

SPONSORS: Rep. Gilligan Sen. Sharp
Van Sant Adams
Marshall
Vaughn

HOUSE OF REPRESENTATIVES

141ST GENERAL ASSEMBLY

HOUSE BILL NO. 50

January 11, 2001

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2002; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

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

1 Section 1. The several amounts named in this Act, or such part thereof as may be necessary and essential to
2 the proper conduct of the business of the agencies named herein, during the fiscal year ending June 30, 2002, are
3 hereby appropriated and authorized to be paid out of the Treasury of the State by the respective departments and
4 divisions of State Government, and other specified spending agencies, subject to the limitations of this Act and to
5 the provisions of Title 29, Delaware Code, Part VI, as amended or qualified by this Act, all other provisions of the
6 Delaware Code notwithstanding. All parts or portions of the several sums appropriated by this Act which, on the
7 last day of June 2002, shall not have been paid out of the State Treasury, shall revert to the General Fund;
8 provided, however, that no funds shall revert which are encumbered pursuant to Title 29, Delaware Code,
9 Section 6521.

10 The several amounts hereby appropriated are as follows:

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DEPARTMENTS

Year ending June 30, 2002

(01-00-00) LEGISLATIVE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(01-01-01) General Assembly - House			
		27.0				3,479.4
		27.0				4,484.2
			TOTAL -- General Assembly - House			
			(01-02-01) General Assembly - Senate			
		17.0				2,284.6
		17.0				2,927.2
			TOTAL -- General Assembly - Senate			
			(01-05-01) Commission on Interstate Cooperation			
						18.0
						100.0
						40.0
						0.5
						62.6
						434.0
						4.7
						80.4
						3.0
						3.0
						25.0
			TOTAL -- Commission on Interstate Cooperation			

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	11,764.8
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[illegible]

(-01) Office of the State
Court Administrator
(-03) Office of State Court
Collections Enforcement
(-04) Judicial Information Center
(-05) Law Libraries
TOTAL -- Internal Program Units

(02-00-00) JUDICIAL

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
(02-18-00) Administrative Office of the						
Courts - Non-Judicial Services						
	8.0	20.0			393.1	1,051.5
					26.0	25.4
					81.1	122.1
					7.7	20.8
					6.0	1.6
						8.0
					1,700.0	
						40.0
					1.5	
	8.0	20.0	TOTAL -- Administrative Office of the		2,215.4	1,269.4
			Courts - Non-Judicial Services			
	8.0	7.5				
		7.5				430.4
		1.0				72.3
		4.0				355.4
	8.0	20.0	TOTAL -- Internal Program Units		2,215.4	1,269.4
17.3	95.0	1,068.5	TOTAL -- JUDICIAL		6,588.9	62,540.3

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NSF	ASF	GF
	1.0	24.0
	1.0	24.0
3.8	9.0	34.0
3.8	9.0	34.0
3.8	9.0	28.0
3.8	9.0	6.0
3.8	9.0	34.0

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(10-03-00) Delaware Economic Development Office
(10-03-01) Office of the Director
 Personnel Costs
 Travel
 Contractual Services
 Supplies and Materials
 Capital Outlay
 Debt Service
 Blue Collar
 TOTAL--Office of the Director

(10-03-02) Delaware Tourism Office
 Personnel Costs
 Travel
 Contractual Services
 Supplies and Materials
 Capital Outlay
 Other Items:
 Main Street
 Matching Grants and Grants
 Kalmar Nyckel
 Junior Miss
 Mother of the Year
 Young Mother of the Year
 Senior Miss Pageant
 Flags and Pins
 TOTAL -- Delaware Tourism Office

(10-03-03) Delaware Economic Development Authority
 Personnel Costs
 Travel
 Contractual Services
 Supplies and Materials
 Energy
 Capital Outlay
 Other Items:
 International Trade
 World Trade Center
 Other Items
 Debt Service
 TOTAL -- Delaware Economic Development Authority

TOTAL -- Delaware Economic Development Office

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(10-00-00) EXECUTIVE

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

(10-07-00) Criminal Justice

(10-07-01) Criminal Justice Council

14.2		12.8
14.2		12.8

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Other Items:
 SENTAC
 Video Phone Fund
 Domestic Violence Coordinating Council
 Pretrial Substance Abuse
 Other Grants

	704.8
	7.8
	34.9
	3.8
	2.1
	12.5
134.6	26.1
	39.5
	117.2
134.6	948.7

TOTAL -- Criminal Justice Council

(10-07-02) Delaware Justice Information System

1.0		9.0
1.0		9.0

Personnel Costs
Travel
Contractual Services
Supplies and Materials

	569.2
	5.8
	402.5
	16.7
	994.2

TOTAL -- Delaware Justice Information System

15.2		21.8
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TOTAL -- Criminal Justice

134.6	1,942.9
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(10-08-00) Delaware State Housing Authority

(10-08-01) Delaware State Housing Authority

6.0	54.0	
6.0	54.0	

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Other Items:
 Huling Cove
 Huling Cove Annex
 Capital Green
 Housing Development Fund
 Public Housing
 Home Improvement Insurance
 Debt Service

2,611.3	
93.9	
1,043.7	
35.4	
152.3	
200.0	
100.0	
145.0	
755.0	
28,800.0	4,000.0
589.2	
1,640.0	
	415.6
36,165.8	4,415.6

TOTAL -- Delaware State Housing Authority

(10-00-00) EXECUTIVE

Personnel		
NSF	ASF	GF

(10-09-00) Office of Information Services

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

	13.0	175.1
	13.0	175.1

Personnel Costs
Travel
Contractual Services
Rental
Energy
Supplies and Materials
Capital Outlay

736.7	10,998.2
103.7	81.9
7,486.8	6,220.2
2,151.5	8,505.0
	197.2
80.7	366.8
95.0	12.8
10,654.4	26,382.1

TOTAL --Office of Information Services

	1.0	11.0
	4.0	44.0
	2.5	26.5
	1.0	18.0
	4.5	43.6
		2.0
		2.0
		1.0
		17.0
		10.0
	13.0	175.1

(-01) Administration
(-10) Application Technology
(-20) Base Technology
(-30) Telecommunication Technology
(-40) Operations
(-50) Organizational Effectiveness
(-60) Architect
(-70) Customer Assurance
(-80) Customer Services
(-90) Consultancy
TOTAL -- Internal Program Units

367.7	1,856.4
4,928.9	5,460.2
870.9	1,741.2
1,496.8	1,779.6
2,690.0	13,197.8
15.5	164.6
145.4	174.3
6.1	87.3
133.1	956.1
	964.6
10,654.4	26,382.1

36.2	166.5	365.2
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TOTAL -- EXECUTIVE

102,919.2	91,971.5
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(12-00-00) OTHER ELECTIVE OFFICES

Personnel

NSF	ASF	GF
-----	-----	----

\$ Program

ASF	GF
-----	----

\$ Line Item

ASF	GF
-----	----

(12-01-01) Lieutenant Governor

		6.0
		6.0

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

TOTAL -- Lieutenant Governor

	312.8
	7.3
	25.8
	2.8
	7.7
	356.4

(12-02-01) Auditor of Accounts

	10.0	39.0
	10.0	39.0

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay

TOTAL -- Auditor of Accounts

424.1	2,299.3
6.2	20.4
328.9	514.3
10.4	12.9
5.4	54.3
775.0	2,901.2

(12-03-00) Insurance Commissioner

(12-03-01) Regulatory Activities

	10.0	15.0
	10.0	15.0

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

TOTAL -- Regulatory Activities

557.6	767.0
30.0	3.6
140.9	139.7
3.7	2.5
21.0	
	10.0
753.2	922.8

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

2.0	52.0	
2.0	52.0	

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Other Items:
Arbitration Program
Contract Examiners
**TOTAL -- Bureau of Examination, Rehabilitation
and Guaranty**

2,351.2	
104.4	
916.7	
41.2	
382.4	
30.0	
11,600.0	
15,425.9	

TOTAL -- Insurance Commissioner

2.0	62.0	15.0
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16,179.1	922.8
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(12-00-00) OTHER ELECTIVE OFFICES

Personnel

NSF	ASF	GF
-----	-----	----

\$ Program

ASF	GF
-----	----

\$ Line Item

ASF	GF
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(12-05-00) State Treasurer

(12-05-01) Administration

	8.0	14.0
	8.0	14.0

Personnel Costs	431.2	808.0
Travel	20.2	6.6
Contractual Services	51.1	143.6
Supplies and Materials	9.4	38.5
Capital Outlay	63.7	
Other Items:		
Deferred Compensation Program		1,054.0
Banking Services	1,315.0	
Data Processing	50.0	
Electronic Data Interchange	70.0	
TOTAL -- Administration	2,010.6	2,050.7

(12-05-03) Debt Management

Expense of Issuing Bonds		370.0
Debt Service - Old		12.4
Debt Service - New		12,817.6
Debt Service - Local Schools		15,094.7
Debt Service - Solid Waste Authority		88.9
Debt Service - Refunding		2,688.0
Financial Advisor		85.0
TOTAL -- Debt Management		31,156.6

TOTAL -- State Treasurer

	8.0	14.0
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2,010.6	33,207.3
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TOTAL -- OTHER ELECTIVE OFFICES

2.0	80.0	74.0
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18,964.7	37,387.7
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\$ Line Item	
ASF	GF

TOTAL -- Office of Attorney General

718.8	15,515.0
0.1	14.7
0.1	2,011.9
	41.3
0.3	63.4
75.1	22.0
111.3	
	40.0
75.0	283.8
30.6	
568.5	
15.0	
1,031.8	
1,005.5	
3,632.1	17,992.1

TOTAL -- Public Defender

	8,569.2
	1.7
	716.4
	6.4
	78.3
	28.8
	9,400.8

TOTAL -- Board of Parole

	340.4
	12.2
	22.7
	3.3
	378.6

3,632.1	27,771.5
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(20-00-00) DEPARTMENT OF STATE

Personnel		
NSF	ASF	GF
	8.0	27.0
	8.0	27.0

(20-01-00) Office of the Secretary

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

TOTAL -- Office of the Secretary

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

404.4	1,257.1
35.7	41.2
735.1	265.6
	59.6
79.1	147.0
164.4	329.4
1,418.7	2,099.9

	8.0	5.0
		5.0
		10.0
		7.0
	8.0	27.0

- (-01) Administration
- (-02) Delaware Commission on
Veterans Affairs
- (-03) Delaware Veterans Memorial
Cemetery
- (-04) Veterans Cemetery
Georgetown

TOTAL -- Internal Program Units

1,353.7	575.5 409.1
50.0	694.3
15.0	421.0
1,418.7	2,099.9

(20-02-00) Office of Human Relations

1.0		9.0
1.0		9.0

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

TOTAL -- Office of Human Relations

	418.8
	11.2
	33.6
	4.4
10.0	
10.0	468.0

1.0		9.0
1.0		9.0

(-01) Office of Human Relations
AL -- Internal Program Unit

10.0	468.0
10.0	468.0

(20-03-00) Delaware Public Archives

	7.0	34.0
	7.0	34.0

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

TOTAL -- Delaware Public Archives

321.7	1,458.9
5.0	1.8
45.7	251.4
19.5	133.6
18.5	11.5
	20.0
	25.0
	1,138.4
410.4	3,040.6

	7.0	34.0
	7.0	34.0

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

410.4	3,040.6
410.4	3,040.6

(20-00-00) DEPARTMENT OF STATE

NSF	ASF	GF
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ASF	GF
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ASF	GF
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(20-05-00) Corporations

	92.0	
	92.0	

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

4,045.0	
30.1	
1,390.7	
134.1	
1,699.3	
165.0	
2,400.0	
9,864.2	

TOTAL -- Corporations

	92.0	
	92.0	

(-01) Corporations
TOTAL -- Internal Program Unit

9,864.2	
9,864.2	

(20-06-00) Historical and Cultural Affairs

5.9	1.5	42.6
5.9	1.5	42.6

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Other Items:
 Delaware Heritage Commission
 Museum Operations
 Museum Collections
 Museum Conservation Fund
 Museum Maintenance 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

77.8	1,993.8
	9.9
	252.8
	164.8
	71.4
	19.3
	69.0
20.1	15.0
	15.0
	50.0
	100.0
68.7	
4.0	
13.0	
99.5	
9.5	
3.0	
10.0	
9.5	
3.6	
	307.4
318.7	3,068.4

TOTAL -- Historical and Cultural Affairs

5.4	1.0	9.0 3.6
0.5	0.5	30.0
5.9	1.5	42.6

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

181.9	630.9 219.4
136.8	2,218.1
318.7	3,068.4

(20-00-00) DEPARTMENT OF STATE

Personnel		
NSF	ASF	GF

3.0		6.0
3.0		6.0

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	
ASF	GF

	1,685.0
	1,685.0

\$ Line Item	
ASF	GF

	337.2
	3.4
	75.0
	4.4
	1,255.0
	10.0
	1,685.0

(20-08-00) Libraries

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Other Items:
 Library Standards
 Delaware Electronic Library
 DELNET- Statewide
 Training Center
Debt Service

TOTAL -- Libraries

9.0		13.0
9.0		13.0

9.0		13.0
9.0		13.0

(-01) Libraries

TOTAL -- Internal Program Unit

2.0	3,938.6
2.0	3,938.6

	597.1
	4.0
	153.7
	8.7
	21.6
	7.0
	2,121.6
	250.0
	75.0
2.0	
	699.9
2.0	3,938.6

(20-15-00) State Banking Commission

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Other Items:
 Revenue Refund

TOTAL -- State Banking Commission

	36.0	
	36.0	

	36.0	
	36.0	

(-01) State Banking Commission

TOTAL -- Internal Program Unit

2,653.3	
2,653.3	

2,139.7	
72.4	
347.5	
26.1	
67.5	
0.1	
2,653.3	

18.9	144.5	131.6
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TOTAL -- DEPARTMENT OF STATE

14,677.3	14,300.5
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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
		16.0				1,238.8
						16.9
						184.0
						16.7
						1.5
					2,595.0	
		16.0			2,595.0	1,457.9
		16.0				
		16.0				
		40.0				2,439.2
						26.6
						376.6
						54.7
						87.1
						30.0
		40.0				3,014.2
		40.0				
		40.0				
		211.0				9,710.0
						57.4
						1,665.9
						2.7
						139.9
						80.5
					195.0	
					945.5	
		211.0			1,140.5	11,656.4
		211.0				
		211.0				
		11.0			1,140.5	11,656.4
		11.0			1,140.5	11,656.4

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NSF	ASF	GF		ASF	GF	ASF	GF
	30.0		(25-07-00) State Lottery Office			1,579.4	
			Personnel Costs			50.0	
			Travel			41,454.7	
			Contractual Services			47.9	
			Supplies and Materials			217.0	
	30.0		Capital Outlay			43,349.0	
			TOTAL -- State Lottery Office				
	30.0		(-01) State Lottery Office	43,349.0			
	30.0		TOTAL -- Internal Program Unit	43,349.0			
	30.0	267.0	TOTAL -- DEPARTMENT OF FINANCE			47,084.5	16,128.5

(30-00-00) DEPARTMENT OF ADMINISTRATIVE SERVICES

Personnel		
NSF	ASF	GF

3.0	2.0	30.0
3.0	2.0	30.0

(30-01-00) Administration

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Other Items:
Payment in Lieu of Taxes
Debt Service

TOTAL -- Administration

\$ Program	
ASF	GF

153.9	1,285.1
153.9	1,285.1

\$ Line Item	
ASF	GF

111.6	1,673.0
2.6	21.4
12.5	199.0
6.0	25.7
21.2	3.8
	65.0
	1.5
153.9	1,989.4

3.0	2.0	22.0
3.0	2.0	1.0
3.0	2.0	2.0
3.0	2.0	4.0
3.0	2.0	1.0
3.0	2.0	30.0

(-10) Administration
(-20) Office of Disability Affairs
(-30) Public Integrity Commission
(-40) Public Employment Relations Board
(-50) Merit Employee Relations Board

TOTAL -- Internal Program Units

153.9	1,285.1
153.9	1,285.1

(30-03-00) Regulation and Licensing

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

TOTAL -- Regulation and Licensing

58.0		
58.0		

3,280.5	
110.9	
2,488.7	
71.3	
189.4	
10.0	
75.0	
15.0	
6,240.8	

23.0		
31.0		
4.0		
58.0		

(-20) Professional Regulation
(-30) Public Service Commission
(-50) Public Advocate

TOTAL -- Internal Program Units

2,185.7	
3,512.3	
542.8	
6,240.8	

(30-04-00) Support Operations

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay

TOTAL -- Support Operations

50.0	17.5	
50.0	17.5	

2,060.8	704.2
27.4	
12,732.5	296.1
1,716.8	16.5
4,521.8	
21,059.3	1,016.8

9.0		
3.0		
18.0		
32.0		
5.5		
50.0	17.5	

(-10) Mail/Courier Services
(-20) Telephone Services
(-30) Printing and Publishing
(-40) Fleet Management
(-50) Service and Information Guide

TOTAL -- Internal Program Units

1,649.3	395.3
9,308.0	160.6
2,231.5	
7,797.8	
72.7	460.9
21,059.3	1,016.8

(30-00-00) DEPARTMENT OF ADMINISTRATIVE SERVICES

Personnel		
NSF	ASF	GF

2.6	4.0	91.4
2.6	4.0	91.4

(30-05-00) Facilities Management

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Tobacco:
 Minor Capital Improvements (MCI)
Other Items:
 Minor Capital Improvements (MCI)
 UST State Agency Tanks
Debt Service

TOTAL -- Facilities Management

2.6	4.0	91.4
2.6	4.0	91.4

(-10) Facilities Management

TOTAL -- Internal Program Unit

\$ Program

ASF	GF
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4,767.6	34,835.8
4,767.6	34,835.8

\$ Line Item

ASF	GF
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215.4	3,867.3
24.9	
184.8	5,649.1
	2,425.9
221.1	889.1
121.4	
4,000.0	
	8,071.2
	800.0
	13,133.2
4,767.6	34,835.8

(30-06-00) Purchasing

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

TOTAL -- Purchasing

2.0	9.0	21.0
2.0	9.0	21.0

312.4	973.8
10.1	11.0
75.3	61.2
15.7	29.0
124.7	15.0
34.1	10.6
613.8	
1,186.1	1,100.6

		17.0
	5.0	
2.0	4.0	4.0
2.0	9.0	21.0

(-10) Contracting

(-20) Delaware Surplus Services

(-30) Food Distribution

TOTAL -- Internal Program Units

100.0	900.4
285.7	
800.4	200.2
1,186.1	1,100.6

TOTAL -- DEPARTMENT OF**ADMINISTRATIVE SERVICES**

7.6	123.0	159.9
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33,407.7	38,942.6
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NSF	ASF	GF
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(35-01-00) Administration

54.7	37.1	153.7
54.7	37.1	153.7

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

TOTAL -- Administration

	1.0	8.0
54.7	36.1	145.7
54.7	37.1	153.7

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

(35-04-00) Medical Examiner

	1.0	37.0
	1.0	37.0

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

TOTAL -- Medical Examiner

	1.0	37.0
	1.0	37.0

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

ASF	GF
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ASF	GF
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1,094.9	7,938.9
12.7	11.0
278.9	1,026.5
	128.4
98.5	44.3
215.0	24.4
255.0	
200.0	
232.8	
	20.0
300.0	308.4
	2,872.9
2,687.8	12,374.8

130.8	621.5
2,557.0	11,753.3
2,687.8	12,374.8

	2,302.8
	12.1
	261.8
	84.6
	497.1
	38.6
46.4	95.5
46.4	3,292.5

46.4	3,292.5
46.4	3,292.5

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
(35-05-00) Public Health						
215.5	44.3	1,376.5			41.8	55,411.5
						36.2
						8,499.5
						1,237.9
						4,101.9
						138.3
					55.0	
					2,410.4	
					0.5	
					249.6	
					114.0	
						50.0
					65.0	
					105.0	
					550.0	
					100.0	98.0
					150.0	
						256.5
						4,651.8
						70.0
						158.2
						80.6
						40.0
					800.0	
					14.7	
					60.0	
					205.0	
					150.0	
					1,100.0	
					50.0	
					325.0	
					725.0	
					206.4	
					21.0	
					400.0	
					100.0	
					8.0	
					559.0	
						200.8
215.5	44.3	1,376.5	TOTAL -- Public Health		8,565.4	75,031.2
2.0	4.0	44.0	(-10) Director's Office/Support Services		149.7	2,782.8
212.5	40.3	324.3	(-20) Community Health		7,367.7	26,362.9
1.0		9.0	(-30) Emergency Medical Services		375.0	1,326.2
		649.2	(-40) Delaware Hospital for the Chronically Ill		528.6	28,891.2
		197.5	(-50) Emily Bissell		144.4	9,097.4
		152.5	(-60) Governor Bacon			6,570.7
215.5	44.3	1,376.5	TOTAL -- Internal Program Units		8,565.4	75,031.2

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
(35-06-00) Alcoholism, Drug Abuse and Mental Health						
18.8	4.0	906.9			183.8	38,345.8
						20.8
					1,619.4	23,883.3
						812.6
					100.6	5,126.6
					9.0	184.0
					200.0	
					500.0	
						1,564.6
						9.9
						28.2
						990.2
18.8	4.0	906.9			2,612.8	70,966.0
12.0		22.0				
4.0		130.5				
0.8	1.0	718.4				
2.0	3.0	36.0				
18.8	4.0	906.9				
(35-07-00) Social Services						
316.0	2.0	284.0				12,492.0
						14.1
						5,620.2
						58.0
						103.9
						82.9
					5,150.4	
					2,970.0	
					408.7	
					150.2	
					231.1	1,939.9
						2,581.1
					500.0	2,282.4
						1,041.3
						21,359.5
						798.9
						3,735.9
						27,550.0
					16,000.0	258,847.9
						2,253.1
					500.0	
					585.2	
						320.0
						1,450.0
316.0	2.0	284.0			26,495.6	342,531.1
316.0	2.0	284.0				
316.0	2.0	284.0				
NSF						
TOTAL -- Temporary Assistance to Needy Families and Their Children (TANF) NSF appropriation						32,291.0

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	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
(35-08-00) Visually Impaired								
Personnel Costs	31.6	3.0	35.4				104.0	1,933.2
Travel								3.1
Contractual Services							1.5	513.0
Energy								63.7
Supplies and Materials								78.2
Capital Outlay							4.0	39.1
Other Items:								
BEP Unassigned Vending							175.0	
BEP Independence							450.0	
BEP Cafe							50.0	
BEP Vending							425.0	
TOTAL -- Visually Impaired	31.6	3.0	35.4				1,209.5	2,630.3
(-01) Visually Impaired Services	31.6	3.0	35.4		1,209.5	2,630.3		
TOTAL -- Internal Program Unit	31.6	3.0	35.4		1,209.5	2,630.3		
(35-09-00) Long Term Care Residents Protection								
Personnel Costs	22.4		48.6					2,173.8
Travel								12.3
Contractual Services								694.1
Energy								22.8
Supplies and Materials								13.8
Capital Outlay								20.3
Other Items:								
TOTAL -- Long Term Care Residents Protection	22.4		48.6					2,937.1
(-01) Long Term Care Residents Protection	22.4		48.6			2,937.1		
TOTAL -- Internal Program Unit	22.4		48.6			2,937.1		
(35-10-00) Child Support Enforcement								
Personnel Costs	144.1	27.2	47.7				1,094.9	1,913.9
Travel							5.7	4.9
Contractual Services							295.9	732.9
Energy								7.3
Supplies and Materials							23.0	12.8
Capital Outlay							47.9	2.1
Other Items:								
Recoupment							25.0	
TOTAL -- Child Support Enforcement	144.1	27.2	47.7				1,492.4	2,673.9
(-01) Child Support Enforcement	144.1	27.2	47.7		1,492.4	2,673.9		
TOTAL -- Internal Program Unit	144.1	27.2	47.7		1,492.4	2,673.9		

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NSF	ASF	GF
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3.0	1.0	810.8
3.0	1.0	810.8

(35-11-00) Mental Retardation

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

TOTAL -- Mental Retardation

3.0	1.0	32.0
		625.0
		153.8
3.0	1.0	810.8

- (-10) Administration - Mental Retardation
- (-20) Institutional Services
- (-30) Community Services
- AL -- Internal Program Units

(35-12-00) State Service Centers

39.5	1.0	101.1
39.5	1.0	101.1

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

TOTAL -- State Service Centers

22.8	1.0	60.4
		21.5
11.0		2.0
5.7		17.2
39.5	1.0	101.1

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

ASF	GF
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ASF	GF
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24.8	32,025.0
1,060.0	7.6
	5,002.4
	566.1
	1,419.4
	136.6
	30.0
	9.6
	18,722.1
	5,919.7
	526.2
	29.5
1,084.8	64,394.2

24.8	1,795.3
	28,713.0
1,060.0	33,885.9
1,084.8	64,394.2

41.2	4,496.6
7.8	9.2
1,293.7	2,542.8
54.2	558.3
70.1	92.3
39.8	17.3
	301.0
	29.4
	85.5
	1,583.1
	50.0
	326.1
1,506.8	10,091.6

1,506.6	3,195.2
	3,023.6
	2,088.2
0.2	1,784.6
1,506.8	10,091.6

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(35-14-00) Services for Aging and Adults with Physical Disabilities			
49.4		55.8	Personnel Costs			2,713.0
			Travel			8.2
			Contractual Services			5,110.4
			Energy			12.4
			Supplies and Materials			50.0
			Capital Outlay			0.6
			Other Items:			
			Community Services		261.0	
			Nutrition Program			589.9
			Long Term Care			249.1
			Assisted Living			579.6
49.4		55.8	TOTAL -- Services for Aging and Adults with Physical Disabilities		261.0	9,313.2
49.4		55.8	(-01) Services for Aging and Adults with Physical Disabilities		261.0	9,313.2
49.4		55.8	TOTAL -- Internal Program Unit		261.0	9,313.2
			TOTAL -- DEPARTMENT OF HEALTH AND SOCIAL SERVICES			
895.0	120.6	3,857.5			45,962.5	596,235.9

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
(37-01-00) Management Support Services						
29.1	32.5	111.7			1,771.5	6,665.9
					19.7	14.1
					838.8	976.7
					64.9	92.5
					27.0	39.6
						362.3
						150.0
					187.0	
					102.1	
					100.0	70.6
						374.7
29.1	32.5	111.7			3,111.0	8,746.4
TOTAL -- Management Support Services						
4.0	5.0	16.0	352.8	1,439.9		
	5.0	6.0	882.3	979.6		
9.8	7.5	16.2	386.1	865.7		
2.0	4.0	10.0	405.0	549.0		
		13.0	60.0	838.7		
	6.0	42.5	432.3	3,037.9		
13.3	5.0	8.0	592.5	1,035.6		
29.1	32.5	111.7	3,111.0	8,746.4		
TOTAL -- Internal Program Units						
(37-04-00) Child Mental Health Services						
8.0	19.0	187.6			1,025.8	10,147.1
					6.9	21.9
					8,955.2	10,757.6
						209.2
					73.8	287.4
					28.0	25.4
						300.0
					31.0	
8.0	19.0	187.6			10,120.7	21,748.6
TOTAL -- Child Mental Health Services						
8.0	19.0	78.1	1,285.8	5,256.6		
		39.5	2,722.1	6,887.1		
		70.0	6,112.8	9,604.9		
8.0	19.0	187.6	10,120.7	21,748.6		
TOTAL -- Internal Program Units						

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Personnel						\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF		
			(37-05-00) Youth Rehabilitative Services						
7.0	15.0	310.1	Personnel Costs			730.6	15,692.7		
			Travel			9.8	35.6		
			Contractual Services			1,824.5	16,153.0		
			Energy				505.0		
			Supplies and Materials			81.1	777.0		
			Capital Outlay				24.4		
			Debt Service				1,091.0		
7.0	15.0	310.1	TOTAL -- Youth Rehabilitative Services			2,646.0	34,278.7		
1.0		10.1	(-10) Office of the Director	1.1	635.5				
6.0		74.5	(-30) Community Services	1,344.2	18,394.0				
	15.0	225.5	(-50) Secure Care	1,300.7	15,249.2				
7.0	15.0	310.1	TOTAL -- Internal Program Units	2,646.0	34,278.7				
			(37-06-00) Family Services						
108.9	29.5	307.0	Personnel Costs			1,477.7	14,821.3		
			Travel			26.1	18.2		
			Contractual Services			2,353.8	2,082.7		
			Energy				9.7		
			Supplies and Materials			26.5	83.4		
			Capital Outlay			16.0	29.3		
			Child Welfare/Contractual Services				9,046.5		
			Pass Throughs				423.6		
			Other Items:						
			Emergency Material Assistance				31.0		
			DFS Decentralization			313.3			
108.9	29.5	307.0	TOTAL -- Family Services			4,213.4	26,545.7		
23.9	0.5	62.6	(-10) Office of the Director	797.8	4,245.3				
75.0	5.0	18.0	(-20) Prevention/Early Intervention	392.1	1,890.3				
1.0	12.0	97.4	(-30) Intake/Investigation	747.7	4,984.6				
9.0	12.0	129.0	(-40) Intervention/Treatment	2,275.8	15,425.5				
108.9	29.5	307.0	TOTAL -- Internal Program Units	4,213.4	26,545.7				
			TOTAL -- DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES						
153.0	96.0	916.4				20,091.1	91,319.4		

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NSF	ASF	GF		ASF	GF	ASF	GF
			(38-01-00) Administration				
		274.0	Personnel Costs				12,410.7
			Travel				30.8
			Contractual Services			25.0	1,840.6
			Energy				69.9
			Supplies and Materials				7,115.4
			Capital Outlay				117.7
			Other Items:				
			Medical Services				16,680.4
			AIDS Education and Counseling				80.0
			Drug & Alcohol Treatment Services				4,535.9
			Contingency - Shakedowns				15.4
			Maintenance/Restoration				2,338.2
			MIS				1,428.9
			Warehouse				96.0
			Education Enhancement				75.0
			Debt Service				207.7
		274.0	TOTAL -- Administration			25.0	47,042.6
		16.0	(-01) Office of the Commissioner	25.0	1,077.9		
		49.0	(-02) Human Resources/Employee Development Center		2,550.0		
		49.0	(-10) Management Services		4,612.4		
		81.0	(-20) Food Services		10,246.7		
			(-30) Medical/Treatment Services		16,760.4		
			(-31) Drug & Alcohol Treatment Services		4,535.9		
		79.0	(-40) Facilities Maintenance		7,259.3		
		274.0	TOTAL -- Internal Program Units	25.0	47,042.6		
			(38-04-00) Prisons				
	19.0	1,759.6	Personnel Costs			1,023.0	78,856.6
			Travel			9.0	27.3
			Contractual Services			949.4	3,245.3
			Energy			10.2	3,895.9
			Supplies and Materials			1,422.2	4,149.9
			Capital Outlay			177.0	96.7
			Other Items:				
			Gate Money				19.0
			Drug Testing				100.0
			Prison Arts				133.7
			DCC Fence				23.0
			Debt Service				15,225.7
	19.0	1,759.6	TOTAL -- Prisons			3,590.8	105,773.1
		11.0	(-01) Bureau Chief - Prisons		1,048.4		
		26.0	(-02) John L. Webb Correctional Facility	1.0	1,420.5		
		751.0	(-03) Delaware Correctional Center	1.0	47,135.0		
		406.0	(-04) Sussex Correctional Institution		21,535.8		
	1.0	98.0	(-05) Delores J. Baylor Correctional Institution	40.2	6,307.5		
	6.0	372.0	(-06) Multi-Purpose Criminal Justice Facility	244.5	21,459.9		
		53.0	(-08) Transportation		3,942.2		
	7.0	16.0	(-09) Prison Industries	1,644.7	956.4		
	5.0	6.0	(-10) Inmate Construction	1,658.4	278.6		
		20.6	(-11) Education	1.0	1,688.8		
	19.0	1,759.6	TOTAL -- Internal Program Units	3,590.8	105,773.1		

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\$ Line Item	
ASF	GF
	26,893.6
	62.3
30.0	3,563.2
	352.2
25.0	715.6
	54.4
	1,217.7
55.0	32,859.0

	1,490.7
	18,251.9
1.0	2,241.9
	2,626.0
50.0	1,766.8
4.0	2,151.9
	2,190.4
	2,139.4
55.0	32,859.0

3,670.8	185,674.7
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**(40-00-00) DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL**

Personnel		
NSF	ASF	GF

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

(40-01-00) Office of the Secretary

1.0	20.3	31.7	Personnel Costs	1,007.1	2,110.7
			Travel	15.9	21.2
			Contractual Services	141.8	222.0
			Energy	35.0	278.4
			Supplies and Materials	67.8	36.5
			Capital Outlay	7.2	7.0
			Other Items:		
			MCI/Equipment		300.0
			Non-Game Habitat	20.0	
			Coastal Zone Management	15.0	100.0
			Special Projects/Other Items	55.0	
			Outdoor Delaware	25.0	80.0
			Wholebasin Management-TMDL		1,372.3
			Wholebasin Management-Admin.		11.5
			Debt Service		625.5
1.0	20.3	31.7	TOTAL -- Office of the Secretary	1,389.8	5,165.1

1.0	18.3	29.7
	2.0	2.0
1.0	20.3	31.7

(-01) Office of the Secretary
 (-02) Business and Permitting Services
TOTAL -- Internal Program Units

1,296.1	4,992.8
93.7	172.3
1,389.8	5,165.1

(40-05-00) Fish and Wildlife

28.2	32.8	65.0	Personnel Costs	1,213.2	3,672.5
			Travel	17.0	12.3
			Contractual Services	705.7	1,115.5
			Energy	1.5	88.3
			Supplies and Materials	383.3	202.0
			Capital Outlay	1,974.0	
			Other Items:		
			Spraying and Insecticides		389.9
			Wildlife Damage Control	65.0	
			Non-Game Habitat	50.0	
			Natural Heritage Program	219.0	255.0
			Clean Vessel Program	32.4	
			Duck Stamp	180.0	
			Trout Stamp	50.0	
			Finfish Development	130.0	
			Fisheries Restoration	310.0	
			Northern Delaware Wetlands	277.5	
			Revenue Refund	15.0	
			Debt Service		104.3
28.2	32.8	65.0	TOTAL -- Fish and Wildlife	5,623.6	5,839.8

	1.0	2.5
24.6	29.4	17.5
		18.0
3.6	2.4	27.0
28.2	32.8	65.0

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

125.2	261.7
4,291.0	1,573.1
329.6	1,567.5
169.5	716.9
708.3	1,720.6
5,623.6	5,839.8

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(40-06-00) Parks and Recreation			
1.0	62.5	105.5	Personnel Costs		4,276.2	5,142.7
			Travel		30.8	5.2
			Contractual Services		1,494.3	825.9
			Energy		20.9	388.4
			Supplies and Materials		808.1	368.4
			Capital Outlay		246.1	
			Other Items:			
			State Park Partnership			92.3
			Killens Pond Water Park		440.0	
			Marina Fuel Sales		540.0	
			Other Items		706.5	
			Debt Service			2,196.0
1.0	62.5	105.5	TOTAL -- Parks and Recreation		8,562.9	9,018.9
	1.0	11.0	(-01) Management and Support -		136.0	519.4
			Parks and Recreation			
	44.5	46.5	(-02) Operations and Maintenance		6,460.2	4,287.2
	9.0	9.0	(-03) Cultural and Recreational Services		1,121.0	514.7
1.0	6.0	16.0	(-04) Planning, Preservation and		715.4	1,632.8
			Development			
	2.0	23.0	(-05) Wilmington State Parks		130.3	2,064.8
1.0	62.5	105.5	TOTAL -- Internal Program Units		8,562.9	9,018.9
			(40-07-00) Soil and Water Conservation			
15.3	2.0	47.7	Personnel Costs		89.8	2,658.0
			Travel		5.0	5.9
			Contractual Services		1,119.0	839.9
			Energy			12.2
			Supplies and Materials		44.0	201.6
			Capital Outlay		39.0	
			Other Items:			
			New Castle County Dredge			225.0
			Beach Erosion Control Program		3,400.0	
			Sand Bypass System			95.0
			Tax Ditches*			225.0
			Debt Service			772.4
15.3	2.0	47.7	TOTAL -- Soil and Water Conservation		4,696.8	5,035.0
1.5		4.5	(-01) Management and Support -		95.1	349.4
			Soil and Water			
		9.0	(-02) Drainage		10.0	1,646.2
1.8		26.2	(-03) Shoreline and Waterway		4,469.5	1,956.5
			Management			
2.0	2.0	7.0	(-04) District Operations		112.2	1,021.8
10.0		1.0	(-05) Delaware Coastal Management		10.0	61.1
15.3	2.0	47.7	TOTAL -- Internal Program Units		4,696.8	5,035.0

