10 a maximum award amount of \$10,000 per recipient. The department shall submit a written report on the
11 outcome of these pilot programs to members of the General Assembly on or before December 31 of each
12 year.

13 Shared savings proposals must be submitted to the Director, Office of Financial Management and
14 Budget by October 1, 2001. Implementation of savings proposals will commence July 1, 2002 for
15 Fiscal Year 2003. Upon the conclusion of Fiscal Year 2003, the Oversight Committee shall assess the
16 proposals with respect to their actual savings and will distribute associated Shared Savings Awards
17 December 1, 2003.

18 Section 224. The Department of Transportation and/or its E-ZPass contractor is prohibited from
19 monitoring the speed of motor vehicles through E-ZPass toll booths for the purpose of issuing traffic
20 citations or the suspension of E-ZPass privileges. Nothing in this section shall prohibit the State Police
21 from enforcing traffic laws including speed enforcement at the E-ZPass toll booths.

22 Section 225. Section 1 of this Act appropriates funds to the Delaware Transit Corporation for
23 Kent and Sussex Transportation "E & H" which includes funding for the Sussex County Reimbursable
24 Program. To improve the operation of this program, the following provisions shall be implemented:

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

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

4 Section 226. Section 1 of this Act makes an appropriation to Operations and Maintenance,
5 Maintenance Districts (55-04-70) in the amount of \$3,041.0 to establish a Special Line called
6 Snow/Storm Contingency that will provide for the expenses of weather/emergency operations.
7 Notwithstanding any other provision of law to the contrary, any sums in this account not expended by the
8 end of a fiscal year, shall be carried over for use in future fiscal years, with appropriate transfers to
9 current fiscal year accounts. The department shall be allowed to transfer funds from this account to
10 divisions on an as needed basis, for expenditures incurred. The department may also transfer funds to
11 municipalities and other qualified entities to reimburse them pursuant to contracts entered into by the
12 department and the municipality to keep transit routes open during snow and storm emergencies. The
13 transfer of funds from this account shall not require the approval of the Budget Director or the Controller
14 General. The department must provide a semi-annual expenditure report on or before May 1 and
15 November 1 of each fiscal year.

16 Section 227. In addition to the positions authorized in Section 1 of this Act for the Department of
17 Transportation, Office of the Secretary (55-01-00), additional positions are authorized in Delaware
18 Transportation Authority (55-06-01) for the purpose of information technology support. As remaining
19 positions for the purpose of information technology support become vacant, up to 3.0 FTEs and
20 associated funding from the Delaware Transportation Authority may be reallocated to continue the
21 centralization of the information technology function within the Office of the Secretary. The Budget
22 Director and Controller General may authorize this reallocation accordingly.

23 Section 228. During the Fiscal Year, the Department of Transportation shall be prohibited from
24 changing its departmental policy regarding access pipe installation on private homeowner entrances.
25 Specifically, the department shall not charge said homeowners for the labor costs associated with the
26 installation of the access pipe.

1 Section 229. Section 1 of this Act provides sufficient funds and authorizes 1.0 TFO position to
2 the Office of the Secretary (55-01-01). This appropriation is provided to continue funding position
3 #70127 created to administer the Program Management Unit and implement the recommendations of
4 the 1998 Delaware Department of Transportation Operations Review.

LABOR

1
2 Section 230. (a) Section 1 of this Act provides an appropriation of \$235.2 to Employment and
3 Training, Employment and Training Services (60-09-20) for the Delaware State Summer Youth
4 Employment Program to operate a program commencing July 1, 2002. The budget will take into
5 consideration the funds required to commence the program at the end of Fiscal Year 2003, on or about
6 June 15, 2003. This sum is to be allocated in the following manner:

7	New Castle County (outside the City of Wilmington)	\$ 70.4
8	City of Wilmington	70.8
9	Kent County	47.0
10	Sussex County	<u>47.0</u>
11	TOTAL	\$235.2

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

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

21 Section 231. Section 1 of this Act provides an appropriation of \$355.0 in Contractual Services to
22 Employment and Training (60-09-00). Of this amount, \$65.0 shall be used to fund a non-profit
23 professional apprenticeship and training program for young Delawareans ages 18-30. The training and
24 apprenticeships shall include leadership skills, team building, problem solving and community issues.

AGRICULTURE

1

2 Section 232. Section 1 of this Act appropriates 1.0 ASF FTE to the Agricultural Lands
3 Preservation Foundation (65-01-13). This position shall be contingent upon the appropriation of
4 sufficient operating funds for the Agricultural Lands Preservation Foundation as contained in the FY
5 2003 Capital Improvement Act.

ELECTIONS

1
2 Section 233. Amend 14 Del. Code, §1076(f) by adding the following sentence after the word
3 "space.":

4 "Sufficient heat, when needed to maintain a minimum 68 degree Fahrenheit temperature for such
5 facilities, shall be provided for the conduct of an election or referendum."

6 Section 234. Any Department of Election, upon approval of the respective Board of Elections,
7 may establish polling places in which one or more small mandated districts of less than 300 registered
8 voters as of 60 days prior to the date of an election may be administered by the election officers of
9 another election district.

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

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

18 Section 235. 70 Del. Laws, c. 515 transferred the responsibility for the conduct of school board,
19 referenda and bond issue elections to the Department of Elections, should this law be funded by the
20 General Assembly.

21 Funding included in Section 1 of this Act provides an appropriation to the Department of
22 Elections, Commissioner of Elections (70-01-01) in the amount of \$350.0, which includes all costs for
23 transporting voting machines used in all public school elections.

24 The Department of Elections for the county responsible for conducting a public school election
25 shall appoint, compensate and train an inspector and such election officers as it deems necessary to
26 properly staff the polling places designated for use in a public school election. The respective
27 Department of Elections shall also designate two of the other election officers to join with the inspector in

1 deciding all questions regarding voter eligibility. All other questions concerning operation of the polling
2 place shall be decided by the inspector.

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

5 Section 236. Section 1 of this Act contains an appropriation for Commissioner of Elections, (70-
6 01-01), Other Items: Voter Purging, for the purpose of assisting the Department of Elections with its
7 statewide efforts to maintain the voter rolls in an orderly manner.

8 Section 237. For purposes of designating and procuring polling places for primary, general and
9 special elections, the respective county department of elections shall pay a rental fee totaling \$0.2 for each
10 facility used, no matter how many election districts are assigned to that facility.

11 Section 238. Any state agency, office or department is prohibited from publishing or funding the
12 publication of voter guides.

FIRE PREVENTION

1
2 Section 239. Section 1 of this Act provides an appropriation of \$100.0 to the State Fire
3 Prevention Commission (75-03-01) in the line item Statewide Fire Safety Education. These funds are to
4 be matched by members of the Delaware Association of Volunteer Firemen and are to be used for the
5 purpose of operating a Statewide Fire Safety Education Program.

6 Section 240. Section 1 of this Act appropriates \$5.0 to the Office of the State Fire Marshal (75-
7 01-01) for the purchase of smoke detectors and educational materials for the Juvenile Firesetter
8 Intervention Program.

9 Section 241. The Office of the State Fire Marshal is hereby authorized to apply for the use of the
10 Penalty Fund to purchase fire safety equipment required to respond to environmental hazards. The list of
11 equipment shall be submitted to the Department of Natural Resources and Environmental Control for
12 review and must be approved by the Budget Director and the Controller General.

NATIONAL GUARD

1

2

Section 242. Section 1 of this Act provides an appropriation to Delaware National Guard (76-01-01) for energy. Within this appropriation, sufficient energy funds are included to defray energy expenses of the Lora Little School building that are not directly attributable to occupancy by the Delaware National Guard.

6

7

Section 243. 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.

HIGHER EDUCATION

Section 244. 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 \$2,373.9 for energy.

Section 245. Amend 29 Del. C. Section 6340(e) by deleting said section in its entirety and substituting in lieu thereof the following:

“(e) The University of Delaware shall, on a regularly scheduled basis as determined by the Secretary of Finance, pay to the State Treasurer, at a rate determine under 29 Del. C. Section 6340, or otherwise by the Secretary of Finance, such amounts as are necessary to reimburse the State for fringe benefit costs applicable to salaries and wages paid to employees of the University as the term “employee” is defined in Section 5501(a) and Section 5505 of this chapter, or any other fringe benefit costs applicable to the University.”

Section 246. 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	\$2,381.4
Scholarships	1,851.6
Minority Student Recruitment	1,362.1
Aid to Needy Students	1,516.9
Governor’s Scholars Program	508.6
Student Employment Program	136.9
Academic Incentive	<u>114.6</u>
Total	\$7,872.1

1	<u>Agricultural Programs:</u>	
2	Agricultural Experimental Station	\$ 646.5
3	Agricultural Cooperative Extension	910.9
4	Agricultural Research and Education Center	426.3
5	Poultry Disease Research	554.8
6	Crop Extension	280.9
7	Agricultural Environmental Quality	185.1
8	Soil Testing and Pesticide Program	317.3
9	Diagnostic Poultry Program	<u>141.8</u>
10	Total	\$3,463.6
11		
12	<u>Other Programs:</u>	
13	Sea Grant	\$ 506.6
14	Urban Agent Program	122.8
15	Public Service and Applied Research Projects	490.2
16	Minority Recruitment	265.5
17	Local Government Research and Assistance	257.1
18	Graduate Education (Southern Delaware)	73.8
19	Library Automation	52.0
20	MALS/BALS - Southern Delaware	64.1
21	Nurse Practitioner	244.8
22	Science, Engineering and Technology Service Program	142.9
23	Molecular Biology/Biotechnology Program	455.0
24	Math/Science Education for DE Teachers	570.5
25	Advanced Materials	222.3
26	Center for Community Development and Family Policy	278.7
27	Training and Research (Educational Management)	107.9

1	Computer Aided Math Instruction	80.0
2	Advanced Electronics and Materials Initiative	652.7
3	Field Hockey Coach	33.0
4	Delaware Center for Teacher Education	320.7
5	Research on School Finance Issues	82.5
6	Delaware Education Research and Development Center	216.2
7	Delaware Research Scholars Program	150.0
8	Milford Professional Development School	108.0
9	Information Technology Partnership	2,362.4
10	ITV Technician	95.1
11	Core Content Teacher Education	289.4
12	Biotechnology	675.9
13	Computer Aided Instruction, Arts & Science	100.0
14	Clinical Instruction in Teacher Education	217.2
15	Early Childhood Education	103.8
16	Civics Education for Teachers	100.0
17	Biotechnology Institute	286.2
18	Software License Support	125.0
19	Assistant Women's Coaches	41.8
20	Study Abroad for Delaware Residents	<u>50.0</u>
21	Total	\$9,944.1

22 Section 247. Section 1 of this Act provides an appropriation to the University of Delaware (90-
23 01-01) for Agricultural Programs. Within that appropriation are sufficient funds to fully fund 5.0 FTEs
24 Agricultural Extension Agents in New Castle County, 3.0 FTEs Agents in Kent County and 2.5 FTEs
25 Agents in Sussex County. Additional funding is provided for 1.0 FTE Agricultural Extension Engineer
26 for the Agricultural Cooperative Extension Program.