*Pursuant to Section 3921, Title 7, Delaware Code

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

Personnel		
NSF	ASF	GF

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

(40-08-00) Water Resources

31.3	63.4	74.3	Personnel Costs		2,201.4	4,286.5
			Travel		38.0	40.2
			Contractual Services		716.0	1,358.0
			Energy		219.0	8.0
			Supplies and Materials		241.0	106.9
			Capital Outlay			45.0
			Other Items:			
			Inland Bays Research			115.8
			Delaware Estuary			50.0
			Other Items		15.0	
			Water Resources Agency			310.0
			SRF Future Administration		300.0	
			Vehicles		50.1	
			Board of Certification		14.0	
			Debt Service			2,842.5
31.3	63.4	74.3	TOTAL -- Water Resources		3,794.5	9,162.9

14.5	7.0	12.5	(-01) Management and Support -	766.1	4,259.2
			Water Resources		
1.5	26.5	18.0	(-02) Environmental Services	1,517.5	1,159.9
2.0	9.0	6.0	(-04) Surface Water Discharges	465.6	502.6
2.8	13.2	8.0	(-05) Ground Water Discharges	609.1	456.9
6.3	4.7	8.0	(-06) Water Supply	152.4	444.2
4.2		16.8	(-07) Watershed Assessment		2,001.6
	3.0	5.0	(-08) Wetlands and Subaqueous	283.8	338.5
			Lands		
31.3	63.4	74.3	TOTAL -- Internal Program Units	3,794.5	9,162.9

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NSF	ASF	GF		ASF	GF
(40-09-00) Air and Waste Management					
58.7	95.8	55.5	Personnel Costs	2,862.6	3,441.0
			Travel	78.0	20.3
			Contractual Services	1,120.0	290.4
			Energy	10.0	92.7
			Supplies and Materials	185.9	101.3
			Capital Outlay	242.0	4.9
			Other Items:		
			Local Emergency Planning Committees	300.0	
			HSCA - Administration	900.0	
			HSCA - Clean-up	3,960.5	
			SARA	30.0	14.4
			Cost Recovery	525.8	
			UST Administration	350.0	
			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		105.0
			Other Items	824.8	
			Debt Service		4.5
58.7	95.8	55.5	TOTAL - Air and Waste Management	11,981.3	4,074.5
3.5	16.0	16.5	(-01) Management and Support -	2,123.2	1,216.1
			Air and Waste		
17.0	51.0	19.0	(-02) Air Quality Management	3,643.4	1,363.5
38.2	28.8	20.0	(-03) Waste Management	6,214.7	1,494.9
58.7	95.8	55.5	TOTAL -- Internal Program Units	11,981.3	4,074.5
TOTAL --DEPARTMENT OF					
NATURAL RESOURCES AND					
ENVIRONMENTAL CONTROL					
135.5	276.8	379.7		36,048.9	38,296.2

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(45-00-00) DEPARTMENT OF PUBLIC SAFETY

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
(45-04-00) Division of Alcoholic Beverage Control and Tobacco Enforcement						
	2.0	14.0			50.2	669.6
					2.8	3.4
					43.3	94.6
					2.3	12.1
					2.0	3.0
	4.0				158.4	
					10.0	
					79.5	
					17.1	
					51.5	
						40.0
					10.0	
	6.0	14.0			427.1	822.7
TOTAL -- Division of Alcoholic Beverage Control and Tobacco Enforcement						
	6.0	14.0	427.1	822.7		
	6.0	14.0	427.1	822.7		
(45-06-00) State Police						
31.2	23.5	768.3			3,299.9	50,009.9
					146.7	63.3
					651.2	2,692.5
						386.0
					472.6	1,946.4
					76.0	1,457.7
					87.5	
						18,374.0
						75.0
						35.0
						90.0
						1,187.1
31.2	23.5	768.3			4,733.9	76,316.9
TOTAL -- State Police						
1.0		62.0	2,416.7	22,846.7		
		8.0		1,076.7		
	6.0	318.0	698.8	23,481.7		
22.0		147.0		10,788.6		
2.0	7.0	38.0	673.0	2,928.8		
		20.0		2,244.6		
4.2		13.8		774.8		
	7.0	35.0	780.3	1,745.2		
		12.0		1,398.3		
	3.5	88.5	129.1	5,051.9		
		15.0	36.0	3,312.9		
2.0		11.0		666.7		
31.2	23.5	768.3	4,733.9	76,316.9		
TOTAL - Internal Program Units						

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**TOTAL -- DEPARTMENT OF
PUBLIC SAFETY**

(55-00-00) DEPARTMENT OF TRANSPORTATION

Personnel		
NSF	TFO	TFC

\$ Line Item	
TFO	GF

(55-01-00) Office of the Secretary
(55-01-01) Office of the Secretary
 Personnel Costs
 Operations/Capital
 Salary Contingency
TOTAL -- Office of the Secretary

3,800.1	
5,034.9	
161.0	
8,996.0	

(55-01-02) Division of Financial Management and Budget
 Personnel Costs
 Operations/Capital
TOTAL -- Division of Financial Management and Budget

1,784.6	
828.5	
2,613.1	

(55-01-03) Division of External Affairs
 Personnel Costs
 Operations/Capital
TOTAL -- Division of External Affairs

665.0	
113.3	
778.3	

TOTAL-- Office of the Secretary

12,387.4	
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(55-02-01) Division of Administration
 Personnel Costs
 Travel
 Contractual/Supplies
 Energy
 Capital Outlay
TOTAL-- Division of Administration

3,723.1	
28.0	
1,810.8	
234.0	
19.0	
5,814.9	

(55-03-01) Division of Planning
 Personnel Costs
 Operations/Capital
TOTAL -- Division of Planning

3,642.5	
563.9	
4,206.4	

(55-00-00) DEPARTMENT OF TRANSPORTATION

Personnel		
NSF	TFO	TFC

\$ Line Item	
TFO	GF

(55-04-00) Division of Highway Operations

(55-04-01) Office of the Director

	25.0	
	25.0	

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

1,187.3	
102.7	
1,290.0	

(55-04-40) Construction

	63.0	80.0
	63.0	80.0

Personnel Costs
Operations/Capital
TOTAL -- Construction

3,977.3	
9.6	
3,986.9	

(55-04-50) Traffic Engineering and Management

	118.0	1.0
	118.0	1.0

Personnel Costs
Energy
Capital Outlay
Contractual/Supplies
TOTAL -- Bureau of Traffic

5,177.3	
1,054.3	
33.7	
2,775.2	
9,040.5	

(55-04-60) Field Services

	33.0	64.0
	33.0	64.0

Personnel Costs
Operations/Capital
TOTAL -- Field Services

1,965.0	
2,570.2	
4,535.2	

(55-04-70) Maintenance Districts

	640.0	1.0
	640.0	1.0

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

25,449.0	
907.6	
223.5	
10,910.7	
2,541.0	
40,031.8	

(55-04-90) Toll Administration

	131.0	
	131.0	

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

4,721.8	
26.0	
429.8	
91.0	
1,904.7	
7,173.3	

	1,010.0	146.0
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TOTAL -- Division of Highway Operations

66,057.7	
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* The Cumulative Turnpike Operating Reserve Fund is established at \$877.7

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NSF	TFO	TFC
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(55-06-01) Delaware Transportation Authority

	3.0	
	3.0	

Delaware Transit Corporation
Transit Administration
Transit Operations Planning and Customer
Transit Operations
Taxi Services Support "E & H"
Newark Transportation
Kent and Sussex Transportation "E & H"

Total -- Delaware Transit Corporation

DTA Indebtedness
Debt Service
General Obligations
Transportation Trust Fund

Total -- DTA Indebtedness

TOTAL -- Delaware Transportation Authority*

TFO	GF
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8,084.6	
2,028.5	
34,209.5	
148.5	
101.8	
976.7	
45,549.6	
1,674.0	
80,809.0	
82,483.0	
128,032.6	

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

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

(55-07-10) Division of Pre-Construction

	88.0	86.0
	88.0	86.0

Personnel Costs
Operations/Capital

TOTAL -- Division of Pre-Construction

4,964.5	
472.4	
5,436.9	

**TOTAL -- DEPARTMENT OF
TRANSPORTATION**

5.0	1,352.0	239.0
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221,935.9	
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(60-00-00) DEPARTMENT OF LABOR

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

(60-01-00) Administration

12.5	29.6	7.9
12.5	29.6	7.9

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay

1,495.2	484.5
18.3	10.2
715.0	231.0
116.4	11.8
73.5	4.0
2,418.4	741.5

TOTAL -- Administration

12.5	10.6	1.4
12.5		2.5
		3.0
	19.0	1.0
12.5	29.6	7.9

(-10) Office of the Secretary
(-20) Office of Occupational and
and Labor Market Information
(-30) Commission for Women
(-40) Administrative Support

911.8	269.5
	146.0
	238.7
1,506.6	87.3
2,418.4	741.5

TOTAL -- Internal Program Units**(60-06-00) Unemployment Insurance**

134.0	4.0	
134.0	4.0	

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

145.7	
0.1	
173.3	
1.0	
2.0	
3.0	
108.9	
434.0	

TOTAL -- Unemployment Insurance

134.0	4.0	
134.0	4.0	

(-01) Unemployment Insurance

434.0	
434.0	

TOTAL -- Internal Program Unit**(60-07-00) Division of Industrial Affairs**

8.0	55.0	
8.0	55.0	

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Other Items:
Second Injury

2,714.9	
30.8	
640.0	
41.0	
16.1	
5,000.0	
8,442.8	

TOTAL -- Division of Industrial Affairs

6.0	35.0	
2.0	20.0	
8.0	55.0	

(-01) Office of Workers Compensation,
Safety and Health

7,478.4	
964.4	
8,442.8	

(-02) Office of Labor Law Enforcement

TOTAL -- Internal Program Units

(60-00-00) DEPARTMENT OF LABOR

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

(60-08-00) Vocational Rehabilitation

114.9	6.1	2.0
114.9	6.1	2.0

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

361.9	80.7
	0.5
254.1	1,931.0
	76.9
	310.4
15.0	13.0
631.0	2,412.5

TOTAL -- Vocational Rehabilitation

82.9	6.1	2.0
32.0		
114.9	6.1	2.0

(-10) Vocational Rehabilitation Services
(-20) Disability Determination Services

631.0	2,412.5
631.0	2,412.5

TOTAL -- Internal Program Units**(60-09-00) Employment and Training**

89.9	4.0	24.1
89.9	4.0	24.1

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

184.9	955.5
4.2	7.1
88.1	407.8
	1.6
6.2	17.6
13.4	6.0
	235.2
	281.6
	959.0
100.0	
1,786.3	
2,183.1	2,871.4

TOTAL -- Employment and Training

89.9	4.0	24.1
89.9	4.0	24.1

(-20) Employment and Training Services
TOTAL -- Internal Program Unit

2,183.1	2,871.4
2,183.1	2,871.4

TOTAL -- DEPARTMENT OF LABOR

359.3	98.7	34.0
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14,109.3	6,025.4
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(65-00-00) DEPARTMENT OF AGRICULTURE

Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
15.2	31.5	86.8	(65-01-00) Agriculture				
			Personnel Costs			2,202.1	4,434.8
			Travel			56.7	62.4
			Contractual Services			304.8	460.5
			Energy			6.3	102.5
			Supplies and Materials			152.9	166.3
			Capital Outlay			132.5	46.0
			Other Items:				
			Information, Education & Certification				225.0
			Nutrient Management Contingency				179.9
			Poultry Litter Transport				250.0
			Agriculture Development Program				23.0
			Laurel Auction				9.5
			Alternative Agriculture Projects				15.0
			Agriculture Advertising				35.0
			Cooperative Advertising				40.0
			Plant Pest Survey & Control				132.2
			Educational Assistance			15.0	
			Revenue Refund			4.0	
			Fingerprinting			79.0	
			Equine Drug Testing			444.0	
			Debt Service				97.9
15.2	31.5	86.8	TOTAL -- Agriculture			3,397.3	6,280.0
	1.0	19.0	(-01) Administration	213.1	1,608.0		
		7.0	(-02) Agriculture Compliance	12.2	346.8		
6.7	12.5	7.3	(-03) Food Products Inspection	703.9	411.8		
4.5	2.5	17.0	(-04) Forest Service	274.0	906.1		
	4.5		(-05) Harness Racing Commission	920.1			
3.0	6.0		(-06) Pesticides	371.0			
1.0		4.0	(-07) Planning	41.8	348.5		
	0.5	14.5	(-08) Plant Industries	92.8	922.6		
		7.0	(-09) Poultry and Animal Health		428.2		
	4.5		(-10) Thoroughbred Racing	768.4			
			Commission				
		8.0	(-11) Weights and Measures		433.2		
		3.0	(-12) Nutrient Management		874.8		
15.2	31.5	86.8	TOTAL -- Internal Program Units	3,397.3	6,280.0		
TOTAL -- DEPARTMENT OF AGRICULTURE					3,397.3	6,280.0	

(70-00-00) DEPARTMENT OF ELECTIONS

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(70-01-01) Commissioner of Elections			
		11.0				481.5
						1.3
						264.0
						22.6
						0.8
						20.0
						442.2
		11.0	TOTAL -- Commissioner of Elections			1,232.4
			(70-02-01) New Castle County Department of Elections			
		17.0				791.0
						13.1
						178.3
						16.1
						7.7
						15.2
						5.0
		17.0	TOTAL -- New Castle County Department of Elections			1,026.4
			(70-03-01) Kent County Department of Elections			
		8.0				400.5
						1.5
						159.3
						17.0
						5.1
						1.5
						3.0
		8.0	TOTAL -- Kent County Department of Elections			587.9
			(70-04-01) Sussex County Department of Elections			
		7.0				389.5
						1.4
						39.7
						13.2
						5.0
						5.3
		7.0	TOTAL -- Sussex County Department of Elections			454.1
			TOTAL -- DEPARTMENT OF ELECTIONS			
		43.0				3,300.8

(75-00-00) FIRE PREVENTION COMMISSION

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(75-01-01) Office of the State Fire Marshal			
	28.2	22.8			1,245.4	1,291.7
					34.0	
					395.3	154.1
						58.2
					71.0	37.5
					377.5	88.8
					1.5	
						2.0
						223.4
	28.2	22.8	TOTAL -- Office of the State Fire Marshal		2,124.7	1,855.7
			(75-02-01) State Fire School			
		18.0				923.7
						400.0
						125.8
						95.0
					50.0	
					50.0	
						5.0
						359.1
		18.0	TOTAL -- State Fire School		100.0	1,908.6
			(75-03-01) State Fire Prevention Commission			
		1.0				44.2
						25.5
					7.5	25.0
						2.6
						100.0
						20.0
					10.0	10.0
		1.0	TOTAL -- State Fire Prevention Commission		17.5	227.3
	28.2	41.8	TOTAL -- FIRE PREVENTION COMMISSION		2,242.2	3,991.6

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NSF	ASF	GF		ASF	GF	ASF	GF
			(76-01-01) Delaware National Guard				
75.3		31.0	Personnel Costs				1,733.1
			Travel				4.7
			Contractual Services				333.4
			Energy				457.0
			Supplies and Materials				94.5
			Other Items:				
			Educational Assistance				350.0
			Unit Fund Allowance				12.2
			Debt Service				309.6
75.3		31.0	TOTAL -- DELAWARE NATIONAL GUARD				3,294.5

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

Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
		2.0	(77-01-01) Advisory Council For				
			Exceptional Citizens				
			Personnel Costs				91.6
			Travel				6.0
			Contractual Services				12.1
			Supplies and Materials				1.1
			TOTAL --ADVISORY COUNCIL FOR				
			EXCEPTIONAL CITIZENS				110.8
		2.0					

(90-00-00) HIGHER EDUCATION

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
(90-01-00) University of Delaware						
(90-01-01) University of Delaware						
						78,939.1
						7,872.1
						3,393.7
						11,587.7
						79.9
						36.5
						7,308.0
						1,500.0
						110,717.0
(90-01-02) Delaware Geological Survey						
						1,196.6
						90.0
						1,286.6
TOTAL -- University of Delaware						112,003.6
(90-03-00) Delaware State University						
(90-03-01) Operations						
						24,125.0
						125.0
						211.7
						100.0
						50.0
						154.3
						238.6
						220.0
						50.0
						506.0
						133.1
						854.8
						1,479.7
						5,552.8
						1,000.0
						34,801.0
(90-03-05) Sponsored Programs and Research						
TOTAL -- Delaware State University						34,801.0

(90-00-00) HIGHER EDUCATION

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

(90-04-01) Office of the President

10.0		43.0
10.0		43.0

Personnel Costs	
Travel	
Contractual Services	
Energy	
Supplies and Materials	
Capital Outlay	
Occupational Teacher Program	
Academic Incentive	
Dental Program	
Day Care Training	
Salary Plan A & D	
Parallel Program - Operations	
Parallel Program - Academic	
Debt Service	
MCI/Equipment	
TOTAL -- Office of the President	

	3,139.4
	6.8
	155.2
	25.0
	29.7
	2.0
	36.8
	50.0
	78.8
	40.0
	641.7
	273.8
	1,502.5
	12.5
	50.0
	6,044.2

(90-04-02) Owens Campus

49.0		191.0
49.0		191.0

Personnel Costs	
Contractual Services	
Energy	
Supplies and Materials	
Capital Outlay	
Grants	
Aid to Needy Students	
Work Study	
Debt Service	
MCI/Equipment	
TOTAL -- Owens Campus	

	12,166.1
	142.8
	550.3
	4.0
	42.4
	48.2
	172.8
	31.2
	2,261.5
	375.0
	15,794.3

(90-04-04) Wilmington Campus

42.0		153.0
42.0		153.0

Personnel Costs	
Contractual Services	
Energy	
Capital Outlay	
Aid to Needy Students	
Grants	
Work Study	
Debt Service	
MCI/Equipment	
TOTAL -- Wilmington Campus	

	9,460.0
	333.7
	470.3
	76.1
	137.8
	27.5
	35.1
	2,070.7
	580.0
	13,191.2

(90-00-00) HIGHER EDUCATION

Personnel		
NSF	ASF	GF
30.0		186.0
30.0		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

ASF	GF
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\$ Line Item	
ASF	GF

ASF	GF
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	11,871.6
	113.2
	247.3
	9.0
	122.8
	22.5
	36.1
	700.8
	13,123.3

(90-04-06) Terry Campus

44.4		124.0
44.4		124.0

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

	7,387.3
	343.3
	358.8
	20.8
	55.0
	1.0
	145.3
	21.7
	21.0
	51.8
	990.2
	375.0
	9,771.2

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

175.4		697.0
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	57,924.2
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**(90-07-01) Delaware Institute of Veterinary
Medical Education**

Tuition Assistance

**TOTAL -- Delaware Institute of Veterinary
Medical Education**

	199.0
	199.0

175.4		697.0
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TOTAL -- HIGHER EDUCATION

	204,927.8
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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						
67.3		109.2				8,928.9
						35.8
						201.3
						36.6
						37.6
						244.5
	1.0				217.7	
		4.0				305.8
						35.0
						1,254.1
						112.3
						43.7
						2.0
						1.0
						54.9
						35.0
					65.1	580.7
						160.8
		1.0				162.1
						500.0
		0.5				258.6
						150.0
						3,976.9
						2,884.5
						1,888.7
					100.0	529.5
						7,149.1
						60.0
						100.0
					3.8	
					34.0	
					27.5	
					15.0	
	1.0				91.3	
					40.0	
TOTAL -- State Board of Education and State Board for Vocational Education and Department of Education						
67.3	2.0	114.7			594.4	29,729.4
67.3	2.0	114.7				
67.3	2.0	114.7				
			(-01) State Board of Education and Department of Education		594.4	29,729.4
			TOTAL -- Internal Program Unit		594.4	29,729.4

(95-00-00) DEPARTMENT OF EDUCATION

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(95-02-00) School District Operations			
		10,535.0				
						323,495.5
						5,568.0
						110,624.1
						26,427.5
						13,465.1
						57,398.0
						4,869.8
						1,000.0
						3,000.0
						8,659.5
						392.4
						368.7
						484.1
						1,244.3
						18,803.8
		10,535.0	TOTAL -- School District Operations			575,800.8
		10,535.0				
				536,978.2		
				18,774.5		
				20,048.1		
		10,535.0	TOTAL -- Internal Program Units			575,800.8

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NSF	ASF	GF		ASF	GF
(95-03-00) Block Grants and Pass Through Programs					
			Education Block Grants		
			Adult Education and Work Force Training Grant		6,531.8
			Professional Accountability and Instructional Advancement Fund		8,200.5
			Academic Excellence Block Grant		28,209.3
			K-12 Pass Throughs		
			Delaware Nature Society		9.9
			Beach House		73.0
			Read Aloud		230.0
			Strive		75.0
			Summer School - Gifted & Talented		179.2
			Center for Economic Education		201.2
			Educational Resources		229.8
			DE Institute for Arts in Education		136.5
			Advanced Studies		97.2
			Youth and Vocational Student Organization		148.2
			Parent Early Education Center		1,188.1
			Pregnant Students		270.0
			Delaware Teacher Center		464.6
			Reading Assist		176.0
		1.5	Smithsonian Project	400.0	1,103.4
			On-Line Periodicals		502.1
			Jobs for DE Graduates		589.0
			National Geographic		50.0
			Creative Mentoring		250.0
			Special Needs Programs		
			Family Services Cabinet Council Initiatives		145.0
			Early Childhood Assistance		4,280.7
		1.0	Program for Children with Disabilities		2,521.3
			Unique Alternatives	890.7	8,390.0
			Exceptional Student Unit - Vocational		656.8
			Related Services for the Handicapped		2,184.0
			Adolescent Day Program		36.0
		1.0	Children Services Cost Recovery Project	750.7	
			Sterck Summer Program		40.0
			Tech-Prep 2 + 2		419.0
			Student Discipline Program		14,727.8
			Extra Time for Students		10,428.0
			Limited English Proficient		1,000.0
		33.7	Prison Education		2,539.7
			Driver Training		
		13.0	Driver's Education		1,347.7
	2.0	49.2	TOTAL -- Block Grants and Pass Through Programs	2,041.4	97,630.8
			(-10) Education Block Grants		42,941.6
	2.0	1.5	(-15) K-12 Pass Throughs	400.0	5,973.2
		34.7	(-20) Special Needs Programs	1,641.4	47,368.3
		13.0	(-30) Driver Training		1,347.7
	2.0	49.2	TOTAL -- Internal Program Units	2,041.4	97,630.8

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1	Personnel				
2	TFO	TFC	NSF	ASF	GF
3					
4					
5					
6	1,352.0	239.0	1,812.4	1,410.2	11,660.4
7					
8			175.4		697.0
9					
10			67.3	4.0	10,717.4
11					
12	1,352.0	239.0	2,055.1	1,414.2	23,074.8

TOTALS

TOTAL - DEPARTMENTS

TOTAL - HIGHER EDUCATION

TOTAL - PUBLIC EDUCATION

GRAND TOTAL

\$		
TFO	ASF	GF
221,935.9	362,462.0	1,329,275.4
		204,927.8
	2,635.8	764,502.8
221,935.9	365,097.8	2,298,706.0

GENERAL

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

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

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

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

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

Section 7. The abbreviations set forth in this Act for special fund authorized positions or funding mean funding from the following:

ASF - Appropriated Special Funds

NSF - Non-appropriated Special Funds

TFO - Trust Fund Operations

TFC - Trust Fund Capital

Section 8. MERIT SYSTEM AND MERIT COMPARABLE SALARY SCHEDULES

(a) The General Assembly of the State of Delaware supports the statewide policy that the pay plan for Merit System employees be developed in accordance with the results of valid surveys of salaries provided by a defined labor market. The Director of State Personnel shall conduct such surveys on a yearly basis and report the findings of such surveys by December 15 to the Governor and members of the General Assembly who will be responsible for recommending and approving yearly adjustments as are necessary to maintain the competitive posture of the plan. As the Director of State Personnel has conducted the required surveys for the fiscal year ending June 30, 2002, and as the Governor and members of the General Assembly have reviewed the findings of such surveys, effective July 1, 2001, 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	15,450	18,245	21,894
2	15,618	19,523	23,428
3	16,714	20,893	25,072
4	17,880	22,350	26,820
5	19,135	23,919	28,703
6	20,474	25,592	30,710
7	21,903	27,379	32,855
8	23,438	29,298	35,158
9	25,081	31,351	37,621
10	26,837	33,546	40,255
11	28,713	35,891	43,069

1	12	30,724	38,405	46,086
2	13	32,875	41,094	49,313
3	14	35,173	43,966	52,759
4	15	37,638	47,047	56,456
5	16	40,274	50,343	60,412
6	17	43,093	53,866	64,639
7	18	46,106	57,633	69,160
8	19	49,335	61,669	74,003
9	20	52,792	65,990	79,188
10	21	56,486	70,607	84,728
11	22	60,439	75,549	90,659
12	23	64,671	80,839	97,007
13	24	69,201	86,501	103,801
14	25	74,042	92,553	111,064
15	26	79,225	99,031	118,837

16 * - Annual Salary in Whole Dollars.

17	STATE OF DELAWARE PAY PLAN*			
18	(Standard Work Schedule of 40 Hours Per Work Week)			
19	PAY	80% of	100% of	120% of
20	GRADE	Midpoint	Midpoint	Midpoint
<hr/>				
21	1	15,569	19,461	23,353
22	2	16,659	20,824	24,989
23	3	17,825	22,281	26,737
24	4	19,072	23,840	28,608
25	5	20,410	25,513	30,616
26	6	21,837	27,296	32,755
27	7	23,366	29,207	35,048

1	8	25,002	31,253	37,504
2	9	26,752	33,440	40,128
3	10	28,624	35,780	42,936
4	11	30,626	38,282	45,938
5	12	32,772	40,965	49,158
6	13	35,066	43,832	52,598
7	14	37,522	46,902	56,282
8	15	40,147	50,184	60,221
9	16	42,960	53,700	64,440
10	17	45,965	57,456	68,947
11	18	49,181	61,476	73,771
12	19	52,625	65,781	78,937
13	20	56,310	70,388	84,466
14	21	60,254	75,317	90,380
15	22	64,471	80,589	96,707
16	23	68,981	86,226	103,471
17	24	73,812	92,265	110,718
18	25	78,978	98,723	118,468
19	26	84,506	105,633	126,760

20 * - Annual Salary in Whole Dollars.

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

25	<u>DEPARTMENT</u>	<u>CLASS SERIES</u>
26	Department of Correction	Community Work Program Coordinator
27		Correctional Officer

1		Correctional Security Superintendent
2		Director of Community Services
3		Pre-Release Services Administrator
4		Pre-Trial Presentence Manager
5		Probation & Parole Officer I
6		Probation & Parole Officer II
7		Probation & Parole Regional Manager
8		Probation & Parole Supervisor
9		Senior Probation and Parole Officer
10		Support Services Manager – DCC
11		Special Services Manager
12		Training and Staff Development Officer
13		Treatment Administrator - DCC
14		Warden
15	Department of Public Safety	Telecommunication Specialist (ERC)
16		Telecommunication Central Control Specialist
17	Department of Transportation	Toll Collectors
18		Toll Supervisors
19		Toll Corporals
20		Toll Sergeants
21	Department of Agriculture	Meat Inspectors
22		Meat and Poultry Inspection Coordinators
23	State Fire School	Emergency Services Training Administrator
24	(ii) During the fiscal year ending June 30, 2002, the State Personnel Director may designate,	
25	with the concurrence of the Budget Director and the Controller General, other appropriate	
26	classes or groups of employees to work and be paid according to a standard work week of	
27	40 hours. Such designation shall be based upon the operational necessity of agencies to	

require employees to regularly and consistently work in excess of 37.5 hours per week and upon the availability of any required funding.

(b) LABOR MARKET SURVEY.

- (i) The defined labor market survey in Section 8(a) for Fiscal Year 2002 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 2002 shall be calculated in the same manner as Fiscal Year 2001, using a comparable weighting formula and other components.

(c) SELECTIVE MARKET VARIATIONS.

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

- (1) The appointing authority shall identify job classes or job families to be considered for selective market variations according to turnover rates, recruitment problems, vacancy rates, feasibility for the work to be performed on a contractual basis and other criteria established by the State Personnel Director.
- (2) Upon receipt of the identified classes, the State Personnel Director shall survey the appropriate labor market to determine the State's position in this labor market.

- (3) The Budget Director, the State Personnel Director and the Controller General shall review the information provided in Sections 8(c)(1) and (2) and shall recommend approval or disapproval for the classes for selective market compensation variations.
- (4) Any such selective market variations which the State Personnel Director, the Budget Director and the Controller General have determined to be warranted and have been approved by the Joint Finance Committee, shall be designated to become effective July 1, 2001, provided that such variations have been processed as part of the regular budgetary process and the funds for such changes shall be appropriated.
- (5) The State Personnel Director shall establish criteria with the State Budget Director and the Controller General to allow for selective market to be effective January 1, 2002. An appointing authority may apply for selective market variation for job classes or job families that are experiencing severe recruitment and retention issues for January 1, 2002. Funds must be available within the agency budget to fund the selective market variation until such time as the General Assembly appropriates such funds.
- (6) Upon approval, the minimum, mid-point and maximum salary values shall be raised according to the results of the labor market surveys for the job class. For the purposes of this section, the minimum value of the salary scale shall remain at 75 percent of midpoint and the maximum value shall remain at 125 percent unless the minimum value under the selective market range for a class is less than the minimum value of the merit system pay range. The minimum for the class on selective market shall be no less than the merit system pay range minimum value. No further increases shall be applied to the scale and/or the midpoints.
- (7) Employees assigned to job classifications approved under the selective market variation program shall have their salaries adjusted in accordance with the following:
- (i) The salary of employees in positions added to the selective market variation program on or after July 1, 2001, whose salary in effect as of June 30, 2001, is below the adjusted minimum salary for the assigned job classification shall be increased to the

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

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

10 (8) All classes assigned to selective market variation who have not met the criteria to qualify
11 for an adjustment for two consecutive years, shall have their midpoints reduced by seven
12 percent effective July 1, 2001. All classes whose selective market midpoint is not seven
13 percent higher than the midpoint of the regular merit State of Delaware payscale once the
14 general increase has been applied shall move back on to the State of Delaware Pay Plan.
15 The process by which job classes are removed from selective market variation to the
16 regular merit State of Delaware Pay Plan will not result in a reduction in salary for
17 current incumbents who will move from selective market variation to the regular merit
18 State of Delaware Pay Plan.

19 (9) Effective July 1, 2001, the shift differential rates paid to registered nurses in accordance
20 with the provisions of Merit Rule 5.1425 shall be the same amount in effect as of
21 June 30, 2000.

22 (d) **MAINTENANCE REVIEWS.**

23 Any such reclassifications/regrades which the State Personnel Director determines to be
24 warranted as a result of the classification maintenance reviews regularly scheduled by the State Personnel
25 Office shall be designated to become effective July 1, 2002, provided that such reclassifications/regrades
26 have been processed as part of the regular budgetary process and the funds for such
27 reclassifications/regrades shall be appropriated. Maintenance Review classification determination may be

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

3 (e) **CRITICAL RECLASSIFICATIONS.**

4 The classification of any position whose salary is covered by the appropriations in Section 1 of
5 this Act, may be changed to be effective January 1, 2002, or July 1, 2002, if the requested change is
6 certified critical by the appointing authority; and approved by the State Personnel Director, Budget
7 Director and Controller General prior to the effective date. Critical reclassification requests and paygrade
8 determinations shall not be appealed to the Merit Employee Relations Board.

9 (f) **OTHER RECLASSIFICATIONS.**

10 Other than those reclassifications/regrades approved in accordance with Section 8(e) or 8(f), no
11 position shall be reclassified or regraded during the fiscal year ending June 30, 2002.

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

13 The salaries of teachers and administrators employed by state agencies and who are paid based on
14 the Basic Schedule contained in 14 Del. C. § 1305, as amended by this Act, shall receive as salary an
15 amount equal to the index value specified in the appropriate training and experience cell multiplied by the
16 base salary amount defined in 14 Del. C. § 1305(b), divided by .7 for ten months employment. If
17 employed on an 11 or 12 month basis, the ten-month amount shall be multiplied by 1.1 or 1.2,
18 respectively.

19 (h) **ADMINISTRATIVE REGULATIONS.**

- 20 (1) The administrative regulation and procedures necessary to implement this Section shall
21 be promulgated by the State Personnel Director, Budget Director and Controller General.
- 22 (2) During the fiscal year ending June 30, 2002, paragraph 5.1100 of the Merit Rules for a
23 Merit System of Personnel Administration shall be null and void.
- 24 (3) Consistent with Chapter 16 of the Merit Rules, all state agencies shall implement the
25 performance review prescribed by Office of State Personnel after applicable training by
26 the Office of State Personnel. A performance review shall be completed for employees
27 between January 1 and December 31, 2002.

(4) Employees who retain salary upon voluntary demotion in accordance with Merit Rule 13.0340 shall be ineligible for a promotional increase upon promotion to a paygrade lower than or equal to their original paygrade prior to voluntary demotion for a one year period from the date of their voluntary demotion.

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

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

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

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

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

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

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

- 2 (1) 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 specified
7 in this Subsection.

- 8 (1) Amend 14 Del. C. § 1305(b), by striking the words, “2001 shall be \$22,560.00.” as it
9 appears therein and by substituting in lieu thereof the value, “2002, shall be \$22,801.00.”

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

- 12 (3) Effective July 1, 2001, the State shall pay 65 percent of the annual salary rate for school
13 lunch employees as set forth in the salary schedules 14 Del. C. § 1322(a)(b), and 50
14 percent of salary rate for school lunch employees as set forth in the salary schedule in 14
15 Del. C. § 1322(c). The remaining percentage of the hourly salary rate for school lunch
16 employees shall be paid from local funds. The State shall pay other employment costs
17 for school lunch employees at the ratio of state supported salaries to total salaries,
18 provided for by this Section, for school lunch employees.

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

- 21 (5) Section 1 of this Act provides an amount for salaries and other employment costs for
22 Formula Employees in Public Education. Additional amounts are included in some
23 Block Grants and Pass Through Programs (95-03-00). Local school districts must charge
24 payroll for local share salary supplements and other employment costs and fringe benefits
25 on a semi-monthly basis simultaneously with state-share charges. The amount of salary
26 and other employment costs that can be charged to state appropriations for any one-day
27 period or for any one individual cannot exceed the amount the individual is entitled to

1 receive based on the state salary schedules provided by this Act and 14 Del. C. c. 13,
2 divided by the number of pays the individual has chosen to schedule per year. The
3 provisions of this Section do not apply to Division III - Equalization (appropriation 0186)
4 which may be charged for local contractual obligations before local current operating
5 funds are used.

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

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

11 Section 9. (a) Except as specifically authorized to the contrary by the Delaware Code, no state
12 employee whose title is designated in this Act shall receive total compensation whether in wages, salary,
13 wages-in-kind, food allotment bonus, or overtime from agencies of this State in excess of the total amount
14 specified in such line item regardless of the source of funds involved. No full-time, part-time or
15 casual/seasonal employee of the State of Delaware shall receive any additional stipend for the purchase of
16 food, be supplied with food, or be reimbursed for food that was consumed during normal working hours
17 within the State; except as provided in 29 Del. C. § 5112(b); or unless approval has been granted by the
18 Budget Director and the Controller General; provided, however that this Section shall not apply to State
19 Police recruits during the period of their training. In the event that an employee shall receive excessive
20 compensation, the amount of the appropriation from the General Fund shall be reduced by the amount of
21 such excessive compensation and the Attorney General shall take such steps as are necessary to recover
22 from such employee any such excessive amount as has actually been paid. In the event the "All Other"
23 part of the salary is made up entirely of federal funds, and such federal funds are terminated or reduced,
24 the state appropriation is hereby increased to provide the "Total Salary" indicated. An agency may
25 provide housing for such employee without reduction in the salary provided such housing is on the site of
26 the principal location of employment and further provided that the head of the department or agency has
27 determined that such location of the employee is necessary to the operation of the agency and that the

employee has no other employment. No agency shall provide an employee with a housing allowance or compensation for housing.

(b) A state employee whose salary is designated in this Act may perform additional duties for a state agency other than his/her principal employing agency, with the consent of his/her principal employing agency, and may be paid additional compensation provided such additional duties are not a part of his/her regular duties for the principal employing agency and not rendered during time paid for by the principal employing agency. All wage payments resulting from the performance of such additional duties, including FLSA overtime, shall be the responsibility of the secondary employing agency unless otherwise authorized by the Budget Director and the State Personnel Director.

Section 10. (a) For the fiscal year ending June 30, 2002, the salaries displayed below represent the salary effective on July 1, 2001.

<u>Budget Unit</u>	<u>Line Item</u>	<u>General Funds</u>	<u>All Other Funds</u>
(01-01-01)	Representative	32.2	
(01-02-01)	Senator	32.2	
(02-01-00)	Chief Justice - Supreme Court	137.0	
(02-01-00)	Justice - Supreme Court	132.1	
(02-02-00)	Chancellor - Court of Chancery	130.5	
(02-02-00)	Vice Chancellor - Court of Chancery	125.9	
(02-03-00)	President Judge - Superior Court	130.5	
(02-03-00)	Associate Judge - Superior Court	125.9	
(02-03-00)	Commissioner - Superior Court	75.1	
(02-03-00)	New Castle County Prothonotary	55.0	
(02-03-00)	Kent County Prothonotary	48.7	
(02-03-00)	Sussex County Prothonotary	48.7	
(02-06-00)	Chief Judge - Court of Common Pleas	129.1	

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(02-06-00)	Judge - Court of Common Pleas	122.6	
4	(02-06-00)	Commissioner - Court of Common Pleas	75.1	
5	(02-08-00)	Chief Judge - Family Court	129.1	
6	(02-08-00)	Associate Judge - Family Court	122.6	
7	(02-08-00)	Commissioner - Family Court	75.1	
8	(02-13-00)	Chief Magistrate - Justice of the Peace Courts	90.3	
9	(02-13-00)	Magistrate - Justice of the Peace Courts - 1st Term	51.8	
10	(02-13-00)	Magistrate - Justice of the Peace Courts - 2nd Term	53.5	
11	(02-13-00)	Magistrate - Justice of the Peace Courts - 3rd Term	55.2	
12	(02-17-00)	St. Court Administrator – Off. of the St. Court Administrator	103.7	
13	(02-18-00)	Public Guardian	57.6	
14	(02-18-00)	Executive Director - Violent Crimes Compensation		
15		Board		55.3
16	(02-18-00)	Executive Director - Foster Care Review Board	52.1	
17	(10-01-01)	Governor	114.0	
18	(10-02-00)	Budget Director	105.3	
19	(10-02-07)	Director - SAC	76.1	
20	(10-03-01)	Director - Delaware Economic Development Office	98.4	
21	(10-04-00)	Personnel Director	98.4	
22	(10-07-01)	Executive Director - CJC	77.1	
23	(10-07-01)	Director – Domestic Violence Coordinating Council	56.7	
24	(10-07-02)	Executive Director - DELJIS	68.3	
25	(10-08-01)	Director - Delaware State Housing Authority		90.7
26	(10-09-00)	Executive Director - Information Services	105.3	

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(12-01-01)	Lieutenant Governor	60.0	
4	(12-02-01)	Auditor	83.4	
5	(12-03-02)	Insurance Commissioner	83.5	
6	(12-05-01)	State Treasurer	87.3	
7	(15-01-01)	Attorney General	108.4	
8	(15-01-01)	Chief Deputy Attorney General	105.7	
9	(15-02-01)	Public Defender	108.4	
10	(15-02-01)	Chief Deputy Public Defender	105.7	
11	(15-03-01)	Parole Board Chairman	68.6	
12	(20-01-00)	Secretary - State	98.4	
13	(20-02-00)	Director - Human Relations	60.7	
14	(20-03-00)	Director – Division of Archives	62.0	
15	(20-05-00)	Director - Corporations		80.8
16	(20-06-00)	Director - Historical and Cultural Affairs	76.3	
17	(20-07-00)	Director - Arts	62.0	
18	(20-08-00)	State Librarian	72.3	
19	(20-15-00)	State Banking Commissioner		92.0
20	(25-01-00)	Secretary – Finance	105.3	
21	(25-05-00)	Director - Accounting	88.3	
22	(25-06-00)	Director – Revenue	102.7	
23	(25-07-00)	Director - State Lottery		82.6
24	(30-01-00)	Secretary - Administrative Services	91.8	
25	(30-01-00)	Director - Administration	75.1	

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(30-01-00)	Executive Director - Public Employment Relations		
4		Board	65.2	
5	(30-03-00)	Public Advocate		66.1
6	(30-03-00)	Director - Public Service Commission		74.9
7	(30-03-00)	Director - Professional Regulation		68.0
8	(30-04-00)	Director - Support Operations		66.0
9	(30-05-00)	Director - Facilities Management	80.2	
10	(30-05-00)	Executive Secretary - Architectural Accessibility Bd.	39.0	
11	(30-06-00)	Director - Purchasing	69.2	
12	(35-01-00)	Secretary - Health and Social Services	105.3	
13	(35-01-00)	Director - Management Services	85.0	9.4
14	(35-04-00)	Chief Medical Examiner	130.1	
15	(35-05-00)	Director - Public Health	136.1	
16	(35-06-00)	Director - Alcoholism, Drug Abuse & Mental Health	117.1	
17	(35-07-00)	Director - Social Services	47.2	47.3
18	(35-08-00)	Director - Visually Impaired	66.7	
19	(35-09-00)	Director - Long-Term Care Residence Protection	75.8	
20	(35-10-00)	Director - Child Support Enforcement	25.0	50.8
21	(35-11-00)	Director - Mental Retardation	94.5	
22	(35-12-00)	Director - State Service Centers	75.8	
23	(35-12-00)	Director - Community Services	62.0	
24	(35-14-00)	Director - Services for Aging and Adults		
25		with Physical Disabilities	75.8	

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(37-01-00)	Secretary - Services for Children,		
4		Youth and Their Families	105.3	
5	(37-01-00)	Director - Management Services	82.4	
6	(37-03-00)	Director - Child Mental Health Services	105.8	
7	(37-05-00)	Director - Youth Rehabilitative Services	88.9	
8	(37-06-00)	Director - Family Services	96.8	
9	(38-01-00)	Commissioner - Correction	98.4	
10	(38-01-00)	Bureau Chief - Management Services	78.2	
11	(38-04-00)	Bureau Chief - Prisons	94.5	
12	(38-06-00)	Bureau Chief - Community Corrections	90.0	
13	(40-01-00)	Secretary - Natural Resources and		
14		Environmental Control	98.4	
15	(40-01-00)	Deputy Secretary - Natural Resources		
16		and Environmental Control	75.4	
17	(40-05-00)	Director - Fish and Wildlife	40.5	40.5
18	(40-06-00)	Director - Parks and Recreation	81.7	
19	(40-07-00)	Director - Soil and Water Conservation	81.0	
20	(40-08-00)	Director - Water Resources	83.4	
21	(40-09-00)	Director - Air and Waste Management	87.6	
22	(45-01-00)	Secretary - Public Safety	98.4	
23	(45-01-00)	Director - Boiler Safety	52.4	
24	(45-01-00)	Director - Del. Emergency Management Agency	31.9	31.9

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(45-03-00)	Commissioner – Alcoholic Beverage Control	67.3	
4	(45-04-00)	Director - Alcoholic Beverage		
5		Control and Tobacco Enforcement	67.3	
6	(45-06-00)	Superintendent - State Police	109.9	
7	(45-06-00)	Assistant Superintendent - State Police	100.8	
8	(45-07-00)	Director - Motor Vehicles	80.5	
9	(55-01-01)	Secretary - Transportation		98.4
10	(55-01-01)	Chief Engineer		96.1
11	(55-02-01)	Director - Administration		81.5
12	(55-03-01)	Director - Transportation Planning		96.1
13	(55-04-01)	Director - Highway Operations		96.1
14	(55-06-01)	Director - Delaware Transit Corporation		96.1
15	(55-07-10)	Director – Pre-Construction		96.1
16	(60-01-00)	Secretary - Labor	9.2	82.6
17	(60-06-00)	Director - Unemployment Insurance		78.6
18	(60-07-00)	Director - Industrial Affairs		78.6
19	(60-08-00)	Director - Vocational Rehabilitation		78.6
20	(60-09-00)	Director - Employment and Training	7.8	70.8
21	(65-01-00)	Secretary - Agriculture	92.0	
22	(65-01-00)	Deputy Secretary - Agriculture	70.5	
23	(70-01-01)	Commissioner - Elections	63.2	
24	(70-02-01)	Administrative Director - New Castle County Elections	59.9	

			General Funds	All Other Funds
	<u>Budget Unit</u>	<u>Line Item</u>		
3	(70-02-01)	Deputy Administrative Director - New Castle		
4		County Elections	58.7	
5	(70-03-01)	Administrative Director - Kent County Elections	59.9	
6	(70-03-01)	Deputy Administrative Director - Kent County Elections	58.7	
7	(70-04-01)	Administrative Director - Sussex County Elections	59.9	
8	(75-01-01)	State Fire Marshal	44.6	22.2
9	(75-02-01)	Director - State Fire School	66.8	
10	(76-01-01)	Adjutant General	82.2	
11	(95-01-00)	Secretary of Education	124.1	
12	(95-01-00)	Deputy Secretary of Education	105.3	
13	(95-06-00)	Executive Secretary - Advisory Council on Career		
14		and Vocational Education	83.2	
15	(95-08-01)	Executive Director - Higher Education Commission	67.8	
16	(b) (i) Salaries of designated positions in Section 10(a) of this Act shall have no further increase			
17	applied by any other section of this Act, except as provided in Section 10(b)(ii), (iii), (iv),			
18	(vii) and (viii).			
19	(ii) If a position in Section 10(a) becomes vacant during the fiscal year, the appointing			
20	authority shall submit a request with appropriate justification to the State Personnel			
21	Director to establish the salary commensurate with the qualifications of the proposed			
22	incumbent and within the position's evaluated pay range. In reviewing requests made			
23	pursuant to this paragraph, the State Personnel Director shall provide an analysis of the			
24	request and shall solicit the advice and written consent of the Budget Director and the			
25	Controller General.			

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

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

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

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

8 (vi) If the incumbent in the position of Secretary - Health and Social Services holds a State
9 Medical license, the salary listed in Section 10(a) of this Act for that position shall be
10 increased by \$12.0. Additionally, if the incumbent in the position of Secretary - Health
11 and Social Services is a Board Certified physician, a \$3.0 supplement shall be added to
12 the annual salary listed in Section 10(a) of this Act.

13 (vii) If the highest paid Major receives an additional salary increase during the fiscal year, the
14 salary of the Superintendent and the Assistant Superintendent of the State Police shall be
15 increased in accordance with 11 Del. C. § 8303.

16 (c) Effective May 1, 2002, the Office of State Personnel shall submit to the Joint Finance
17 Committee a listing of employees designated in Section 10(a). The listing shall indicate for each position
18 the number of points applicable for Fiscal Year 2001 and the number of points of any recommended
19 changes for any position for Fiscal Year 2003.

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

1			<u>July 1, 2001</u>	
2			<u>General</u>	<u>All Other</u>
3	<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		11.2
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 Section 11. Salaries and wage rates for state employees who are not covered by the provisions of
4 14 Del. C. c. 13, or by the Merit System, excluding employees of the General Assembly - House or the
5 General Assembly - Senate, Uniformed State Police, all full-time and regular part-time non-Merit
6 Telecommunications Specialists, Senior Telecommunications Specialists, Telecommunication Shift
7 Supervisors, Telecommunications Central Control Specialists, Senior Telecommunications Central
8 Control Specialists and Telecommunications Central Control Shift Supervisors employed in the
9 Communications Section of the Department of Public Safety, Delaware State Police, employees of the
10 University of Delaware, employees of Delaware State University, employees of Delaware Technical and
11 Community College who are paid on the Administrative Salary Plan or Faculty Plan, Plans D and A
12 respectively, Executive Director of Educational Technology Center, members and employees of the
13 Delaware National Guard and employees whose salaries are governed by Section 10 of this Act, shall
14 have the following:

15 (a) The salary of employees shall be comparable to salaries and wage rates paid from funds
16 appropriated by the State to employees with similar training and experience who serve in similar positions
17 in the Merit System. In the event that there are no similar positions in the Merit System, the State
18 Personnel Director shall establish an exempt position classification only for the purpose of assigning a
19 salary or wage rate to said position. On or before August 15, 2001, the State Personnel Director shall
20 publish a list of exempt positions and the comparable Merit System class and/or paygrade for each
21 position. In addition, such listing shall show the name of the incumbent, if the position is filled, and shall
22 show the statutory citation which authorizes the establishment of the exempt position(s). The State
23 Personnel Director shall provide copies of such listing to members of the Joint Finance Committee and
24 the Controller General. No exempt employee shall be hired until an approved comparability has been
25 assigned to the position. No reclassification/regrading, change in paygrade comparability of a filled or
26 vacant exempt position, or change of a Merit System position to an exempt position otherwise permitted

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

10 (b) The salary of employees whose salary in effect as of June 30, 2001, is below the minimum
11 salary of the assigned paygrade of the pay plan shall be raised to the minimum salary. This adjustment
12 shall be made in accordance with the general increase contained in Section 8(d)(1)(i).

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

16 (d) Merit Rules 5.0900 through 5.0931 and the applicable appeal rights provided in 29 Del. C. §
17 5915, shall apply retroactively to any employee who was an incumbent in a merit comparable position
18 that was reviewed for class/paygrade comparability with an effective date of July 1, 1990 or July 1, 1991.

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

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

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

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

8 Section 14. All state agencies and departments that own land shall inform the Budget Director,
9 the Controller General, the Secretary of Administrative Services, and the General Assembly, quarterly, as
10 to any and all developments relating to the possible new use, lease or sale, of any portion of said land.
11 This section shall not apply to lands owned by the Department of Transportation that are intended for
12 transportation purposes except as provided in 17 Del. C. § 137.

13 Section 15. No agency shall engage a consultant or authorize expenditure of any General or
14 special funds for the purpose of studying personnel policies and/or the wage and salary classification of
15 employees without the written authorization of the Personnel Director, the Budget Director and the
16 concurrence of the Controller General.

17 Section 16. All state agencies are directed to remit payment for services rendered by the
18 Department of Administrative Services, Support Operations (Mail/Courier Services, Telephone Services,
19 Printing and Publishing and Fleet Management) within 30 days after receipt of invoice. Services may
20 include postal metering, paper supplies, facsimile, printing, telephone, photocopiers, vehicle rental,
21 Carvel Building parking, and vehicle fuels.

22 Section 17. All outside graphics and printing services for state agencies shall be obtained from
23 Department of Administrative Services, Support Operations or, if appropriate, the Director of Support
24 Operations may award a contract in accordance with 29 Del. C. c. 69.

1 Section 18. If a timely payment problem exists, the Department of Administrative Services may
2 require all agencies and school districts paying telephone system payments through the department to
3 make monthly estimated payments toward their telephone bills. The estimated payment is due within five
4 working days of the beginning of each month. The estimated payment should equal the average of the
5 last three months of actual reconciled payments; or payments based on a schedule established by the
6 department. The department will continue to be responsible for the actual payments to the telephone
7 companies and the reconciliation of accounts with the user agencies and school districts.

8 Section 19. With the exception of the custodial work associated with Legislative Hall and the
9 Governor's Office, the Department of Administrative Services may not hire any permanent, full-time
10 custodial employees in any fiscal year without the approval of the Budget Director and the Controller
11 General.

12 Section 20. It is hereby directed that the Indirect Cost Recovery Program, Office of the Budget,
13 may recover indirect costs from non-federal special funded regulatory and service agencies. Costs that are
14 allocated to a state agency under this authority shall be billed to the state agency, and the cost is payable to
15 the General Fund of the State. The source of payment for the billed indirect cost shall be any revenue
16 source except the General Fund. If the billed agency is authorized to bill and recover direct expenses, the
17 agency shall recover indirect costs in the same manner. The effort initiated in Fiscal Year 1993 covering
18 State Banking Commission, Professional Regulation and Public Service Commission shall continue in
19 Fiscal Year 2002.

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

22 Section 22. Chapters 5.0000 and 6.0000 of the Merit Rules notwithstanding, the State Personnel
23 Director, in accordance with the Budget Director and the Controller General, shall have the authority to
24 designate and approve pilot projects within specified agencies. Such pilot projects shall accrue to the
25 mutual benefit of the State as an employer and its affected employees in the Department of Health and

1 Social Services, the Department of Services for Children Youth and Their Families, the Department of
2 Correction, and the Department of Transportation. These pilot projects may include employee incentives
3 which have the impact of reducing overtime usage in these departments, and which are designed to
4 achieve a net reduction in costs to the State. Such projects may include elimination of pre-employment
5 testing for certain classifications, eliminating the cap on vacation carry-over, gain sharing, and the
6 substitution of certain fixed state holidays by floating holidays. Such pilot projects shall not exceed a
7 period of two years duration, subject to renewal on a six month basis, and shall include a written
8 assessment to the Budget Director and the Controller General of their effectiveness at the end of each
9 period.

10 Section 23. For Fiscal Year 2002, the provisions of 29 Del. C. § 6502(a), shall be waived for
11 school districts. In its place, school districts shall be required to provide to the Budget Director and
12 Controller General a signed copy of its approved district budget for expenditures, including positions to
13 be funded from all funds, as well as any other information required by the Budget Director (provided the
14 Budget Director furnishes official blank forms for such data).

15 Section 24. Notwithstanding the provisions of 29 Del. C. § 6334(c), for Fiscal Year 2003, the
16 proposed budget plan, as prepared by the Budget Director, shall be in such a format that it can readily be
17 analyzed and comprehensive in nature.

18 Section 25. All agencies receiving an Energy appropriation in Section 1 of this Act must work
19 through Department of Administrative Services, Purchasing, Executive Department, Office of the Budget
20 to attain any contract(s) dealing with the retail wheeling of natural gas or electricity. This includes
21 agencies 01 through 95 with the exception of the University of Delaware.

22 During the current fiscal year, all energy use systems for new facilities, rental/leasing changes,
23 and/or renovations to energy use systems must be coordinated with the Energy Office within the
24 Department of Administrative Services, Division of Facilities Management and with the Executive
25 Department, Office of the Budget.

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

8 Section 26. Members of the Board overseeing the Delaware College Investment Plan may be
9 reimbursed for mileage expenses incident to their duties.

10 Section 27. Increased use of videophones and related technologies by agencies comprising the
11 criminal justice system is beginning to have a positive impact on the operations of these agencies. One
12 such positive impact is the reduction in the number of trips Department of Correction personnel need to
13 make to transport offenders from the secure facilities in the prisons to the courts for various hearings and
14 other procedural matters. To help quantify these positive impacts, agencies with videophones obtained
15 through the Videophone Committee of the Criminal Justice Council shall submit to the Budget Director
16 and Controller General an annual report on their use of their videophone(s). This report shall be
17 submitted no later than December 1, 2001, and shall contain information such as but not limited to 1) the
18 number of videophones used; 2) what types of activities the videophone(s) are used for; 3) the number of
19 times the videophone(s) was used for each activity; 4) any savings or deferred costs resulting from the use
20 of the videophone(s); 5) any costs directly associated with the use of the videophone(s); and 6) future
21 plans for the use of the videophone(s).

22 Section 28. The Department of Correction shall submit a report of videophone usage to the
23 Budget Director, Controller General and members of the Joint Finance Committee annually by
24 December 1. This report shall include a detailed description of the actual savings, deferred costs and
25 previously anticipated savings and deferrals that were not realized.

1 Section 29. Notwithstanding any other provision of the Delaware Code or this Act to the
2 contrary, the Office of the Budget, subject to the approval of the Controller General, is authorized to make
3 technical adjustments to the personnel complement of any agency as appropriated in Section 1 of this Act
4 in those situations where, due to the rounding of split-funded positions, such an adjustment is necessary
5 so that an agency may establish its authorized complement.

6 Section 30. Chapters 5.0000 and 6.0000 of the Merit Rules notwithstanding, the State Personnel
7 Director in accordance with the Budget Director and the Controller General shall have the authority to
8 approve statewide pilot projects including compensation for the purpose of attracting and retaining
9 information technology personnel to State government. These pilot projects shall include, but are not
10 limited to: the development of a competency based pay structure for information technology personnel,
11 job rotation opportunities across various agencies, the development of technology resource groups,
12 training opportunities and coordinating with the University of Delaware, Delaware State University and
13 the Delaware Technical and Community College to develop formal cooperative education programs in
14 information technology.

15 Section 31. For Fiscal Year 2002, Merit Rule 5.0711 shall be amended to authorize the
16 appointing authority to approve a starting rate or promotional rate up to 85 percent of midpoint where the
17 applicant's qualifications are clearly over and above those required by the minimum for the class
18 specification.

19 Section 32. Pursuant to Merit Rules 5.0711 and 5.0712, an agency that requests approval of a
20 starting rate higher than 85 percent of midpoint, or that requests that incumbents be leveled up to the
21 advanced salary of newly hired employee shall provide documentation that sufficient funds exist within
22 the agency's base budget to fund such actions. An agency that requests approval of a starting rate higher
23 than 85 percent of midpoint shall also indicate if the approval of such starting rate will result in a request
24 to level up the salary of existing employees, and shall indicate if sufficient funds exist within the agency's
25 base budget to fund such a leveling up action.

Section 33. Effective July 1, 2000 all employee benefit deductions shall be made on a pre-tax basis. Employees who have currently designated employee deductions on a post-tax basis shall continue to have those deductions on a post-tax basis as long as the employee remains in a benefit program or the employee makes a change to pre-tax employee benefit deductions.

Section 34. In an effort to reduce the financial impact of worker's compensation and property losses to the State, the agencies and school districts shall work with the Insurance Coverage Office to implement safety and return to work policies. Any employee who has been on Worker's Compensation shall be a preferential hire for any position for which the employee is qualified. In accordance with State law, the employee shall receive a salary supplement based on that employee's prior earnings in the event the new salary is less than their current salary.

Section 35. Notwithstanding Chapter 2.0 and Chapter 12.0 of the Merit Rules, upon approval by the Budget Director, Controller General and the State Personnel Director, temporary appointees may be assigned to the same position as that already assigned to a permanent employee in order to complete a special project.

Section 36. (a) For the fiscal year ending June 30, 2001 any sums in the following accounts shall remain as continuing appropriations and shall not be subject to a reversion until June 30, 2002.

<u>Fiscal Year</u> <u>Appropriation</u>	<u>Account</u> <u>Codes</u>	<u>Remarks</u>
2000	(01-05-01-01-40)	Travel
2001	(01-05-01-01-41)	Legislative Travel
1998/99/00/01	(01-05-01-01-50)	Contractual
1998/99	(01-05-01-01-85)	Delegation Expense
2000/01	(01-08-01-01-85)	TriCent Committee
2001	(01-08-01-01-98)	One-Time
2000	(01-08-02-01-60)	Supplies
1997/98/99	(01-08-02-01-80)	Senior Center Reporting

1	1998	(01-08-02-01-85)	Formula Update
2	1998/99/00/01	(01-08-02-01-86)	Juvenile Detention Oversight Committee
3	1996	(01-08-02-01-87)	Contingency – Legal
4	1999/01	(01-08-02-01-98)	One-Time
5	2001	(02-06-10-01-98)	One-Time Items
6	1999	(02-17-04-01-81)	Special Projects
7	1998	(02-17-04-01-85)	Development Fund
8	1997	(02-17-04-01-97)	Technology Initiatives
9	2001	(02-17-04-01-98)	One-Time Items
10	1999	(02-17-04-01-98)	Flexible Technology Development Fund
11	1994	(02-17-04-01-98)	One-Time Item (Civil CMS)
12	1997/99/00	(10-02-01-01-82)	Computer One-Time
13	1999/00	(10-02-01-01-85)	Data Development
14	2000	(10-02-01-01-91)	Budget Automation
15	1998	(10-02-01-01-98)	One-Time (Automated Release Date Project)
16	2000	(10-02-01-01-99)	Technology
17	1997	(10-02-01-02-01)	Infrastructure
18	1997/99/00	(10-02-04-01-85)	Legal Fees
19	2000	(10-02-04-01-89)	Salary/OEC
20	2000	(10-02-04-01-92)	Family Services Cabinet Council
21	1996	(10-02-04-01-93)	Crime Bill Match
22	1998/00	(10-02-04-01-99)	Technology Initiative
23	1999	(10-02-04-02-01)	Home Visit
24	2000	(10-02-04-02-09)	KIDS Count
25	1999	(10-02-08-01-98)	One-Time (SAC)
26	2000/01	(10-03-01-01-87)	Welfare Reform

1	2001	(10-03-01-01-88)	Workplace Literacy
2	2000/01	(10-03-02-01-98)	One-Time Items
3	2001	(10-03-03-01-87)	Welfare Reform
4	2001	(10-03-03-01-88)	Workplace Literacy
5	2000	(10-04-02-01-87)	School-to-Work
6	2001	(10-04-02-01-98)	First Quality Fund
7	2001	(10-04-05-01-86)	Self Insurance
8	1995/97	(10-05-01-01-80)	Pilot Programs
9	1999/00	(10-05-02-01-80)	Operations
10	1999	(10-07-02-01-97)	DELJIS Standards
11	1997	(10-09-01-01-99)	Technology Initiative
12	1999	(10-09-03-08-06)	Banyan
13	1996	(10-09-40-01-98)	One-Time – LIS
14	1999	(10-09-90-08-06)	Release Date
15	2001	(12-02-01-01-98)	One-Time
16	2001	(15-01-01-01-50)	Contractual Services
17	2001	(15-02-01-01-98)	One-Time Items
18	1998	(20-03-01-01-80)	Historic Markers
19	2000	(20-03-01-01-81)	Document Conservation
20	1997/99/00	(20-03-01-01-98)	One-Time
21	1999/00	(20-06-01-01-98)	Oral Histories
22	2000	(20-06-04-01-98)	One-Time
23	2000	(20-08-01-01-80)	Library Standards
24	1999	(25-05-01-01-99)	Technology

1	1998	(30-01-40-01-98)	One-Time
2	1998	(30-04-50-01-98)	One-Time
3	1997/98/99/00/01	(35-01-20-01-83)	Electronic Benefit Transfer
4	2000	(35-01-20-01-84)	Nursing Home
5	1995	(35-01-20-01-87)	Electronic Benefit Transfer
6	1996	(35-01-20-01-91)	Electronic Benefit Transfer
7	1999/00	(35-01-20-01-97)	Development
8	2000	(35-01-20-01-98)	One-Time
9	1997/98	(35-01-20-02-05)	Technology
10	2000	(35-01-20-02-06)	Development
11	1999	(35-05-20-01-51)	Contractual
12	2001	(35-05-20-01-80)	School Based Heath Clinics
13	2001	(35-05-20-01-82)	Immunizations
14	2000/01	(35-05-20-01-83)	Hepatitis B
15	2000	(35-06-10-01-81)	First Quality
16	1996	(35-06-10-01-98)	Managed Care One-Times
17	1997	(35-07-01-01-99)	DCIS
18	2000	(35-12-10-01-98)	One-Time
19	2001	(37-01-10-01-84)	Home Visiting
20	2001	(37-01-50-01-81)	MIS Development
21	1995	(37-05-50-01-98)	Ferris Retraining
22	2001	(38-01-01-01-82)	Education Enhancement
23	2000	(38-01-10-01-82)	DACS
24	2001	(38-01-10-01-86)	Warehouse
25	2001	(38-01-10-01-99)	MIS/Technology

1	2001	(38-01-30-01-80)	Medical Services
2	2001	(38-01-31-01-80)	Substance Abuse Treatment
3	2001	(38-01-40-01-99)	Maintenance and Restoration
4	2001	(38-04-01-01-82)	Drug Testing
5	2000	(40-01-01-01-96)	Development Fund Project
6	1999/00/01	(40-01-01-01-97)	MCI/Equipment
7	1999	(40-01-01-01-98)	Technology
8	2001	(40-06-04-01-80)	State Park Partnership
9	2000/01	(40-08-01-01-80)	Delaware Estuary
10	1999	(40-08-02-01-98)	First State Quality Fund
11	2000	(40-08-02-01-98)	One-Time (LIMS Project)
12	1998	(40-08-05-01-97)	Permitting Project
13	2000/01	(40-08-07-01-81)	Whole Basin TMDL
14	1997/98/99	(40-09-03-01-80)	HSCA Loan/Super Fund
15	2001	(40-09-03-01-82)	Debris Disposal
16	2000	(45-01-01-01-98)	Computer Equipment
17	1986	(45-01-01-03-81)	Hazardous Waste Revolving Fund
18	2000	(45-01-30-01-97)	Hurricane Floyd
19	2000	(45-04-10-01-80)	Tobacco Enforcement
20 21	2000	(45-04-10-01-97)	One-Time – Advert. and Database Replacement Study
22	1999	(45-06-01-01-98)	Child Abuse Intervention Training
23	1998	(45-06-01-01-98)	Academy Curricula and Training Study
24	1995	(45-07-01-01-99)	Anti-Theft Project
25	1998	(45-07-10-01-97)	Point Changes
26	2001	(60-09-20-01-87)	Welfare Reform

1	2001	(60-09-20-01-88)	Skill Grant
2	2000	(65-01-02-01-98)	One-Time
3	2000/01	(70-01-01-01-98)	One-Time
4	2001	(70-02-01-01-98)	One-Time
5	2001	(70-02-01-01-81)	School Elections
6	2001	(70-03-01-01-98)	One-Time
7	1997/01	(70-04-01-01-98)	One-Time
8	1998	(75-01-01-01-98)	Staff Computer Training
9	2000	(75-02-01-01-97)	Student Records System
10	2000	(75-02-01-01-98)	One-Time
11	2000	(75-03-01-01-98)	One-Time
12	2000	(75-03-01-09-76)	GIA Section 2
13	2000	(76-01-01-01-69)	MCI-DNG
14	2001	(95-01-01-01-89)	State Board of Education
15	2001	(95-01-01-01-90)	School Profiles
16	2000/01	(95-01-01-01-93)	Building Improvement
17	2001	(95-01-01-01-94)	Educator Certification and Development
18	2001	(95-01-01-01-98)	One-Time
19	2000/01	(95-01-01-02-00)	Standards and Assessment
20	2001	(95-01-01-02-02)	Delaware Student Testing Program
21	2001	(95-01-01-02-03)	Pupil Accounting
22	1999	(95-01-01-02-08)	Family Involvement
23	1999	(95-01-01-02-11)	FSCC-HV
24	2000	(95-01-01-02-27)	Off Grade/EOS Testing

1	2001	(95-01-01-02-27)	Off Grade Assessment
2	2001	(95-01-01-02-28)	Retest/EOS/AI
3	2001	(95-02-02-02-02)	Educator Accountability
4	2000/01	(95-03-10-01-91)	Professional Development
5	2001	(95-03-15-01-27)	Smithsonian Project
6	2001	(95-03-15-01-31)	Early Education Center
7	2001	(95-03-20-01-27)	Student Discipline Program
8	2001	(95-03-20-01-53)	3-5 Program
9	2001	(95-03-20-01-82)	Early Childhood Assistance
10	1999	(95-03-20-01-98)	One-Time
11	2001	(95-04-01-01-90)	Public School Transportation
12	2001	(95-07-01-01-80)	Operations
13	2001	(95-08-01-01-83)	Scholarship
14	1998	(95-08-01-01-84)	DHEC
15	2000/01	(95-08-01-01-85)	Ferguson DSTP Scholarship
16	1997	(95-08-01-09-75)	GIA Section 1
17	1998	(95-08-01-09-77)	GIA Tuition
18	1994	(95-13-00-01-48)	Teacher in Space
19	2001	(95-17-00-02-02)	Discipline
20	2001	(95-23-00-02-02)	Discipline
21	2001	(95-33-00-02-02)	Discipline

22 (b) Funds appropriated for the following programs shall be appropriated on a 15 month basis and
 23 not be subject to reversion until September 30, 2002: Student Mentoring (appropriation 0207),
 24 Professional and Curriculum Development (appropriation 0205), Professional Mentoring (appropriation
 25 0151), Teacher to Teacher Instructional Cadre (appropriation 0206), and Extra Time for Students
 26 (appropriations 0203 and 0204). Program expenses may not be incurred subsequent to the start of the
 27 regular 2002-2003 school year.

1 (c) For the Fiscal Year ending June 30, 2001, any sums in Fiscal Year 2001 Appropriation 0213
2 (Charter School Operations) for Public Education, shall remain as continuing and not be subject to
3 reversion until June 30, 2002.

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

7

TOBACCO – MASTER SETTLEMENT AGREEMENT

Section 37. Section 1 of this Act includes Appropriated Special Funds of \$18,147.2 from funds received as a result of the Master Settlement Agreement on tobacco funds. These funds are allocated as follows:

(10-05-01) Health Care Commission

\$1,000.0	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

\$ 111.3	2.0 ASF FTE's - legal matters relating to tobacco laws & regulations
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(30-05-10) Administrative Services - Facilities Management

\$4,000.0	DHSS – Minor Capital Improvements
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(35-05-20) Health & Social Services – Community Health

\$ 55.0	Chronic Disease Program;
2,135.5	Tobacco prevention through Community Based organizations including \$110.0 for Department of Services for Children, Youth, & their Families;
150.0	Research and testing regimens of detecting lesser known illnesses

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

\$ 375.0	Public Access Defibrillation initiative
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(35-06-40) Health & Social Services – Alcoholism, Drug Abuse, and Mental Health

\$ 200.0	Transitional housing for persons completing detoxification;
500.0	Heroin Residential Program

1 (35-07-01) Health & Social Services – Social Services

2 \$5,150.4 Prescription Drug Program;

3 2,970.0 SSI coverage for persons who lose benefits due to unearned income;

4 408.7 Increase Medicaid eligibility for pregnant women/infants to 200% of poverty

5 (45-04-10) Public Safety – Alcoholic Beverage Control

6 \$ 316.5 3.0 FTE Agents and 1.0 FTE Clerical for Enhanced Enforcement

7 (95-01-01) Public Education – State Board of Education and Department of Education

8 \$ 77.7 1.0 ASF FTE School Health Coordinator for statewide training;

9 70.0 Professional development of public school staff, promotion of prevention

10 activities in private schools, and prevention and health promotion supplies in

11 public schools;

12 70.0 Pilot Life Skills Training Program

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

17 All remaining unallocated funds shall be invested by the Cash Management Policy Board and any
18 interest accrued shall be deposited to the credit of the funds of the Master Settlement Agreement.

LEGISLATIVE

Section 38. Of the total positions authorized in Section 1 of this Act for the Division of Research (01-08-01), the position of Research Assistant to the House and Senate Sunset Standing Committees shall be an exempt position and shall report to the Director.

Section 39. Section 1 of this Act provides an appropriation to the Office of the Controller General (01-08-02) for Contingencies: Legislative Council. Requests from the Chairs of Standing Legislative Committees for professional staff assistance shall be submitted to the Legislative Council for approval or disapproval. Approvals for professional staff assistance shall be allowed within the limits of the appropriation and as provided by guidelines established by the Legislative Council.

Section 40. Section 1 of this Act provides an appropriation to the Office of the Controller General (01-08-02) for Contingencies: Legislative Council. Requests from various task forces and committees of either the House of Representatives or the Senate for travel expenses, meeting expenses, contractual services and any other expenses shall be submitted to the Legislative Council for consideration.

Section 41. The Hay points and the salary schedule for the Controller General shall be calculated in a manner comparable to division directors.

Section 42. Section 1 of this Act makes an appropriation to the Office of the Controller General (01-08-02) for legal expenses regarding neighborhood schools. Expenditures of such funds shall be approved by both the Speaker of the House and the President Pro Tempore of the Senate on issues arising from planning for and implementation of neighborhood schools.

JUDICIAL

Section 43. Section 1 of this Act, provides the Department of Services for Children, Youth and Their Families, Appropriated Special Fund (ASF) authority in the amount of \$34.8 in order to provide public notice of court action(s) involving minors under the department's custody whose parents' whereabouts are unknown, per Family Court rules. Any other fees, assessments, costs or financial obligations imposed by Family Court for the issuance and service of subpoenas or summons by way of court rules, regulations or administrative procedures may not be charged to the Department of Services for Children, Youth and Their Families. Any such costs associated with these procedures shall be the financial responsibility of Family Court.

Section 44. Section 1 of this Act contains position authorizations and associated appropriations to the Justices of the Peace Courts (02-13-10) included exclusively for the purpose of maintaining business hours in the following courts as specified:

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 45. This Act appropriates \$924.5 ASF in Personnel Costs and 21.0 ASF FTEs, \$12.5 ASF in Travel, \$84.3 ASF in Contractual Services, \$45.5 ASF in Supplies and Materials, and \$70.0 ASF in Capital Outlay to the Court of Chancery (02-02-00) for the transfer of the Register in Chancery offices from New Castle County, Kent County and Sussex County control to the State of Delaware to create one, unified, statewide Register in Chancery office reporting directly to the Court of Chancery. 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 costs of this statewide Register in Chancery office. Adjustments to the Appropriated Special Fund spending authority for the

1 Court of Chancery may be made upon the concurrence and approval of the Budget Director and
2 Controller General. The authorization of Appropriated Special Fund funding for a statewide Register in
3 Chancery office is subject to the enactment of the second leg of a constitutional amendment amending
4 Sections 22 and 23, Article III, and Article IV of the Delaware Constitution of 1897 relating to the
5 Register in Chancery. If this amendment, or similar legislation, is not enacted, this authorization shall be
6 rescinded.