1 Section 248. Section 1 of this Act provides an appropriation to the University of Delaware for the
2 Milford Professional Development School. The University and the Milford School District shall submit
3 to the Controller General and the Budget Director, by March 1, 2003, a joint report detailing the
4 implementation status of this program as it relates to the appropriation herein.

5 Section 249. Section 1 of this Act appropriates \$163.5 to Delaware State University (90-03-00)
6 for the Early Childhood Montessori Teacher Training Program in Wilmington. The University shall
7 submit to the Controller General and the Budget Director, by September 1, 2002, a report detailing the
8 progress of this program.

9 Section 250. Section 1 of this Act makes an appropriation to Delaware State University,
10 Operations (90-03-01), for General Scholarships. Of that amount, \$22.0 shall be for state scholarships for
11 high ability students, \$20.0 shall be for departmental scholarships to attract high achievers into the
12 sciences and \$200.0 shall be for scholarships to attract high ability students into the teaching program;
13 and \$100.0 shall be for scholarships for female athletes.

14 Section 251. For the fiscal year covered by this Act, in order to continue the assessment of
15 procedures implemented during Fiscal Year 1993 intended to reduce the administrative burden incurred
16 as a result of processing accounting transaction data into two independent accounting systems, the Budget
17 Director has authorized Delaware State University to:

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

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

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

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

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

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

14 Section 252. Section 1 of this Act provides an appropriation to Delaware Technical and
15 Community College, Office of the President (90-04-01), for Parallel Program - Operation and Parallel
16 Program - Academic. This appropriation is to assist in the provision of the Delaware
17 Technical/University of Delaware Parallel Program which will be operated jointly by the two institutions
18 under a contract initiated by Delaware Technical and Community College. Under this contract, the
19 University of Delaware will teach students at Delaware Technical and Community College's facilities.
20 Future budget requests will be made jointly by Delaware Technical and Community College and the
21 University of Delaware, and budget cuts, if necessary, will be shared on a pro rata basis. Approval of
22 tuition and other fees will be made by the Board of Trustees of the institution that delivers the relevant
23 service and after the institutions have reached an agreement for tuition sharing. Representatives from
24 both institutions will meet at least once each semester to review program operations.

25 Section 253. Section 1 of this Act contains an appropriation of \$232.4 for the Delaware Institute
26 of Veterinary Medical Education (DIVME), (90-07-01). Notwithstanding current Laws of Delaware
27 relating to the DIVME Program, these funds shall be used to provide tuition support for up to five

1 Delaware residents studying at the Virginia-Maryland Regional College of Veterinary Medicine. These
2 funds may also be used for assistance of up to three-Delaware residents accepted to a veterinary medicine
3 program at the University of Georgia and up to four Delaware residents accepted to a veterinary medicine
4 program at Oklahoma State University.

EDUCATION

1
2 Section 254. The provisions of this Act and the Delaware Code notwithstanding, the Department
3 of Education, Budget Office and Controller General's Office are authorized to simplify the complexity of
4 state share accounting by consolidating school district appropriations in the Delaware Financial
5 Management System. Such consolidation may include state funding appropriated and allocated to school
6 districts under Division I, II and III, Academic Excellence, Guaranteed Unit, Reading Cadre, Teacher to
7 Teacher Cadre, Reading Resource Teachers, and Exceptional Student Unit-Vocational. Appropriations
8 authorized to be consolidated herein, shall not alter the school funding formulas, salary schedules, and
9 provision of expenditure stipulated in 14 Del. C. and in this Act.

10 Section 255. For this Fiscal Year, employees who have been issued a temporary certificate for a
11 third or fourth year due to failure to pass Praxis I shall continue to receive a ten percent salary reduction.
12 Employees currently on a temporary certificate as a result of being assigned to an area outside the area of
13 certification shall not receive a ten percent salary reduction.

14 For the purposes of implementing stipends for lead mentors, such stipends shall not be paid until
15 the Professional Standards Board, with the approval of the State Board of Education, has authorized the
16 stipend. The effective date of any supplements associated with skills and knowledge, leadership, lead
17 mentor, and other National Board certificates shall be determined by the Budget Director and Controller
18 General, in consultation with the Department of Education, and upon approval by the Professional
19 Standards Board and the State Board of Education.

20 Section 256. Section 1 of this Act makes an appropriation of \$500.0 ASF and 1.0 ASF FTE to
21 the State Board of Education and State Board for Vocational Education and Department of Education (95-
22 01-01) for the Delaware Secondary School Athletic Fund. Once existing Association accounts have been
23 transferred to the Delaware Secondary School Athletic Fund, the association shall not operate any
24 accounts outside of the State accounting system. The Fund shall be interest bearing.

25 Funds shall be utilized to support the activities and operations of Delaware interscholastic
26 athletics. During Fiscal Year 2003, expenditures of funds from the Delaware Secondary School Athletic
27 Fund will be in accordance with the Division of Accounting budget and accounting procedures.

1 Section 257. Amend 14 Del. C. §1305 (h) by deleting the number “2003” as it appears therein
2 and substituting in lieu thereof the number “2004”.

3 Section 258. Amend 14 Del. C. §1318 (g) by deleting the number “2002” as it appears therein
4 and substituting in lieu thereof the number “2003”.

5 Section 259. Amend 14 Del. C. §1318A (b) (10) by deleting the number “2002” as it appears
6 therein and substituting in lieu thereof the number “2003”.

7 Section 260. Amend 14 Del. C. §1320 by deleting the number “2002” as it appears therein and
8 substituting in lieu thereof the number “2003”.

9 Section 261. Amend 14 Del. C. §1703 (j) by deleting the number “2003” as it appears therein
10 and substituting in lieu thereof the number “2004”.

11 Section 262. (a) The positions included in Section 1 of this Act that are authorized to the
12 Department of Education shall be assigned in the manner shown on the Organization Chart submitted
13 with the Annual Appropriation Act.

14 (b) The Secretary of Education is authorized to undertake a review of the organization of the
15 Department of Education pursuant to the provisions of 14 Del. C. §103(a) (4). Upon completion of the
16 review, the Secretary may present a reorganization plan to the co-chairs of the Joint Finance
17 Committee (JFC) and obtain written approval of the co-chairs. Upon approval of the co-chairs, the
18 Secretary shall obtain the written approval of the Governor, as required under 14 Del. C. §103(a) (4).
19 Pursuant to the provisions of 14 Del. C. §103(a) (2), this written approval shall constitute approval for
20 the Secretary to fix the salaries of certain officers within the Department, provided, however, that the
21 level of salary shall be clearly delineated in any reorganization plan presented to the JFC co-chairs and
22 the Governor.

23 Section 263. For this Fiscal Year, the inflation factor for the local per pupil payments required
24 under the state’s Enrollment Choice Program, as specified in 14 Del. C. §408(e), and for the local per
25 pupil payments required under the state’s Charter School Program, as specified in 14 Del. C. §509(d),
26 shall be equal to the general salary increase enumerated in Section 8 of this Act.

1 Section 264. Any course offered at a Vocational Technical high school may be offered in the
2 comprehensive high schools if a sufficient student interest can be demonstrated as determined by the
3 Secretary of Education.

4 Section 265. Section 1 of this Act makes an appropriation to Public Education, State Board of
5 Education and State Board for Vocational Education and Department of Education, State Board of
6 Education and Department of Education (95-01-01) for Educator Certification and Development
7 activities. This appropriation to the Department of Education is intended to offset expenditures in the
8 following areas: standard setting for PRAXIS II; teacher and administrator assessment procedures;
9 revision and update of teacher and administrator evaluation procedures (DPASII); diversity recruiting;
10 professional recertification and expanding the Alternative Route to Teacher Certification program.

11 Section 266. Section 1 of this Act provides an appropriation of \$429.5 to Public Education, State
12 Board of Education and State Board for Vocational Education and Department of Education, State Board
13 of Education and Department of Education (95-01-01) for Standards and Assessment. Part of the
14 Standards and Assessment program agenda is to support the development and completion of performance
15 indicators.

16 Section 267. Section 1 of this Act makes an appropriation of \$42.0 to Public Education, State
17 Board of Education and State Board for Vocational Education and Department of Education, State Board
18 of Education and Department of Education (95-01-01) for Odyssey of the Mind. This appropriation shall
19 be made available to school students to assist in defraying out-of-state travel expenses associated with this
20 program.

21 Section 268. Section 1 of this Act makes an appropriation of \$500.0 to Public Education, State
22 Board of Education and State Board for Vocational Education and Department of Education, State Board
23 of Education and Department of Education (95-01-01) for Student Mentoring. Of this amount \$350.0
24 shall be used by the Department of Education to review and award grants competitively to schools with
25 grades kindergarten through eighth grade. Programs selected shall provided at-risk children with
26 academic tutoring and instruction, with the involvement of parents and volunteer mentors. School
27 districts shall make direct application to the department on behalf of individual school buildings,

1 addressing in their proposal the following: (a) one on one tutoring for academically at-risk students; (b)
 2 early childhood preventive intervention strategies; (c) adherence to academic standards as adopted by the
 3 State Board of Education; (d) parental involvement; and (e) provision of program evaluation and
 4 performance evaluation. Local schools are encouraged to utilize such programs for students during non-
 5 core academic class time. Grant awards for individual schools, of no more than \$30,000 each, shall be
 6 determined by the department no later than November 30 of each year and funds shall be allocated by
 7 December 31 of each year. The remaining \$150.0 may go to the University of Delaware for the Delaware
 8 Mentoring Council for technical assistance and professional development for mentors and other activities.

9 Section 269. (a) It is the intent of the General Assembly that the sum of \$6,998.8 allocated in
 10 Section 1 of this Act be used for MCI/Annual Maintenance to school buildings. These funds shall not be
 11 subject to reversion until June 30, 2005.

12 (b) This amount shall be paid by the Department of Education to local school districts in the
 13 following amounts. Local school districts may use up to 20 percent of the amount shown without the
 14 prior approval of a project plan by the Department of Education.