7 Section 46. The Staff Attorney and law clerk positions in the Court of Common Pleas (02-06-00)
8 and the Justices of the Peace Court (02-13-00) shall be exempt positions and shall be excluded from
9 classified service as defined under 29 Del. C. § 5903.

10 Section 47. Section 1 of this Act appropriates \$154.0 in Personnel Costs and 9.0 positions for
11 Family Court (02-08-10) to pick up positions funded by three expiring grants; Juvenile Accountability
12 Incentive Block Grant, Court Improvement Project grant and CASA grant. Upon the expiration of these
13 grants, the existing 8.9 NSF positions will be converted into GF positions.

14 Section 48. Section 1 of this Act appropriates \$424.8 in Contractual Services to the Office of the
15 State Court Administrator (02-17-01) for Victim Offender Mediation Programs. The Victim Offender
16 Mediation Committee will determine which programs are to be awarded funds from this appropriation.

17 Section 49. This Act appropriates \$122.0 ASF in Personnel Costs to the Court of Common Pleas
18 (02-06-00) for 2.0 ASF FTE Court Clerks and 1.0 ASF FTE for a Fiscal Administrative Officer to help
19 with the collection of court receivables inherited from the former City of Wilmington Municipal Court.
20 Notwithstanding other statutes to the contrary, the Court of Common Pleas is authorized to retain a
21 portion of the fines and fees collected from these receivables in an amount sufficient to cover the
22 personnel costs of these positions. Adjustments to the Appropriated Special Fund spending authority for
23 the Court of Common Pleas may be made upon the concurrence and approval of the Budget Director and
24 the Controller General.

EXECUTIVE

Section 50. (a) Section 1 of this Act appropriates \$2,000.0 to the Office of the Budget (10-02-01) for Data Processing – Development Projects which contemplates information technology planning, development and procurement services for the following state department/agencies development projects and feasibility studies:

DEPARTMENT / AGENCY

SERVICE NEED

Judicial

Judicial Information Center

Lifecycle Replacement

Executive

Office of the Governor

Computer Equipment

Legal

Office of Attorney General

Desktop Software

Health and Social Services

Social Services

MMIS Development

Fire Prevention

Office of the State Fire Marshal

Field Units

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

(b) No computer or computer-programming related systems project identified in Subsection (a) of this Section may be initiated by the departments/agencies during this fiscal year, unless covered by a formalized plan approved by the department/agency head and the Budget Director. After the Budget

1 Director approves a formalized project, he/she shall forward a copy to the Controller General and the
2 Director of the Office of Information Services. Such project will be in the form approved by the Budget
3 Director, or his/her designee, and shall include:

4 (i) statement of work to be done;

5 (ii) existing work to be modified or displaced;

6 (iii) total cost of systems development and conversion effort, including systems analysis and
7 programming cost, establishment of master files, testing, documentation, special
8 equipment costs, including full overhead, savings or additions in positions and operating
9 costs that will result after development or conversion;

10 (iv) other advantages or reasons that justify the work;

11 (v) source of funding for the work and whether or not work is within scope of work
12 envisioned under this Section; and

13 (vi) estimated costs of such project shall include a three-year projection, i.e., current fiscal
14 year and two succeeding fiscal years.

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

21 (d) Status reports supplied to the Office of the Budget and approved by the Office of Information
22 Services and the Controller General, sufficiently descriptive in nature of each project, shall be completed
23 by each department/agency and provided quarterly to the Budget Director, the Director of the Office of
24 Information Services and the Controller General.

25 (e) In support of all projects executed between the Office of Information Services and the Office
26 of the Budget and the concerned department/agency, Information Services shall maintain staff support to

1 the benefit of department/agency at the projected level of effort (subject to recruitment delays) until the
2 project work has been accomplished.

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

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

15 Section 52. The amount appropriated to the Office of the Budget, Contingency and One-Time
16 Items, Prior Years' Obligations, shall be used to pay Personnel Costs, reimbursement of overpayment of
17 fringe benefits, and other obligations except coding errors by a school district which require adjustment of
18 the state's accounts. Any use of the Prior Years' Obligations account by any agency receiving funds in
19 Section 1 of this Act, in excess of the amount reverted from the applicable line code on June 30 of the
20 fiscal year in which the expense was incurred, will require the requesting agency or school district to
21 reimburse the Prior Years' Obligations account by the amount equal to the excess requested. A line code
22 reversion sum does not negate the necessity of encumbering sufficient funds to cover known expenses,
23 proof of circumstances beyond an agency's ability to encumber must be documented on the request for
24 transfer to be excluded from the reimbursement clause. All requests for prior year funds to complete the
25 payment of one-time items will require a reimbursement to the Prior Years' Obligations account by the
26 requesting agency from any appropriation other than personnel costs. The reimbursement can be

1 removed from the current fiscal year's budget. The reimbursement clause shall not apply to legal
2 judgments against the agency or school district. A reimbursement under this Section shall not be deemed
3 to be prohibited by 10 Del. C. § 8111.

4 Section 53. For Fiscal Year 2002, 29 Del. C. § 6529 is interpreted to include the ability to
5 implement a hiring review process. All State agencies with the exception of Legislative, Judicial, Higher
6 Education and School Districts shall be subject to the provisions of 29 Del. C. § 6529 as interpreted by this
7 section. Implementation of a hiring review process shall require all positions to be reviewed and approved
8 by the Budget Director and the State Personnel Director prior to filling. All non-cabinet agency hiring
9 requests shall also require the review and approval of the Controller General prior to filling.

10 Section 54. The appropriation in Section 1 of this Act to the Office of the Budget, Contingencies
11 and One-Time Items (10-02-04) for Contingency, Appropriated Special Funds for \$23,000.0 shall be used
12 to make adjustments in the amount of state special fund appropriations in the event additional state special
13 funds are received which were not previously anticipated. Such adjustments shall be made in accordance
14 with the approval of the Budget Director and the Controller General.

15 Section 55. Section 1 of this Act includes a contingency of \$150.0 in the Executive Department,
16 Office of the Budget, One-Times and Contingencies (10-02-04) for West Nile Virus. With the approval
17 of the Budget Director and the Controller General, all or part of these funds shall be transferred to state
18 agencies to combat a potential outbreak of the West Nile Encephalitis Virus.

19 Section 56. Section 1 of this Act provides an appropriation to Office of the Budget,
20 Contingencies and One-Time Items (10-02-04). It is the intent that the appropriation for One-Time
21 Appropriations in the amount of \$806.0 shall be non-recurring expenditure items. The Budget Director
22 shall transfer the appropriations as itemized to the departments. Each receiving department shall identify
23 the line item, object code and, for all practical purposes, complete and separate accountability for each
24 appropriation amount transferred. No appropriation shall be transferred without the Budget Director and
25 the Controller General approvals. Any one-time appropriation for computer/word processing hardware,

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

Further, it is the legislative intent that none of the appropriations for One-Time Appropriations be included, or be considered, as a part of the budget request for the Fiscal Year 2003 Appropriation Bill.

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

9	Account		Fiscal Year
10	Codes	Remarks	Appropriation
11	(02-17-01)	New Castle County Court House – Training and Moving Costs	\$68.0
12	(02-17-01)	New Castle County Court House – Informational/PR Materials	\$30.0
13	(12-01-01)	New Computers	\$3.7
14	(12-02-01)	Travel and Training Related to SAP Accounting System	\$35.4
15	(15-02-01)	Kent County Office Relocation – Moving Costs and Furniture	\$28.0
16	(15-02-01)	Kent County Office Relocation – T-1 Line, Router, and Datapath Lines	\$13.0
17	(38-04-01)	Security Equipment for Institutions	\$50.0
18	(38-04-03)	Control Room Correctional Officers – Radios	\$12.0
19	(38-04-08)	Transportation Correctional Officers (NCCCH) – Radios	\$4.8
20	(40-05-04)	West Nile Virus	\$150.0
21	(45-02-10)	Front Seat Barriers for Capitol Police vehicles	\$3.0
22	(45-06-01)	Biennial Testing for State Police	\$45.0
23	(45-06-04)	New School Resource Officer Personnel Costs while in Academy	\$93.4
24	(45-06-05)	MDC’s for New School Resource Officers	\$17.0
25	(45-06-09)	Replacement for Vests	\$33.3
26	(45-06-09)	Replacement/Retrofit Weapons: Handguns, Shotguns	\$66.6
27	(45-06-09)	Training supplies for New School Resource Officers	\$7.2
28	(45-06-10)	800 MHz Radios for New School Resource Officers	\$16.0
29	(45-06-11)	Replacement for Front Seat Barriers for State Police Vehicles	\$17.9
30	(60-01-10)	Pharmacy Lease	\$40.0
31	(70-02-01)	Voting Machine Parts	\$10.0
32	(77-01-01)	Moving Costs	\$1.7
33	(95-01-01)	State Board of Education Accountability Survey	\$40.0
34	(95-03-20)	ECAP Relocation Costs	\$20.0

Section 57. Section 1 of this Act appropriates \$71.0 to the Office of the Budget, Contingencies and One-Time Items (10-02-04) for the Family Services Cabinet Council. These funds may be used by the Cabinet Council to continue development of interagency policy initiatives concerning children and families, including those that may be brought to its attention by the General Assembly:

1. Determine how to measure and report on the status of children and families to assist, evaluate and track state and county-wide services related to child and family well-being;
2. Determine how to use collected tracking information to inform decision-makers concerning policies affecting children and families in Delaware and to strengthen public action on behalf of children and families with the state;
3. Identify additional funds from federal and private sources to maximize the resources of the state to enhance the well-being of children and families;
4. Create an on-going forum and process to facilitate integrative, collaborative planning of programs and services for children and families within Delaware.

The Family Services Cabinet Council is authorized to receive and spend non-state and non-federal money for the purposes listed above. Any such funds received shall be set up in an account to be administered by the Office of the Budget.

The Cabinet Council is encouraged to use the Delaware Kids Count Project as a resource in the collection and analysis of data on children and family issues.

The Cabinet Council is encouraged to explore with the University of Delaware and Delaware State University to determine how these institutions can participate consistent with their land grant mission.

The Cabinet Council shall report quarterly to the Controller General on expenditure of funds in Fiscal Year 2002.

Additionally, \$21.0 of this appropriation shall be used to support the University of Delaware, Cooperative Extension newsletter series, Great Beginnings.

1 Section 58. Section 1 of this Act appropriates \$1,000.0 to the Office of the Budget,
2 Contingencies and One-Times, Motor Fuel Tax operations (10-02-04). The purpose of this funding is to
3 reimburse the Transportation Trust Fund of the Department of Transportation, Office of the Secretary,
4 Division of Financial Management and Budget (55-01-02) for the operating cost of Motor Fuel Tax.

5 Section 59. Notwithstanding the provisions of any other law, for the fiscal year ending June 30,
6 2002 interest earnings of the Delaware Strategic Fund as provided for in 29 Del. C. § 5027, shall be used
7 in the following manner and not to exceed the amounts so noted:

- 8 (i) the first \$350.0 shall be used for the general operating expenses of the Delaware Small
9 Business Development Center.
- 10 (ii) the second \$300.0 shall be used to continue the Delaware Business Marketing Program
11 within the Delaware Economic Development Authority (10-03-03). It is the intent of the
12 General Assembly that these funds shall be used to match non-state contributions to the
13 Delaware Business Marketing Program. Receipt of non-state funds shall be deposited in
14 a special fund for business marketing and recruitment purposes only. Expenditures of the
15 program shall be divided between non-state contributions and the state matching funds
16 such that non-state contributions are not less than one half of total expenditures. These
17 funds shall not be used for hiring full-time employees. On or before April 1, 2002, the
18 Director of the Delaware Economic Development Office shall provide to the Budget
19 Director and the Controller General a report on the Delaware Business Marketing
20 Program. The report shall include an itemized list of non-state funds received, total
21 expenditures and an assessment of the performance of the program to date.
- 22 (iii) the third \$100.0 shall be used for general operating expenses of the Working Capital
23 Delaware Program (YWCA of New Castle County).
- 24 (iv) any remaining funds shall be used for the purposes of the Delaware Strategic Fund.

1 Section 60. Section 1 of this Act appropriates \$65.0 for Other Items to Delaware Economic
2 Development Authority (10-03-03). Of this amount, \$15.0 shall be allocated for the Delmarva Advisory
3 Council.

4 Section 61. The Delaware Economic Development Office, Office of the Director (10-03-01) will
5 continue to use revenue from the Blue Collar Training Fund for the Workforce Development Grant.
6 Funding for this grant shall be maintained at current levels.

7 Section 62. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-
8 02) pursuant to 30 Del. C. § 6102(b) contained in Section 1 of this act, \$200.0 ASF shall be used to fund a
9 matching grants program and \$50.0 ASF shall be used for a grant program where no match is required.
10 Funds awarded as either grants or matching grants shall not be used for overhead or personnel related
11 costs by the recipient entities. The Delaware Tourism Office, in cooperation with the Tourism Advisory
12 Board shall develop rules and regulations for the application and award of the grants and matching grants.
13 The Delaware Tourism Office shall provide the Controller General and Budget Director with a report by
14 April 1, 2002, detailing the usage of the funds herein authorized. Said report shall also contain an
15 assessment of the effectiveness of the programs in increasing tourism throughout the State.

16 Section 63. Section 1 of this Act authorizes \$250.0 ASF within the Delaware Tourism Office
17 (10-03-02) for the Kalmar Nyckel. Said authorization is contingent upon the concurrence of the Board of
18 Directors of the Riverfront Development Corporation.

19 Section 64. Section 1 of this Act appropriates \$337.7 to the Office of State Personnel, Operations
20 (10-04-02) for Generic Aides/Handicapped Employees. This appropriation is intended to encourage and
21 enable qualified mentally and physically handicapped persons to obtain state employment in a State
22 agency or school district per the provisions of 29 Del. C. § 5924.

23 Section 65. Section 1 of this Act provides authorization for a Staff Development Officer to be
24 funded with Appropriated Special Funds in the Office of State Personnel, Staff Development and

1 Training (10-04-04). The position will support statewide training programs for state managers,
2 supervisors and employees. It is the intent of this Act to support these statewide training programs, in
3 part, with funds generated from the assessment of charges for courses on agencies participating in certain
4 classes held by the Office of State Personnel. The Office of State Personnel may set charges for courses
5 to sustain or create training programs with the funds placed in an Appropriated Special Fund account
6 established by the Budget Director.

7 Section 66. Section 1 of this Act provides an appropriation of 2.0 ASF FTEs and \$84.7 ASF in
8 the Office of State Personnel (10-04-00). The State Personnel Director shall be the appointing authority
9 and the 2.0 ASF FTEs will be housed in the State Personnel Office. These positions shall be Personnel
10 Officers who will work on personnel issues for the Department of Transportation. The source of funding
11 shall be the Department of Transportation, Division of Administration (55-02-01).

12 Section 67. For Fiscal Year 2002, the provisions of 29 Del. C. § 5905(b)(1), shall be waived for
13 any merit exempt employee on the PHRST project who is not covered by Merit Rule 6.0224, and the
14 State Personnel Director shall have the same authority provided in Merit Rule 6.0224, in unusual
15 circumstances and upon written request from the appointing authority, to authorize carrying over annual
16 leave in excess of the maximum amount for PHRST project merit exempt employees.

17 Section 68. The State Employees Pension Benefits Review Committee will continue to review
18 the pension plan by using appropriate and accepted comparative analysis, including, but not limited to, the
19 benefit structure of the various state pension systems for the purpose of evaluating current pension plan
20 benefits and recommending changes.

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

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

3 Section 69. Whenever the annual valuation of the market value of the assets of the Special
4 Pension Fund exceeds the actuarial value of benefits available to persons entitled to receive special
5 pensions by a factor of at least 20 percent, the Board of Pension Trustees, in its sole discretion, may
6 transfer the excess over 20 percent or any part of it to the State Employees Pension Fund for the benefit of
7 that Fund.

8 Section 70. Section 1 of this Act provides funding for a state employee pension rate of 8.34
9 percent. The components of the rate are 1.35 percent for the pension liability, 4.34 percent for the retiree
10 health insurance liability, 2.33 percent for the Post-Retirement Benefit Fund and 0.32 percent to prefund
11 retiree health insurance costs. The 1991 Early Retirement Option (ERO) accounts for approximately .71
12 percent of the pension liability and .55 percent of the retiree health insurance liability.

13 Section 71. The Board of Pension Trustees may allocate the pension/health insurance monies
14 received from the State during any month to ensure that funds are available to pay health insurance
15 premiums for retirees in each month.

16 Section 72. The duties of the State Personnel Director shall include the administration and
17 management of a statewide human resource information system and upon implementation, serve as the
18 administrator of all data and processes supported by the system throughout the State, including all
19 government agencies, school districts, Delaware State University and Delaware Technical and
20 Community College.

21 Section 73. The Delaware Health Care Commission (10-05-01) is hereby authorized to reimburse
22 Commission members for mileage associated with Committee responsibilities.

23 Section 74. The line item, DIDER Operations, in Section 1 of this Act, Delaware Institute of
24 Dental Education and Research (10-05-03), as provided by 14 Del. C. c. 88, provides for three dental

internships and sufficient funds to contract with the Delaware Psychiatric Center to continue the Dental Internship Program. This program also will serve clients in the Community Mental Retardation Program.

Section 75. Section 1 of this Act appropriates \$1,832.5 to the Delaware Institute of Medical Education and Research (10-05-02). This amount shall be allocated as follows:

Jefferson Medical College	\$1,000.0
Philadelphia School of Osteopathic Medicine	62.5
University of Delaware	50.0
Medical Center of Delaware	200.0
Scholarships/Loans	420.0
Loan Repayment	<u>100.0</u>
	\$1,832.5

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

Of the Scholarship/Loans allocation identified above, \$400.0 is to be used to provide financial assistance in the form of loans for students attending Jefferson Medical College and \$20.0 is to be used for students attending Philadelphia College of Osteopathic Medicine allocated by the DIMER Board. Beginning July 1, 1993, persons receiving loans who had not previously received loans shall be required to repay those loans. Persons who first received scholarships before July 1, 1993, may voluntarily elect to participate in the loan program. These loans shall be repaid under terms and conditions that will be set by the Delaware Higher Education Commission who shall be responsible for the record-keeping. Loan recipients may discharge their repayment obligation by agreeing to serve in Delaware providing primary care services, not including residency training, such as pediatrics, internal medicine, family medicine or obstetrics/gynecology. The service obligation shall be calculated so as to make equal the ratios represented by the loan to the annual tuition and the time of service to a calendar year. The loan repayment allocation of \$100.0 shall be used to recruit physicians, either medical doctors or doctors of

osteopathic medicine, to Delaware. Recruitment tools include, but are not limited to, loan repayments as approved by the Delaware Health Care Commission.

Section 76. (a) Section 1 of this Act appropriates to the State Housing Authority (the "Authority") \$7,690.8 for its discretionary operating expenses. Discretionary operating expenses include personnel costs, travel, contractual services, supplies and materials and other normal business expenses of the Authority which are not required to be made pursuant to bond resolutions, trust indentures, agreements with the Federal Department of Housing and Urban Development, or otherwise required by operating agreements of the Authority.

(b) Nothing herein shall be construed to require any prior approval for the Authority to meet its previously contracted obligations, including debt service requirements under bond resolution or trust indenture of the Authority, nor shall anything contained herein require any such prior approval for any expenditure by the Authority under any such bond resolution or trust indenture or under any agreement with the Federal Department of Housing and Urban Development.

Section 77. The Delaware State Housing Authority is hereby authorized to use up to \$325.0 of the interest income from the Housing Development Fund for the support of administrative functions associated with that fund.

Section 78. Section 1 of this Act appropriates funding for a Senior Secretary in Criminal Justice Council (10-07-01) to be used as dedicated secretarial support for the Executive Director of the Domestic Violence Coordinating Council. This position shall be an exempt position and shall be excluded from classified service as defined under 29 Del. C. § 5903.

Section 79. Section 1 of this Act includes 1.0 FTE in the Executive Department, Office of the Budget, Statistical Analysis Center (10-02-08) for the Director of the Statistical Analysis Center. This position shall be exempt from the Merit System until such time as the current incumbent vacates the position, at which time the position shall be classified by the Director of State Personnel in accordance with the Merit System and 29 Del. C. c. 59.

Section 80. In an effort to manage the cost/benefit of professional services, the Office of Information Services is hereby authorized to implement a pilot project to utilize the services of Limited Term employees in lieu of Contractual Services. Requests, accompanied by an implementation plan and/or status report, from the Executive Director of the Office of Information Services for transfer of unexpended Contractual Services to Personnel Costs, for purposes of this pilot within the Office of Information Services, may be made upon approval of the Budget Director and the Controller General. OIS employees hired as Limited Term under this section shall be hired within the procedures of the Merit Rules and compensated at rates within salary ranges as specified in the Merit System and Merit Comparable Salary Schedules.

OTHER ELECTIVE OFFICES

Section 81. The Auditor of Accounts (12-02-01) is hereby directed to audit the state-funded portion of the finances of the University of Delaware as authorized by 14 Del. C. § 5109. The contractor conducting the audit shall be selected jointly by the University of Delaware and the State Auditor.

Section 82. 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 83. 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 84. Section 1 of this Act provides the ASF appropriation for the Fraud Unit within the Insurance Commissioner, Regulatory Activities (12-03-01). Merit positions hired for this unit may not be hired above 85 percent of the mid-point of the position's paygrade without permission of the Office of State Personnel and the Office of the Budget.

Section 85. 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 86. The State Treasurer (12-05-00) is authorized to establish and maintain a special fund (NSF) appropriation to be credited with stale check write-off amounts. Use of this account is limited to the processing of stale check reissues by the State Treasurer. On June 30 of each fiscal year, the unexpended stale check write-off balance in excess of \$100.0 shall be credited to the General Fund. If

1 during a fiscal year, there is an insufficient amount to process reissues, a revenue refund shall be made
2 from the General Fund to the NSF appropriation.

3 Section 87. Section 1 of this Act provides an ASF appropriation of \$2,010.6 to the State
4 Treasurer, Administration (12-05-01), Cash Management Policy Board, authorized by 29 Del. C. c. 27,
5 for the purpose of providing staff support and operational expenses, including payment of fees for
6 banking services. The \$2,010.6 in interest income on bank deposits shall be coded as special fund
7 revenue to provide funds for operation of the Cash Management Policy Board.

8 Section 88. Section 1 of this Act authorizes \$370.0 for Expense of Issuing Bonds State Treasurer,
9 Debt Management (12-05-03), for payment of expenses relating to the issuance of State long-term debt.
10 Disbursement from the Expense of Issuing Bonds fund shall not be made without the prior approval of the
11 State Treasurer and the Secretary of Finance.

12 Section 89. Section 1 of this Act establishes a special fund appropriation entitled Electronic Data
13 Interchange, State Treasurer, Administration (12-05-01) Cash Management Policy Board to support the
14 Electronic Data Interchange/Electronic Funds Transfer initiative. Use of these funds shall be coordinated
15 with and approved by the Executive Director of the Office of Information Services and the Secretary of
16 Finance.

17 Section 90. Notwithstanding 29 Del. C. § 6059, the program participants shall pay for all costs,
18 excluding personnel, associated with the administration of the Deferred Compensation Program.

LEGAL

Section 91. Section 1 of this Act authorizes an appropriation for Contractual Services for the Office of Attorney General (15-01-01). Of this amount, \$823.6 shall be used for the purpose of providing services covering family violence in New Castle County, and \$393.6 shall be used for the purpose of providing services covering family violence in Kent and Sussex counties.

Section 92. Section 1 of this Act provides an appropriation of \$568.5 in Appropriated Special Funds and 11.0 ASF positions to the Office of the Attorney General (15-01-01) to support the Securities Division. The Attorney General is authorized to collect and use revenues from the fees realized by 29 Del. C. § 2512 and 6 Del. C. c. 73 (Delaware Securities Act). Balances at the end of any fiscal year in excess of \$100.0 collected from these fees shall be deposited into the General Fund.

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

Section 93. Of the total Deputy Attorneys General authorized in Section 1 of this Act to the Office of Attorney General (15-01-01):

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

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

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

(d) One shall be exclusively dedicated to Labor Law Enforcement in the Department of Labor, Division of Industrial Affairs, Office of Workers' Compensation, Safety and Health (60-07-01). The cost of this employee and all expenses associated with his/her employment shall be included in the annual tally

per 19 Del. C. § 2392(c)(1) and the semi-annual administrative assessment per Subsection 2392 (d) of the same Title;

(e) One half (.5) shall be assigned to the Child Placement Review Board;

(f) Three shall be assigned to provide legal representation as required to the Department of Correction;

(g) Two shall be assigned to the Domestic Violence Units serving Kent and Sussex counties, two Administrative Assistants shall also be assigned to these units;

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

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

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

(k) The Attorney General shall assign 1.0 GF Deputy Attorney General to provide legal services to the Delaware Economic Development Office;

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

(m) One split-funded (.5 NSF FTE and .5 GF FTE) Deputy Attorney General and 1.0 ASF FTE Deputy Attorney General shall be assigned to the Department of Services for Children, Youth and Their Families, Family Services to work on termination of parental rights, pursuit of custody, adoption and provide other legal advice and appearances related to the work done by this Division;

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

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

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

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

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

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

(t) One Deputy Attorney General shall be assigned to the Delaware State Police;

(u) Section 1 of this Act appropriates two ASF positions (one Deputy Attorney General IV and one Paralegal) relating to the tobacco settlement; in an effort to supplement and enhance the on-going aggressive enforcement efforts by the Attorney General's Office of Delaware's Tobacco laws pertaining

1 to youth access and to enforce the Master Settlement Agreement in an effort to prevent the loss of
2 settlement dollars; and

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

6 Section 94. Section 1 of this Act makes an appropriation of \$15.0 to the Office of the Attorney
7 General (15-01-01) in Appropriated Special Funds to establish an Attorney General Opinion Fund. The
8 Office of the Attorney General is authorized to publish and sell the opinions of the Attorney General; to
9 deposit the proceeds of any sales in a special fund to be designated "Attorney General Opinion Fund";
10 and to expend all monies deposited in such fund for any expense connected with the publishing or sale of
11 opinions of the Attorney General. Copies of the published opinions will be distributed at no cost to the
12 General Assembly, the Governor and state agencies. If at the end of the fiscal year, the amount deposited
13 in this fund exceeds \$15.0, the amount exceeding \$15.0 shall be deposited into the General Fund.

14 Section 95. Section 1 of this Act makes an appropriation of \$1,031.8 ASF, \$400.0 GF and 22.0
15 positions, split-funded 66 percent ASF and 34 percent GF to the Office of the Attorney General to support
16 the Child Support Enforcement function. The Child Support Enforcement function in the Attorney
17 General's Office will operate on a reimbursement basis, wherein the State makes the initial expenditures
18 and is reimbursed from federal funds controlled by the Department of Health and Social Services. The
19 reimbursement rate for operations will be 66 percent of total direct costs; the reimbursement rate for
20 indirect costs will be 25 percent of federal dollars spent on direct salary costs.

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

25 The Attorney General's Office shall also be allowed to retain up to a maximum of \$30.0 of the
26 departmental portion of indirect cost recoveries for this function to support the agency's overhead and

1 \$16.3 to be applied to the state's share for four clerical positions. The statewide portion of indirect cost
2 recoveries will be deposited to the indirect cost account in the Budget Office. The remainder of the
3 indirect cost recoveries and any unused portion of indirect cost funds in the Attorney General's Office will
4 be deposited into a separate account in the Office of the Treasurer, to be established by the Budget Office,
5 and retained to be used to support the General Fund portion of the budget for this function in subsequent
6 years.

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

10 Section 96. Notwithstanding any other laws to the contrary, including, but not limited to, 29 Del.
11 C. Part VI, the Attorney General is authorized to enter into a contract for the production, distribution and
12 marketing of the video entitled "Crossing the Line" on such terms and conditions as the Attorney General
13 deems appropriate. All revenues received by the Attorney General from such contract shall be deposited
14 in a Non-Appropriated Special Fund. Revenues received and deposited into such NSF account shall be
15 used for the purpose of reproducing, marketing, and distributing copies of this film.

16 Section 97. Section 1 of this Act appropriates funding in Personnel Costs to the Office of the
17 Attorney General (15-01-01) to be used to pay for the salary matrix in the Department of Justice as
18 approved by the Joint Finance Committee, notwithstanding Chapters 5.000 and 6.000 of the Merit Rules.
19 This salary matrix is intended to maintain the salaries of Deputy Attorneys General at competitive rates.
20 A committee consisting of the Attorney General, the State Personnel Director, the Budget Director and
21 the Controller General will bi-annually review the Department of Justice Salary Plan.

22 Section 98. Section 1 of this Act appropriates \$228.5 in Personnel Costs and 7.0 GF positions to
23 the Office of the Attorney General (15-01-01) for positions funded by two expiring grants: Juvenile
24 Accountability Incentive Block Grant (JAIBG) and Victims Of Crime Act (VOCA) grant. These
25 positions are responsible for prosecuting serious juvenile offenders, assisting elderly and disabled victims

1 of financial exploitation and abuse, and providing prosecution-based services to victims of violent crimes.
2 Upon expiration of these grants, the existing 7.0 NSF positions will be converted into General Fund
3 positions.

4 Section 99. Section 1 of this Act appropriates \$239.5 in Personnel Costs and 8.0 positions to the
5 Public Defender (15-02-01) for positions funded by the expiring Juvenile Accountability Incentive Block
6 Grant (JAIBG). These positions are responsible for expediting the case processing for serious juvenile
7 offenders and providing comprehensive psycho-forensic evaluations of these offenders so they can be
8 placed in more appropriate treatment alternatives. Upon expiration of this grant, the existing 8.0 NSF
9 positions will be converted to General Fund positions.

10 Section 100. Section 1 of this Act appropriates funding in Personnel Costs to the Public Defender
11 (15-02-00) to be used to pay for the salary matrix in the Office of the Public Defender as approved by the
12 Joint Finance Committee, notwithstanding Chapters 5.000 and 6.000 of the Merit Rules. This salary
13 matrix is intended to maintain the salaries of the assistant Public Defenders at competitive rates.
14 Assistant Public Defenders who were eligible for a salary increase greater than 15 percent in Fiscal Year
15 2001 shall be provided with the additional increase during Fiscal Year 2002. A committee consisting of
16 the Public Defender, the State Personnel Director, the Budget Director and the Controller General will bi-
17 annually review the Public Defender Salary Matrix.

STATE

Section 101. Section 1 of this Act appropriates \$25.0 in the line item Historical Marker Maintenance to the Department of State, Delaware Public Archives (20-03-01). Of this amount, \$10.0 shall be used for replacement, \$10.0 used for repair and refurbishing and \$5.0 for contractual assistance.

Section 102. Section 1 of this Act provides an appropriation to the Department of State, Office of the Secretary, Delaware Commission on Veterans Affairs (20-01-02) for Contractual Services. Of that amount, \$49.9 shall be used to provide mental health services for veterans in Kent and Sussex counties.

Section 103. Section 1 of this Act establishes a special fund appropriation entitled Technology Infrastructure Fund, in the Division of Corporations (20-05-01). All revenues derived as a result of 69 Del. Laws, c. 52, will be deposited into this fund to be used for technological and infrastructure enhancements, ongoing maintenance, operational expenses for Corporations, and electronic commerce initiatives. Quarterly reports regarding the status of this fund shall be made by the Department of State to the Budget Director and the Controller General.

Section 104. Amend 29 Del. C. § 2311 by striking subsection (e) in its entirety and substituting in lieu thereof the following:

(e) “The maximum unencumbered balance which shall remain in the Corporations, Corporate Revolving Fund at the end of Fiscal Year 2001 shall be \$1,300,000.00 and any amount in excess thereof shall be transferred to the General Fund of the State. The maximum unencumbered balance which shall remain in the Division of Corporations, Corporate Revolving Fund at the end of Fiscal Year 2002 and any subsequent fiscal year thereafter shall be \$1,000,000.00 and any amount in excess thereof shall be transferred to the General Fund of the State.”

Section 105. Section 1 of this Act provides an appropriation to the Department of State, Historical and Cultural Affairs, Office of Administration (20-06-01) for Delaware Heritage Commission.

1 Of that amount, \$15.0 shall be used at the discretion of the Delaware Heritage Commission for scholar
2 awards, challenge grants and publications.

3 Section 106. Pursuant to 29 Del. C. § 5903(4), the position of Director of the Delaware Heritage
4 Commission (20-06-01) shall be exempt from the Merit System.

5 Section 107. The Delaware Heritage Commission shall investigate which out of print books and
6 writings on Delaware history should be considered for republication. Further, the Delaware Heritage
7 Commission shall investigate what writings in these categories would be valuable for republication. A
8 report shall be made to the Controller General and Budget Director by December 1, 2001.

9 Section 108. Section 1 of this Act provides a special fund appropriation to the Department of
10 State, Historical and Cultural Affairs for conference center operations. The department is hereby
11 authorized to retain revenue received from land and building rentals at Buena Vista, Belmont Hall, Dayett
12 Mills, The Lindens, McCrone House, John Dickinson Plantation and the Meeting House Galleries to
13 support these operations.

14 Section 109. Notwithstanding the provisions of 29 Del. C. § 6102(a) and 5 Del. C. § 1106, the
15 Office of the State Bank Commissioner is authorized to retain \$100.0 of the Bank Franchise Tax for costs
16 associated with the collection and administration of the Bank Franchise Tax.

17 Section 110. Section 1 of this Act makes an appropriation to Libraries (20-08-01) in the amount
18 of \$2,121.6 for Library Standards. Of that amount, Libraries may reserve up to \$212.1 for planning and
19 evaluation grants to determine each library's attainment of state and federal library standards. The
20 remaining funds shall be paid to libraries in two installments equal to 50 percent of the total amount
21 allocated to that library, one installment upon signature of the contract and the second installment in
22 January of the fiscal year. Funds granted to any library under the provisions of 29 Del. C. c. 66, if
23 unspent at the end of the fiscal year shall not revert to the General Fund, but instead shall be held in an
24 account for the benefit of the library from which the unspent funds came. These funds may be spent in

1 subsequent years for purposes described in 29 Del. C. c. 66. The use of such carryover funds shall not be
2 used as part of any subsequent years' formula payment.
3

FINANCE

Section 111. The Department of Finance, Office of the Secretary, is authorized during Fiscal Year 2002 to maintain special funds with the State Treasurer for the acquisition of technology and payment of other costs incidental to the implementation and maintenance of computer systems at the Department of Finance. Deposits to the special funds shall be from the collection of delinquent taxes and shall not exceed \$2,595.0. Of this amount, \$600.0 shall be used for the purpose of maintaining Revenue's mainframe computer system and the programs that reside thereon, the provisions of 29 Del. C. subchapter IV or 29 Del. C. c. 63 notwithstanding. Of the said \$600.0, \$130.0 shall be used to contract for system maintenance with the Office of Information Services.

Section 112. Revenue (25-06-01) is authorized to establish and maintain a special fund with the State Treasurer for the purposes of contracting for the collection of delinquent State taxes and other debts that Revenue has undertaken to collect. The contracts may provide for either or both: (a) collection or assistance in collection of delinquent accounts from businesses or persons; (b) audit of business taxables under the direct supervision of Revenue management; or (c) audit of physical inventory of alcoholic beverage wholesalers. Deposits to the special fund shall be from the collection of delinquent taxes under such contracts. A detailed report on all expenditures from and collections to this special fund shall be sent annually to the Budget Director and the Controller General. Unencumbered balances on June 30 in excess of \$150.0 shall revert to the General Fund.

Section 113. The Director of Revenue shall have the authority to accept, on whatever terms and conditions he/she may establish, payment by credit card of taxes, fees and other obligations which Revenue has undertaken to collect. The Director is authorized to enter into contracts for the processing of credit card payments and fees associated with such contracts. Up to \$80.0 of the delinquent collections in the Appropriated Special Fund line may be used to pay for fees and expenses associated with the collection of taxes by credit cards.

1 Section 114. The Director of Revenue shall have the authority to enter into agreements according
2 to which contingency and other fees are provided to finders of property to be escheated to the State or to
3 other persons identifying abandoned property by means of audit or otherwise. When the Director deems
4 it to be appropriate, he/she may enter into escrow, custodian, or similar agreements for the purpose of
5 protecting the state's interest in property to be escheated or fees payable pursuant to the aforesaid
6 agreements. The Director may direct that payment for said fees or other costs incident to escheat of
7 property under the aforesaid agreements, including litigation expenses incident to escheat administration
8 be made out of such money held in the escrow, custodian or other account established under this
9 paragraph. No account shall be used to pay for employees of the Division of Revenue. Section 1 of this
10 Act establishes an Appropriated Special Fund account, Escheat, from which charges relating to receiving
11 and processing remittances and reports by holders, and claims by owners of abandoned property, as well
12 as advertising and travel fees and associated costs may be paid and into which abandoned property
13 remittances may, at the discretion of the Director, be deposited. Unencumbered balances on June 30, in
14 excess of \$75.0, shall revert to the General Fund. A semi-annual report of amounts in escrow or
15 custodian accounts shall be furnished to the Budget Director and the Controller General.