<u>School District</u>	<u>Maximum State Share</u>	<u>Maximum Local Share</u>	<u>Total Cost</u>
17 Appoquinimink	\$338,883	\$225,922	\$564,805
18 Brandywine	609,769	406,513	1,016,282
19 Special	8,053	0	8,053
20 Christina	1,124,933	749,955	1,874,888
21 Special	37,259	0	37,259
22 Colonial	602,608	401,739	1,004,347
23 Special	9,315	0	9,315
24 New Castle Vo-Tech	324,077	0	324,077
25 Red Clay	909,880	606,587	1,516,467
26 Special	14,651	0	14,651

1	Caesar Rodney	336,904	224,603	561,507
2	Special	19,018	0	19,018
3	Capital	360,773	240,515	601,288
4	Special	5,628	0	5,628
5	Lake Forest	198,288	132,192	330,480
6	Milford	214,415	142,943	357,358
7	Polytech	103,627	0	103,627
8	Smyrna	203,295	135,530	338,825
9	Cape Henlopen	233,394	155,596	388,990
10	Special	14,457	0	14,457
11	Delmar	56,880	37,920	94,800
12	Indian River	426,501	284,334	710,835
13	Special	14,554	0	14,554
14	Laurel	113,233	75,489	188,722
15	Seaford	196,542	131,028	327,570
16	Sussex Vo-Tech	115,465	0	115,465
17	Woodbridge	109,914	73,276	183,190
18	East Side Charter	5,589	0	5,589
19	Campus Community	17,465	0	17,465
20	Wilmington Charter	51,755	0	51,755
21	Kuumba Academy	9,606	0	9,606
22	Marion T. Academy	30,331	0	30,331
23	Thomas Edison	51,639	0	51,639
24	Sussex Academy	15,195	0	15,195
25	Positive Outcomes	4,541	0	4,541
26	Newark Charter	<u>25,325</u>	<u>0</u>	<u>25,325</u>

1	Total to Schools	\$6,913,762	\$4,024,142	\$10,937,904
2	VOCATIONAL EQUIPMENT	<u>85,000</u>	<u>56,667</u>	<u>141,667</u>
3	TOTAL	\$6,998,762	\$4,080,809	\$11,079,571

4 Section 270. Section 1 of this Act appropriates \$1,300.0 to Public Education, State Board of
5 Education and State Board for Vocational Education and Department of Education, State Board of
6 Education and Department of Education (95-01-01) for Infrastructure Capacity. These funds shall be
7 used to support the development and implementation of automated systems to manage such activities as
8 the licensure and certification process; the Delaware Performance Appraisal System; the tracking of skills
9 and knowledge supplements; the SREB Learning Connections project; and the accountability reporting
10 system.

11 Section 271. Section 1 of this Act appropriates \$2,120.0 to Public Education, State Board of
12 Education and State Board for Vocational Education and Department of Education, State Board of
13 Education and Department of Education (95-01-01) for Educator Accountability. These funds shall be
14 used to support the implementation of educator accountability initiatives such as skills and knowledge
15 supplements; design and implementation of DPAS II; teacher recruitment and retention programs; and
16 modification of the licensure and certification system. Prior to expending any of these funds, an approved
17 budget must be reviewed and approved by the Secretary of the Department of Education, the Budget
18 Director, and the Controller General.

19 Section 272. The Department of Education shall transfer \$100.0 to the Department of Public
20 Safety, State Police to reimburse qualified applicants for the cost of criminal background checks for all
21 school district employees on a first come, first served basis. State Police shall send quarterly reports to
22 the Department of Education regarding expenditures of said funds.

23 Section 273. 14 Del. C. § 122(e), requires the Department of Education to review all regulations
24 to ensure that all regulations are current and not burdensome, and 14 Del. C. § 122(f) and (g) provide a
25 means for districts to pursue waivers of state regulations. The Federal Education Flexibility Partnership
26 Act of 1999 allows districts to apply for waivers of federal regulation in states that have adopted
27 challenging content and performance standards, have aligned assessments to those standards, have

1 established a system of school and district accountability, and allow waiver of State statutory and
2 regulatory requirements relating to education.

3 Given federal approval of the Department of Education’s application for Ed Flex, the Department
4 may waive State statutory and regulatory requirements pursuant to the Federal Education Flexibility
5 Partnership Act of 1999. Such waivers must be applied for according to procedures and policies
6 determined by the Department of Education and must be related to Title I, Part B of Title II, Title IV,
7 Title VI, Part C of Title VII, and the Carl D. Perkins Vocational and Technical Education Act of 1998.
8 State programs for which waivers may be granted include, but are not limited to, extra time, school
9 climate and discipline, academic excellence, early reading intervention, student mentoring, and
10 professional and curriculum development.

11 Section. 274. During this Fiscal Year, the Department of Education is authorized to develop an
12 improved funding structure to provide resources to students with disabilities in the most flexible and
13 equitable manner possible. This proposed structure shall be subject to the approval of the Budget
14 Director and the Controller General. Upon receiving such approval, the department will be authorized to
15 implement this new structure on a pilot basis in two school districts in Fiscal Year 2004.

16 Section 275. The Delaware Code notwithstanding, during this Fiscal Year, the Budget Director is
17 authorized to continue funding for issues such as, but not limited to, the number of administrative
18 positions and activity busing for which the State was required to provide funding as a result of a 1978
19 federal court order. This authorization, as it relates to administrative positions, shall apply only to
20 positions filled for employment, and shall not be considered as authorization to fund any cash options
21 pursuant to 14 Del. C. § 13.

22 Section. 276. Amend 14 Del. C. §1507 by deleting the date “July 31” as it appears therein and
23 substituting in lieu thereof the date “August 31”.

24 Section 277. Line Item funds appropriated in Section 1 of this Act to Public Education, School
25 District Operations, Other Items (95-02-02) are to cover adjustments in the Appropriation Units of the
26 State Board of Education and State Board for Vocational Education and Department of Education (95-01-
27 01), Block Grants and Pass Through Programs (95-03-00), Pupil Transportation (95-04-00), or the local

1 school districts. Examples of such use are: salary line transfers and adjustments; unit adjustments; state
2 share of tuition payment for private placement of handicapped pupils; for Delaware residents of the
3 Delmar School District attending Maryland schools; expenditures for Americanization classes; and pupil
4 transportation costs.

5 Section 1 of this Act also provides certain appropriations to Public Education, School District
6 Operations, Other Items (95-02-02) and Block Grants and Pass Through Programs (95-03-00) for school
7 districts in the State. 14 Del. C. § 1704, provides the method of determining the appropriate number of
8 pupil units for each school district based on the September 30 enrollment. Sufficient funds will be placed
9 in the school district accounts to operate for a partial year. Based on the approved Department of
10 Education Unit Count for September 30, adjustments will be made to the district accounts. These
11 adjustments will be accomplished through the transfer process and therefore approved by the Budget
12 Director and the Controller General.

13 General Fund appropriations to Public Education in Appropriation Units (95-03-00), (95-04-00)
14 and the Delmar Tuition, General Contingency, Teacher of the Year, and Debt Service Appropriations in
15 Appropriation Units (95-01-00) and (95-02-00) shall not be subject to the limitations as defined for
16 Division I and Division II in 14 Del. C. § 1706 and § 1709.

17 Section 278. Section 1 of this Act makes an appropriation to Public Education, School District
18 Operations, Other Items (95-02-02) for Guaranteed Unit Count. The appropriation is sufficient to fund 20
19 guaranteed units. In the event that more units are required districts shall receive partial unit funding in
20 proportion to the units available.

21 A school district that loses enrollment as a result of a decision to close a school or program shall
22 not be guaranteed units lost as a result of that decision.

23 Section 279. Notwithstanding the provisions of Section 1703, Title 14 of the Delaware Code, the
24 First State School Program shall be guaranteed state funding based upon a minimum of 2 Division I units.
25 In addition, the Department of Education is authorized to provide the AI duPont Hospital Program annual
26 state funding in an amount not to exceed \$50.0 from funds appropriated in Section 1 of this Act to Public
27 Education, School District Operations, Other Items (95-02-02).

1 To help stabilize funding to the extent possible, the Department of Education, Children's Services
2 Cost Recovery Project is authorized to pursue Medicaid cost recovery for eligible services provided to
3 Medicaid eligible children at the First State School. Students in the program are considered eligible for
4 special education services and have Individual Education Plans in addition to their medical treatment
5 plans. Any funds recovered shall be returned to the Department of Education and utilized to offset the
6 guaranteed 2.0 units and First State School operational costs.

7 Section 280. Section 1 of this Act provides certain appropriations to Public Education, School
8 District Operations, Other Items and Debt Service in the State. These amounts are not based on the unit
9 system. Allocation of these funds shall conform to the following:

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

12 (b) The line item Other Items in the Internal Program Unit Other Items (95-02-02) shall be
13 allocated as follows:

14	1. Caesar Rodney - Americanization	\$ 14.1
15	2. Red Clay - Americanization	113.6
16	3. Margaret S. Sterck -	
17	Residence - Other Costs	85.4
18	Consultant Services	11.0
19	Preschool Summer Program	6.9
20	4. Christina Autistic -	
21	Residence - Other Costs	206.5
22	Contractual Services	11.4
23	5. John G. Leach	50.0
24	6. Sussex Orthopedic School	<u>7.5</u>
25	Total	\$506.4

26 Section 281. Section 1 of this Act makes an appropriation to Public Education, School District
27 Operations, Other Items (95-02-02) for School Building Awards. Any funds remaining in this

1 appropriation after transferring school building awards pursuant to 14 Del. C. §154 may be used by the
 2 Department of Education to provide technical assistance and support to schools rated as school
 3 improvement and unsatisfactory performance.

4 Section 282. Section 1 of this Act makes appropriations to Public Education, School District
 5 Operations, Division Funding (95-02-01) for Division II - All Other Costs and Energy. A Division II -
 6 Energy Unit shall be valued at \$1,682.00. A Division II - All Other Costs Unit shall be valued at
 7 \$3,247.00.