16 Section 115. Revenue (25-06-01) is authorized to require payment of fees for issuance of
17 certificates or other documents reflecting the status of taxes, if any, owed by the taxpayer requesting such
18 certificate. In addition, the division is authorized to specify payment of fees for collection of debts owed
19 to claimant agencies. Payment of these fees shall be deemed to reduce the contractual services
20 expenditures of the division and shall be recorded as expenditure-reducing items.

21 Section 116. Pursuant to 29 Del. C. § 4815(b)(2), funds from the State Lottery Fund shall be
22 released to an appropriately established account within the Department of Health and Social Services,
23 Alcoholism, Drug Abuse and Mental Health (35-06-00) on or before the fifteenth day of each month, the
24 amount of which shall be determined based on the results of video lottery operations conducted during the
25 immediately preceding month.

1 Section 117. (a) In the event that the State Lottery's amount of contractual services shall exceed

2 the amount in Section 1 of this Act due to increased lottery ticket sales, the Appropriated Special Fund

3 Budget in Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and

4 the Budget Director; provided that the total operating budget for this fiscal year shall not exceed 20

5 percent of gross sales as limited by 29 Del. C. § 4815(a).

6 (b) In the event the State Lottery's amount of Contractual Services shall exceed the amount in

7 Section 1 of this Act due to increased video lottery net proceeds, the Appropriated Special Funds Budget

8 in Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and the

9 Budget Director, as limited by 29 Del. C. § 4815(b).

10

ADMINISTRATIVE SERVICES

Section 118. 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 119. 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 120. All acquisition of copiers in state buildings which are managed by the Department of Administrative Services, Facilities Management (30-05-00), must have the approval of the Secretary of Administrative Services.

Section 121. Notwithstanding the provisions of 29 Del. C. § 8806(e), funds generated by Delaware Surplus Services and deemed to be surplus by the Secretary of Administrative Services, shall be transferred to Facilities Management (30-05-10) by the Office of the Budget for the maintenance and restoration of state buildings and grounds maintained by the Department of Administrative Services.

Section 122. During Fiscal Year 2002, 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 123. For energy backcharge purposes, the Department of Administrative Services (host department) Fiscal Year 2002 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 124. (a) Section 1 of this Act appropriates \$8,071.2 and \$4,000.0 ASF to the Department of Administrative Services, Facilities Management (30-05-10). These funds shall be expended for minor capital improvements and equipment on behalf of the following state agencies and shall not be subject to reversion or deauthorization until June 30, 2004:

<u>Agency</u>	<u>General Fund</u>	<u>Special Fund</u>
Judicial	\$ 250.0	
Department of State	522.3	
Department of Administrative Services	1,597.4	
Department of Administrative Services (Asbestos/UST)	709.0	
Department of Health and Social Services	2,227.0	
DHSS – Long Term Care Facilities/Tobacco Settlement Funds		\$4,000.0
Department of Services for Children, Youth and Their Families	382.4	
Department of Correction	2,000.0	
Department of Public Safety	139.8	
Delaware National Guard	243.3	

(b) 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 125. Notwithstanding the provisions of 29 Del. C. § 5117, state agencies may pay for employee parking in the Government Center Parking Garage as long as such payments are continuances of payments made prior to May 31, 1998. Such payments shall cease when the employee leaves the positions he or she occupied prior to May 31, 1998.

Section 126. Personnel in the Department of Administrative Services, Facilities Management who respond to weather related emergencies, and are not covered under FLSA, shall be entitled to receive compensation at their straight time rate of pay for all overtime services performed beyond the normal

1 work week. The method of compensation is subject to the availability of funds and/or the operational
2 needs of the Department of Administrative Services, Facilities Management.

3 Section 127. Section 1 of this Act appropriates \$800.0 to the Department of Administrative
4 Services, Facilities Management (30-05-10). These funds for state agency underground storage tanks
5 shall not be subject to reversion until June 30, 2004.

6 Section 128. Section 1 of this Act provides an appropriation of \$5,649.1 in Contractual Services
7 and \$889.1 in Supplies and Materials to Facilities Management (30-05-00). Of these amounts, \$251.8
8 and \$10.2, respectively, are for the operation and maintenance of the Kent County Courthouse. The
9 purchase of the Kent County Courthouse is planned for Fiscal Year 2001. Should such purchase not
10 occur, the Budget Director and the Controller General are authorized to transfer said funds to the Office
11 of the Budget, Contingencies and One-Time Items (10-02-04) for Salary Contingency.

HEALTH AND SOCIAL SERVICES

Section 129. Section 1 of this Act includes a NSF appropriation within the Division of Social Services (35-07-00) of \$32,291.0. It is anticipated that this sum shall be spent as follows: Cash Assistance, \$15,000.0; Emergency Assistance, \$1,500.0; Employment and Training, \$5,500.0; Administrative, Child Care and Other Costs, \$10,300.0.

Section 130. 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 without approval by any other authority. 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 a quarterly report directly with the Budget Director, the Controller General, the Director of Research of Legislative Council, members of the Joint Finance Committee, and the Chairmen of the House and Senate Committees on Health and Social Services by the last day of the next month after the end of a quarter, which report shall not be subject to prior review by any other authority.

Section 131. 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.

Section 132. (a) The amount appropriated by Section 1 of this Act to the Department of Health and Social Services for Title XIX Federal Programs (Medicaid) - Other Than State Institutions shall be expended solely in accordance with the following conditions and limitations:

- 1 (i) This appropriation shall be used for the purpose of continuing the program of medical
2 assistance provided within the state plan under Title XIX of the Social Security Act and the
3 requirement of Section 121(a) of P.L. 89-97 and all subsequent amendments enacted by the
4 Congress of the United States and commonly known as Title XIX of the Social Security Act;
- 5 (ii) The state plan of medical care to be carried out by the Department of Health and Social
6 Services shall meet the requirement for Federal Financial Participation under the
7 aforementioned Title XIX, and the sums expended by the Department pursuant to this Act
8 shall be limited to:
- 9 (1) Services mandated by the Health Care Financing Administration (HCFA), including:
- 10 a) Acute care inpatient general hospital services (other than services in institutions for
11 tuberculosis or mental diseases)
- 12 b) Outpatient hospital services
- 13 c) Rural health clinic services and federally-qualified health center services
- 14 d) Laboratory and X-ray services
- 15 e) Nursing facility (NF) services
- 16 f) Early and periodic screening, diagnosis and treatment (including routine eye care,
17 dental services and other medically necessary services that are not covered for the
18 general population) for individuals under age 21 only known as EPSDT
- 19 g) Family planning services (including voluntary sterilization)
- 20 h) Physician services
- 21 i) Home health services including assistive technology such as durable medical
22 equipment and supplies, prosthetics and orthotics, PT, OT and speech and hearing
23 services
- 24 j) Nurse-midwife services
- 25 k) Services furnished by a certified nurse practitioner
- 26 l) Transportation

- 1 m) Medicare premiums and/or coinsurance and deductible amounts as mandated for dual
2 Medicare/Medicaid eligibles, Qualified Medicare Beneficiaries, Specified Low
3 Income Beneficiaries, and individuals qualified under Section 4732 of the Balanced
4 Budget Act of 1997
- 5 n) Additional services mandated by HCFA through future revisions to the Social Security
6 Act

7 (2) Optional services, including:

- 8 a) Podiatry services
- 9 b) Clinic services, including mental health clinics, ambulatory surgical centers (ASCs) or
10 free-standing surgical centers (FSSCs) and rehabilitation facilities.
- 11 c) Pharmaceutical products
- 12 d) Services for individuals age 65 or older in institution for mental diseases (ICF/IMDs)
- 13 e) Institutional services for the mentally retarded (ICF/MRs)
- 14 f) Emergency hospital sites not approved by Medicare (for clients traveling out-of-state)
- 15 g) Private duty nursing
- 16 h) Non-traditional services provided under a federally approved waiver for maintaining
17 individuals in the community as an alternative to institutionalization
- 18 i) Hospice services
- 19 j) Rehabilitation and specialty hospital services
- 20 k) Other medically necessary services that are funded by the State

21 (3) To the following groups/individuals who are determined eligible under the Title XIX
22 Program:

- 23 a) Pregnant women, and infants under the age of one, with family income up to 200
24 percent of the poverty limit;
- 25 b) Children up to age 6 (through age 5) with family income up to 133 percent of the
26 poverty limit;

- c) Children up to age 19 (through age 18) with family income up to 100 percent of the poverty level;
- d) Pregnant teens;
- e) Children whose families, sponsors or foster parents receive benefits under Title IV-E and IV-D of the Social Security Act and/or who meet Medicaid income and resource requirements;
- f) Foster children and children in private facilities (under age 21) for whom a public agency is assuming full or partial financial responsibility;
- g) Children (under age 21) for whom any Division within the Department of Services for Children, Youth and Their Families has custody or consent to place, who have been removed from their own home, and who are in a medical facility for a temporary planning period prior to placement;
- h) Children under age 18 who receive General Assistance (GA);
- i) Federal or State-funded adoption assistance children;
- j) Infants placed with private agencies for adoption;
- k) Children age 18 or under who require an institutional level of care, who qualify as blind or disabled, and who have personal income and resource below the limit for Supplemental Security Income (SSI), but who can be cared for safely and cost-effectively at home, may be covered;
- l) Families who would have qualified for the following groups which have been replaced with Temporary Assistance for Needy Families (TANF) program effective March 10, 1997;
- m) Cash assistance recipients;
- n) Cash assistance applicants with a budgeted need of less than \$10;
- o) Work Transition/Prospective - including:
 - 1. Families who lose eligibility for cash assistance due to new or increased earnings remained eligible for Medicaid for up to 24 additional months, or

2. Families who lose eligibility for cash assistance due to new or increased income from child support remain eligible for Medicaid for four additional months.

p) Income Deeming Eligibles - When income deemed from a step-parent, grandparent, sibling or the sponsor of an alien makes an individual ineligible for cash benefits, Medicaid determines eligibility excluding that deemed income;

q) Individuals who are categorically related to the Supplemental Security Income (SSI) program, including:

1) SSI Beneficiaries,

2) Recipients of Mandatory State Supplement Payments,

3) Recipients of Optional State Supplement Payments,

4) Deemed SSI Clients due to:

- Loss of SSI due to an increase in Social Security benefits,

- Disabled individual's loss of SSI due to employment,

- Disabled Widows and Widowers, or

- Adult Disabled Children.

r) Qualified Medicare Beneficiaries (QMBs);

s) Qualified Working Individuals (QDWIs);

t) Specified Low Income Medicare Beneficiaries (SLIMBs);

u) Institutionalized Individuals with incomes at or below a percentage of the SSI standard as specified by the legislature (250 percent in 1997);

v) Waivered individuals for home and community-based services as an alternative to institutionalization at the same percentage of SSI specified in subsection u above, including

1) Mentally Retarded,

2) AIDS/HIV, or

3) Elderly and Disabled.

w) Adults with incomes less than or equal to 100 percent of the Federal Poverty Level if enrolled in a managed care organization.

(b) The amount appropriated by Section 1 of this Act to the Department of Health and Social Services for Title XIX - State Institutions shall be expended solely in accordance with the following conditions and limitations:

(i) Such appropriation shall be expended for the purpose of providing medical services to patients eligible under the Federal Title XIX Medicaid Program residing in various facilities of, or under the jurisdiction of, the Department of Health and Social Services;

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

The funds hereby appropriated for Title XIX OTSI or State Institutions shall be expended only on condition that the program is approved and federal matching funds are provided by the appropriate federal agency.

Section 133. Public Health (35-05-00) currently operates the following programs for which a fee for service is charged to cover the cost of the program:

Child Health
Vanity Birth Certificate
Public Water
Medicaid Enhancements
Infant Mortality
Medicaid Aids Waiver
Children with Special Needs
Family Planning
Newborn
Indirect Costs

Vaccines
Food Inspection
Medicaid Contractors/Lab Testing and Analysis
Tuberculosis (TB)
Sexually Transmitted Diseases (STD)
Child Development Watch
Preschool Diagnostic and Development Nursery (PDDN)
Home Visits
Food Permit
Water Operator Certification
Long Term Care Prospective Payment
Long Term Care IV Therapy

Notwithstanding the provisions of 29 Del. C. § 6102, the division shall be allowed to collect and expend fees from the aforementioned accounts, except as noted below. Corresponding Appropriated Special Fund spending authority has been provided in Section 1 of this Act.

The Children with Special Needs and Child Health programs shall continue to deposit 30 percent of program collections to the General Fund.

Section 134. The sum of \$170.0 is hereby advanced from the General Fund of the State to the Management Services (35-01-20), in order that the Public Welfare Revolving Fund emergency checks can be paid on a timely basis and without interruption.

Section 135. Section 1 of this Act includes an appropriation to the Department of Health and Social Services, Public Health, Director's Office/Support Services (35-05-10) for Contractual Services. Of that amount, \$446.4 shall be used for the purpose of providing school nursing services five days a week to non-public schools in New Castle County and Kent County.

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

4 Section 136. Section 1 of this Act provides an appropriation to the Department of Health and
5 Social Services, Public Health, Community Health (35-05-20), in the line item, Office of Narcotics and
6 Dangerous Drugs, in the amount of \$40.0. This amount shall be used at the discretion of the Drug
7 Control Administrator and shall not be utilized for normal operating budget items attributed to the Office
8 of Narcotics and Dangerous Drugs.

9 Section 137. Section 1 of this Act provides an appropriation to the Department of Health and
10 Social Services, Public Health, Community Health (35-05-20), for Contractual Services. Of that amount,
11 \$84.0 shall be available for medicine, equipment and part-time nursing services for a community-based
12 adult health services clinic serving the Claymont area of New Castle County.

13 Section 138. Section 1 of this Act provides an appropriation to the Department of Health and
14 Social Services, Public Health, Community Health (35-05-20) for Contractual Services. Of that amount,
15 \$65.0 shall be used to contract for mammography screening. These services shall be provided by the
16 mobile mammography van. In addition to the above General Funds, \$19.0 shall be made available from
17 the Preventive Health and Health Services Block Grant or other federal funds.

18 Section 139. Section 1 of this Act provides an appropriation of \$120.0 to the Department of
19 Health and Social Services, Public Health, Community Health (35-05-20) to provide vaccinations to
20 individuals who are members of volunteer ambulance companies or volunteer fire companies acting as
21 “first responders” in the State of Delaware. Public Health shall purchase vaccine and administer-or
22 contract-vaccine at local fire stations or other sites mutually agreed upon by the fire companies Public
23 Health. No such vaccinations shall be furnished until after certification by the volunteer fire or
24 ambulance company on a form provided by Public Health, indicating that the person for whom the
25 vaccination is desired, is a member in good standing of a volunteer ambulance or volunteer fire company

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

10 Section 140. Section 1 of this Act provides an appropriation for the Department of Health and
11 Social Services, Public Health, Community Health (35-05-20) to provide Hepatitis B and other necessary
12 childhood vaccinations for children between infancy and young adulthood who are uninsured, are not
13 eligible for any Federal program providing the vaccination, and are otherwise medically indigent.

14 Section 141. The State desires to establish a permanent funding program for rodent control
15 activities at the local level by providing the City of Wilmington \$15.0; New Castle County \$15.0; Kent
16 County \$10.0; and Sussex County \$10.0. The Department of Health and Social Services, Public Health,
17 Community Health (35-05-20) shall dispense these funds to local governments in lump sum payments to
18 be made no later than September 1, 2002; establish program objectives and spending guidelines; require
19 regular expenditure reporting to the State; and allow unexpended funds to carry over at the local level into
20 the next fiscal year.

21 Section 142. The Department of Health and Social Services, Alcoholism, Drug Abuse and
22 Mental Health (35-06-00) will be able to bill for additional Medicaid Revenue due to a waiver of the
23 Institution for Mental Diseases exclusion, as part of the Medicaid Managed Care waiver. This additional
24 revenue shall be deposited to the General Fund, and the division shall make every effort to ensure that
25 these bills are submitted to the appropriate entities in an expeditious manner.

1 Section 143. Disproportionate share revenues of \$1,600.00 are projected to be collected from the
2 federal government during Fiscal Year 2002. The department shall deposit disproportionate share
3 revenues to the General Fund and shall continue to maintain its efforts to ensure that the State receives its
4 allotted disproportionate share payments from the federal government. The department shall report
5 quarterly to the Budget Director and the Controller General on disproportionate share revenue received.

6 Section 144. Section 1 of this Act provides an appropriation to the Department of Health and
7 Social Services, Alcoholism, Drug Abuse and Mental Health, Inpatient Mental Health (35-06-30), for
8 Contractual Services. Of that amount, \$41.2 shall be made available for a Nurse Intern Program to enable
9 graduate nurses to take graduate courses to increase their skills in specialty areas.

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

14 Section 145. Section 1 of this Act provides funds for a Dietitian position in Inpatient Mental
15 Health (35-06-30). The purpose of this position is to allow the IPU to provide services by a registered
16 Dietitian as required for certification. This position shall also provide dietitian services to the Terry
17 Children's Psychiatric Center. The charges associated with food contracts between Inpatient Mental
18 Health (35-06-30) and the Terry Children's Psychiatric Center for Fiscal Year 2002 shall be finalized by
19 October 1, 2001.

20 Section 146. Inpatient Mental Health maintains appropriation account (35-06-30-98-37) to
21 receive reimbursement for providing a work study program for local nursing schools and for assigning
22 residents to work in non-psychiatric services at area hospitals on a rotating basis, respectively.
23 Notwithstanding the provisions of 29 Del. C. § 6102, the IPU shall be allowed to collect and expend the
24 proceeds from the aforementioned account.

1 Section 147. Section 1 of this Act provides an appropriation to the Department of Health and
2 Social Services, Alcoholism, Drug Abuse and Mental Health, Alcoholism and Drug Abuse (35-06-40) in
3 Contractual Services. In addition to this General Fund appropriation, the Director of Alcoholism, Drug
4 Abuse and Mental Health, shall ensure that the amount of \$60.0 be expended from available federal funds
5 to contract for employment, alcohol, and drug counseling and referral services for youth and adults to
6 encourage an alcohol and drug-free environment in South Wilmington; and that the amount of \$35.0 be
7 expended from available federal funds to contract for employment, alcohol, and drug counseling and
8 referral services for youth and adults to encourage an alcohol and drug-free environment in the Claymont
9 community.

10 Section 148. Section 1 of this Act provides an appropriation to the Department of Health and
11 Social Services, Alcoholism, Drug Abuse and Mental Health, Alcoholism and Drug Abuse (35-06-40)
12 for Personnel Costs. Included in this appropriation is 1.0 FTE exempt position BP #1389. When this
13 position becomes vacant, it shall be reclassified to a comparable Merit System Classification.

14 Section 149. Section 1 of this Act makes an appropriation to the Department of Health and Social
15 Services, Social Services (35-07-00), for various health care programs including: Medicaid, the Delaware
16 Healthy Children Program, the Renal Disease Program, the legal Non-citizen Health Care Program, the
17 Prescription Drug Program and the program for coverage for former SSI recipients. Federal regulations
18 mandate drug rebates for the Medicaid program. Social Services shall establish a drug rebate process for
19 its other non-Medicaid health care programs consistent with any federal requirements that may apply.
20 Notwithstanding any provisions of the Delaware Code to the contrary, the division shall deposit any drug
21 rebate funds received into the appropriate Social Services program account.

22 Section 150. (a) Section 1 of this Act appropriates \$1,875.9 in Social Services (35-07-00) under
23 Early Intervention for the Part C Birth to Three Program. The Interagency Resource Management
24 Committee (IRMC) shall consult and advise the lead agency in setting program eligibility standards and
25 shall have the authority to allocate such funds, and may advise on the use of other funds specifically

1 designated for this project. The IRMC shall also have the authority to maintain up to 37.5 positions and
2 establish or contract for an additional 2.0 positions needed to provide appropriate services for Children
3 Birth to Three, selected through the early intervention process and to ensure coordination with the Program
4 for Children with Disabilities. In addition, the IRMC may recommend the transfer of General Fund
5 positions and/or General Fund dollars from the Department of Health and Social Services as necessary to
6 operate this program. The lead agency shall report to the Budget Director and the Controller General on
7 additional revenues that will be generated from Medicaid matching funds for reimbursable appropriate
8 services that will be deposited into the General Fund in Fiscal Year 2002.

9 (b) As required by Regulation §303.521 under IDEA, there will be no charge to the parents for
10 the following: “(1) implementing the Child Find requirements in §303.321; (2) evaluation and
11 assessment, as included in §303.322, and including the functions related to evaluation and assessment in
12 §303.12; (3) service coordination as included in §303.22 and §303.344(g) and (4) administrative and
13 coordinative activities related to the development, review and evaluation of IFSPs in §303.340 through
14 §303.346; and to the implementation of the procedural safeguards in Subpart E and the other components
15 of the statewide system of early intervention services in Subparts D and F.”

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

24 (d) Management Services shall submit a monthly report to the Budget Director and the Controller
25 General outlining the number of children screened and assessed by the program, the number of children
26 receiving services, and the number of children transitioned out of the program.

1 Section 151. Section 1 of this Act makes an appropriation to the Department of Health and Social
2 Services, Social Services (35-07-00), for Title XIX Federal Programs (Medicaid). Notwithstanding the
3 provisions of the Delaware Code to the contrary, the Division shall be permitted to use Medicaid XIX-
4 OTSI funds when necessary to reimburse the federal government for its portion of overpayments not
5 collected within sixty (60) days of identification. When such overpayments are collected, the funds
6 collected shall be deposited back into the Medicaid XIX-OTSI account.

7 Section 152. Section 1 of this Act provides an appropriation to the Department of Health and
8 Social Services, Social Services (35-07-01) for Renal Disease.

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

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

21 Section 153. Section 1 of this Act includes 2.0 NSF FTEs in the Department of Health and Social
22 Services, Social Services (35-07-01). These Medicaid Eligibility Specialist positions will be funded
23 through voluntary contributions from the Medical Center of Delaware and from federal matching funds.
24 These positions will expedite the Medicaid Eligibility application process for Medical Center clients, and
25 will ensure that these clients apply for services through Medicaid, if appropriate, thereby maximizing

1 federal revenues for the State of Delaware. Other medical facilities throughout the state may participate
2 in this program.

3 Section 154. The Secretary of the Department of Health and Social Services shall submit a
4 quarterly report to the Budget Director and the Controller General separating departmental revenue
5 estimates into categories related to the \$16,408.7 ASF for the Medicaid program in Social Services, (35-
6 07-00); the \$1,385.9 ASF for child support programs in Child Support Enforcement, (35-10-00); the
7 \$8,049.6 ASF for programs in Public Health (35-05-00); and the \$2,111.3 ASF for programs in
8 Alcoholism, Drug Abuse and Mental Health (35-06-00). This report will aid the Budget Director and the
9 Controller General in determining if the projected revenue will support the Appropriated Special Fund
10 accounts.

11 Section 155. The Department of Health and Social Services, Social Services (35-07-00) is
12 authorized to establish bank accounts to advance funds from the Employment and Training program to
13 clients or vendors in a timely manner. These advances would be for supportive services or welfare
14 diversion services in the nature of clothing and transportation allowances and other services, to advance
15 client self-sufficiency, as proposed in "Delaware's A Better Chance Welfare Reform Program".

16 Section 156. Section 1 of this Act provides an appropriation to the Department of Health and
17 Social Services, Social Services (35-07-00) for Contractual Services. Of that amount, \$750.0 is for DCIS
18 II system maintenance. Social Services shall have the authority to contract for positions needed to provide
19 system maintenance. The Division shall also have the authority, with approval from the Budget Director
20 and Controller General, to transfer a portion of these funds to Personnel Costs and establish up to 2.1 GF
21 positions and 1.8 NSF positions in order to support DCIS II system maintenance.

22 Section 157. Notwithstanding any other provisions of the Delaware Code, the Chief Physician
23 position BP #69747 in Social Services (35-07-00) shall be considered exempt.

1 Section 158. The Department of Health and Social Services is authorized to contract with a
2 cooperative Multi-State purchasing contract alliance for the procurement of Pharmaceutical Products and
3 allied supplies. The provisions of 29 Del. C. c. 69 shall not apply to such contract. Prior to entering into
4 any such contracts the department will obtain the approval of the Secretary of the Department of
5 Administrative Services.

6 Section 159. Section 1 of this Act makes an ASF appropriation to the Department of Health and
7 Social Services, Social Services (35-07-00) for the Prescription Assistance Program. These funds may be
8 used for both client services and administrative costs.

9 Section 160. The State accepts the provisions and benefits of the Vocational Rehabilitation Act
10 of 1973 (P.L. 93-112), as amended. The Department of Health and Social Services shall act as the sole
11 state agency with the Secretary of the Department as the State Officer, and Visually Impaired (35-08-00)
12 as the Designated State Unit for all monies from the Act that are designated for persons with visual
13 impairment and blindness, as defined in a Cooperative Agreement dated December 1985, between the
14 Department of Labor, Visually Impaired and Vocational Rehabilitation (60-08-00). The department shall
15 cooperate with the U.S. Department of Education, Rehabilitation Services Administration and, in
16 accordance with all state laws, prepare the State Plan and carry out the Rehabilitation Act of 1973 and
17 amendments thereto.

18 Section 161. The Secretary of the Department of Health and Social Services shall report to the
19 Budget Director and the Controller General by September 1, 2001, on the status of the implementation of
20 additional dental services to Medicaid eligible children on a statewide basis. The Secretary shall consider
21 the use of dental vans suitably equipped with appropriate dental professionals or other service delivery
22 mechanisms.

23 Section 162. Section 1 of this Act appropriates \$1,867.9 in Personnel Costs and 35.4 FTEs to
24 Visually Impaired, (35-08-00). This section authorizes 1.0 FTE in addition to the 8.0 FTEs itinerant
25 teachers available to meet caseload requirements for the Braille Literacy Act. This additional FTE may

1 be filled if the September 2001 educational unit count indicates the number of teachers required to meet
2 caseloads for visually impaired students is greater than the Fiscal Year 2002 complement of teachers.

3 Section 163. Section 1 of this Act provides an appropriation to the Department of Health and
4 Social Services, Visually Impaired (35-08-01), for Contractual Services. Of that amount, \$18.9 shall be
5 used to compensate correctional inmates for the purpose of producing Braille materials for visually
6 impaired school children.

7 Section 164. Section 1 of this Act provides an appropriation of \$1,385.9 Appropriated Special
8 Funds (ASF) in the Department of Health and Social Services, Child Support Enforcement (35-10-00),
9 for the operation of the division. Revenue from child support collections shall fund this account and the
10 related 17.3 ASF FTEs. The department shall continue its efforts to maintain collections related to child
11 support programs, and all revenue in excess of the division's ASF authority shall be deposited as
12 designated by 29 Del. C. § 6102.

13 Section 165. Section 1 of this Act provides an appropriation to the Department of Health and
14 Social Services, Mental Retardation, Institutional Services (35-11-20), for Contractual Services. Of that
15 amount, up to \$10.0 shall be available for services provided by Camp Barnes.

16 Section 166. Mental Retardation, Community Services (35-11-30) receives Medicaid
17 reimbursement for the provision of day rehabilitation services provided in state operated day centers.
18 Notwithstanding the provisions of 29 Del. C. § 6102, the Division shall be allowed to collect and deposit
19 the Medicaid reimbursement in an Appropriated Special Fund account entitled "Day Rehabilitation
20 Services Reimbursement." Receipts in the account may be used to fund community residential and day
21 program contracts currently funded out of the Purchase of Care and Purchase of Community Services
22 lines.

23 Section 167.(a) Mental Retardation (35-11-00) is encouraged, where appropriate, to reallocate
24 resources so as to maximize community-based residential placements for persons with mental retardation.

1 Such reallocation initiatives must be made within the total Division's appropriation limit with the
2 approval of the Budget Director and the Controller General. These reallocation initiatives shall not
3 compromise the standard of care of the remaining Stockley Center population.

4 (b) Section 1 of this Act provides an appropriation to Mental Retardation, Community Services
5 (35-11-20) for the Stockley Transition Plan. This reallocation is the result of the authority found in
6 subsection (a) to reallocate resources to maximize community-based residential placements and shall be
7 monitored to assure the most appropriate levels of care are provided both in the community and at
8 Stockley Center.

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

16 Section 168. State Service Centers, Family Support (35-12-10) maintains appropriation accounts
17 35-12-10-80-00 and 35-12-10-80-01 for the purposes of lending car seats to families who cannot afford to
18 buy them and to publish a Human Services Directory, respectively.

19 Section 169. Section 1 of this Act provides an appropriation of \$50.0 to the Department of
20 Health and Social Services, State Service Centers, Family Support (35-12-10), for Hispanic Affairs.
21 Members of the Council on Hispanic Affairs shall serve without compensation, except that they may be
22 reimbursed for reasonable and necessary expenses incident to their duties.

23 Section 170. State Service Centers, Service Center Management (35-12-20), currently operates
24 14 facilities throughout the State for which a Tenant User Fee for service is charged to partially offset the

1 cost of Service Center Operations. The holding account for this function is entitled "Facility
2 Reimbursement".

3 Notwithstanding the provisions of 29 Del. C. § 6102, the Division shall be allowed to collect and
4 deposit to the aforementioned accounts. Corresponding Appropriated Special Fund spending authority
5 has been provided in Section 1 of this Act.

6 Section 171. Section 1 of this Act makes an appropriation to the Department of Health and Social
7 Services, State Service Centers, Community Services (35-12-30), for emergency assistance. Some of this
8 appropriation may be used for programs of longer than 30 days duration.

9 Section 172. The position of Director, Community Services, shall remain exempt from classified
10 service until such time as the position becomes vacant.

11 Section 173. Notwithstanding any other provisions of the Delaware Code, State employee
12 recognition funds may be used per existing guidelines to include the recognition of volunteers and other
13 non-state employees under at the discretion of the Secretary of the Department of Health and Social
14 Services.

15 Section 174. Services for Aging and Adults with Physical Disabilities (35-14-00) will receive
16 Medicaid reimbursement for the administration of community based services for the Aging and Adults
17 with Physical Disabilities population. Notwithstanding the provisions of 29 Del. C. § 6102, the Division
18 shall be allowed to collect and deposit the Medicaid reimbursement in an Appropriated Special Fund
19 account entitled "Community Based Services Reimbursement." Receipts in the account may be used to
20 maintain existing services and provide additional services for adults with physical disabilities. Such
21 services are not to exceed the estimated annualized revenue, and are subject to initial and on-going review
22 by the Budget Director and the Controller General.

1 Section 175. Section 1 of this Act provides an appropriation to the Department of Health and
2 Social Services, Services for Aging and Adults with Physical Disabilities (35-14-00), for non-personnel
3 costs. Of that amount, \$52.1 shall be utilized for the Joining Generations Program.

4 Section 176. Section 1 of this Act provides an appropriation to the Department of Health and
5 Social Services, Public Health, Community Health (35-05-20) for Personnel Costs. Included in this
6 appropriation is 1.0 ASF FTE for a Dental Director position that shall be excluded from classified service
7 as defined under 29 Del. C. § 5903.

CHILDREN, YOUTH AND THEIR FAMILIES

Section 177. 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:

(a) 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, 2001, the Budget Director and the Controller General shall transfer \$50.7 in Personnel Costs; \$1.6 in Travel; \$3.0 in Contractual Services; \$1.3 in Supplies and Materials; and \$4.0 in Capital Outlay.

(b) YRS will provide SAC with copies of the actual documents and access to the originals covering bail disposition, release disposition, adjudicational sentencing disposition, program alternative calendars, rosters, movement information, alternative placement discharge reports, alternative placement fiscal records and other records necessary to verify juvenile offender movements, placements, identifications, and demographics. SAC will also have access to documents maintained by contract programs.

(c) SAC will produce quarterly juvenile offender institution movement and population reports; prepare and monitor the juvenile institution population forecast; and prepare the juvenile institution Levels III, IV and V residential alternative program recidivism study. These reports will be distributed to Legislative committees related to juvenile justice, the Budget Director, the Governor, the Controller General, YRS and criminal justice agencies.

Section 178. In addition to the positions authorized in Section 1 of this Act for Youth Rehabilitative Services, Secure Care (37-05-50), the Controller General and the Budget Director may authorize additional positions for the youth rehabilitative counselors at the Stevenson House Detention Center if the current staffing is inadequate for the detained population for a continuous period of not less than sixty days.

1 Section 179. For Fiscal Year 2002, Management Services (37-01-00) shall have 1.0 FTE exempt
2 position in addition to those authorized by 29 Del. C. § 5903. When position BP #55138 becomes vacant,
3 it shall be classified by the Director of Personnel in accordance with the Merit System, 29 Del. C. c. 59.

4 Section 180. Funds which are appropriated for foster care of children in Section 1 of this Act in
5 the Department of Services for Children, Youth and Their Families, Family Services (37-06-00), are
6 made available with the goal of limiting the number of children who remain in foster care for more than
7 two years. For the year beginning October 1, 2001, the goal will be 220 children. This goal statement is
8 intended to satisfy the requirements of the Federal Adoption Assistance and Child Welfare Act (P.L. 96-
9 272).

10 Section 181. Family Services is hereby directed to formally notify, in advance, the Foster Care
11 Review Board of any meeting, hearing or other event of which the Board desires notification. Said
12 notification shall be directed to the Executive Director of the Board.

13 Section 182. The Secretary of the Department of Services for Children, Youth and Their
14 Families shall certify to the Governor and the General Assembly that the mixing of adjudicated and non-
15 adjudicated youths shall not take place in Ferris School.

16 Section 183. (a) During Fiscal Year 2002 any employee who is currently enrolled in an
17 education program as part of the Ferris School Restructuring Transition Plan shall continue to receive
18 financial support from Youth Rehabilitative Services until the completion of a relevant bachelor's degree.
19 Any remaining balance in (37-05-50-01-98) shall remain authorized and available for training and staff
20 development within the division. Special consideration shall be given to probation and parole officers.

21 (b) The NSF account (37-05-50-80-04), established in Fiscal Year 1996, shall remain authorized
22 until June 30, 2002. This appropriation will allow the Department of Children, Youth and Their Families
23 to receive reimbursements from employees who do not successfully complete Ferris work-force transition
24 training. These funds may also be used for general training and staff development in YRS.

1 Section 184. As a means of monitoring and improving the excessive expenditure of
2 casual/seasonal and overtime in Youth Rehabilitative Services, Secure Care (37-05-50), the Secretary of
3 the Department of Services for Children, Youth and Their Families shall file a quarterly report with the
4 Budget Director and the Controller General on casual/seasonal and overtime expenditures. The report
5 should include but not be limited to sick leave usage, incidence of tardiness, vacancy rates, training and
6 transportation costs and the use of correctional officers at the Ferris School, New Castle County Detention
7 Center and Stevenson House. The report should reflect all actions (including disciplinary) being taken to
8 expeditiously correct the noted problem areas.

9 Section 185. Section 1 of this Act includes an appropriation for Salary Contingency-Overtime in
10 the Office of the Budget, Contingencies and One-Time Items (10-02-04). Of that amount, the item
11 amounting to \$305.8 for overtime in the Department of Services for Children, Youth, and Their Families,
12 Youth Rehabilitative Services, Secure Care (37-05-50) shall be transferred to the department and used for
13 overtime with the consent of the Budget Director and Controller General after the department has
14 demonstrated that every effort has been made to control and limit the use of overtime.

15 Section 186. The Department of Services for Children, Youth and Their Families shall submit
16 semi-annual reports to the Budget Director and the Controller General that detail the expenditures of the
17 internal program unit of Community Services (37-05-30) by dispositional guideline level, outlines the
18 numbers of youth served by various programs within the unit and summarizes the personnel complement
19 associated with each program within the unit. These reports shall be due on November 30, 2001, and
20 May 30, 2002.

21 Section 187. Section 1 of this Act provides an appropriation to the Department of Services For
22 Children, Youth, And Their Families, Youth Rehabilitation Services, Secure Care (37-05-50), for
23 Contractual Services. Of that amount up to \$100.0 may be used for pre-trial diversion in the Superior
24 Court (02-03-00).

1 Section 188. The Department of Services for Children, Youth and Their Families shall report on
2 a quarterly basis during Fiscal Year 2002 to the Controller General and Budget Director the status of the
3 Stevenson House Facility in Milford. This report shall include, but not be limited to, staffing vacancies,
4 total budgetary expenditures vs. appropriations, overtime, casual/seasonal expenditures, population
5 statistics, facility condition and capacities, and incident reports.