8 Section 283. Provisions of 29 Del. C. § 6102(r)(2) and § 6102(r)(3) notwithstanding, during
 9 Fiscal Year 2003, the sum authorized to the Education Expense and Property Tax Relief Fund shall be
 10 allocated as follows:

11	District	Increase Support	Offset Local	
12	Allocation	for Education	Current Expense Taxes	Total
13	Appoquinimink	\$ 0	\$ 523,260	\$ 523,260
14	Appoquinimink ILC	18,468	0	18,468
15	Brandywine	0	2,158,200	2,158,200
16	Bush	16,350	0	16,350
17	AI Institute	6,298	0	6,298
18	Brandywine ILC	75,210	0	75,210
19	Christina	0	3,691,830	3,691,830
20	Autistic Program	135,407	0	135,407
21	REACH	53,533	0	53,533
22	Sterck	85,023	0	85,023
23	Christina ILC	170,040	0	170,040
24	Colonial	0	2,001,240	2,001,240
25	Leach	75,576	0	75,576
26	Colonial ILC	42,510	0	42,510
27	Red Clay	0	2,897,220	2,897,220
28	Meadowood	75,576	0	75,576
29	Red Clay ILC	122,811	0	122,811
30	Caesar Rodney	0	567,840	567,840
31	Caesar Rodney ILC	9,204	0	9,204
32	Charlton	47,554	0	47,554
33	Capital	0	728,495	728,495
34	Capital ILC	4,820	0	4,820
35	Kent Orthopedic	16,874	0	16,874
36	Lake Forest	0	412,230	412,230
37	Milford	0	584,661	584,661
38	Milford ILC	5,062	0	5,062
39	Smyrna	0	520,000	520,000
40	Smyrna ILC	5,000	0	5,000
41	Cape Henlopen	0	24,174	24,174
42	Delmar	15,294	109,706	125,000
43	Delmar ILC	1,303	0	1,303

1	Indian River	0	592,680	592,680
2	Laurel	68,060	290,254	358,314
3	Laurel ILC	5,874	0	5,874
4	Seaford	0	263,895	263,895
5	Seaford ILC	6,025	0	6,025
6	Woodbridge	0	125,000	125,000
7	New Castle Vo-Tech	0	834,485	834,485
8	New Castle Vo-Tech ILC	25,192	0	25,192
9	Polytech	0	125,000	125,000
10	Polytech ILC	12,272	0	12,272
11	Sussex Technical	<u>0</u>	<u>0</u>	<u>0</u>
12	Total	\$1,099,336	\$16,450,170	\$17,549,506

13 Section 284. Section 1 of this Act provides an appropriation to School District Operations,
14 Division Funding (95-02-01) for Division III – Equalization. Based on the findings from the 1999 audit
15 of the Brandywine School District, the Department of Education is authorized to withhold \$110,519 from
16 the district’s entitlement in Fiscal Year 2003, 2004, and 2005.

17 Section 285. Section 1 of this Act provides an appropriation to
18 Public Education, Block Grants and Pass Through Programs, Adult
19 Education Work Force Training Block Grant (95-03-10). This
20 appropriation shall be allocated by the Department of Education to the
21 following programs/districts: Adult Trade Extension (statewide),
22 Apprentice Program (statewide), James H. Groves High School
23 (statewide), Adult Basic Education (statewide), New Castle County
24 Learning Center (Christina School District), Delaware Skills Center
25 (New Castle County Vocational Technical School District), Alternative
26 Secondary Education Program (statewide), Communities in Schools of
27 Delaware (Colonial, Brandywine, and Capital School Districts), Marine
28 Mechanics Apprentice Program (Sussex Technical School District) and
29 Interagency Council on Adult Literacy. For each program continued in
30 Fiscal Year 2003, each program shall receive no less than the same
31 allocation from this appropriation as its Fiscal Year 2002 allocation,
32 except that the allocation for Communities in Schools of Delaware
33 shall be increased by \$15.0.

34 Section 286. Section 1 of this Act makes an appropriation to Public Education, Block Grants and
35 Pass Through Programs, Professional Accountability and Instructional Advancement Fund (95-03-10).

1 (a) The following allocations shall be provided:

2 (1) \$225.0 for Alternative Routes programs. \$150.0 is provided for the Alternative Routes to
3 Certification program, to be used to implement this project in this Fiscal Year. The
4 remaining \$75.0 may be used for the Summer Institute program.

5 (2) \$2,866.5 shall be allocated by the Department of Education to districts for professional
6 and curriculum development activities. Districts shall submit applications to the
7 Department of Education detailing the district's plan for the utilization of these funds.
8 The Department of Education shall review and approve plans and allocate an amount not
9 to exceed \$331.00 per certified employee, based on a district's personnel complement for
10 the 2001-2002 school year. Grants are to be used for developing and implementing
11 curriculum based on the content standards established by the Curriculum Frameworks
12 Commission, as approved by the State Board of Education or for other professional
13 development activities, including, but not limited to: Discipline, Special
14 Education/Inclusion Collaboration/Consensus Building, Conflict Resolution, Shared
15 Decision Making, local school board member training, and Educational Technology.
16 Districts are encouraged to collaborate as a means of maximizing resources as well as
17 focusing district activities on consistent principles. Grants may be utilized for training,
18 planning, in-service programs and contractual services. The Department of Education is
19 authorized to transfer 50 percent of the estimated district grant amount by July 30 of the
20 Fiscal Year. The remaining 50 percent shall be transferred within 30 days of the final
21 approval of the district application for funding.

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

24 (a) Integration of the proposal with existing resources and programs such as the
25 Comprehensive Discipline Act, Goals 2000, Delaware Principals Academy,
26 Delaware Teachers Center, Drug Free Schools, Title 1 and 2, Special Education
27 and local funds dedicated to Standards and Assessment.

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

5 (3) \$142.8 for Delaware Principals Academy activities. The Department of Education shall
6 determine, in coordination with the agency (or agencies) operating this program, the goals
7 and objectives of this program, including how it will further the objectives of Standards
8 and Assessment and integrate Shared Decision Making training into the program focus.
9 The Controller General and the Budget Director shall ensure that the proposed program is
10 cost efficient and meets the objectives outlined in this section before agreeing to transfer
11 the appropriation from the Department of Education to the operating agency. All
12 expenditures from this allocation shall serve principals from the State of Delaware only.

13 (4) \$800.0 for Professional Mentoring. The intent of this appropriation is for exemplary
14 teachers to assist new teachers through leadership and guidance, and includes a training
15 component in order for teachers to become better mentors. This funding level allows for
16 a statewide program.

17 (5) \$550.0 for Tuition Reimbursement of which \$50.0 shall be used exclusively for tuition
18 reimbursement for summer school courses. This allocation provides, at the discretion of
19 the Department of Education, for the possible operation of a tuition reimbursement
20 program for the purpose of reimbursing public school employees and teachers employed
21 by state agencies for tuition payments for graduate college courses, including Early
22 Childhood Education courses, or courses in an Education Technology Certificate
23 Program. Funds may only be used to reimburse certificated non-administrative
24 employees. No payment shall be made unless the course taken relates to the employee's
25 job assignment and is taken with the prior approval of the employing district board,
26 superintendent or state agency. Local school district boards of education are required to
27 prioritize the allocation of the funds they receive to support the educational advancement

1 efforts of regular education teachers taking special education and/or mainstreaming
2 related courses and other educational priorities established by the local boards of
3 education based on staff development goals or to ameliorate identified deficiencies. This
4 allocation may be used by local school districts to defray the costs for teachers seeking
5 application for National Board Certification from the National Board for Professional
6 Teaching Standards.

7 Reimbursement for tuition may be made for courses taken during summer
8 school or during the academic year for which a passing grade of B or better is obtained.
9 No reimbursement shall be in excess of the tuition charged a Delaware resident taking a
10 course with an equal number of credit hours at the University of Delaware. Of the total
11 allocation made by Department of Education, a minimum of .75 percent shall be
12 allocated to state agencies and the balance shall be allocated to the several school
13 districts in amounts equal to each school district's proportion of Division I units to the
14 total number of Division I units statewide on September 30, 2002. Any funds not
15 expended by a school district or a state agency shall be transferred to other districts or
16 agencies. In the event that any district's allocation is not sufficient to provide total
17 reimbursement to all eligible employees, the district shall pro-rate the funds so that each
18 eligible employee receives a share of the total district allocation equal to the individual
19 employee's reimbursable expenditure divided by the total reimbursable expenditure of
20 all employees in the district multiplied by the district allocation. Funding for each
21 school district shall be divided into two equal parts. The first one-half shall be prorated
22 as described above among eligible employees who complete their courses prior to
23 February 1, 2003. The second one-half shall be prorated as described above among
24 eligible employees who complete their courses prior to June 15, 2003. In the event that
25 funds remain in either half year, the district shall be authorized to reallocate those funds
26 to reimburse eligible employees in the other portion of the year who did not receive full

1 reimbursement. This Section shall supersede collective bargaining agreements to the
2 contrary.

3 (6) \$628.4 for the Department of Education for the Teacher to Teacher Instructional Cadre
4 which provides for the purchase of release time of exemplary teachers in the content
5 areas in which the State Board of Education has adopted content standards, who will
6 provide assistance to districts on a statewide basis in designing, demonstrating and
7 implementing best teaching practices in the development of curriculum to meet the
8 established standards. The Department of Education is authorized to transfer 50 percent
9 of the estimated district grant amount by July 30 of the Fiscal Year. The remaining 50
10 percent shall be transferred within 30 days of the final approval of the district application
11 for funding.

12 (7) \$759.4 for the Summer School for Teachers Program. Of this appropriation, \$590.3
13 will be allocated to the University of Delaware and \$169.1 to Delaware State
14 University to fund summer programs for the professional development of teachers. It is
15 intended that curriculum of the summer classes offered through this program, to
16 teachers and aides, be consistent with the curriculum standards which are currently
17 under development or have previously been adopted by the State Board of Education.
18 Both the University of Delaware and Delaware State University shall incorporate into
19 their Summer School for Teachers course structure, the appropriate and necessary
20 elements that will enable participants to develop relevant classroom curriculum as well
21 as to gain additional exposure to best teaching practices in the standardized content
22 areas. The Department of Education shall continue to make staff available to assist each
23 institution in the preparation of the summer coursework. Future budget requests for
24 this program will be made by the Department of Education in their annual budget
25 request, following consultation with the University of Delaware and Delaware State
26 University.

1 (8) \$150.0 for the Delaware Center for Teacher Education to support professional and
2 curriculum development activities in the content areas of reading and social studies.
3 The Department of Education shall determine, in coordination with the agency (or
4 agencies) performing such activities, the training goals and objectives, including how
5 the objectives of Standards and Assessment will be furthered. The Department of
6 Education, Controller General and the Budget Director shall ensure that the proposed
7 development activities are cost efficient and meet the objectives outlined in this section
8 before agreeing to efficient and meets the objectives outlined in this section before
9 agreeing to transfer the appropriation from the Department of Education to the
10 operating agency.

11 (9) \$100.0 for Delaware Academy of School Leadership activities. The Department of
12 Education shall determine, in coordination with the agency (or agencies) operating this
13 program, the goals and objectives of this program, including how it will further the
14 objectives of Standards and Assessment. The Department of Education, Controller
15 General and the Budget Director shall ensure that the proposed program is cost efficient
16 and meets the objectives outlined in this section before agreeing to transfer the
17 appropriation from the Department of Education to the operating agency.

18 (10) \$1,002.5 for Reading Cadre. This appropriation will provide each local school district,
19 excluding charter schools, with the state share of salaries in accordance with 14 Del. C.
20 § 1305 for 1.0 11-month Reading Specialist. The purpose of this Specialist will be the
21 creation of a Reading to Reading Cadre which will provide assistance to districts in
22 designing, demonstrating and implementing best practices in reading instruction. Such
23 position shall be responsible for curriculum alignment and professional development in
24 reading for district educators.

25 (11) \$20.8 for National Teacher Certification Program. This appropriation is to be used in
26 Fiscal Year 2003 by the Department of Education for administrative costs during the
27 coordination of teachers seeking national certification from the National Board for

1 Professional Teaching Standards (NBPTS). Recognizing the effort involved in pursuing
2 such certification as well as the value it will bring to Delaware teachers and students, a
3 NBPTS certification obtained under this program by an individual paid under 14 Del. C.
4 §1305, excluding superintendents, assistant superintendents, directors, and individuals
5 employed in non-instructional areas detailed in Section 1312(c), and employees at the
6 Department of Education shall result in a salary supplement as specified in 14 Del. C.
7 §1305 (m). The salary supplement shall be based upon the 10-month base state salary
8 scale for teachers. The Department of Education shall report annually to the Budget
9 Director and Controller General the number of NBPTS certificates obtained under this
10 program. The NBPTS salary supplement shall be valid for a period not to exceed ten
11 years.

12 (12) \$50.0 for paraprofessional training. Such funds shall be utilized by the Department of
13 Education to design a program for implementation of a career pathway for school
14 district paraprofessionals at Delaware Technical and Community College.

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

17 Section 287. Section 1 of this Act makes an appropriation to Public Education, Block Grant and
18 Pass Through Programs, Academic Excellence Block Grant (95-03-10). Of the amount appropriated,
19 \$23,917.9 shall be used to fund units for academic excellence in the school districts in accordance with 14
20 Del. C. § 1716. The balance of \$4,595.7 shall be allocated to school districts in proportion to the number
21 of Division I Units each district enrolls on the last school day in September. School districts may use the
22 funds to: purchase computer hardware, software or services; calculators; library resources; fund
23 homebound instruction costs; provide substitute teachers; provide additional nurses so long as the district
24 is entitled to less than one nurse per school; provide a student work-study program; provide conflict
25 resolution training; provide extended day or extended year programs for students performing below the
26 standard level; and provide stipends for professionals engaged in curriculum or professional development
27 activities sponsored by a local school district or the Department of Education, outside of the regular

1 school day. School districts may form consortia, utilizing homebound funds, to purchase or provide
2 services. No homebound funds may be spent to provide services to students who have been suspended or
3 expelled from school, except for special education students. The State Board of Education shall provide
4 an annual summary of school district plans for use of Academic Excellence funds to the Budget Director
5 and Controller General no later than December 1 of each year.

6 Section 288. For the fiscal year beginning July 1, 2002, any local school district that has had two
7 consecutive failed current expense tax referendums during the time period July 1, 2000 to January 1,
8 2003, is authorized to exercise the cash option on Academic Excellence units up to the total number of
9 units provided under that program. This provision will apply for Fiscal Year 2003 only. In addition,
10 districts meeting this criteria are authorized to utilize funds derived from this cash option to pay local
11 salary supplements. Any district that has had a successful current expense tax referendum subsequent to
12 two consecutive failed current expense tax referendums is ineligible for the provisions of this section.

13 Section 289. Section 1 of this Act provides an appropriation of \$9.9 to Public Education, Block
14 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Nature Society. It
15 is the intent that this money be used to provide summer programs including an eighth grade program in
16 environmental heritage.

17 Section 290. Section 1 of this Act provides an appropriation of \$249.6 to Public Education,
18 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the READ-ALOUD
19 Delaware Program. READ-ALOUD Delaware is to continue to develop and foster programs for the
20 purpose of encouraging regular reading to preschool-aged children as an effective way to prepare them
21 for learning. The monies passed through to READ-ALOUD Delaware shall be used to provide programs
22 in each county, focused on the more disadvantaged segment of the population of preschool-aged children.

23 Section 291. Section 1 of this Act provides an appropriation of \$97.2 to Public Education, Block
24 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for Advanced Studies. The
25 Department of Education shall transfer this appropriation to the University of Delaware to help fund a
26 summer school program, for college credit, for gifted and talented students.

1 Section 292. Section 1 of this Act provides an appropriation of \$136.5 to Public Education,
2 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Institute
3 for Arts in Education. Of this appropriation, \$25.0 shall be used to implement a new Wolftrap
4 program. The Department of Education shall transfer this appropriation to the University of Delaware,
5 which acts as the fiscal agent for this statewide program.

6 Section 293. Section 1 of this Act provides an appropriation of \$201.2 to Public Education
7 Block Grants and Pass-Through Programs, K-12 Pass Throughs (95-03-15) for the Center for
8 Economic Education. Of this amount, \$30.0 is appropriated to develop a pilot program to test a
9 professional development model for systematically training teachers in content and pedagogy and
10 provide them with ongoing support in the classroom.

11 Section 294. In order that the children for whom the learning disability and socially or
12 emotionally maladjusted units were devised shall be the sole beneficiaries of all funds available for such
13 children, the Department of Education shall require strict adherence to approved guidelines before release
14 of any funds designated for such children. The Department of Education shall particularly ascertain that
15 no educable mentally handicapped are being classified as learning disabled; and that strict guidelines are
16 developed to determine eligibility of socially or emotionally maladjusted children so that this category
17 does not become a catch-all for low-achieving, unmotivated or disruptive pupils without serious
18 physiological or neurological disorders. All pupils classified learning disabled or socially or emotionally
19 maladjusted must be reevaluated at least every two years, except psychological evaluation shall be made
20 at least every three years. The Department of Education report annually to the Budget Director and the
21 Controller General on or before April 1 on the actions and results of actions required by this section.

22 Section 295. Section 1 of this Act makes an ASF appropriation to Public Education, Block
23 Grants and Pass Through Programs, Special Needs Programs (95-03-20) for the Children's Services
24 Cost Recovery Project (CSCR). All local school districts shall fully participate in the implementation
25 and operation of the project for the fiscal year ending June 30. Local school district participation shall
26 be on a district-wide basis.

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

6 In addition, 14.0 FTEs staff positions are appropriated to support this project: 2.0 FTEs shall be
7 located at the Department of Education. The Department of Education is hereby permitted to authorize
8 the hiring of up to 12.0 FTEs in the local school districts for the sole purpose of implementing this
9 section. The 12.0 FTEs in the local school districts shall be paid in accordance with the Financial
10 Secretary Salary Schedules 1308 and 1309 including the local salary supplement in place at the
11 employing school districts. At the discretion of the Department of Education, 1.0 FTE may be paid in
12 accordance with the Administrative Secretary Salary Schedules as defined in 14 Del. C. § 1308 and
13 § 1309, including the local salary supplement in place at the employing local school district.

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

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

22 Section 296. For the purpose of participating in the Children's Services Cost Recovery Project,
23 provisions of the Delaware Code to the contrary notwithstanding, school psychologists certified or
24 otherwise licensed by the State Board of Education in accordance with the provisions 14 Del. C. §
25 1092, shall be considered in compliance with qualification standards equivalent to state licensure to
26 practice psychology as set forth in 24 Del. C. § 3508. Such equivalent state licensure status shall be
27 limited to the delivery of services related to State Board of Education or local school district approved

1 school programs conducted within the course of the regular school day at a State Board of Education or
2 local school district approved school site or least restrictive environment location. The provisions of
3 this Section shall in no way be construed as entitling a person not otherwise qualified to do so to
4 represent himself to the public by any title or description of services incorporating the words
5 "psychology," "psychological," and/or "psychologist" within the meaning of 24 Del. C. § 3502, except
6 as may be herein specifically provided.

7 Section 297. Section 1 of this Act provides an appropriation of \$50.0 to Public Education, Block
8 Grants and Pass Through Programs, Special Needs Programs (95-03-20) for the expanded responsibilities
9 of the Interagency Resource Management Committee (IRMC) to foster an interagency approach in
10 coordinating the delivery of early care and education services in Delaware, and for the establishment and
11 operation of the Office of Early Childhood.

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

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

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

21 The Budget Director and the Controller General are hereby authorized to transfer funds among
22 the budgets of the departments represented on the IRMC if there is prior agreement by the secretary of the
23 department, as the case may be, to which the funds were previously allocated. Such transfers shall be
24 intended to further the purposes of this Section. The IRMC shall be staffed by the Office of Early
25 Childhood in the Department of Education. Such Office shall be composed of a director, an assistant
26 director and a clerical support position. Funding shall be provided by the Department of Health and
27 Social Services and the Department of Services for Children, Youth and Their Families no later than July

1 of each fiscal year to support the operational costs associated with the assistant director and clerical
2 support positions. Funds allocated in this Section are to be used to support the work of the Office and to
3 continue the interagency evaluation process for Delaware's early childhood programs.

4 Section 298. Section 1 of this Act makes an appropriation to Public Education, Block Grants and
5 Pass Through Programs, Special Needs Programs (95-03-20) for the Student Discipline Program.

6 (a) A total of \$3,420.0 is allocated for the statewide implementation of programs for severe
7 discipline cases. Of that amount, a total of \$2,400.0 will be allocated to the three counties in the
8 following manner: 50 percent to New Castle County, 25 percent to Kent County and 25 percent to Sussex
9 County. Of the \$2,400.0, \$150.0 in New Castle County and \$75.0 in both Kent and Sussex counties must
10 be utilized for transitional services. A total of \$1,020.0 will be disbursed on a competitive basis among
11 the existing school district consortiums or to individual school districts. Of the \$1,020.0, \$820.0 will be
12 utilized for improvement of academic programs and \$200.0 will be utilized for extended year
13 opportunities. If funds provided under this section are used for costs associated with teachers and aides,
14 as provided for in 14 Del. C. § 1305, the funds can only be used for costs associated with the state share.
15 Programs receiving funds under this section may utilize no more than \$200.0 in total from Pupil
16 Transportation (95-04-01) for transportation expenses.

17 (b) A total of \$7,249.3 is authorized for disruptive students at the school and district levels. The
18 base incentive grants shall be provided to all school districts in the State as follows:

19 Schools grades K-6: \$30.0

20 Schools grades 7-12: \$40.0

21 If funds provided under this section are used for costs associated with teachers and aides, as
22 provided for in 14 Del. C. § 1305, the funds can only be used for costs associated with the state share.

23 Under 14 Del. C. § 16, local school districts are eligible to receive a supplemental grant, equal to
24 double the base award, for grades 7, 8, 9 and 10, upon approval of the Department of Education and
25 certification in the district's grant application that the school is in compliance with the provisions of the
26 Delaware Code requiring the establishment of school site-based committees to govern discipline matters.

1 Each school shall receive no less than the amount received in the Fiscal Year ending June 30. In
2 order to provide districts with grants in a timely manner, all applications for base grants must be
3 submitted for review by the Department of Education no later than November 15 of each year.

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

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

16 (e) A total of \$3,238.7 is authorized for prevention components administered by the Department
17 of Education and the Department of Services for Children, Youth and Their Families. Funding shall be
18 provided as follows:

19 (i) \$3,238.7 to provide early intervention services through the Department of Services for
20 Children, Youth and Their Families, Family Crisis Therapist Program. Services are
21 intended for grades K-3 and shall address but not be limited to, problems such as Early
22 Onset Conduct Disorder. The Department of Services for Children, Youth and Their
23 Families may enter into contractual agreements, may employ casual/seasonal personnel, or
24 may create the necessary positions with the approval of the Delaware State Clearinghouse
25 Committee and maintain an ASF or NSF account with sufficient spending authority to
26 operate the program.