6 Section 189. Section 1 of this Act provides an Appropriated Special Fund authorization of
7 \$341.7 to the Department of Services for Children, Youth and their Families for the purpose of supporting
8 the Young Criminal Offender Program located at the Department of Correction, Prisons, Multi-Purpose
9 Criminal Justice Facility (38-04-06).

10 Section 190. Section 1 of this Act provides an appropriation to the Department of Services for
11 Children, Youth and Their Families, Child Mental Health Services, Managed Care Organization (37-04-
12 10) for Pass Throughs. Of that amount, \$300.0 shall be used for the statewide Juvenile Drug Court
13 Program and transferred to SODAT.

14 Section 191. (a) In addition to the positions authorized in Section 1 of this Act for Family
15 Services, Intake/Investigation (37-06-30) and Intervention/Treatment (37-06-40), the Budget Director
16 may authorize up to 15 additional training positions for the purpose of training investigative and treatment
17 workers. The Budget Director may authorize additional recruit positions accordingly.

18 (b) Additional 2.0 FTEs were authorized in Fiscal Year 2000 in Family Services, Office of the
19 Director (37-06-10) for the purposes of training workers hired in accordance with Section 192 of this Bill.
20 As the need for the over-hire provisions and the associated training authority is reduced, the Budget
21 Director and the Controller General may eliminate two positions through attrition.

22 Section 192. For the purposes of retaining and attracting experienced investigation and treatment
23 workers in Family Services, the division may competitively recruit for Family Crisis Therapists in their
24 investigation and treatment units. It is anticipated that Family Services shall hire a minimum of two
25 Family Crisis Therapists per investigation and treatment units, subject to the availability of successful

1 candidates. Current Family Services employees who successfully apply for these positions shall have
2 their position reclassified to Family Crisis Therapist. Such reclassifications or reclassifications of vacant
3 positions to Family Crisis Therapist shall be effective upon the approval of the State Personnel Director,
4 Budget Director and the Controller General. Family Services is authorized to transfer positions between
5 budget units in order to adjust its complement to ensure the correct number of FTEs are in each functional
6 unit of the Division. Family Services shall submit a quarterly report to the Budget Director and the
7 Controller General detailing any adjustments to the complement, the number of Family Crisis Therapists
8 hired and retention statistics.

9 Section 193. Section 1 of this Act appropriates 6.0 NSF FTEs to provide additional Probation
10 Officers to serve youth on probation or parole in Youth Rehabilitative Services, Community Services (37-
11 05-30). These additional officers will serve as part of a new program designed to more vigorously
12 enforce violations of probation or parole by YRS clients. Federal funds shall be available for these
13 positions and to provide residential placements for youths who violate the conditions of their probation or
14 parole. Such placements may be for two weeks for the first offense, three months for the second offense
15 and until the youth reaches age 18 for the third offense.

16 Section 194. Section 1 of this Act provides an appropriation to the Department of Services for
17 Children, Youth and Their Families, Family Services, Office of the Director (37-06-10) of \$423.6 for
18 Pass Throughs. It includes:

19	Child Advocacy Center	\$280.7
20	People's Place, Milford	\$ 67.0
21	CHILD, Inc.	\$ 29.5
22	Watchful Shepherd	\$ 46.4

CORRECTION

Section 195. (a) Section 1 of this Act includes funding for relief positions in the Department of Correction, Administration, Human Resources/Employee Development Center (38-01-02). These positions shall be used primarily for training relief. The Department of Correction shall provide a quarterly report to the Budget Director and the Controller General detailing the non-training relief assignments of the staff training relief officers.

(b) In addition to the positions authorized in Section 1 of this Act for the Department of Correction, additional positions are authorized in Human Resources/Employee Development Center for the purpose of training classes. During the training sessions, up to 60 positions will be made available to accommodate the class being trained. Funding is authorized to seed the first-time use of these 60 positions. In order to utilize these positions after the first time use, the department will use salary savings realized throughout the year.

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

Section 196. Section 1 of this Act provides an appropriation to the Department of Correction, Administration, Medical/Treatment Services (38-01-30). Administration of the Medical/Treatment Services contract shall be the responsibility of the Commissioner of Correction or his designee.

Section 197. The Department of Correction, Administration, Facilities Maintenance (38-01-40), receives funding for maintenance and restoration projects in the Budget Act. The department must submit 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 Fiscal Year 2003 by October 31, 2001, to the Budget Director and the Controller General.

3 Section 198. 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 II and \$33.7 for Personnel Costs, \$23.0 for Supplies
6 and Materials, \$43.5 for casual/seasonal, \$29.5 for Contractual Services and \$4.0 for Travel.

7 Section 199. Section 1 of this Act appropriates the sum of \$19.0 in "gate money" or "release
8 money" to the Department of Correction, Prisons, Bureau Chief - Prisons (38-04-01). The General
9 Assembly intends that these funds be used for inmates, who upon their release, are financially unable to
10 obtain transportation away from the facility. The funds thus appropriated shall be used for the express
11 purpose of providing cash payments to eligible inmates being released from an adult correctional facility
12 and shall be expended as follows:

13 (a) Upon release, a prisoner who within 30 days prior to release has \$50.00 or more in his/her
14 inmate account or accounts shall not be eligible for such payment, but shall be paid in cash the amount in
15 his/her inmate account or accounts.

16 (b) Upon release, a prisoner who has less than \$50.00 in his/her inmate account or accounts shall
17 be paid in cash the amount remaining in his/her account or accounts and may be paid an additional sum
18 sufficient to ensure transportation to his/her place of residence. Such sum sufficient, together with the
19 funds available in the inmate account, shall not exceed \$50.00.

20 Any prisoner who, after using option (a) or (b) of this Section, has insufficient funds to provide a
21 one-way bus ticket to his/her place of residence, shall forfeit all such funds and shall be provided with a
22 one-way bus ticket to his/her place of residence, as well as sufficient funding to provide food during
23 travel.

1 Section 200. Section 1 of this Act provides an appropriation for Personnel Costs to the
2 Department of Correction, Prisons, Delaware Correctional Center (38-04-03). Included in this
3 appropriation is \$15.0 for legal services as required by the Warden of Delaware Correctional Center.

4 Section 201. Section 1 of this Act provides an appropriation for Personnel Costs to the
5 Department of Correction, Prisons, Delaware Correctional Center (38-04-03). Included in this
6 appropriation is 1.0 position and Personnel Costs to allow the department to oversee a program to
7 manufacture reading materials in Braille for the visually impaired.

8 Section 202. Section 1 of this Act appropriates funds to Department of Correction, Prisons,
9 Delores J. Baylor Correctional Institution (38-04-05) in contractual services for a contract to provide a
10 program for female offenders at Delores J. Baylor Correctional Institution to address anger and behavior
11 issues from a feminine psychological perspective. The Warden of the facility will submit an annual
12 report to the Joint Finance Committee, Budget Director, Controller General and Commissioner of
13 Correction by June 1 of each year, which will include but not be limited to the mission of the
14 organization, the statement of the problem, a synopsis of the program, the number of participants,
15 statistics relating to recidivism rates of those participating in the program and an annual budget of the
16 organization.

17 Section 203. (a) Section 1 of this Act makes an appropriation of \$4,535.9 to the Department of
18 Correction, Administration, Drug and Alcohol Treatment Services (38-01-31) for Drug and Alcohol
19 Treatment Services; and \$132.0 to the Department of Correction, Community Corrections, Bureau Chief -
20 Community Corrections (38-06-01); and \$305.9 Department of Correction, Community Corrections,
21 Probation and Parole (38-06-02). These funds are intended to support drug and alcohol programs
22 provided by the department to individuals in its custody or under its supervision. The administration of
23 these contracts shall be the responsibility of the Commissioner of Correction or his designee.

1 (b) On or before August 1, 2001, the department is to submit a plan on how these funds will be
2 spent during the fiscal year. This plan shall be submitted for approval to the Budget Director and the
3 Controller General.

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

9 Section 204. (a) Of the total positions authorized in Section 1 of this Act for the Department of
10 Correction, Prisons, Kent Work Release Center (38-06-08), three positions shall be used to continue the
11 existing highway beautification project.

12 (b) Of the total positions authorized in Section 1 of this Act for the Department of Correction,
13 Prisons, Delaware Correctional Center (38-04-03), four positions shall be used to continue the existing
14 highway beautification project.

15 (c) Of the total positions authorized in Section 1 of this Act for the Department of Correction,
16 Prisons, Sussex Correctional Institution (38-04-04), four positions shall be used for a highway
17 beautification project.

18 (d) Section 1 of this Act also makes an appropriation for Contractual Services to Department of
19 Correction, Prisons, Kent Work Release Center (38-06-08). Of this amount, \$5.0 shall be used for
20 "tipping" fees.

21 Section 205. Section 1 of this Act provides an appropriation to Community Corrections,
22 Probation and Parole (38-06-02). The department must submit a semi-annual report to the Budget
23 Director and the Controller General that details the expenditure of these funds by SENTAC level (levels I,
24 II and III) and the average personnel complement for each level. These reports are due on December 31
25 and June 30.

1 Section 206. Section 1 of this Act provides an appropriation to Department of Correction,
2 Community Corrections, Probation and Parole (38-06-02) for Contractual Services. Of this appropriation,
3 \$94.0 shall be used to support a community restorative justice program in New Castle County.

4 Section 207. Section I of this Act provides an appropriation of 6.0 ASF FTEs and \$244.5 ASF in
5 Department of Correction, Prisons, Multi-Purpose Criminal Justice Facility (38-04-06). These positions
6 shall be Correctional Officers who will supervise inmate work crews primarily for completing projects
7 requested by Delaware Department of Transportation. The source of funding shall be the Department of
8 Transportation, Division of Highway Operations, Maintenance Districts (55-04-70). Adjustments to
9 Appropriated Special Fund spending authority for this program can be made upon the concurrence and
10 approval of the Budget Director and the Controller General.

11 Section 208. Section 1 of this Act provides an appropriation to Community Corrections, House
12 Arrest (38-06-04) for the purpose of supporting a program of home confinement using electronic
13 monitoring devices. The supervision of offenders assigned to home confinement and the use of the
14 electronic monitoring devices shall be restricted to the area within the geographical boundaries of the
15 State of Delaware, unless otherwise determined by the Commissioner of the Department of Correction.

16 Section 209. Pursuant to appropriations in the Department of Correction, Prisons (38-04-00) and
17 the Department of Education, Block Grants and Pass Through Programs (95-03-00) in Section 1 of this
18 Act, the Department of Correction and the Department of Education shall enter into an agreement for the
19 operation of prison education services. Under any such agreement the Department of Education shall be
20 responsible for the operation of prison education services. These educational services shall include, but
21 not be limited to, programs provided to juvenile inmates in the Young Criminal Offender Program and
22 inmates between the ages of 18 and 21, including those requiring special educational services. Students
23 served under this program shall not be included in the calculation for unit count purposes as defined in 14
24 Del. C. c. 17. The Budget Director and Controller General may transfer funds between lines and
25 Departments to pay for this program.

1 To facilitate the coordination of education services within the prison system the Department of Correction
2 may use an existing vacancy during Fiscal Year 2002 or may reimburse a school district or state agency to
3 cover the salary and expenses for those services. Prison education services shall be provided by utilizing
4 existing teachers that are in the Department of Correction as well as newly authorized teaching positions
5 in the Department of Education. The management of all educational positions shall be provided by the
6 Department of Education. All existing teachers in the Department of Correction may voluntarily transfer
7 to the Department of Education. Department of Correction teachers shall have the opportunity each year
8 to notify both agencies of their intent to transfer to the Department of Education. Such notification shall
9 be made by April 15 of each year to become effective July 1 of that calendar year. Any position transfer
10 made pursuant to this section shall be permanent.

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

16 Section 210. The Department of Correction, Community Corrections, House Arrest (38-06-04)
17 shall provide 24 hour, 7 day a week supervision of community correction's offenders. The department
18 shall determine the number of employees needed on duty throughout each 24-hour period and arrange
19 staff coverage accordingly. At no time shall the ratio of Probation Officers I's to other staff exceed 50
20 percent during night time and weekend hours.

21 Section 211. The Merit Rules notwithstanding, Department of Correction employees designated
22 as Correctional Emergency Response Team (CERT) members shall be eligible for standby pay regardless
23 of their classification.

NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

Section 212. Section 1 of this Act authorizes Fish and Wildlife, Wildlife/Fisheries (40-05-02) to spend up to \$4,291.0 in Appropriated Special Funds. Within this amount, the division is authorized to undertake capital expenditures to maintain/develop fish and wildlife recreational areas. These expenditures should be in accordance with the Capital Development Plan for the division, submitted as an attachment to the department's Fiscal Year 2002 Capital Improvement Program. Any deviation from the listed projects must be approved by the Budget Director and the Controller General.

Section 213. The Department of Natural Resources and Environmental Control will provide the Joint Finance Committee with information on the actual cost of all Title V program activities, including permitting, enforcement and monitoring. Reports on each six months of activity will be submitted to the Joint Finance Committee by January 31, 2002, and July 31, 2002, respectively.

Section 214. Section 1 of this Act appropriates \$115.8 to Water Resources, Watershed Assessment (40-08-07) for Inland Bays Research. The appropriation shall be used to support citizen-monitoring activities including, but not limited to, the Stream Watch Program in the amount of \$75.8 and the Inland Bays Citizen Monitoring Program in the amount of \$40.0. In addition, \$275.0 of the Watershed Assessment (40-08-07) Contractual Services funding shall be used by the Center for the Inland Bays for programs promoting strategies to improve the quality of water in the Inland Bays.

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

Section 215. Section 1 of this Act appropriates funds to Air and Waste Management (40-09-00), for the SARA III Program. All ASF collected in this program shall be distributed to the Local Emergency Planning Committees.

1 Section 216. Section 1 of this Act appropriates funds to support a position within the Department
2 of Natural Resources and Environmental Control, Air and Waste Management, Management and Support
3 - Air and Waste Section (40-09-01). This position is an Environmental Engineer II/IV and assigned to the
4 Delaware City Petro Chemical Complex. This position will respond to and provide follow-up on
5 complaints from the community on air quality throughout New Castle County. The position incumbent
6 shall submit an annual report to the Joint Finance Committee on February 1 of each year which
7 summarizes the complaints and activities of the previous calendar year.

8 Section 217. Prior to all new land acquisitions the Department of Natural Resources and
9 Environmental Control will be required to provide cost estimates to the Joint Finance Committee. The
10 cost estimates will include estimates to develop infrastructure, maintenance and the number of positions
11 needed to maintain the land and the associated personnel costs.

12 Section 218. The Title V Operating Permit Program ASF holding account in Air and Waste
13 Management, Air Quality Management (40-09-02) shall be interest earning for the duration of the
14 program.

15 Section 219. Any expenditure or transfer of Penalty Fund Revenues must be approved by the
16 State Budget Director and the Controller General. The department shall submit quarterly reports on the
17 progress of the expenditures and/or projects. All expenditures must be recommended by the department
18 and approved by the Secretary. All penalty funds will be deposited in the Penalty Fund Account. All of
19 the penalty fund expenditures made by the Department of Natural Resources and Environmental Control
20 in Fiscal Year 2002 shall be reported to the Joint Finance Committee in the department's
21 Fiscal Year 2003 budget presentation. Included in this presentation shall be an explanation of the process
22 used to select the recipients of Penalty Fund money.

23 Section 220. Fish and Wildlife (40-05-00) is authorized to establish, maintain and administer:

24 (a) An interest-bearing, Non-appropriated Special Fund known as the Delaware Marsh
25 Management and Maintenance Trust, as allowed by conditions of the DNREC/PSE&G Settlement

1 Agreement of March 23, 1995. The interest income from this Trust Account will be dedicated to
2 implement the Settlement Agreement's provisions to enhance or restore tidal wetlands habitats for coastal
3 fish and wildlife resources along Delaware Bay and River in Delaware, and to maintain such tidal
4 wetlands habitat enhancements or restoration in perpetuity, as partial compensation for natural resource
5 losses caused by past, ongoing and future operation of the PSE&G Salem Nuclear Generating Station.

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

10 Section 221. Section 1 of this Act appropriates \$4,287.2 to the Department of Natural Resources,
11 Parks and Recreation, Operations and Maintenance (40-06-02). Of this amount, \$65.0 shall be used to
12 fund casual/seasonal positions for Killens Pond Waterpark and \$23.5 shall be used for programs and
13 services at rental facilities at Bellevue State Park.

14 Section 222. The budget complement of the Department of Natural Resources and
15 Environmental Control, Water Resources, Environmental Services (40-08-02) includes 2.0 Analytic
16 Chemist FTEs, position numbers BP #58598 and BP #8339. When one of these positions becomes
17 vacant, it shall be converted to ASF immediately. The remaining position shall not be converted.

18 Section 223. Section 1 of the Act appropriates \$4,259.2 to the Department of Natural Resources
19 and Environmental Control, Water Resources, Management and Support – Water Resources (40-08-01).
20 Of that amount, \$1.0 shall be set aside for the Environmental Science Scholarship program.

21 Section 224. Section 1 of this Act appropriates \$514.7 to the Department of Natural Resources
22 and Environmental Control, Parks and Recreation, Cultural and Recreational Services (40-06-03). Of that
23 appropriation \$10.1 is to be spent on promotion and programs for Trap Pond State Park as follows: \$5.0
24 for Contractual Services, \$5.0 for Supplies and Materials and \$.1 for Travel.

1 Section 225. Section 1 of this Act appropriates \$501.9 to the Department of Natural Resources
2 and Environmental Control to annualize the competency-based pay project. Notwithstanding Chapters 5.0
3 and 6.0 of the Merit Rules, this pay plan is intended for the enforcement classes within Fish and Wildlife,
4 Parks and Recreation, and Air and Waste Management, and shall be based upon the Competency-Based
5 Pay Plan report provided to the Controller General's Office on June 8, 1998.

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

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

17 Section 226. Section 1 of this Act appropriates \$454.5 to Soil and Water Conservation, District
18 Operations (40-07-04) for Contractual Services. Of that amount, \$130.0 shall be used for additional field
19 staff personnel for the preparation of nutrient management plans.

20 Section 227. Section 1 of this Act appropriates funds to the Hazardous Substance Cleanup Act
21 (HSCA) Cleanup Fund in Air and Waste Management, Waste Management (40-09-03). A maximum of
22 \$500.0 ASF per fiscal year will be set aside from the HSCA Cleanup Fund to address orphaned and
23 abandoned underground storage tank (UST) systems. These USTs shall include those where the
24 responsible parties have shown to the satisfaction of the Department of Natural Resources and
25 Environmental Control, that they do not have the ability to pay for the necessary UST system removal and

1 the remediation of any resulting contamination. In such case, the department shall not seek cost recovery
2 of the funds expended under the HSCA fund.

3 Section 228. For Fiscal Year 2002, Fish and Wildlife is authorized to expend funds carried
4 forward from the sale of boat registration fees during Fiscal Year 2000 for the purpose of supporting
5 fisheries programs and marine enforcement.

6 Section 229. Section 1 of this Act makes an appropriation to the Department of Natural
7 Resources and Environmental Control, Water Resources, Management and Support – Water Resources
8 (40-08-01). Of the total appropriation, \$120.0 will pass through the department to fund the
9 Environmental Training Center at Delaware Technical and Community College, Owens Campus.
10 Funding is to be used to provide training for state and local water and wastewater operators.

11 Section 230. Section 1 of this Act appropriates 1.0 ASF FTE Deputy Attorney General I position
12 to the Department of Natural Resources and Environmental Control, Office of the Secretary (40-01-01)
13 funded through legal assistance expenses recovered through administrative enforcement actions under
14 7 Del. C. c. 60.

15 Section 231. It is intent of the General Assembly that the Department of Natural Resources and
16 Environmental Control shall be required, pending legal review, to post on its Internet website within three
17 working days, all unclassified misdemeanors issued by Air and Waste Management Enforcement Officers
18 after such citations have been entered in the courts.

19 Section 232. Section 1 of this Act makes an appropriation for contractual services to Department
20 of Natural Resources and Environmental Control, Parks and Recreation, Operations and Maintenance (40-
21 06-02). Of the total appropriation, \$75.0 is dedicated to Greenways and Trails maintenance.

1 Section 233. Section 1 of this Act makes an appropriation of \$30.0 in Contractual Services to the
2 Department of Natural Resources and Environmental Control, Fish and Wildlife, Fish and Wildlife
3 Enforcement (40-05-06). This appropriation is to fund five casual/seasonal enforcement officers to patrol
4 the inland bays.

PUBLIC SAFETY

Section 234. The Department of Public Safety is hereby authorized to continue the agreement between State Police (45-06-00) and Sussex County Council to provide up to 15 additional patrol officers in Sussex County.

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

Section 235. Section 1 of this Act makes an appropriation to State Police, Executive (45-06-01). Included in this amount are funds for implementation of a Career Development Program. Any adjustment received under this program will be added to base compensation and will be included to determine retirement benefits.

Section 236. State Police receives funds resulting from drug and other seizure activities. If seizure is defined as being under federal jurisdiction, then the funds flow to State Police, Executive (45-06-01), as Non-appropriated Special Funds. The division shall submit a plan for the expenditure of these funds to the Budget Director and the Controller General. This plan shall be updated quarterly. A quarterly report as to the expenditure of such funds and to the respective projects shall be submitted to the Budget Director and the Controller General.

Section 237. In addition to the positions authorized in Section 1 of this Act for State Police (45-06-00), additional positions are authorized in State Police, Patrol (45-06-03) for the purpose of training State Police recruits. During recruit training, up to 20 positions will be made available to accommodate the class being trained. Funding is authorized for initial use of these positions to accommodate an anticipated graduating class of 15 troopers. The Budget Director may authorize additional recruit positions accordingly.

Section 238. Section 1 of this Act authorized the conversion of 2.3 NSF FTEs within the Department of Public Safety, State Police, Patrol (45-06-03), funded via the COPS Universal Hiring Program to General Funds. Each of these positions will retain their NSF funding status, until such time as available federal funding is depleted.

Section 239. Notwithstanding 29 Del. C. c. 63 and c. 69 or any other statutory provision to the contrary, the Department of Public Safety is authorized to enter into agreements with private telecommunications companies to use space for communication facilities on telecommunications towers under their administration. The revenues paid to the State under these agreements shall be designated for use by State Police in support of mobile data computing telecommunications infrastructure cost, effective retroactively.

Section 240. Notwithstanding the provisions of 29 Del. C. § 6102(o)(3), any remaining balance in the Inspection and Maintenance (I/M) Fund shall not be subject to General Fund deposit until June 30, 2002. These funds may be used for costs associated with Division of Motor Vehicle lane construction.

Section 241. Section 1 of this Act provides \$73.2 and 3.0 Physical Plant Maintenance/Trades Mechanic I FTEs to the Department of Public Safety, State Police, Building Maintenance and Construction (45-06-02). These positions shall report to Delaware State Police Troop 1, Troop 2 and Troop 6.

TRANSPORTATION

Section 242. All state agencies are directed to remit payment for services rendered by the Department of Transportation within (30) days after receipt of invoice. Services may include fuel billing, sign manufacturing, photocopies, specialized transit services, etc. Partial payments or estimated payments will not be permitted.

Section 243. The department shall provide a quarterly report of potential liabilities and expenditures from the Environmental Contingency account to the Office of Controller General and the Budget Office.

Section 244. The Delaware Transportation Authority budget, as set forth in memorandum form in Section 1 of this Act, shall be expended in accordance with the following limitations:

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

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

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

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

(e) Funds of the Delaware Transit Corporation may not be provided as aids to local governments for transportation systems which restrict passengers because of residential requirements. Nothing in this

1 Section is meant to require that governments must operate these transportation systems outside their
2 political boundaries.

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

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

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

11 Section 245. Section 1 of this Act appropriates \$828.5 to the Division of Financial Management
12 and Budget (55-01-02) for Operations/Capital. Of this amount, \$200.0 shall be allocated to the Maritime
13 Exchange for the Delaware River and Bay.

14 Section 246. Section 1 of this Act makes an appropriation of \$563.9 to the Division of Planning
15 (55-03-01) for Operations/Capital.

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

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

Chairperson of the Senate Highways and Transportation Committee and/or the Energy and Transit Committee.

Section 247. The Office of Information Services shall bill the Department of Transportation, Division of Administration (55-02-01) on an actual usage basis.

Section 248. Section 1 of this Act provides an appropriation of \$66,057.7 to the Division of Highway Operations (55-04-00). Of that amount \$3,594.2 shall be used to implement the National Pollutant Discharge Elimination System (NPDES). The Secretary of Transportation shall report quarterly to the Budget Director and the Controller General on the status of the implementation of NPDES and provide associated cost projections for the remainder of the fiscal year. The Secretary of Transportation shall also report to the Budget Director and the Controller General upon final settlement of the related Consent Decree between the Department of Transportation and its co-defendants; and U.S. Environmental Protection Agency and U.S. Department of Justice, including a summary of settlement terms and applicable fines.

Section 249. Section 1 of this Act authorizes disbursement of \$1,674.0 in Transportation Trust Funds for Debt Service, General Obligation.

Section 250. Section 1 of this Act makes various appropriations from the Transportation Trust Fund for all transportation-related operations.

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

(b) The department shall provide a list of operating appropriations to be continued into the next fiscal year to include the following: 1) unprogrammed appropriations from prior years, and 2) unencumbered or unprogrammed appropriations from the immediately preceding fiscal year. The list shall be comprised of the accounting code, fiscal year and program description for each appropriation to

be continued. The department may request additional authority, on a project by project basis, during the fiscal year. Such requests shall be submitted to the Budget Director and Controller General for approval.

(c) For fiscal year ending June 30, 2001, any authorizations in the following accounts shall remain as continuing appropriations and shall not be subject to deauthorization until June 30, 2002:

<u>Fiscal Year</u> <u>Appropriation</u>	<u>Account</u> <u>Code</u>	<u>Remarks</u>
1999	(55-01-01-68-00)	Operations/Capital
1999	(55-01-01-68-06)	Environmental Contingency
2000	(55-01-01-68-00)	Operations/Capital
2000	(55-01-01-68-15)	Personnel Costs
1997	(55-01-02-68-00)	Operations/Capital
1999	(55-01-02-68-00)	Operations/Capital
2000	(55-01-02-68-00)	Operations/Capital
2000	(55-01-02-68-15)	Personnel Costs
1999	(55-01-03-68-00)	Operations/Capital
2000	(55-01-03-68-00)	Operations/Capital
2000	(55-01-03-68-15)	Personnel Costs
1999	(55-02-01-68-01)	Travel
1999	(55-02-01-68-02)	Contractual/Supplies
1999	(55-02-01-68-03)	Energy
1999	(55-02-01-68-04)	Capital Outlay
2000	(55-02-01-68-01)	Travel
2000	(55-02-01-68-02)	Contractual/Supplies
2000	(55-02-01-68-03)	Energy
2000	(55-02-01-68-04)	Capital Outlay
2000	(55-02-01-68-15)	Personnel Costs
1995	(55-03-01-68-00)	Operations/Capital

1999	(55-03-01-68-00)	Operations/Capital
1998	(55-03-01-68-00)	Contractual/Supplies
2000	(55-03-01-68-00)	Operations/Capital
2000	(55-03-01-68-15)	Personnel Costs
1998	(55-04-01-68-00)	Operations/Capital
1999	(55-04-01-68-00)	Operations/Capital
2000	(55-04-01-68-00)	Operations/Capital
2000	(55-04-01-68-15)	Personnel Costs
2000	(55-04-40-68-15)	Personnel Costs
1999	(55-04-50-68-02)	Contractual/Supplies
1999	(55-04-50-68-04)	Capital Outlay
1999	(55-04-50-68-03)	Energy
1997	(55-04-50-68-02)	Contractual/Supplies
2000	(55-04-50-68-02)	Contractual/Supplies
2000	(55-04-50-68-03)	Energy
2000	(55-04-50-68-04)	Capital Outlay
2000	(55-04-50-68-15)	Personnel Costs
1999	(55-04-60-68-00)	Operations/Capital
2000	(55-04-60-68-00)	Operations/Capital
2000	(55-04-60-68-15)	Personnel Costs
1997	(55-04-70-68-02)	Contractual/Supplies
1998	(55-04-70-68-02)	Contractual/Supplies
1998	(55-04-70-68-03)	Energy
1998	(55-04-70-68-04)	Capital Outlay
1999	(55-04-70-68-02)	Contractual/Supplies

1999	(55-04-70-68-03)	Energy
1999	(55-04-70-68-04)	Capital Outlay
2000	(55-04-70-68-05)	Storm Contingency
2000	(55-04-70-68-02)	Contractual/Supplies
2000	(55-04-70-68-03)	Energy
2000	(55-04-70-68-04)	Capital Outlay
2000	(55-04-70-68-15)	Personnel Costs
1998	(55-04-80-68-00)	Operations/Capital
1999	(55-04-80-68-00)	Operations/Capital
2000	(55-04-80-68-00)	Operations/Capital
2000	(55-04-80-68-15)	Personnel Costs
1997	(55-04-90-68-00)	Operations/Capital
1997	(55-04-90-68-02)	Contractual/Supplies
1998	(55-04-90-68-02)	Contractual/Supplies
1998	(55-04-90-68-03)	Energy
1998	(55-04-90-68-04)	Capital Outlay
1999	(55-04-90-68-01)	Travel
1999	(55-04-90-68-02)	Contractual/Supplies
1999	(55-04-90-68-03)	Energy
1999	(55-04-90-68-04)	Capital Outlay
2000	(55-04-90-68-01)	Travel
2000	(55-04-90-68-02)	Contractual/Supplies
2000	(55-04-90-68-03)	Energy
2000	(55-04-90-68-04)	Capital Outlay
2000	(55-04-90-68-15)	Personnel Costs
1995	(55-06-01-85-80)	DTA Operations

1987	(55-06-01-85-80)	DTA Operations
1998	(55-06-01-85-72)	Transit Operations
1999	(55-06-01-85-72)	Transit Operations
2000	(55-06-01-85-70)	Transit Administration
2000	(55-06-01-85-71)	Transit Ops Plng/Cust Serv
2000	(55-06-01-85-72)	Transit Operations
2000	(55-06-01-85-81)	Newark Transportation
2000	(55-06-01-85-83)	Kent & Sussex
2000	(55-06-01-85-89)	Taxi Service
1987	(55-06-01-85-99)	Capital Outlay
1995	(55-07-10-68-06)	Operations/Capital
1996	(55-07-10-68-00)	Operations/Capital
1998	(55-07-10-68-00)	Operations/Capital
1999	(55-07-10-68-00)	Operations/Capital
2000	(55-07-10-68-00)	Operations/Capital
2000	(55-07-10-68-15)	Personnel Costs

1 Section 251. Section 1 of this Act makes an appropriation in the amount of \$40,031.8 to the
2 Division of Highway Operations, Maintenance Districts (55-04-70) and \$7,173.3 to the Division of
3 Highway Operations, Toll Administration (55-04-90). Additionally, the Turnpike Operating Reserve
4 Fund is authorized at \$877.7.

1 The appropriation for both units may be allocated among the State's toll roads as follows:

LINE ITEM	TOLL OPERATIONS		MAINTENANCE	TOTAL ALL
	I-95	SR-1	Interstate, I-95, SR-1	
Personnel Costs	2,485.3	2,367.4	3,445.5	8,298.2
Energy	98.4	272.9	242.7	614.0
Capital Outlay	55.0	51.0	66.0	172.0
Contractual/Supplies	1,016.2	700.4	1,749.4	3,466.0
Travel	26.0	0.0	0.0	26.0
TOTALS	3,680.9	3,391.7	5,503.6	12,576.2
TOTAL	67.0	64.0	84.0	215.0

2 Section 252. Section 1 of this Act makes an appropriation to Division of Highway Operations,
3 Maintenance Districts (55-04-70) in the amount of \$2,541.0 to establish a Special Line called
4 Snow/Storm Contingency that will provide for the expenses of weather/emergency operations.
5 Notwithstanding any other provision of law to the contrary, any sums in this account not expended by the
6 end of a fiscal year, shall be carried over for use in future fiscal years, with appropriate transfers to
7 current fiscal year accounts. The department shall be allowed to transfer funds from this account to
8 divisions on an as needed basis, for expenditures incurred. The department may also transfer funds to
9 municipalities and other qualified entities to reimburse them pursuant to contracts entered into by the
10 department and the municipality to keep transit routes open during snow and storm emergencies. The
11 transfer of funds from this account shall not require the approval of the Budget Director or the Controller
12 General. The department must provide a semi-annual expenditure report on or before May 1 and
13 November 1 of each fiscal year.

14 Section 253. Section 1 of this Act appropriates \$95.1 in Personnel Costs and 1.0 TFO position to
15 the Office of the Secretary (55-01-01). This appropriation is provided to continue funding position
16 BP #70127 created to administer the Program Management Unit and implement the recommendations of
17 the 1998 Delaware Department of Transportation Operations Review. Upon vacancy by the current
18 incumbent, position BP #70127 will be deleted.

19 Section 254. During Fiscal Year 2002, the Department of Transportation shall be prohibited from
20 changing its departmental policy regarding access pipe installation on private homeowner entrances.

- 1 Specifically, the department shall not charge said homeowners for the labor costs associated with the
- 2 installation of the access pipe.
- 3

LABOR

Section 255. Notwithstanding any other laws to the contrary, including, but not limited to, 29 Del. C. Part VI, the Department of Labor, Administration, Commission for Women (60-01-30), is authorized to enter into a contract for the production, distribution, and marketing of videos and printed materials, on such terms and conditions as deemed appropriate by the Department of Labor. All revenues received by the department from such contract shall be deposited in an Appropriated Special Fund. Revenues received and deposited into such ASF account shall be used for the purpose of reproducing, marketing, and distributing copies of the video and printed materials.

Section 256. (a) Section 1 of this Act provides an appropriation of \$235.2 to Employment and Training, Employment and Training Services (60-09-20) for the Delaware State Summer Youth Employment Program to operate a ten-week program commencing July 1, 2001. This sum is to be allocated in the following manner:

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

(b) Notwithstanding any other provision of the Delaware Code to the contrary, youths chosen for work under this program shall not be less than 14 years of age nor more than 20 years of age (except that work leaders may be 21 years of age) and shall be required to provide evidence of same before becoming eligible. All youths participating in the state-assisted program shall be required to present a letter from their parents or guardian indicating their consent to work. The letter shall also release the State of Delaware and the sponsoring agency from any liability for assignments in the low-risk jobs that will be available.

1 Preference shall be given to those youths who are members of single-parent households whose
2 income does not exceed \$15.0 annually. Youths who are members of two-parent households whose
3 income does not exceed \$26.0, may also qualify for this program. Notwithstanding income limits
4 provided for participation in the State Summer Youth Employment Program, consideration may be given
5 to other applicants at a ratio of at least eight applicants qualified on income to three applicants considered
6 beyond the income limits.

7 Any non-profit or tax exempt organization certified by the Department of Labor may be
8 authorized to be a sponsoring agent for the state-assisted youth work program.

9 Sponsoring agents shall be required to submit a plan or project that consists of meaningful and
10 productive work experience. The plan or project shall provide such details as the department shall deem
11 necessary before becoming eligible as a sponsoring agent.

12 The sponsoring agent shall provide one work leader for each 20 youths employed in the program
13 to supervise and monitor the attendance and work performance of the youths selected for the program.
14 Work leaders shall be paid no more than \$6.15 per hour and shall work no longer than eight hours per
15 day, five days per week.

16 In each of the political subdivisions wherein funds have been appropriated, no more than \$5.0
17 shall be expended for administrative purposes and no more than \$2.0 shall be expended for equipment,
18 supplies and mileage.

19 A record of all equipment and supplies purchased with funds herein appropriated shall be kept by
20 the sponsoring agent, and at the conclusion of the ten-week program such supplies and equipment shall be
21 reverted to the Department of Labor.

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

1 Section 257. Section 1 of this Act provides an appropriation of \$407.8 in Contractual Services to
2 Employment and Training (60-09-00). Of this amount, \$65.0 shall be used to fund a non-profit
3 professional apprenticeship and training program for young Delawareans ages 18-30. The training and
4 apprenticeships shall include leadership skills, team building, problem solving and community issues.

AGRICULTURE

Section 258. Section 1 of this Act appropriates \$920.1 in ASF to the Harness Racing Commission and \$768.4 in ASF to the Thoroughbred Racing Commission, respectively, for operational expenses. Each Commission's revenues, derived from fees, fines and licenses, shall be used to cover their respective operational expenditures. Should revenues be insufficient to cover the operational costs of either Commission, funds may be transferred from State Lottery revenues 29 Del. C. § 4815 to cover such shortfalls with the concurrence of the Budget Director and the Controller General.