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

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

24 Section 299. Section 1 of this Act provides an appropriation to Public Education, Block Grants
25 and Pass Through Programs, Special Needs Programs, Unique Alternatives (95-03-20). Funds may only
26 be allocated to the Sussex ICT to provide direct services and supports to interagency students that would
27 be referred to the ICT. The local share of payment shall continue to be subject to the same criteria as all

1 other ICT decisions. This authorization is based on the signed Memorandum of Agreement between the
2 school districts and other ICT agencies.

3 Section 300. Any placement made pursuant to 14 Del. C. § 3124 in which the individual
4 involved is a ward of the State shall be funded fully from the State appropriation made for this purpose.

5 Section 301. Amend 14 Del. C. §604(c) by deleting the number "15" as it appears therein and
6 substituting in lieu thereof the number "30".

7 Section 302. Amend 14 Del. C. §604(c) by deleting the number "85" as it appears therein and
8 substituting in lieu thereof the number "70".

9 Section 303. There is hereby established a committee consisting of the Budget Director,
10 Controller General and Secretary of Education, or their designees, to review unique educational
11 alternatives provided for persons who have been, or who would otherwise be, identified as "complex or
12 rare" and unable to benefit from education programs available within the present unit funding system.
13 This review shall include, but not be limited to, growth trends in unique educational alternatives,
14 interagency coordination of services delivered to children funded from the Unique Alternative
15 appropriation and ICT procedures for reviewing assessments and recommending treatment plans for case
16 referrals from school districts and other eligible agencies. A final report shall be issued to the Governor
17 and co-chairs of the Joint Finance Committee by March 1, 2003.

18 Section 304. Section 1 of this Act provides an appropriation to Public Education, Block Grants
19 and Pass Through Programs, Special Needs Programs (95-03-20) for Exceptional Student Unit -
20 Vocational. This appropriation shall be used to continue the program of vocational education for
21 handicapped students. The funds appropriated shall provide for Divisions I, II, and III funding for a
22 maximum of six units in a single program. The unit shall be based upon 13,500 pupil minutes per week
23 of instruction or major fraction thereof after the first full unit and shall be in addition to the funding
24 otherwise provided under 14 Del. C. § 1703(d).

25 Section 305. (a) Section 1 of this Act provides an appropriation to Public Education, Block
26 Grant and Pass Through Programs, Special Needs Program (95-03-20) for Extra Time for Students in
27 Grades K-12. The allocations shall be used exclusively to provide extra instructional time for low

1 achieving students in order that they may improve their academic performance in the four primary content
2 areas (mathematics, science, English language arts, and social studies) as measured against the state
3 standards of such subjects. The only exceptions to this requirement are that up to 15 percent of a district's
4 allocation may be used for Extended School Year (ESY) requirements, pursuant to the Administrative
5 Manual for Exceptional Children (AMPEC) and up to 10 percent of a district's allocation may be used to
6 provide services to Limited English Proficient (LEP) students. Of the amount set aside for LEP services,
7 up to 50 percent may be used within the normal school day provided the services are in the form of
8 specialized instruction designed to help LEP students succeed in regular classroom settings. Of the
9 amount appropriated, \$400.0 may be used for the Early Intervention Reading Program as specified in this
10 section. The Department of Education is authorized to transfer 50 percent of the estimated district grant
11 amount by July 30. The remaining amount shall be transferred within 30 days of the final approval of the
12 district application for funding.

13 (b) The following criteria shall apply to each of the components of the Extra Time for Students
14 Program.

15 (1) In order to qualify for an allocation, each district shall submit an application to the
16 Department of Education as part of the districts' consolidated application. The
17 application must show evidence of building level staff involvement in the development of
18 the district proposal.

19 (2) The application provided to the Department of Education shall indicate the student
20 populations to be served, the type of program(s) proposed, the levels of academic
21 improvement the additional services are intended to achieve, and the measurement and/or
22 evaluation process the district will use to determine program effectiveness. Associated
23 transportation costs shall also be included in the district application.

24 (3) Funding for this component shall only be used for academic instruction or remediation
25 programs that are offered to a targeted population of low achieving students. Should
26 funds be used during the regularly scheduled six and one half hour school day, said funds
27 must be used to hire additional instructional staff to provide additional instruction or

1 remediation to the targeted population in one of the four core curriculum areas. Prior to
2 the expenditure of funds during the regular school day, districts must obtain the approval
3 of the Secretary of Education, Budget Director and Controller General and must certify to
4 the Secretary of Education, Budget Director and Controller General that sufficient
5 resources remain to operate the mandated summer school program. The Department of
6 Education shall promote the use of “Best Practices” in this area through all available
7 means.

8 (4) Funds appropriated pursuant to this Section may not be used for curriculum development
9 or staff training functions, but may be used for the purchase of supplies and materials
10 necessary to operate extra time programs. To the extent that these funds are used to pay
11 salary expenses of district instructional staff, these funds may only be used for costs
12 associated with the State share of salaries, as provided under 14 Del. C. § 1305.

13 (5) In order to maximize resources provided under this program, local school districts are
14 encouraged to match their allocation, on a 70/30 state/local basis pursuant to the
15 provisions of 14 Del C. § 1902(b).

16 (6) Local school districts may use funds appropriated pursuant to this Section to contract
17 with private or non-profit instruction or tutoring services provided that there is evidence
18 of building level conversations regarding contracted services.

19 (7) If, after the applications are received by the Department of Education, a local district does
20 not choose to utilize the full amount to which they are entitled, the Department of
21 Education may allocate any remaining amount through a competitive RFP process.

22 (c) The following criteria shall apply to the component of the program that serves students in any
23 grade levels:

24 (1) Allocations for this component shall be provided in proportion to the total Division I
25 units in each school district, multiplied by the state portion of the average teacher salary
26 in the district in the immediately preceding fiscal year.

1 (d) The following criteria shall apply to the Early Intervention Reading Program for which
2 \$400.0 is to be utilized.

3 (1) This funding shall serve students in kindergarten through grade 3 who are identified
4 during their kindergarten and first grade years as being inadequately prepared to succeed
5 in reading or are performing below grade level.

6 (2) This funding shall be utilized exclusively to provide supplemental services or teaching
7 methods designed to improve the reading abilities of students with the goal being that
8 they achieve and maintain their appropriate grade level reading ability. These services
9 shall utilize intensive systematic multi-sensory phonics as the instructional methodology.
10 The school districts are strongly encouraged to use programs including, but not limited
11 to, Reading Assist and other research based multi-sensory programs.

12 (3) The funding for this component may provide services outside of the normal school
13 operation timeframe as specified in subsections (c) and (d) of this Section, or may be
14 used during the regular school day, provided however that the services being offered are
15 supplemental to the reading instruction the student would otherwise normally receive.

16 (e) The Department of Education shall determine common data definitions and data collection
17 methodologies for each program in this section. Districts shall use such definitions and methodologies
18 and shall provide information as requested by the Department of Education. This information shall
19 include but not be limited to the following: state identification number for each student served, total
20 number of program contact hours per student, content area(s) addressed, and evidence of academic
21 improvement. The Department of Education shall prepare a statewide management report to identify
22 needs for program improvement and best practice.

23 Section 306. Section 1 of this Act appropriates 32.7 FTEs, of which up to 4.0 shall be authorized
24 as teachers/supervisors, 24.7 authorized as teachers, 3.0 authorized as secretaries for the Department of
25 Education, and 1.0 education associate to implement the Prison Education Program. The qualification of
26 employees for the prison education program shall be the same as the qualification for employees in the

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

3 Salary for employees in the prison education program when paid from funds of this State, shall be
4 in accordance with the regularly adopted salary schedules set forth in 14 Del. C. c. 13. The salary so
5 computed shall be multiplied by 1.2 then divided by .7 as to account for 12-month employment and
6 supplements normally provided by local school districts. Employees whose primary job location is onsite
7 within the institution shall also receive hazardous duty supplements as provided in the Merit System.
8 Teachers/supervisors shall receive an administrative supplement of four percent to eight percent to be
9 determined by the Department of Education with the approval of the co-chairs of the Joint Finance
10 Committee.

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

14 Section 307. Any provisions of the Delaware Code to the contrary notwithstanding, the
15 Department of Education is authorized and directed to provide aides for the purpose of providing
16 mainstreaming services to deaf students as follows: three in the Capital School District, two in the Cape
17 Henlopen School District, one in the Seaford School District, and one in the Milford School District.

18 Section 308. Section 1 of this Act makes an appropriation to Public Education, Block Grants and
19 Pass Through Programs, Special Needs Programs (95-03-20), for Tech Prep 2+2. A Delaware Tech Prep
20 Consortium is formed to provide for overall program development and management, coordination and
21 technical assistance. The Consortium will review and provide technical assistance and in-service training
22 for each proposal submitted to the Department of Education by any partnership initiating or operating a
23 Tech Prep Program. The Consortium will adopt rules and regulations consistent with state regulations
24 and federal legislation.

25 The Consortium Board of Directors shall include: the President or designee of the Delaware
26 Technical and Community College; the Superintendents of New Castle County Vocational-Technical
27 School District, Polytech School District and the Sussex County Technical School District; the State

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

9 Polytech School District will act as financial agent for the Consortium and an annual financial
10 and program report will be submitted to the co-chairpersons of the Delaware Legislative Joint Finance
11 Committee.

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

14 Section 309. Section 1 of this Act appropriates \$200.0 to Public Education, Block Grants and
15 Pass Through Programs, Special Needs Programs (95-03-20) for Innovative After School Initiatives.
16 Such funds shall be utilized to develop innovative after school programs to provide additional academic
17 support and enrichment for students. Funding shall provide approximately six to ten pilot programs
18 statewide, targeting grades five through ten and are encouraged to be delivered in partnership with private
19 businesses. The Department of Education shall administer a competitive grant process focused on the
20 following: tutoring academic areas of need for students at-risk of failing and/or not meeting the Delaware
21 content standards; enrichment programs incorporating both traditional and non-traditional approaches;
22 and outreach to parents, especially those who are reluctant to interact with schools.

23 Section 310. Section 1 of this Act makes an appropriation to the State Board of Education, Block
24 Grants and Pass Through Programs, Special Needs Program (95-03-20). Of the amount appropriated,
25 \$1,000.0 shall be used to provide services to Limited English Proficient (LEP) students.

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

1 If funds provided under this section are used for costs associated with teachers and aides, funds
2 can only be used for costs associated with the state share as provided in 14 Del. C. § 1305 and § 1324.

3 Section 311. Section 1 of this Act appropriates \$2,642.5 to Public Education, Block Grants and
4 Pass Through Programs, Special Needs Programs for Reading Resource Teachers. The Department of
5 Education is authorized to provide Reading Resource Teachers to elementary schools based upon
6 demonstrated need. Demonstrated need shall be determined by the largest percentage of third and/or
7 fifth-grade students scoring below the standard on the reading component of the 2000 DSTP. This
8 funding shall provide one Reading Resource Teacher to the 50 schools with the highest percentage of
9 third and/or fifth-grade students scoring below the standard on the reading component of the 2000 DSTP.
10 Reading Resource Teachers shall provide direct reading instruction to students which must include
11 explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading
12 fluency and reading comprehension strategies. Reading Resource Teachers shall work with the reading
13 cadre to ensure that appropriate reading activities and support are embedded in all curricular areas.
14 Reading Resource Teachers shall have a documented background in reading and/or be a teacher with
15 documented classroom success in teaching reading.

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

21 Section 312. Amend 14 Del. C. §127 (2) by deleting said subsection in its entirety and
22 substituting in lieu thereof a new subsection (2) to read as follows:

23 “(2) The ratio of teachers to pupils for assignment of driver education teachers in nonpublic high
24 schools shall be based upon 1 teacher for each 125 10th grade pupils enrolled in the nonpublic high
25 school; or one fifth of a teacher assignment for each full 25 10th grade pupils. Those 10th grade pupils
26 enrolled in the nonpublic high school who are not residents of the State of Delaware shall be excluded
27 from said ratio.”

1 Section 313. (a) Section 1 of this Act provides an appropriation of \$3,300.0 to Public Education,
2 Pupil Transportation (95-04-01) for Non-Public School Transportation Reimbursements. This
3 appropriation shall be allocated for qualifying non-public, non-profit schools, based on the procedure
4 adopted by the Joint Finance Committee on April 16, 1981.

5 (b) Transportation funds for public school districts during the fiscal year ending June 30, 2003,
6 shall be allocated and shall not exceed \$55,399.9 (of which \$3,644.3 is designated as a transportation
7 contingency for the Charter and Choice initiatives), according to bus contract or district transportation
8 formula, as adopted by the State Board of Education on July 23, 1987, subject to the following
9 amendments and procedural modifications:

10 (1) The per gallon price used to calculate the gasoline allowance shall be based on the state
11 contract bid price for unleaded gasoline plus \$.07 per gallon for districts and plus \$.28
12 per gallon for contractors. For districts and contractors north of the Chesapeake and
13 Delaware Canal, the per gallon price shall be based on delivery to a large-sized tank
14 (5,000 or more gallons). In the case of contractors located south of the Chesapeake and
15 Delaware Canal, the per gallon price shall be based on delivery to a small-sized tank (275
16 - 1,900 gallons). Upon determination by the Department of Education that a contractor
17 located North of the Chesapeake and Delaware Canal and operating five or fewer buses
18 does not have existing storage capacity in the large tank range, the per gallon price shall
19 be based on the smaller tank size.

20 (2) The Fiscal Year 2003 operating allowance will be adjusted for inflation by a rate of 1.0
21 percent.

22 (3) For the fiscal year ending June 30, 2003, the allowable cost of a new bus purchased by
23 a contractor shall be the Fiscal Year 2002 state bid price for new buses minus two
24 percent for salvage value, plus eleven percent to account for dealer charges and profits
25 not reflected in the state bid price due to the higher number of buses being purchased
26 and the lag time between the ordering and delivery. The Department of Education
27 shall continue to utilize the procedures developed in Fiscal Year 1989 for determining

1 the allowable cost for any size bus that it did not bid in Fiscal Year 2002. In addition
2 to the procedure for establishing the allowable cost of a new bus specified above, the
3 Department of Education is requested to structure its bids for buses in the fiscal year
4 ending June 30, 2003, in such a manner that public school bus contractors will be
5 permitted to purchase buses from the successful lower bidder at the same price as the
6 State of Delaware. If a contractor elects to purchase a bus at the bid price, the lowest
7 base bid of an awarded contract minus two percent for salvage value will be the
8 allowable cost in subsequent reimbursements to the contractor.

9 (4) The public school transportation advisory committee established pursuant to Senate
10 Resolution No. 32 of the 140th General Assembly is directed to include as part of its
11 advisory capacity to make recommendations regarding upgrades to the equipment
12 specifications to be included in the bid specifications sent to vendors by the Department
13 of Education. More specifically, the advisory committee shall consider all additional
14 equipment regularly included by both school districts and the independent contractors
15 customarily included over and above the "plain vanilla bus" in order, among other
16 matters, to improve safety and maintenance costs. The Department of Education, the
17 Budget Director and the Controller General shall make recommendations to the Joint
18 Finance Committee for Fiscal Year 2004 regarding bus specifications and costs
19 associated with such recommendations.

20 (5) The formula rate for reimbursing public school bus contractors for the cost of liability
21 insurance shall be determined by the Department of Education in consultation with the
22 Insurance Commissioner based on the data available on April 30 of the previous fiscal
23 year.

24 (c) The Department of Education shall amend its transportation formula to permit replacement of
25 a vehicle which has operated 100,000 school-related miles and is seven model-years old or a vehicle
26 which has operated 150,000 school-related miles regardless of the age of the vehicle.

1 (d) The Department of Education is authorized to amend its formula to allow the purchase of
2 diesel-powered buses as the minimum standard in those sizes where gasoline-powered buses are no longer
3 available.

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

8 (f) The Department of Education is authorized to amend its formula such that automatic
9 transmission shall be considered standard equipment on contractor and school district bus purchases.

10 (g) The Department of Education is authorized to amend its transportation formula to change the
11 miles-per-gallon allotment for 66/72 passenger diesel buses from 9.1 miles-per-gallon to 6.7 miles-per-
12 gallon.

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

18 Section 314. Amend 14 Del. C. §508 by deleting the words "a payment equal to the average
19 cost" as they appear in the first sentence and inserting in lieu thereof the words "a payment equal to 75%
20 of the average cost".

21 Section 315. Notwithstanding the provisions of 14 Del. C. § 511 and rules and regulations of the
22 Department of Education, modifications requested by Charter Schools associated with the provision of
23 student transportation services as a result of changes made by this Act to 14 Del. C. § 508 shall be
24 considered a minor modification.

25 Section 316. Notwithstanding any other provisions of the Delaware Code or this Act to the
26 contrary, the Department of Education is authorized to approve and provide funding for additional

1 transportation routes necessary to support the Seaford School District's pilot implementation of a
2 balanced calendar schedule, beginning in Fiscal Year 2003.

3 Section 317. There is hereby established a committee consisting of the Budget Director,
4 Controller General, Secretary of Education and Secretary of Transportation (or their designees). The
5 committee shall review the methodology for State payment to charter schools for pupil transportation
6 costs. Included, but not limited, in this review shall be an examination of the potential to use public
7 transportation as an alternative to charter school busing and the impact of geographic distance on
8 transportation costs. The committee shall submit a report to the Governor and the Joint Finance
9 Committee by December 1, 2002.

10 Section 318. (a) During the fiscal year, the Department of Education is hereby directed to
11 provide bus transportation of public school students previously declared ineligible by the Unique Hazards
12 Committee, including the following:

- 13 (1) Students attending the Stanton Middle School who are now forced to walk along
14 Telegraph Road with a constant threat of injury.
- 15 (2) Students attending Mt. Pleasant High School who are now forced to walk along Marsh
16 Road with a constant threat of injury.
- 17 (3) Students in the town of Seaford, living west of Conrail and north of the Nanticoke River,
18 who attend the Seaford schools, grades K-6.
- 19 (4) Students attending Seaford Central Elementary who live in the area east of Conrail, north
20 of the Nanticoke River, and west of Williams Pond, within the Seaford city limits.
- 21 (5) Students attending the Cab Calloway School of the Arts and Wilmington Charter School
22 on Lancaster Avenue to Delaware Avenue in the north-south grid and on Jackson Street
23 to duPont Street on the east-west grid.
- 24 (6) Students attending Newark High School who live in Windy Hills and are forced to walk
25 along Kirkwood Highway with a constant threat of injury.
- 26 (7) Students attending schools in Laurel living in the areas of Lakeside Manor, Route 24 east
27 of Laurel town limits, Route 13A South of Laurel town limits and Dogwood Acres.

- 1 (8) Students attending Delcastle Technical High School who live in Newport and are forced
2 to walk along Centerville Road (Rt. 141) with a constant threat of injury.
- 3 (9) Students attending Woodbridge Junior-Senior High School who must travel along Route
4 13A south of Bridgeville, and students living west of Bridgeville who must travel along
5 Route 404 or Route 18.
- 6 (10) Students attending Smyrna Middle School who reside in the Sunnyside Acres area
7 between Sunnyside Road and U.S. 13 and who would otherwise be required to walk
8 along U.S. 13 in order to reach school.
- 9 (11) Students attending the Concord High School who live south of Naamans Road in the
10 Talleybrook-Chalfonte, Brandywood, Brandon and Beacon Hill areas who must walk
11 along Grubb and/or Naamans Road with a constant threat of injury.
- 12 (12) Students attending the Laurel Elementary Schools in Grades K-6 who live in the Town of
13 Laurel and the surrounding areas.
- 14 (13) Students attending Dover High School who live in Old Sherwood, south of Waples
15 Avenue.
- 16 (14) Students attending the Mt. Pleasant Elementary School, who would be forced to walk
17 along Bellevue Road.
- 18 (15) Students attending the Mt. Pleasant Elementary School, who would be forced to cross
19 over and/or walk along River Road between Lore and Bellevue.
- 20 (16) Students attending the Douglas Kindergarten Center, who would be forced to walk along
21 Route 2 (Union Street) or through Canby Park via the paths, with a constant threat of
22 injury.
- 23 (17) K-3 - New Todd Estates Development to Jeannie Smith - because of hazards of Route 4
24 at Pierson Drive intersection.
- 25 (18) Children living in West Wilmington Manor who walk to Wilmington Manor Elementary
26 School.