Section 259. Section 1 of this Act includes ASF funding and ASF position authorizations in the Department of Agriculture, Harness Racing Commission (65-01-05). Three of these positions shall be used for the State Steward, the Presiding Judge and one Associate Judge. These positions shall be exempt from the classified service as provided in 29 Del. C. c. 59. The compensation for these positions shall be determined by the Harness Racing Commission. Persons appointed by the Commission to fill these positions shall be eligible for membership in the State Pension Plan, for coverage under the life and health insurance programs for State employees, and for worker's compensation benefits as State employees, but, because of the nature of these positions, they shall not be eligible for annual leave, sick leave or compensatory time.

Section 260. Section 1 of this Act includes ASF funding and ASF position authorizations in the Department of Agriculture, Thoroughbred Racing Commission (65-01-10). Three of these positions shall be used for the Racing Stewards. These positions shall be exempt from the classified service as provided in 29 Del. C. c. 59. The compensation for these positions shall be determined by the Thoroughbred Racing Commission. Persons appointed by the Commission to fill these positions shall be eligible for membership in the State Pension Plan, for coverage under the life and health insurance programs for State employees, and for worker's compensation benefits as State employees, but, because of the nature of these positions, they shall not be eligible for annual leave, sick leave or compensatory time.

1 Section 261. Section 1 of this Act makes an appropriation to the Nutrient Transport program.
2 These funds are appropriated to support projects that transport poultry and animal waste, including litter,
3 for alternative use projects and for transporting the poultry and animal waste to cropland showing a need
4 for these nutrients as indicated by a nutrient management plan. Of this appropriation, \$100.0 shall be
5 used for projects that will remove the nutrients from Delaware and the remainder shall be used for farm to
6 farm relocation within Delaware. Reimbursement of transportation shall not exceed \$20 per ton of
7 poultry or non-poultry waste. The program shall be developed and implemented by the Delaware
8 Department of Agriculture according to the guidelines established by the Delaware Nutrient Management
9 Commission as provided for under 3 Del. C. § 2220(a)(4). The Delaware Nutrient Management
10 Commission shall provide a report to the Controller General and the Budget Director on the expenditure
11 of these funds on or before December 1, 2001.

12 Section 262. Section 1 of this Act makes an appropriation to the Nutrient Management
13 Contingency. These funds may be used for the sole purpose of nutrient relocation and/or nutrient
14 management planning.

15 Section 263. Section 1 of this Act makes an appropriation to the Department of Agriculture,
16 Nutrient Management Section (65-01-12) for Nutrient Transport to be used according to the guidelines
17 established by the Nutrient Management Commission as provided for 3 Del. C. § 2220(a)(4).
18

ELECTIONS

Section 264. While conducting an election or referendum for any Public School district, the district may not charge rent or custodial fees associated with the use of its space. For the clarification of County Department of Elections costs relating to public school district elections, Smyrna School District and Milford School District elections will be conducted by Kent County Department of Elections; Woodbridge School District elections will be conducted by Sussex County Department of Elections.

Section 265. The Department of Elections may indemnify and hold harmless any U.S. Government entity for claims of damages arising from the State of Delaware contracting with said entity for the purposes of using their facility as a polling place to conduct elections. Furthermore, the State of Delaware shall purchase insurance against said claims of damage to protect against such claims and indemnify the U.S. Government.

Section 266. 70 Del. Laws, c. 515 transferred the responsibility for the conduct of school board, referenda and bond issue elections to the Department of Elections, should this law be funded by the General Assembly.

Funding included in Section 1 of this Act provides an appropriation to the Department of Elections, Commissioner of Elections (70-01-01) in the amount of \$442.2, which includes all costs for transporting voting machines used in all public school elections.

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

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

1 Section 267. Section 1 of this Act contains an appropriation for Commissioner of Elections, (70-
2 01-01), Other Items: Voter Purging, for the purpose of assisting the Department of Elections with its
3 statewide efforts to maintain the voter rolls in an orderly manner.

4 Section 268. For purposes of designating and procuring polling places for primary, general and
5 special elections, the respective county department of elections shall pay a rental fee totaling \$.2 for each
6 facility used, no matter how many election districts are assigned to that facility.

FIRE PREVENTION

Section 269. Section 1 of this Act provides an appropriation of \$100.0 to the State Fire Prevention Commission (75-03-01) in the line item Statewide Fire Safety Education. These funds are to be matched by members of the Delaware Association of Volunteer Firemen and are to be used for the purpose of operating a Statewide Fire Safety Education Program.

Section 270. Of the funds appropriated in Section 1 of this Act to the Fire Prevention Commission (75-03-01) in the line item Contingency - Extraordinary Expenses an amount not to exceed \$20.0 may be used to reimburse volunteer fire companies which incur extraordinary expenses. These funds may be disbursed to volunteer fire companies only for extraordinary expenses at the discretion of the Fire Prevention Commission upon the request of a volunteer fire company. An extraordinary expense under the provisions of this Act shall be defined as those expenses for which a volunteer fire company would not normally prepare for in its company budget and are not covered by said company's own private insurance.

Section 271. Section 1 of this Act appropriates \$5.0 to the Office of the State Fire Marshal (75-01-01) for the purchase of smoke detectors and educational materials for the Juvenile Firesetter Intervention Program.

NATIONAL GUARD

Section 272. 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.

HIGHER EDUCATION

Section 273. (a) 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(b). The appropriation for Operations of the University of Delaware includes \$2,540.0 for energy.

(b) The University of Delaware shall pay on a regularly scheduled basis as determined by the Secretary of Finance to the State Treasurer, at a rate determined under 29 Del. C. § 6340, or otherwise by the Secretary of Finance, the amount of all fringe benefits applicable to salaries and wages paid to employees of the University of Delaware as the term "employee" is defined in 29 Del. C. § 5501(a) and § 5505, or any other fringe benefit costs applicable to the University of Delaware.

(c) Section 1 of this Act provides an appropriation for Operations of the University of Delaware (90-01-01). Included in that appropriation is the increased amount for library books of \$200.0.

(d) Section 1 of this Act provides an appropriation for MCI/Equipment. These funds shall not be subject to reversion until June 30, 2004.

(e) Section 1 of this Act provides an appropriation for Operations of the University of Delaware (90-01-01). Included in this appropriation is \$47.0 for travel. Of this amount, any funds used for in-state travel shall be subject to the state guidelines on mileage reimbursement.

Section 274. 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

1	Aid to Needy Students	1,516.9
2	Governor's Scholars Program	508.6
3	Student Employment Program	136.9
4	Academic Incentive	<u>114.6</u>
5	Total	\$ 7,872.1
6	<u>Agricultural Programs:</u>	
7	Agricultural Experimental Station	\$ 650.2
8	Agricultural Cooperative Extension	897.0
9	Agricultural Research and Education Center	376.9
10	Poultry Disease Research	554.5
11	Crop Extension	278.1
12	Agricultural Environmental Quality	182.3
13	Soil Testing and Pesticide Control	314.0
14	Diagnostic Poultry Program	<u>140.7</u>
15	Total	\$ 3,393.7
16	<u>Other Programs:</u>	
17	Sea Grant	\$ 486.9
18	Urban Agent Program	118.2
19	Public Service and Applied Research Projects	552.8
20	Research Partnership Fund	1,252.6
21	Minority Recruitment	255.1
22	Financial Services Center	31.0
23	Local Government Research and Assistance	247.6
24	Graduate Education (Southern Delaware)	71.0
25	Library Automation	52.0
26	MALS/BALS - Southern Delaware	61.6

1	Nurse Practitioner	235.6
2	Science, Engineering and Technology Service Program	137.8
3	Management Training and Technical Assistance	57.6
4	Molecular Biology/Biotechnology Program	438.7
5	Math/Science Education for DE Teachers	579.9
6	Advanced Materials	214.9
7	Center for Community Development and Family Policy	269.9
8	Training and Research (Educational Management)	204.8
9	Computer Aided Math Instruction	80.0
10	Advanced Electronics and Materials Initiative	627.5
11	Field Hockey Coach	31.8
12	Delaware Center for Teacher Education	311.4
13	Research on School Finance Issues	79.4
14	Delaware Education Research and Development Center	208.6
15	Delaware Research Scholars Program	150.0
16	Milford Professional Development School	104.2
17	Information Technology Partnership	2,275.7
18	ITV Technician	91.4
19	Core Content Teacher Education	278.1
20	Biotechnology	649.6
21	Computer Aided Instruction, Arts & Science	100.0
22	Clinical Instruction in Teacher Education	210.0
23	Early Childhood Education	100.0
24	Civics Education for Teachers	100.0
25	Education Resource Center	52.0
26	Biotechnology Institute	275.0
27	Computer Aided Engineering	100.0

1	Software License Support	179.0
2	Center for Corporate Governance	50.0
3	Assistant Women's Coaches	41.0
4	Study Abroad for Delaware Residents	50.0
5	Improving Middle School Instruction	<u>175.0</u>
6	Total	\$11,587.7

7 Section 275. Section 1 of this Act appropriates \$1,252.6 for the "Research Partnership Fund" at
8 the University of Delaware, subject to the following:

9 (a) This appropriation shall be used to match, at least on a dollar-for-dollar basis, grants or
10 contracts from private industry to conduct cooperative research with the University. The objective of the
11 cooperative research efforts shall be to attract new high-technology research facilities and industries to
12 locate within the State of Delaware;

13 (b) This appropriation shall be used to match "new" money and cannot be allocated to any
14 projects in progress; and,

15 (c) Approximately 40 percent of the Research Partnership Funds will be used to support small
16 start-up companies located in Delaware, 40 percent will be used to support research within large
17 corporations, and 20 percent will be used to support the University of Delaware Research Institute; and,

18 (d) The University President shall submit to the Governor, members of the General Assembly,
19 the Budget Director, and the Controller General, within 120 days after the close of each fiscal year, a
20 report containing an account of how these funds were expended; what new industrial research
21 organizations were attracted to the State; and plans for the ensuing fiscal year.

22 Section 276. 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
24 Agricultural Extension Agents in New Castle County, 3.0 Agents in Kent County and 2.5 Agents in
25 Sussex County. Additional funding is provided for 1.0 Agricultural Extension Engineer for the
26 Agricultural Cooperative Extension Program.

1 Section 277. 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, 2002, a joint report detailing the
4 implementation status of this program as it relates to the appropriation herein.

5 Section 278. Section 1 of this Act appropriates \$163.5 to Delaware State University (90-03-00)
6 for the establishment of an Early Childhood Montessori Teacher Training Program in Wilmington. The
7 University shall submit to the Controller General and the Budget Director, by September 1, 2001, a report
8 detailing the progress of this program.

9 Section 279. 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 and
13 \$100.0 shall be for scholarships for female athletes.

14 Section 280. 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,

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

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

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

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

17 Section 281. Section 1 of this Act provides funds for Delaware State University, Operations (90-
18 03-01), MCI/Equipment. These funds shall not be subject to reversion until June 30, 2004.

19 Section 282. Section 1 of this Act provides an appropriation to Delaware Technical and
20 Community College, Office of the President (90-04-01), for Parallel Program - Operation and Parallel
21 Program - Academic. This appropriation is to assist in the provision of the Delaware
22 Technical/University of Delaware Parallel Program which will be operated jointly by the two institutions
23 under a contract initiated by Delaware Technical and Community College. Under this contract, the
24 University of Delaware will teach students at Delaware Technical and Community College's facilities.
25 Future budget requests will be made jointly by Delaware Technical and Community College and the
26 University of Delaware, and budget cuts, if necessary, will be shared on a pro rata basis. Approval of

tuition and other fees will be made by the Board of Trustees of the institution that delivers the relevant service and after the institutions have reached an agreement for tuition sharing. Representatives from both institutions will meet at least once each semester to review program operations.

Section 283. Section 1 of this Act provides funds for Delaware Technical and Community College (90-04-00) for MCI/Equipment. This appropriation may be utilized for the acquisition of computer hardware and software. These funds shall not be subject to reversion until June 30, 2004.

Section 284. Amend 14 Del. C. c. 92 § 9219(g)(2) by striking the period after the word “College” and inserting in lieu thereof

ADMINISTRATIVE RESPONSIBILITY INDEX SCHEDULE

	Years in Level	Index
Level 1	0	4%
	1	5%
	2	6%
	3	7%
	4	8%
Level 2	0	9%
	1	10%
	2	11%
	3	12%
Level 3	0	26%
	1	28%
Level 4		37%
Level 5		55%

Section 285. Section 1 of this Act contains an appropriation of \$199.0 for the Delaware Institute of Veterinary Medical Education (DIVME), (90-07-01). Notwithstanding current Laws of Delaware relating to the DIVME Program, these funds shall be used to provide tuition support for up to five Delaware residents studying at the Virginia-Maryland Regional College of Veterinary Medicine. These funds may also be used for assistance of up to four Delaware residents accepted to a veterinary medicine program at the University of Georgia and up to two Delaware residents accepted to a veterinary medicine program at Oklahoma State University.

EDUCATION

Section 286. At the end of Fiscal Year 2001, all Division II – All Other Costs (Appropriation 0165), Division II – All Other Costs for Vocational Education (Appropriation 0265), Division II – Energy (Appropriation 0159), Division III – Equalization Funds (Appropriation 0186) and Education Expense and Property Tax Relief Funds (Appropriation 0287) shall become a continuing appropriation in each local school district for the period of one fiscal year.

Section 287. For Fiscal Year 2002, employees who have been issued a temporary certificate for a third or fourth year due to failure to pass Praxis I shall continue to receive a 10 percent salary reduction. Employees currently on a temporary certificate as a result of being assigned to an area outside the area of certification shall not receive a 10 percent salary reduction.

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

Section 288. Amend 14 Del. C. § 1318(g) by deleting the fraction “1/222” as it appears therein and substituting in lieu thereof the fraction “1/228”.

Section 289. Amend 14 Del. C. § 1318A(b)(10), by deleting the number “222” as it appears therein and substituting in lieu thereof the number “228”.

Section 290. Amend 14 Del. C. § 1320, by deleting the fraction “1/222” as it appears therein and substituting in lieu thereof the fraction “1/228”.

Section 291. Amend 14 Del. C. § 1703(e), by deleting the number “222” as it appears therein and substituting in lieu thereof the number “228”.

Section 292. Amend 14 Del. C. § 1703(f), by deleting the number “222” as it appears therein and substituting in lieu thereof the number “228”.

Section 293. Amend 14 Del. C. § 1703, by deleting the phrase “the daily rate defined in subsection (j) of this section” as it appears in subsection (e) and subsection (f) therein, and by inserting in lieu thereof in each place the phrase “1/189 in Fiscal Year 2002 and 1/190 in Fiscal Year 2003 and thereafter”.

Section 294. For any section in the Delaware Code that makes reference to the annual work year for teachers in terms of days, such reference can be converted to equivalent hours as follows:

$$189 \text{ Regular Days} \times 7.5 \text{ hours} = 1,417.5 \text{ hours}$$

Section 295. The annual state salaries contained in 14 Del. C. c. 13 are based upon the following:

<u>Schedule</u>	<u>Hours Per Day</u>	<u>Days Per Year</u>
Schedule 1305	7.5 inclusive of ½ hour lunch	189
Schedule 1308	7.5 exclusive of ½ hour lunch	261
Schedule 1311	8.0 inclusive of ½ hour lunch	261
Schedule 1322(a)	7.0 exclusive of ½ hour lunch	185
Schedule 1324	7.5 inclusive of ½ hour lunch	185
Schedule 1326	7.5	Not applicable

Absent an existing collective bargaining agreement to the contrary, district employees who work less than the specified time shall have their annual salary adjusted accordingly. Upon ratification of a new or extension of an existing collective bargaining agreement, the local district shall establish hours and days worked that are consistent with those specified above.

1 Section 296. (a) The positions included in Section 1 of this Act that are authorized to the
2 Department of Education shall be assigned in the manner shown on the Organization Chart submitted
3 with the Fiscal Year 2002 Budget Act.

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

13 Section 297. The Department of Education shall continue to provide funding through its
14 discretionary federal special education funds for a portion of the education costs associated with prison
15 inmates aged 18 to 21 years, who qualify as special education students.

16 Section 298. The Department of Education shall continue to work towards the implementation of
17 school-level financial data during Fiscal Year 2002. Due to the State's movement from the DFMS to
18 ASAP, the department shall work with the Department of Finance in the design of the new accounting
19 system.

20 Section 299. For Fiscal Year 2002, there shall be no inflation factor for the local per pupil
21 payments required under the state's Enrollment Choice Program, as specified in 14 Del. C. § 408(e), and
22 for the local per pupil payments required under the state's Charter School Program, as specified in 14 Del.
23 C. § 509(d).

1 Section 300. 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 301. Amend 14 Del. C. § 1703(j) by deleting the section in its entirety and substituting in
5 lieu thereof the following:

6 “(j) Effective for the Fiscal Year beginning July 1, 2002, each public high school may hire an
7 occupational/vocational teacher for an additional 37 days for participation in program development and
8 oversight of summer vocational-occupational cooperative programs. Commencing in Fiscal Year 2003
9 and beyond, these teachers shall be entitled to payment of the state share of salaries at the rate of 1/190 of
10 their entitlement for a full school year multiplied by the number of days employed.”

11 Section 302. Section 1 of this Act makes an appropriation 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 Certification and Development
14 activities. This appropriation to the Department of Education is intended to offset expenditures in the
15 following areas: standard setting for PRAXIS II; teacher and administrator assessment procedures;
16 revision and update of teacher and administrator evaluation procedures (DPASII); diversity recruiting;
17 professional recertification and expanding the Alternative Route to Teacher Certification program.

18 Section 303. Section 1 of this Act provides an appropriation of \$529.5 to Public Education, State
19 Board of Education and State Board for Vocational Education and Department of Education, State Board
20 of Education and Department of Education (95-01-01) for Standards and Assessment. Part of the
21 Standards and Assessment program agenda is to support the development and completion of performance
22 indicators.

23 Section 304. Section 1 of this Act makes an appropriation of \$35.0 to Public Education, State
24 Board of Education and State Board for Vocational Education and Department of Education, State Board
25 of Education and Department of Education (95-01-01) for Odyssey of the Mind. This appropriation shall

1 be made available to school students to assist in defraying out-of-state travel expenses associated with this
2 program.

3 Section 305. Section 1 of this Act makes an appropriation of \$500.0 to Public Education, State
4 Board of Education and State Board for Vocational Education and Department of Education, State Board
5 of Education and Department of Education (95-01-01) for Student Mentoring. Of this amount \$350.0
6 shall be used by the Department of Education to review and award grants competitively to schools with
7 grades kindergarten through eighth grade. Programs selected shall provided at-risk children with
8 academic tutoring and instruction, with the involvement of parents and volunteer mentors. School
9 districts shall make direct application to the department on behalf of individual school buildings,
10 addressing in their proposal the following: (a) one on one tutoring for academically at-risk students; (b)
11 early childhood preventive intervention strategies; (c) adherence to academic standards as adopted by the
12 State Board of Education; (d) parental involvement; and (e) provision of program evaluation and
13 performance evaluation. Local schools are encouraged to utilize such programs for students during non-
14 core academic class time. Grant awards for individual schools, of no more then \$30,000 each, shall be
15 determined by the department no later than November 30, 2001, and funds shall be allocated by
16 December 31, 2001. The remaining \$150.0 may go to the University of Delaware for the Delaware
17 Mentoring Council for technical assistance and professional development for mentors and other activities.

18 Section 306. (a) It is the intent of the General Assembly that the sum of \$7,149.1 allocated in
19 Section 1 of this Act be used for MCI/Annual Maintenance to school buildings. These funds shall not be
20 subject to reversion until June 30, 2004.

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

		Maximum	Maximum	
	<u>School District</u>	<u>State Share</u>	<u>Local Share</u>	<u>Total Cost</u>
3	Appoquinimink	\$286,377	\$190,918	\$477,295
4	Brandywine	650,288	433,525	1,083,813
5	Special	8,485	0	8,485
6	Christina	1,173,533	782,355	1,955,888
7	Special	34,037	0	34,037
8	Colonial	615,412	410,275	1,025,687
9	Special	11,801	0	11,801
10	New Castle Vo-Tech	330,030	0	330,030
11	Red Clay	911,737	607,825	1,519,562
12	Special	13,069	0	13,069
13	Caesar Rodney	325,583	217,055	542,638
14	Special	18,140	0	18,140
15	Capital	363,033	242,022	605,055
16	Lake Forest	203,050	135,367	338,417
17	Milford	225,111	150,074	375,185
18	Polytech	109,132	0	109,132
19	Smyrna	199,247	132,831	332,078
20	Cape Henlopen	238,218	158,812	397,030
21	Special	13,849	0	13,849
22	Delmar	45,937	30,625	76,562
23	Indian River	435,476	290,317	725,793
24	Special	15,117	0	15,117
25	Laurel	122,708	81,805	204,513
26	Seaford	219,376	146,251	365,627
27	Sussex Vo-Tech	113,228	0	113,228

1	Woodbridge	107,084	71,389	178,473
2	East Side Charter	4,798	3,199	7,997
3	Campus Community	17,555	11,703	29,258
4	Wilmington Charter	46,930	31,287	78,217
5	Marion T. Academy	24,109	16,073	40,182
6	Thomas Edison	49,036	32,691	81,727
7	Sussex Academy	13,225	8,817	22,042
8	Positive Outcomes	4,389	2,926	7,315
9	Total to Schools	\$6,949,100	\$4,188,142	\$11,137,242
10	STATE BOARD OF EDUCATION	115,000	76,667	191,667
11	VOCATIONAL EQUIPMENT	<u>85,000</u>	<u>56,667</u>	<u>141,667</u>
12	TOTAL	\$7,149,100	\$4,321,476	\$11,470,576

Section 307. Section 1 of this Act provides appropriations of \$323,495.5 for Formula Salaries and \$110,624.1 for Other Employment Costs to Public Education, School District Operations, Division Funding (95-02-01). These amounts provide salaries and other employment costs for the following categories as determined by the September 30 unit count entitlement of each school district: 14 Del. C. §§ 1305 to 1311 and §§ 1321, 1324, 1331, and 1332. These appropriations also contain salaries and other employment costs funds for the Americanization Program operated by the Caesar Rodney and Red Clay Consolidated School Districts. These sums are \$9.4 and \$104.6, respectively.

Section 308. Amend 14 Del. C. § 1331 by deleting the title as it appears therein and inserting in lieu thereof the following title:

“§ 1331. Margaret S. Sterck School Delaware School for the Deaf, special staff.”

Section 309. Amend 14 Del. C. § 1331(a), by adding a new subsection (5) to read as follows:

“(5) Specialist – Literacy (English and American Sign Language) for a period of 10 months at the rate of 1 for each 10 state units or fraction of 10 units of pupils.”

1 Section 310. Amend 14 Del. C. § 1331(d), by deleting the words “Director and Statewide
2 Coordinator” and inserting in lieu thereof the following:

3 “Director, Statewide Coordinator and Dean of Students (Assistant Principal rank)”

4 Section 311. The Department of Education shall transfer \$100.0 to the Department of Public
5 Safety, State Police to reimburse qualified applicants for the cost of criminal background checks for the
6 purpose of all school district employees on a first come, first served basis. State Police shall send
7 quarterly reports to the Department of Education regarding expenditures of said funds.

8 Section 312. 14 Del. C. § 122(e), requires the Department of Education to review all regulations
9 to ensure that all regulations are current and not burdensome, and 14 Del. C. § 122(f) and (g) provide a
10 means for districts to pursue waivers of state regulations. The Federal Education Flexibility Partnership
11 Act of 1999 allows districts to apply for waivers of federal regulation in states that have adopted
12 challenging content and performance standards, have aligned assessments to those standards, have
13 established a system of school and district accountability, and allow waiver of State statutory and
14 regulatory requirements relating to education.

15 Upon federal approval of the Department of Education’s application for Ed Flex, the Department may
16 waive State statutory and regulatory requirements pursuant to the Federal Education Flexibility
17 Partnership Act of 1999. Such waivers must be applied for according to procedures and policies
18 determined by the Department of Education and must be related to Title I, Part B of Title II, Title IV,
19 Title VI, Part C of Title VII, and the Carl D. Perkins Vocational and Technical Education Act of 1998.
20 State programs for which waivers may be granted include, but are not limited to, extra time, school
21 climate and discipline, academic excellence, early reading intervention, student mentoring, and
22 professional and curriculum development. Notwithstanding any section of this Act to the contrary,
23 waivers for state programs may allow districts to use state funds for any Division III - Equalization
24 purpose if approved through the application process. The Budget Director and the Controller General
25 shall review and approve the Department of Education waiver process.

1 Section 313. The Delaware Code notwithstanding, during Fiscal Year 2002, the Budget Director
2 is authorized to continue funding for issues such as, but not limited to, the number of administrative
3 positions and activity busing for which the State was required to provide funding as a result of a 1978
4 federal court order. This authorization, as it relates to administrative positions, shall apply only to
5 positions filled for employment, and shall not be considered as authorization to fund any cash options
6 pursuant to 14 Del. C. c. 13.

7 Section 314. Line Item funds appropriated in Section 1 of this Act to Public Education, School
8 District Operations, Other Items (95-02-02) are to cover adjustments in the Appropriation Units of the
9 State Board of Education and State Board for Vocational Education and Department of Education (95-01-
10 01), Block Grants and Pass Through Programs (95-03-00), Pupil Transportation (95-04-00), or the local
11 school districts. Examples of such use are: salary line transfers and adjustments; unit adjustments; state
12 share of tuition payment for private placement of handicapped pupils; for Delaware residents of the
13 Delmar School District attending Maryland schools; expenditures for Americanization classes; and pupil
14 transportation costs.

15 Section 1 of this Act also provides certain appropriations to Public Education, School District
16 Operations, Other Items (95-02-02) and Block Grants and Pass Through Programs (95-03-00) for school
17 districts in the State. 14 Del. C. § 1704, provides the method of determining the appropriate number of
18 pupil units for each school district based on the September 30 enrollment. Sufficient funds will be placed
19 in the school district accounts to operate for a partial year. Based on the approved Department of
20 Education Unit Count for September 30, adjustments will be made to the district accounts. These
21 adjustments will be accomplished through the transfer process and therefore approved by the Budget
22 Director and the Controller General.

23 General Fund appropriations to Public Education in Appropriation Units (95-03-00), (95-04-00)
24 and the Delmar Tuition, General Contingency, Teacher of the Year, and Debt Service Appropriations in
25 Appropriation Units (95-01-00) and (95-02-00) shall not be subject to the limitations as defined for
26 Division I and Division II in 14 Del. C. § 1706 and § 1709.

Section 315. Section 1 of this Act makes an appropriation to Public Education, School District Operations, Other Items (95-02-02) for Guaranteed Unit Count. The appropriation is sufficient to fund 20 guaranteed units. In the event that more units are required districts shall receive partial unit funding in proportion to the units available.

A school district that loses enrollment as a result of a decision to close a school or program shall not be guaranteed units lost as a result of that decision.

Section 316. Section 1 of this Act provides certain appropriations to Public Education, School District Operations, Other Items and Debt Service in the State. These amounts are not based on the unit system. Allocation of these funds shall conform to the following:

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

(b) The line item Other Items in the Internal Program Unit Other Items (95-02-02) shall be allocated as follows:

1. Caesar Rodney - Americanization	\$ 4.7
2. Red Clay - Americanization	9.0
3. Margaret S. Sterck -	
Residence - Other Costs	85.4
Consultant Services	11.0
Preschool Summer Program	6.9
4. Christina Autistic -	
Residence - Other Costs	206.5
Contractual Services	11.4
5. John G. Leach	50.0
6. Sussex Orthopedic School	<u>7.5</u>
Total	\$392.4

Section 317. Section 1 of this Act makes appropriations to Public Education, School District Operations, Division Funding (95-02-01) for Division II - All Other Costs and Energy. During the fiscal year ending June 30, 2002, a school district upon approval of the Budget Director and the Controller General, may transfer part of its allocated appropriation from Division II - Energy to Division II - All Other Costs. A school district may use Division II - Energy funds to obtain engineering studies required for Exxon or Stripper Well funds. A Division II - Energy Unit shall be valued at \$1,682.00. A Division II - All Other Costs Unit shall be valued at \$3,247.00. The Division II - All Other Costs appropriation shall be used for all school costs (including library resources) except salaries and other employment costs, state and local benefits, debt service, energy, and transportation of pupils to and from their regular sessions of school.

Section 318. Provisions of 29 Del. C. § 6102(r)(2) and § 6102(r)(3) notwithstanding, during Fiscal Year 2002, the sum authorized to the Education Expense and Property Tax Relief Fund shall be allocated as follows:

District Allocation	Increase Support for Education	Offset Local Current Expense Taxes	Total
Appoquinimink	\$ 0	\$ 523,260	\$ 523,260
Appoquinimink ILC	18,468	0	18,468
Brandywine	0	2,158,200	2,158,200
Bush	16,350	0	16,350
AI Institute	6,298	0	6,298
Brandywine ILC	75,210	0	75,210
Christina	0	3,691,830	3,691,830
Autistic Program	135,407	0	135,407
REACH	53,533	0	53,533
Sterck	85,023	0	85,023
Christina ILC	170,040	0	170,040
Colonial	0	2,001,240	2,001,240

1	Leach	75,576	0	75,576
2	Colonial ILC	42,510	0	42,510
3	Red Clay	0	2,897,220	2,897,220
4	Meadowood	75,576	0	75,576
5	Red Clay ILC	122,811	0	122,811
6	Caesar Rodney	366,662	201,178	567,840
7	Caesar Rodney ILC	9,204	0	9,204
8	Charlton	47,554	0	47,554
9	Capital	0	728,495	728,495
10	Capital ILC	4,820	0	4,820
11	Kent Orthopedic	16,874	0	16,874
12	Lake Forest	279,383	132,847	412,230
13	Milford	78,709	505,952	584,661
14	Milford ILC	5,062	0	5,062
15	Smyrna	65,447	454,553	520,000
16	Smyrna ILC	5,000	0	5,000
17	Cape Henlopen	0	24,174	24,174
18	Delmar	125,000	0	125,000
19	Delmar ILC	1,303	0	1,303
20	Indian River	0	592,680	592,680
21	Laurel	323,853	34,461	358,314
22	Laurel ILC	5,874	0	5,874
23	Seaford	263,895	0	263,895
24	Seaford ILC	6,025	0	6,025
25	Woodbridge	125,000	0	125,000
26	New Castle Vo-Tech	0	834,485	834,485
27	New Castle Vo-Tech ILC	25,192	0	25,192

1	Polytech	0	125,000	125,000
2	Polytech ILC	12,272	0	12,272
3	Sussex Technical	0	0	0
4	Total	\$2,643,931	\$14,905,575	\$17,549,506

5 Section 319. Section 1 of this Act provides an appropriation of \$57,398.0 to School District
6 Operations, Division Funding (95-02-01) for Division III – Equalization. Based on the finding from the
7 1998 audit of the New Castle County Vo-Tech School District, the Department of Education is authorized
8 to withhold \$225,665 from the district’s entitlement in Fiscal Year 2002.

9 Section 320. Section 1 of this Act provides an appropriation of \$6,531.8 to Public Education,
10 Block Grants and Pass Through Programs, Adult Education Work Force Training Block Grant (95-03-
11 10). This appropriation shall be allocated by the Department of Education to the following
12 programs/districts: Adult Trade Extension (statewide), Apprentice Program (statewide), James H. Groves
13 High School (statewide), Adult Basic Education (statewide), New Castle County Learning Center
14 (Christina School District), Delaware Skills Center (New Castle County Vocational Technical School
15 District), Alternative Secondary Education Program (statewide), Communities in Schools of Delaware
16 (Colonial, Brandywine, and Capital School Districts), Marine Mechanics Apprentice Program (Sussex
17 Technical School District) and Interagency Council on Adult Literacy. For each program continued in
18 Fiscal Year 2002, each program shall receive no less than the same allocation from this appropriation as
19 its Fiscal Year 2001 allocation, except that the allocations for the following programs shall be increased
20 by the amounts shown: James H. Groves High School, \$322.2; Alternative Secondary Education, \$18.7;
21 and Diploma at a Distance, \$27.0.

22 Section 321. Section 1 of this Act makes an appropriation of \$8,200.5 to Public Education, Block
23 Grants and Pass Through Programs, Professional Accountability and Instructional Advancement Fund
24 (95-03-10).

25 (a) The following allocations shall be provided:

1 (1) \$225.0 for Alternative Routes programs. \$150.0 is provided for the Alternative Routes to
2 Certification program, to be used to implement this project in Fiscal Year 2002. The
3 remaining \$75.0 may be used for the Summer Institute program.

4 (2) \$2,866.5 shall be allocated by the Department of Education to districts for professional
5 and curriculum development activities. Districts shall submit applications to the
6 Department of Education detailing the district's plan for the utilization of these funds.
7 The Department of Education shall review and approve plans and allocate an amount not
8 to exceed \$331.00 per certified employee, based on a district's personnel complement for
9 the 2000-2001 school year. Grants are to be used for developing and implementing
10 curriculum based on the content standards established by the Curriculum Frameworks
11 Commission, as approved by the State Board of Education or for other professional
12 development activities, including, but not limited to: Discipline, Special
13 Education/Inclusion Collaboration/Consensus Building, Conflict Resolution, Shared
14 Decision Making, local school board member training, and Educational Technology.
15 Districts are encouraged to collaborate as a means of maximizing resources as well as
16 focusing district activities on consistent principles. Grants may be utilized for training,
17 planning, in-service programs and contractual services. The Department of Education is
18 authorized to transfer 50 percent of the estimated district grant amount by July 30, 2001.
19 The remaining 50 percent shall be transferred within 30 days of the final approval of the
20 district application for funding.

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

- 23 (a) Integration of the proposal with existing resources and programs such as the
24 Comprehensive Discipline Act, Goals 2000, Delaware Principals Academy,
25 Delaware Teachers Center, Drug Free Schools, Title 1 and 2, Special Education
26 and local funds dedicated to Standards and Assessment.

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

(3) \$142.8 for Delaware Principals Academy activities. The Department of Education shall determine, in coordination with the agency (or agencies) operating this program, the goals and objectives of this program, including how it will further the objectives of Standards and Assessment and integrate Shared Decision Making training into the program focus. The Controller General and the Budget Director shall ensure that the proposed program is cost efficient and meets the objectives outlined in this section before agreeing to transfer the appropriation from the Department of Education to the operating agency. All expenditures from this allocation shall serve principals from the State of Delaware only.

(4) \$800.0 for Professional Mentoring. The intent of this appropriation is for exemplary teachers to assist new teachers through leadership and guidance, and includes a training component in order for teachers to become better mentors. This funding level allows for a statewide program.

(5) \$600.0 for Tuition Reimbursement of which \$50.0 shall be used exclusively for tuition reimbursement for Early Childhood Education courses and \$50.0 for summer school courses. This allocation provides, at the discretion of the Department of Education, for the possible operation of a tuition reimbursement program for the purpose of reimbursing public school employees and teachers employed by state agencies for tuition payments for graduate college courses or courses in an Education Technology Certificate Program. Funds may only be used to reimburse certificated non-administrative employees. No payment shall be made unless the course taken relates to the employee's job assignment and is taken with the prior approval of the employing district board, superintendent or state agency. Local school district boards of education are required to prioritize the allocation of the funds they receive to support the educational advancement efforts of

1 regular education teachers taking special education and/or mainstreaming related courses
2 and other educational priorities established by the local boards of education based on
3 staff development goals or to ameliorate identified deficiencies. This allocation may be
4 used by local school districts to defray the costs for teachers seeking application for
5 National Board Certification from the National Board for Professional Teaching
6 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, 2001. 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, 2002. The second one-half shall be prorated as described above among
24 eligible employees who complete their courses prior to June 15, 2002. 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, 2001. The remaining 50 percent shall
10 be transferred within 30 days of the final approval of the district application for funding.

11 (7) \$759.4 for the Summer School for Teachers Program. Of this appropriation, \$590.3
12 will be allocated to the University of Delaware and \$169.1 to Delaware State
13 University to fund summer programs for the professional development of teachers. It is
14 intended that curriculum of the summer classes offered through this program, to
15 teachers and aides, be consistent with the curriculum standards which are currently
16 under development or have previously been adopted by the State Board of Education.
17 Both the University of Delaware and Delaware State University shall incorporate into
18 their Summer School for Teachers course structure, the appropriate and necessary
19 elements that will enable participants to develop relevant classroom curriculum as well
20 as to gain additional exposure to best teaching practices in the standardized content
21 areas. The Department of Education shall continue to make staff available to assist each
22 institution in the preparation of the summer coursework. Future budget requests for
23 this program will be made by the Department of Education in their annual budget
24 request, following consultation with the University of Delaware and Delaware State
25 University.

26 (8) \$150.0 for the Delaware Center for Teacher Education to support professional and
27 curriculum development activities in the content areas of reading and social studies.

1 The Department of Education shall determine, in coordination with the agency (or
2 agencies) performing such activities, the training goals and objectives, including how
3 the objectives of Standards and Assessment will be furthered. The Department of
4 Education, Controller General and the Budget Director shall ensure that the proposed
5 development activities are cost efficient and meet the objectives outlined in this section
6 before agreeing to transfer the appropriation from the Department of Education to the
7 operating agency.