- 1 (19) Woodbridge Elementary School students living in the town of Greenwood, west of the
2 railroad tracks.
- 3 (20) Woodbridge Jr./Sr. High School students living on Route 13A from Route 13 north of
4 Bridgeville to Bridgeville north of town limits including streets with access to that part of
5 Route 13A.
- 6 (21) Talley Jr. High School students who reside in the Ashbourne Hills, Greentree, Stoney
7 Brook areas, students who reside in the Woodacre Apartments and students who live
8 along Peachtree Road.
- 9 (22) Springer Middle School students residing in Eden Ridge III, Tavistock, Sharpley and
10 Eden Ridge who must cross Concord Pike.
- 11 (23) Sussex Central High School and Georgetown Elementary School students who live east
12 of Bedford Street.
- 13 (24) Lombardy Elementary School students who must cross Foulk Road.
- 14 (25) Central Middle School students who reside in the vicinity of 1508 Dinahs Corner Road.
- 15 (26) Students attending the Colwyck Elementary School who live in the Landers Park and
16 Swanwyck Gardens residential areas.
- 17 (27) Students attending Central Middle School, living in the area south of Kent General
18 Hospital, to include students living along and south of Westview Terrace, Dover Street,
19 Hope Street and Sackarackin Avenue.
- 20 (28) Students of the Appoquinimink School District who reside in Odessa Heights.
- 21 (29) Students attending Brandywine High School who live in Concord Manor and are forced
22 to walk along Shellpot Drive and Windley Hill.
- 23 (30) Students attending Clayton Elementary, North Elementary or the Bassett Middle School
24 in the Smyrna School District who live on Buresch Drive.
- 25 (31) Notwithstanding the construction of any sidewalk or footpath along Grubb Road between
26 Naamans Road and Marsh Road, any child currently receiving bus transportation by the
27 Brandywine School district who lives along Grubb Road (between Naamans Road and

1 Marsh Road) or lives in a neighborhood which enters directly onto Grubb Road (between
2 Naamans Road and Marsh Road) shall continue to receive bus transportation to and from
3 school.

4 (32) Students residing in Brookview Apartments and lower Ashbourne Hills who attend
5 Darley Road Elementary School.

6 (33) Stanton Middle School students residing in Kiamensi Gardens, Kiamensi Heights and
7 Westfield who must cross Limestone Road.

8 (34) Students attending Warner Elementary or Warner Kindergarten who also attend the
9 Brandywine Day Care or the Strawberry Patch Neighborhood Centers.

10 (35) Students attending Brandywine Springs Elementary School who live along Newport Gap
11 Pike.

12 The transportation of the students specified herein shall continue until the funds requested are
13 appropriated and construction is completed. Spur routes shall continue to be served as at present.

14 Section 319. Notwithstanding the provisions of any state law to the contrary, the Red Clay
15 Consolidated School District is authorized to utilize state transportation dollars to fund students traveling
16 from routes to and from the Cab Calloway School of the Arts and Brandywine Springs Elementary
17 School.

18 Section 320. During the Fiscal Year, the Department of Education will continue and broaden
19 implementation of the computerized routing system for school bus transportation. During this
20 implementation, the Department is directed to continue to provide bus transportation services to any
21 residential area which has received transportation services since October 1, 1977.

22 Section 321. The National Highway Traffic Safety Administration (NHTSA) is conducting a
23 research program to consider alternative methods of potentially improving federal school bus passenger
24 crash protection requirements. Based upon NHTSA's report, the Department of Education will
25 recommend changes to the Delaware school bus specifications so that all school buses will continue to be
26 in compliance with federal safety standards.

27 Section 322. During the Fiscal Year, the Department of Education is hereby directed that
28 students attending the Woodbridge School District, who live in the Canterbury Apartments in Bridgeville,

1 will embark and disembark in the parking lot of the apartment complex in lieu of the bus stop area along
2 the heavily traveled U.S. 13.

3 Section 323. Section 1 of this Act provides an appropriation to Pupil Transportation (95-04-00)
4 for Public School Transportation. Notwithstanding the provisions of 21 Del. C. § 4366, the following
5 reimbursement methodology is in effect:

6 (a) For those school districts or private contractors who are operating school buses equipped with
7 cellular phone technology or have no radio or telephonic communication equipment, the
8 Department of Education is authorized to bring said districts and contractors under a State
9 negotiated cellular phone contract such that the State shall pay one-half of the costs
10 associated with the monthly connect charge, subject to the availability of funds.

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

14 Section 324. Section 1 of this Act appropriates \$1,000.0 to the Department of Education -
15 Delaware Center for Educational Technology (DCET) for a Technology Block Grant. DCET shall
16 administer a non-competitive application process to determine grant awards to local school districts and
17 charter schools. Funds provided by this Act shall be used in the following priority order: (1) Supporting
18 the maintenance of existing equipment in the schools either through the use of a full time technology
19 position or contractually, (2) replacement of existing equipment, or (3) such other technology needs as
20 may arise which could improve or enhance the technology capabilities of the district. If funds provided
21 under this section are used for costs associated with positions, funds may only be used for costs
22 associated with the state share of salary as provided in 14 Del. C. § 1305, § 1311 and § 1324. Funding
23 will be distributed based on the formula developed and approved by the co-chairs of the Joint Finance
24 Committee in Fiscal Year 2001. Local districts are encouraged to match their allocation pursuant to the
25 provisions of 14 Del. C. § 1902(b), provided the local match does not exceed those established under 71
26 Del Laws, c. 378. It shall be the responsibility of the Department of Education to receive and disburse

1 these funds. The department shall also be charged with the authority to verify the use of the funds and
2 shall require each school district to annually report on expenditures of the funds.

3 Section 325. Section 1 of this Act provides an appropriation to the Delaware Center for
4 Education Technology (DCET). It is the intent of the General Assembly that DCET be responsible for
5 and engage in activities related to total project needs and budgets for statewide education technology
6 projects, the establishment of cost-sharing policies, the initiation, procurement and maintenance of
7 statewide education technology contracts, implementation on an on-going basis of professional training
8 programs related to statewide education technology and providing technical assistance to the Department
9 of Education for the initiation of system-wide applications including administrative and curriculum
10 development.

11 Section 326. The provisions of this Act to the contrary notwithstanding, consistent-with the
12 provisions of 14 Del. C. § 509(b), charter schools eligible to receive allocations from the professional
13 accountability and instructional advancement fund, school-based student discipline programs, extra time
14 for students and minor capital improvements program will not be required to submit an application to the
15 Department of Education. Any funds received as a result of the allocation of these programs may be used
16 for current operations, minor capital improvements, debt service payments or tuition payments.

17 Section 327. Section 1 of this Act makes an appropriation to the Delaware Higher Education
18 Commission (95-08-01) for Scholarships and Grants. Of that amount, \$36.7 shall be used for the
19 Herman M. Holloway, Sr. Scholarship Program per the provisions of 14 Del. C. c. 34; \$220.0 shall be
20 used for the FAME Scholarship Program; \$30.0 shall be used for the MERIT Scholarship Program;
21 \$50.0 shall be used for the Professional Librarian/Archives Incentive Program; \$40.0 for the
22 Legislative Essay Scholarship; \$64.2 for the Charles L. Hebner Scholarship; and \$50.0 for Critical
23 Teacher Scholarships. Any Herman M. Holloway Sr. Scholarship Program funds remaining after
24 payment of the Holloway Scholarships, may be awarded to Delaware State University students with
25 financial need who applied to the Scholarship Incentive Program.

26 Section 328. The Delaware Higher Education Commission (DHEC) in the initial award cycle of
27 the SCIP program shall not exceed 120 percent of the annual SCIP appropriation. Funds unused in any

1 given fiscal year may be carried over into a reserve account to be utilized for SCIP awards in the
2 subsequent year with approval of the Department of Education.

3 Section 329. Notwithstanding any other provision to the contrary, effective July 1, 2002, the
4 Department of Education shall implement a staff integration plan for the Delaware Higher Education
5 Commission. For the fiscal year, in accordance with policies and procedures agreed upon by the Joint
6 Finance Committee, the Budget Director and Controller General the following position numbers and
7 corresponding salaries shall be in effect:

8	#00052383	Accountant I	\$30,626
9	#00056437	Higher Education Analyst	\$44,521
10	#00069720	Higher Education Analyst	\$42,938
11	#00081644	Data Analyst	Vacant
12	#00052384	Administrative Management	\$54,759
13	#00052382	Administrative Assistant I	\$27,203
14	#00052395	Appointed Official	Salary set pursuant to Section10
15			of this Act

16 Upon vacancy of any of the positions listed above, the Department of Education shall review said
17 vacant position with respect to current responsibilities and salary classification and shall submit any
18 recommended changes to the Budget Director and Controller General for approval.

19 Section 330. Section 1 of This Act makes an appropriation of \$100.0 to the Delaware Higher
20 Education Commission (95-08-01) for a National Board Certification Loan Program. DHEC shall
21 administer a non-competitive loan program for educators pursuing certification from National Board for
22 Professional Standards. Loans shall be made to cover costs associated with the application fee and
23 assessment process. If there are more individuals requesting funds than funds appropriated, DHEC shall
24 prorate the loans provided. Loans shall be interest-free as long as funds are repaid within two years of
25 achieving National Board Certification or within three years from the start of the program whether the
26 borrower is successful or not. If the loan repayment is not fulfilled within the aforementioned terms, the
27 borrower must repay all funds received with interest as determined by the Delaware Higher Education

1 Commission. Funds in this account shall be interest bearing. Delaware Higher Education Commission is
2 authorized to use up to \$10.0 annually from the Loan Program to offset operational costs.

3 Section 331. The Delaware Higher Education Commission is hereby authorized to use up to
4 \$25.0 of the interest income from the Michael C. Ferguson Achievement Award to support the
5 recognition of students who are awarded scholarships associated with that appropriation.

6 Section 332. During the Fiscal Year, the Department of Education, with the approval of the State
7 Board of Education, is authorized to establish and maintain procedures, by regulation pursuant to 14 Del.
8 C. 3110(c), for the conduct of expedited due process hearings which shall be available to children with
9 disabilities and their parents where required by federal or state law, and/or Departmental regulation. For
10 the purposes of such expedited due process hearings, during the fiscal year ending June 30, the
11 Department of Education is authorized to engage the professional services of a cadre of single hearing
12 officers to preside over such hearings.

13 Section 333. Alternative schools yet to open as of July 1, 2001 shall not be located within 1,000
14 feet of licensed day care facilities, nursing homes or housing facilities restricted for the use of senior
15 citizens. Should Senate Bill No. 401 or similar legislation be enacted during the 141st General Assembly
16 this section shall become null and void.

17 Section 334. Amend 14 Del. C. by deleting §207 in its entirety.

18 Section 335. The Brandywine School District Board shall maintain as a stand alone program its
19 Gifted and Talented Program (also known as the Odyssey Program, formally known as the Brandywine
20 Academically Gifted Program) at least through the end of the 2004 - 2005 school year. The program shall
21 be fully maintained at Mt. Pleasant Elementary School and Claymont Elementary School as presently
22 configured. During this time, the District shall fully support the Odyssey Program in terms of outreach,
23 recruitment, assessment of students for entry into the program, curriculum development, teacher
24 assignment and other support elements as currently exist.

25 The Board shall make no decision on the future of the Gifted and Talented Program as it relates to
26 its configuration as a stand alone program at its current locations prior to July 1, 2003.

27

SYNOPSIS

This Bill is the Fiscal Year 2003 Appropriation Act.

Joint Finance Committee