8 (9) \$100.0 for Delaware Academy of School Leadership activities. The Department of
9 Education shall determine, in coordination with the agency (or agencies) operating this
10 program, the goals and objectives of this program, including how it will further the
11 objectives of Standards and Assessment. The Department of Education, Controller
12 General and the Budget Director shall ensure that the proposed program is cost
13 efficient and meets the objectives outlined in this section before agreeing to transfer the
14 appropriation from the Department of Education to the operating agency.

15 (10) \$1002.5 for Reading Cadre. This appropriation will provide each local school district,
16 excluding charter schools, with the state share of salaries in accordance with 14 Del. C.
17 § 1305 for 1.0 11-month Reading Specialist. The purpose of this Specialist will be the
18 creation of a Reading to Reading Cadre which will provide assistance to districts in
19 designing, demonstrating and implementing best practices in reading instruction.

20 (11) \$220.8 for National Teacher Certification Program. This appropriation is to be used in
21 Fiscal Year 2002 along with any local school district and privately donated funding, to
22 defray costs for teachers seeking national board certification from the National Board
23 for Professional Teaching Standards (NBPTS). Recognizing the effort involved in
24 pursuing such certification as well as the value it will bring to Delaware teachers and
25 students, a NBPTS certification obtained under this program by an individual paid
26 under 14 Del. C. § 1305, excluding superintendents, assistant superintendents,
27 directors, and individuals employed in non-instructional areas detailed in Section

1 1312(c), and employees at the Department of Education shall result in a salary
2 supplement as specified in 14 Del. C. § 1305(m). The salary supplement shall be based
3 upon the 10-month base state salary scale for teachers. The Department of Education
4 shall report annually to the Budget Director and Controller General the number of
5 NBPTS certificates obtained under this program. The NBPTS salary supplement shall
6 be valid for a period not to exceed ten years.

7 (b) Any funds remaining subsequent to these allocations may be disbursed at the discretion of the
8 Department of Education for professional accountability and instructional advancement activities after the
9 submission of a plan to the Budget Director and Controller General outlining the expenditure of such
10 funds.

11 Section 322. Section 1 of this Act makes an appropriation to Public Education Block Grant and
12 Pass Through Programs, Academic Excellence Block Grant (95-03-10). Of the amount appropriated,
13 \$23,613.6 shall be used to fund units for academic excellence in the school districts in accordance with
14 14 Del. C. § 1716. The balance of \$4,595.7 shall be allocated to school districts in proportion to the
15 number of Division I Units each district enrolls on the last school day in September 2001. School
16 districts may use the funds to: purchase computer hardware, software or services; calculators; library
17 resources; fund homebound instruction costs; provide substitute teachers; provide additional nurses so
18 long as the district is entitled to less than one nurse per school; provide a student work-study program;
19 provide conflict resolution training; provide extended day or extended year programs for students
20 performing below the standard level; and provide stipends for professionals engaged in curriculum or
21 professional development activities sponsored by a local school district or the Department of Education,
22 outside of the regular school day. School districts may form consortia, utilizing homebound funds, to
23 purchase or provide services. No homebound funds may be spent to provide services to students who
24 have been suspended or expelled from school, except for special education students. The State Board of
25 Education shall provide an annual summary of school district plans for use of Academic Excellence funds
26 to the Budget Director and Controller General no later than December 1 of each year.

1 Section 323. For the fiscal year beginning July 1, 2001, any local school district that has had two
2 consecutive failed current expense tax referendums during the time period July 1, 1999 to January 1,
3 2002, is authorized to exercise the cash option on Academic Excellence units up to the total number of
4 units provided under that program. This provision will apply for Fiscal Year 2002 only. In addition,
5 districts meeting this criteria are authorized to utilize funds derived from this cash option to pay local
6 salary supplements. Any district that has had a successful current expense tax referendum subsequent to
7 two consecutive failed current expense tax referendums is ineligible for the provisions of this section.

8 Section 324. Section 1 of this Act provides an appropriation of \$9.9 to Public Education, Block
9 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Nature Society. It
10 is the intent that this money be used to provide summer programs including an eighth grade program in
11 environmental heritage.

12 Section 325. Section 1 of this Act provides an appropriation of \$230.0 to Public Education,
13 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the READ-ALOUD
14 Delaware Program. READ-ALOUD Delaware is to continue to develop and foster programs for the
15 purpose of encouraging regular reading to preschool-aged children as an effective way to prepare them
16 for learning. The monies passed through to READ-ALOUD Delaware shall be used to provide programs
17 in each county, focused on the more disadvantaged segment of the population of preschool-aged children.

18 Section 326. Section 1 of this Act provides an appropriation of \$97.2 to Public Education, Block
19 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for Advanced Studies. The
20 Department of Education shall transfer this appropriation to the University of Delaware to help fund a
21 summer school program, for college credit, for gifted and talented students.

22 Section 327. Section 1 of this Act provides an appropriation of \$136.5 to Public Education,
23 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Institute
24 for Arts in Education. Of this appropriation, \$25.0 shall be used to implement a new Wolftrap

1 program. The Department of Education shall transfer this appropriation to the University of Delaware,
2 which acts as the fiscal agent for this statewide program.

3 Section 328. Section 1 of this Act provides an appropriation of \$201.2 to Public Education
4 Block Grants and Pass-Through Programs, K-12 Pass Throughs (95-03-15) for the Center for
5 Economic Education. Of this amount, \$30.0 is appropriated to develop a pilot program to test a
6 professional development model for systematically training teachers in content and pedagogy and
7 provide them with ongoing support in the classroom.

8 Section 329. In order that the children for whom the learning disability and socially or
9 emotionally maladjusted units were devised shall be the sole beneficiaries of all funds available for such
10 children, the State Board of Education shall require strict adherence to approved guidelines before release
11 of any funds designated for such children. The State Board of Education shall particularly ascertain that
12 no educable mentally handicapped are being classified as learning disabled; and that strict guidelines are
13 developed to determine eligibility of socially or emotionally maladjusted children so that this category
14 does not become a catch-all for low-achieving, unmotivated or disruptive pupils without serious
15 physiological or neurological disorders. All pupils classified learning disabled or socially or emotionally
16 maladjusted must be reevaluated at least every two years, except psychological evaluation shall be made
17 at least every three years. The State Board shall report annually to the Budget Director and the Controller
18 General on or before April 1 on the actions and results of actions required by this section.

19 Section 330. Section 1 of this Act makes an appropriation of \$750.7 ASF to Public Education,
20 Block Grants and Pass Through Programs, Special Needs Programs (95-03-20) for the Children's
21 Services Cost Recovery Project (CSCRCP). All local school districts shall fully participate in the
22 implementation and operation of the project for the fiscal year ending June 30, 2002. Local school
23 district participation shall be on a district-wide basis.

24 The following resources are appropriated to operate the Children's Services Cost Recovery
25 Project during the fiscal year ending June 30, 2002. No appropriation is made for the purchase of

1 additional state-owned vehicles pursuant to this section. The appropriated funds for supplies and in-state
2 travel which, pursuant to this section, are passed through to the local school district shall be dedicated to
3 implementing the Children's Services Cost Recovery Project.

4 In addition, 14.0 FTE staff positions are appropriated to support this project: 2.0 FTEs shall be
5 located at the Department of Education. The Department of Education is hereby permitted to authorize
6 the hiring of up to 12.0 FTEs in the local school districts for the sole purpose of implementing this
7 section. The 12.0 FTEs in the local school districts shall be paid in accordance with the Financial
8 Secretary Salary Schedules 1308 and 1309 including the local salary supplement in place at the
9 employing school districts. At the discretion of the Department of Education, 1.0 FTE may be paid in
10 accordance with the Administrative Secretary Salary Schedules as defined in 14 Del. C. § 1308 and
11 § 1309, including the local salary supplement in place at the employing local school district.

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

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

20 Section 331. For the purpose of participating in the Children's Services Cost Recovery Project,
21 provisions of the Delaware Code to the contrary notwithstanding, school psychologists certified or
22 otherwise licensed by the State Board of Education in accordance with the provisions 14 Del. C. §
23 1092, shall be considered in compliance with qualification standards equivalent to state licensure to
24 practice psychology as set forth in 24 Del. C. § 3508. Such equivalent state licensure status shall be
25 limited to the delivery of services related to State Board of Education or local school district approved
26 school programs conducted within the course of the regular school day at a State Board of Education or

1 local school district approved school site or least restrictive environment location. The provisions of
2 this Section shall in no way be construed as entitling a person not otherwise qualified to do so to
3 represent himself to the public by any title or description of services incorporating the words
4 "psychology", "psychological", and/or "psychologist" within the meaning of 24 Del. C. § 3502, except
5 as may be herein specifically provided.

6 Section 332. Section 1 of this Act provides an appropriation of \$2,521.3 to Public Education,
7 Block Grants and Pass Through Programs, Special Needs Programs (95-03-20) for the operation of the
8 Program for Children with Disabilities. The school districts, in which children reside who are to be
9 provided the special services, are authorized to levy and collect local tuition tax to cover the local share of
10 the program costs.

11 Section 333. Section 1 of this Act provides an appropriation of \$2,521.3 to Public Education,
12 Block Grants and Pass Through Programs, Special Needs Programs (95-03-20) for the Program for
13 Children with Disabilities (PCD).

14 The Interagency Resource Management Committee (IRMC) shall be composed of the following
15 members (or their designee with full voting powers):

16 Secretary of Education who shall be the chairperson of the IRMC;

17 Secretary of the Department of Health and Social Services;

18 Secretary of the Department of Services for Children, Youth and Their Families;

19 Budget Director;

20 Controller General.

21 The affirmative vote of a majority of all members shall be required to take action.

22 The IRMC shall periodically review eligibility criteria for services under PCD and make
23 recommendations as appropriate.

24 The IRMC was created to promote interagency collaboration in the service of those eligible for
25 the PCD, to promote the cost-effective use of existing resources -- federal and state, public and private,

1 and to promote the opportunity for coordination with programs for other exceptional children. To
2 accomplish these goals, the IRMC shall do the following:

- 3 1. Allocate all funds provided by the State, obtained by it, or under its control, which are
4 designated for the service of children eligible for the PCD.
- 5 2. Coordinate resources to support family-centered services for eligible children and their
6 families, as appropriate.
- 7 3. Seek to develop collaborative approaches with the institutions of higher education for the
8 service of those eligible for the PCD. Special emphasis shall be placed on the use of
9 existing preschool educator training and child care provider training programs.
- 10 4. At its discretion, hire a full-time coordinator who shall report to the IRMC. The
11 coordinator shall serve as liaison to the Department of Education, Instructional Services
12 Branch.

13 The IRMC may, at its discretion, apply for and allocate grant funds that will serve children
14 eligible for the PCD and further any of the purposes of this Section. Sources of such grant funds may
15 include the federal Childcare Block Grant, Developmental Disabilities Council, federal Child and
16 Maternal Health Grant, federal Title XX, Delaware First Again grants, where appropriate.

17 The IRMC is hereby granted the power to use any funds under its control and not otherwise
18 restricted to either hire employees or contract for services.

19 The IRMC shall report to the Governor, President Pro-Tempore of the Senate, and the Speaker of
20 the House on April 15 of each fiscal year. Each report shall include:

- 21 1. A summary of IRMC experience in attempting to accomplish its purposes as stated
22 above; and,
- 23 2. A recommendation of the IRMC whether and how to institutionalize its activities and
24 functions.

25 The Budget Director and the Controller General are hereby authorized to transfer additional funds
26 serving this population among the budgets of the departments represented on the IRMC if there is prior

1 agreement by the secretary of the department, as the case may be, to which the funds were previously
2 allocated.

3 For the purpose of facilitating the continuation of services, programs receiving an allocation
4 under the provisions of this section may receive 20 percent of the prior year's allocation at the outset of
5 each fiscal year. These programs are required to present program proposals to the IRMC as required by
6 the IRMC Policy Coordinator. Upon IRMC approval, adjustments to the program allocations may be
7 made.

8 The IRMC shall be the designated forum through which the Coordinating Council for Children
9 with Disabilities (CCCD) will provide regular program updates regarding ISIS. The IRMC will also
10 serve as the venue through which additional funding request and/or program needs of ISIS may be
11 presented. An active partnership with the private sector participants of ISIS shall be maintained, with
12 related activities included in the status reports to the IRMC.

13 Section 334. Section 1 of this Act appropriates \$4,280.7 to Public Education, Block Grants and
14 Pass Through Programs, Special Needs Programs (95-03-20) for the Early Childhood Assistance
15 Program. Funds are to be used to provide early childhood programs for four-year olds in accordance with
16 14 Del. C. c. 30. It is anticipated that for Fiscal Year 2002, approximately 843 four-year-old children will
17 be served via this funding. The Interagency Resource Management Committee (IRMC) has
18 administrative responsibility, which includes reviewing and disbursing grant awards; ensuring program
19 compliance; and providing an annual report to the Legislature and Family Services Cabinet Council
20 regarding the activities of the program. The IRMC shall request and approve a comprehensive re-funding
21 application, on a tri-annual basis, from funded agencies meeting the required Head Start Performance
22 Standards, as determined through on-site monitoring. The IRMC shall annually request and approve
23 upcoming fiscal year budget plans from approved programs that will include proposals for any
24 programmatic changes. The IRMC shall issue a Request for Proposal (RFP) for prospective providers
25 when opportunities for new providers become available. The Department of Education shall assist with

the implementation and ongoing administration of this program. The IRMC shall report to the Budget Director and the Controller General on or before January 1 each fiscal year on the status of the program.

Section 335. Section 1 of this Act provides an appropriation of \$145.0 to Public Education, Block Grants and Pass Through Programs, Special Needs Programs (95-03-20) for the expanded responsibilities of the Interagency Resource Management Committee (IRMC) to foster an interagency approach in coordinating the delivery of early care and education services in Delaware, and for the establishment and operation of the Office of Early Childhood.

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

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

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

The Budget Director and the Controller General are hereby authorized to transfer funds among the budgets of the departments represented on the IRMC if there is prior agreement by the secretary of the department, as the case may be, to which the funds were previously allocated. Such transfers shall be intended to further the purposes of this Section. The IRMC shall be staffed by the Office of Early Childhood in the Department of Education. Such Office shall be composed of a director, an assistant director and a clerical support position. Funding shall be provided by the Department of Health and Social Services and the Department of Services for Children, Youth and Their Families no later than July of each fiscal year to support the operational costs associated with the assistant director and clerical

support positions. Funds allocated in this Section are to be used to support the work of the Office and to continue the interagency evaluation process for Delaware's early childhood programs.

Section 336. Section 1 of this Act makes an appropriation of \$14,727.8 to Public Education, Block Grants and Pass Through Programs, Special Needs Programs (95-03-20) for the Student Discipline Program.

(a) A total of \$3,420.0 is allocated for the statewide implementation of programs for severe discipline cases. Of that amount, a total of \$2,400.0 will be allocated to the three counties in the following manner: 50 percent to New Castle County, 25 percent to Kent County and 25 percent to Sussex County. Of the \$2,400.0, \$150.0 in New Castle County and \$75.0 in both Kent and Sussex counties must be utilized for transitional services. A total of \$1,020.0 will be disbursed on a competitive basis among the existing school district consortiums or to individual school districts. Of the \$1,020.0, \$820.0 will be utilized for improvement of academic programs and \$200.0 will be utilized for extended year opportunities. If funds provided under this section are used for costs associated with teachers and aides, as provided for in 14 Del. C. § 1305, the funds can only be used for costs associated with the state share. Programs receiving funds under this section may utilize no more that \$200.0 in total from Pupil Transportation (95-04-01) for transportation expenses.

(b) A total of \$7,099.3 is authorized for disruptive students at the school and district levels. The base incentive grants shall be provided to all school districts in the State as follows:

Schools grades K-6:	\$30.0
Schools grades 7-12:	\$40.0

If funds provided under this section are used for costs associated with teachers and aides, as provided for in 14 Del. C. § 1305, the funds can only be used for costs associated with the state share.

Under 14 Del. C. c. 16, local school districts are eligible to receive a supplemental grant, equal to double the base award, for grades 7, 8, 9 and 10, upon approval of the Department of Education and certification in the district's grant application that the school is in compliance with the provisions of the Delaware Code requiring the establishment of school site-based committees to govern discipline matters.

Each school shall receive no less than the amount received in the Fiscal Year ending June 30, 2001. In order to provide districts with grants in a timely manner, all applications for base grants must be submitted for review by the Department of Education no later than November 15 of each year.

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

(d) The Department of Education shall determine common data definitions and data collection methodologies for each program in this section. Districts shall use such definitions and methodologies and shall complete a full evaluation of each program within 60 days of the close of the school year. Reports shall include, at a minimum, the number of students served, reasons for service, measures of behavioral improvement, measures of academic improvement as appropriate, rates of recidivism within programs, and number and types of referrals for additional services. Such reports will be used to determine needs for program improvement and will be required as a condition of ensuing funding.

(e) A total of \$3,608.5 is authorized for prevention components administered by the Family Services Cabinet Council (FSCC) in conjunction with the Department of Education and the Department of Services for Children, Youth and Their Families. Funding shall be provided as follows:

(i) \$450.0 for the FSCC to identify three communities in which to develop comprehensive plans for delivering services through a community-based, interagency collaborative effort.

The FSCC in conjunction with the Department of Education and the Department of Services for Children, Youth and Their Families shall assist selective communities in developing appropriate pilot projects and may use the funds for any project(s) which they deem likely to demonstrate effective and coordinated prevention strategies.

(ii) \$3,158.5 to provide early intervention services through the Department of Services for Children, Youth and Their Families, Family Crisis Therapist Program. Services are intended for grades K-3 and shall address but not be limited to, problems such as Early

1 Onset Conduct Disorder. The Department of Services for Children, Youth and Their
2 Families may enter into contractual agreements, may employ casual/seasonal personnel, or
3 may create the necessary positions with the approval of the Delaware State Clearinghouse
4 Committee and maintain an ASF or NSF account with sufficient spending authority to
5 operate the program.

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

19 (f) Based on the recommendations that resulted from House Joint Resolution 25 of the 139th General
20 Assembly, a total of \$525.0 shall be allocated for the implementation of a three-year pilot alternative
21 school program. The program shall be developed utilizing research based best-practice models as
22 described in "Comprehensive Programs Which Improve Student Discipline, Final Report, April 1999".
23 The program shall provide year-round services to no more than 100 students. This program shall be
24 considered a special school for the purposes of charging tuition payments to be made by school districts
25 of residence under the statutory provisions of 14 Del. C. c. 6, such that the districts shall fund at least 30
26 percent of the total cost of the program. The Department of Education and the Department of Services for
27 Children, Youth and Their Families, in collaboration with the New Castle County Consortium, shall

oversee administration of the program. Such oversight shall include an annual evaluation of the program. The Department of Services for Children, Youth and Their Families may enter into contractual arrangements to operate the program.

Section 337. Section 1 of this Act provides an appropriation of \$8,390.0 GF and \$890.7 ASF to Public Education, Block Grants and Pass Through Programs, Special Needs Programs, Unique Alternatives (95-03-20) to implement 14 Del. C. § 3124. For the fiscal year ending June 30, 2002, any placement made pursuant to this Section shall be considered a special program placement and shall be eligible for inclusion in local school district tuition tax rate setting. Districts shall contribute 15 percent of the total cost associated with the placement of any district student in such a program. The provisions of the Delaware Code to the contrary notwithstanding, for the fiscal year ending June 30, 2002, the Department of Education is authorized to continue utilizing funds appropriated in Section 1 of this Act to develop unique educational alternatives, in lieu of private placement, for persons who have been, or who would otherwise be, identified as "complex or rare" and unable to benefit from the regularly offered free, appropriate public educational programs and students in present education programs within this State whose individual education plan requires services not presently available within the present unit funding system. Unique educational alternatives shall be defined and approved by the Department of Education and may include, but not be limited to, related and supportive services.

Section 338. Section 1 of this Act makes an appropriation of \$8,390.0 GF and \$890.7 ASF to the Public Education, Block Grants and Pass Through Programs, Special Needs Programs, Unique Alternatives (95-03-20). Before the Department of Education can authorize expenditures for new placements from this appropriation, the case must be reviewed by the Interagency Collaborative Team (ICT).

The ICT shall consist of:

Director, Child Mental Health Services of DSCYF;

Director, Family Services of DSCYF;

Director, Youth Rehabilitation Services of DSCYF;

1 Director, Mental Retardation of DHSS;
2 Director, Alcoholism, Drug Abuse and Mental Health of DHSS;
3 Director of the Office of the Budget or designee;
4 The Controller General or designee;
5 Director, Exceptional Children's Group, DOE, who will serve as Chair;
6 Associate Secretary, Curriculum and Instructional Improvement, DOE.

7 A Director assigned to the ICT may designate staff to represent them on the ICT only if these
8 designated representatives are empowered to act on behalf of the Division Director including commitment
9 of division resources for a full fiscal year.

10 The ICT shall invite to its meetings:

11 A representative of a responsible school district for the case under consideration;
12 The parents of the child;
13 Other persons the team believes can contribute to their deliberations.

14 The ICT shall:

15 Review existing assessments of new referrals;
16 Prescribe, if required, additional assessments for new referrals;
17 Review proposed treatment plans of new referrals;
18 Recommend alternatives for treatment plans of new referrals;
19 Coordinate interagency delivery of services;
20 Review at least annually, current Unique Alternatives for the appropriateness of treatment
21 plans and transition planning;
22 If appropriate, designate a Primary Case Manager for the purpose of coordination of
23 service agencies;
24 If appropriate, designate agencies to be involved in collaborative monitoring of individual
25 cases.

26 The ICT will ensure that state costs incurred as the result of a Team recommendation or
27 assessment of a child currently funded from the Unique Alternatives appropriation for this purpose in

1 Section 1 of this Act will be covered from the existing appropriation. New referrals will be assessed in
2 the inter-agency manner described above. The ICT may accept and review cases initiated by other
3 agencies, but in all cases the school district of residence must be involved in the review.

4 Cases reviewed by the ICT will employ Unique Alternatives funding to cover state costs to the
5 extent determined appropriate by the Interagency Collaborative Team. Other agencies may recognize a
6 portion of the responsibility for the treatment of these children if determined appropriate by the Team.
7 Funds may be transferred upon the approval of the Budget Director and the Controller General.

8 The ICT shall report on its activities to the Governor, Budget Director, President Pro-Tempore,
9 Speaker of the House and the Controller General by February 15 of each year. The report shall address
10 the status of items addressed in the previous February ICT Annual Report.

11 Section 339. Section 1 of this Act provides an appropriation of \$8,390.0 to Public Education,
12 Block Grants and Pass Through Programs, Special Needs Programs, Unique Alternatives (95-03-20).
13 Funds may only be allocated to the Sussex ICT to provide direct services and supports to interagency
14 students that would be referred to the ICT. The local share of payment shall continue to be subject to the
15 same criteria as all other ICT decisions. This authorization is based on the signed Memorandum of
16 Agreement between the school districts and other ICT agencies.

17 Section 340. Any placement made pursuant to 14 Del. C. § 3124 in which the individual
18 involved is a ward of the State shall be funded fully from the State appropriation made for this purpose.

19 Section 341. Section 1 of this Act provides an appropriation of \$656.8 to Public Education,
20 Block Grants and Pass Through Programs, Special Needs Programs (95-03-20) for Exceptional Student
21 Unit - Vocational. This appropriation shall be used to continue the program of vocational education for
22 handicapped students. The funds appropriated shall provide for Divisions I, II, and III funding for a
23 maximum of six units in a single program. The unit shall be based upon 13,500 pupil minutes per week
24 of instruction or major fraction thereof after the first full unit and shall be in addition to the funding

otherwise provided under 14 Del. C. § 1703(d). The deduct contained 14 Del. C. § 1703(i), shall not apply to the units authorized by this Section.

Section 342. (a) Section 1 of this Act provides an appropriation of \$10,428.0 to Public Education, Block Grant and Pass Through Programs, Special Needs Program (95-03-20) for Extra Time for Students in Grades K-12. The allocations shall be used exclusively to provide extra instructional time for low achieving students in order that they may improve their academic performance in the four primary content areas (mathematics, science, English language arts, and social studies) as measured against the state standards of such subjects. The only exceptions to this requirement are that up to 15 percent of a district's allocation may be used for Extended School Year (ESY) requirements, pursuant to the Administrative Manual for Exceptional Children (AMPEC) and up to 10 percent of a district's allocation may be used to provide services to Limited English Proficient (LEP) students. Of the amount set aside for LEP services, up to 50 percent may be used within the normal school day provided the services are in the form of specialized instruction designed to help LEP students succeed in regular classroom settings. Of the amount appropriated, \$400.0 may be used for the Early Intervention Reading Program as specified in this section. The Department of Education is authorized to transfer 50 percent of the estimated district grant amount by July 30, 2001. The remaining amount shall be transferred within 30 days of the final approval of the district application for funding.

(b) The following criteria shall apply to each of the components of the Extra Time for Students Program.

(1) In order to qualify for an allocation, each district shall submit an application to the Department of Education as part of the districts' consolidated application. The application must show evidence of building level staff involvement in the development of the district proposal.

(2) The application provided to the Department of Education shall indicate the student populations to be served, the type of program(s) proposed, the levels of academic improvement the additional services are intended to achieve, and the measurement and/or

evaluation process the district will use to determine program effectiveness. Associated transportation costs shall also be included in the district application.

(3) Funding for this component shall only be used for academic instruction or remediation programs that are offered to a targeted population of low achieving students. These programs must be provided at a time that is in addition to the regularly scheduled school day/school year, sufficient to improve student performance. The Department of Education shall promote the use of “Best Practices” in this area through all available means.

(4) Funds appropriated pursuant to this Section may not be used for curriculum development or staff training functions, but may be used for the purchase of supplies and materials necessary to operate extra time programs. To the extent that these funds are used to pay salary expenses of district instructional staff, these funds may only be used for costs associated with the State share of salaries, as provided under 14 Del. C. § 1305.

(5) In order to maximize resources provided under this program, local school districts are encouraged to match their allocation, on a 70/30 state/local basis pursuant to the provisions of 14 Del C. § 1902(b).

(6) Local school districts may use funds appropriated pursuant to this Section to contract with private or non-profit instruction or tutoring services provided that there is evidence of building level conversations regarding contracted services.

(7) If, after the applications are received by the Department of Education, a local district does not choose to utilize the full amount to which they are entitled, the Department of Education may allocate any remaining amount through a competitive RFP process.

(8) Funds appropriated pursuant to this Section shall be appropriated on a 15 month basis and shall not be subject to reversion until September 30, 2002. Program expenses, however, may not be incurred subsequent to the start of the 2002-2003 regular school year.

(c) The following criteria shall apply to the component of the program that serves students in any grade levels:

(1) Allocations for this component shall be provided in proportion to the total Division I units in each school district, multiplied by the state portion of the average teacher salary in the district in the immediately preceding fiscal year.

(d) The following criteria shall apply to the Early Intervention Reading Program for which \$400.0 is to be utilized.

(1) This funding shall serve students in kindergarten through grade 3 who are identified during their kindergarten and first grade years as being inadequately prepared to succeed in reading or are performing below grade level.

(2) This funding shall be utilized exclusively to provide supplemental services or teaching methods designed to improve the reading abilities of students with the goal being that they achieve and maintain their appropriate grade level reading ability. These services shall utilize intensive systematic multi-sensory phonics as the instructional methodology. The school districts are strongly encouraged to use programs including, but not limited to, Reading Assist and other research based multi-sensory programs.

(3) The funding for this component may provide services outside of the normal school operation timeframe as specified in subsections (c) and (d) of this Section, or may be used during the regular school day, provided however that the services being offered are supplemental to the reading instruction the student would otherwise normally receive.

(e) On or before February 15, June 30, and August 30 of each year, all districts shall submit a report to the Department of Education on Extra Time programs. The report shall include but not be limited to the following: state identification number for each student served, total number of program contact hours per student, content area(s) addressed, and evidence of academic improvement. The Department of Education shall provide a format for such reporting. The Department of Education shall provide an annual report to the Budget Director and Controller General no later than January 1.

Section 343. Section 1 of this Act appropriates funds to provide Extra Time for Students.

Local school districts are encouraged to provide the corresponding local match to such appropriations

1 and to provide additional resources to make Extra Time for Students provisions available to any K-3
2 student who is identified by his or her teacher as functioning below grade level in reading or
3 mathematics. The goal of this provision of resources shall be to have the child function at grade level
4 and to avoid the need for state-mandated academic improvement activities. The Department of
5 Education shall survey local school districts to determine their level of local support for these purposes
6 and their use of state Extra Time for Students funding to help K-3 students function at grade level.

7 Section 344. Pursuant to appropriations in the Department of Correction and the Department of
8 Education in Section 1 of this Act, the Department of Correction and the Department of Education shall
9 enter into an agreement for the operation of prison education services. Under any such agreement the
10 Department of Education shall be responsible for the operation of prison education services. These
11 educational services shall include, but not be limited to, programs provided to juvenile inmates in the
12 Young Criminal Offender Program and inmates between the ages of 18 and 21, including those requiring
13 special educational services. Students served under this program shall not be included in the calculation
14 for unit count purposes as defined in 14 Del. C. c. 17. The Budget Director and Controller General may
15 transfer funds between lines and Departments to pay for this program.

16 Section 1 of this Act appropriates 33.7 FTEs, of which up to 4.0 shall be authorized as
17 teachers/supervisors, 25.7 authorized as teachers, 3.0 authorized as secretaries for the Department of
18 Education, and 1.0 education associate to implement the Prison Education Program. The qualification of
19 employees for the prison education program shall be the same as the qualification for employees in the
20 public high schools. Teachers/supervisors shall have teaching responsibilities as defined by job
21 responsibilities and duties developed by the Department of Education.

22 Salary for employees in the prison education program when paid from funds of this State, shall be
23 in accordance with the regularly adopted salary schedules set forth in 14 Del. C. c. 13. The salary so
24 computed shall be multiplied by 1.2 then divided by .7 as to account for 12-month employment and
25 supplements normally provided by local school districts. Employees whose primary job location is onsite
26 within the institution shall also receive hazardous duty supplements as provided in the Merit System.

Teachers/supervisors shall receive an administrative supplement of four percent to eight percent to be determined by the Department of Education with the approval of the co-chairs of the Joint Finance Committee.

Section 345. Any provisions of the Delaware Code to the contrary notwithstanding, the Department of Education is authorized and directed to provide aides for the purpose of providing mainstreaming services to deaf students as follows: four in the Capital School District, three in the Lake Forest School District, two each for the Seaford School District and the Woodbridge School District, and one in the Brandywine School District, the Caesar Rodney School District, and the Milford School District.

Section 346. Section 1 of this Act makes an appropriation of \$419.0 to Public Education, Block Grants and Pass Through Programs, Special Needs Programs (95-03-20), for Tech Prep 2+2. A Delaware Tech Prep Consortium is formed to provide for overall program development and management, coordination and technical assistance. The Consortium will review and provide technical assistance and in-service training for each proposal submitted to the Department of Education by any partnership initiating or operating a Tech Prep Program. The Consortium will adopt rules and regulations consistent with state regulations and federal legislation.

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

1 postsecondary institutions as specified by the Consortium consistent with federal legislation. All
2 secondary schools are eligible.

3 Kent County Polytech School District will act as financial agent for the Consortium and an
4 annual financial and program report will be submitted to the co-chairpersons of the Delaware Legislative
5 Joint Finance Committee.

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

8 Section 347. Section 1 of this Act makes an appropriation to the State Board of Education, Block
9 Grants and Pass Through Programs, Special Needs Program (95-03-20). Of the amount appropriated,
10 \$1,000.0 shall be used to provide services to Limited English Proficient (LEP) students.

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

13 If funds provided under this section are used for costs associated with teachers and aides, funds
14 can only be used for costs associated with the state share as provided in 14 Del. C. § 1305 and § 1324.

15 Section 348. (a) Section 1 of this Act provides an appropriation of \$3,300.0 to Public Education,
16 Pupil Transportation (95-04-01) for Non-Public School Transportation Reimbursements. This
17 appropriation shall be allocated for qualifying non-public, non-profit schools, based on the procedure
18 adopted by the Joint Finance Committee on April 16, 1981.

19 (b) Transportation funds for public school districts during the fiscal year ending June 30, 2002,
20 shall be allocated and shall not exceed \$51,978.3 (of which \$1,100.0 is designated as a transportation
21 contingency for the Charter and Choice initiatives), according to bus contract or district transportation
22 formula, as adopted by the State Board of Education on July 23, 1987, subject to the following
23 amendments and procedural modifications:

- 24 (1) The per gallon price used to calculate the gasoline allowance shall be based on the state
25 contract bid price for unleaded gasoline plus \$.07 per gallon for districts and plus \$.28
26 per gallon for contractors. For districts and contractors north of the Chesapeake and

Delaware Canal, the per gallon price shall be based on delivery to a large-sized tank (5,000 or more gallons). In the case of contractors located south of the Chesapeake and Delaware Canal, the per gallon price shall be based on delivery to a small-sized tank (275 - 1,900 gallons). Upon determination by the Department of Education that a contractor located North of the Chesapeake and Delaware Canal and operating five or fewer buses does not have existing storage capacity in the large tank range, the per gallon price shall be based on the smaller tank size.

(2) The Fiscal Year 2002 operating allowance will be adjusted for inflation by a rate of one percent.

(3) For the fiscal year ending June 30, 2002, the allowable cost of a new bus purchased by a contractor shall be the Fiscal Year 2001 state bid price for new buses minus two percent for salvage value, plus eleven percent to account for dealer charges and profits not reflected in the state bid price due to the higher number of buses being purchased and the lag time between the ordering and delivery. The Department of Education shall continue to utilize the procedures developed in Fiscal Year 1989 for determining the allowable cost for any size bus that it did not bid in Fiscal Year 2001. In addition to the procedure for establishing the allowable cost of a new bus specified above, the Department of Education is requested to structure its bids for buses in the fiscal year ending June 30, 2002, in such a manner that public school bus contractors will be permitted to purchase buses from the successful lower bidder at the same price as the State of Delaware. If a contractor elects to purchase a bus at the bid price, that bid price minus two percent for salvage value will be the allowable cost in subsequent reimbursements to the contractor.

(4) The formula rate for reimbursing public school bus contractors for the cost of liability insurance shall be determined by the Department of Education in consultation with the Insurance Commissioner based on the data available on April 30 of the previous fiscal year.

1 (c) The Department of Education shall amend its transportation formula to permit replacement of
2 a vehicle which has operated 100,000 school-related miles and is seven model-years old or a vehicle
3 which has operated 150,000 school-related miles regardless of the age of the vehicle.

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

13 Section 349. (a) During the fiscal year ending June 30, 2002, the Department of Education is
14 hereby directed to provide bus transportation of public school students previously declared ineligible by
15 the Unique Hazards Committee, including the following:

16 (1) Students attending the Stanton Junior High School who are now forced to walk along
17 Telegraph Road with a constant threat of injury.

18 (2) Students attending Mt. Pleasant High School who are now forced to walk along Marsh
19 Road with a constant threat of injury.

20 (3) Students in the town of Seaford, living west of Conrail and north of the Nanticoke River,
21 who attend the Seaford schools, grades K-6.

22 (4) Students attending Seaford Central Elementary who live in the area east of Conrail, north
23 of the Nanticoke River, and west of Williams Pond, within the Seaford city limits.

24 (5) Students attending the Wilmington High School on Lancaster Avenue to Delaware
25 Avenue in the north-south grid and on Jackson Street to duPont Street on the east-west
26 grid.

- (6) Students attending Newark High School who live in Windy Hills and are forced to walk along Kirkwood Highway with a constant threat of injury.
- (7) Students attending schools in Laurel living in the areas of Lakeside Manor, Route 24 east of Laurel town limits, Route 13A South of Laurel town limits and Dogwood Acres.
- (8) Students attending Delcastle Technical High School who live in Newport and are forced to walk along Centerville Road (Rt. 141) with a constant threat of injury.
- (9) Students attending Woodbridge Junior-Senior High School who must travel along Route 13A south of Bridgeville, and students living west of Bridgeville who must travel along Route 404 or Route 18.
- (10) Students attending Smyrna Middle School who reside in the Sunnyside Acres area between Sunnyside Road and U.S. 13 and who would otherwise be required to walk along U.S. 13 in order to reach school.
- (11) Students attending the Concord High School who live south of Naamans Road in the Talleybrook-Chalfonte, Brandywood, Brandon and Beacon Hill areas who must walk along Grubb and/or Naamans Road with a constant threat of injury.
- (12) Students attending Richardson Park School and Conrad Junior High School who live on Brookside Drive.
- (13) Students attending the Laurel Elementary Schools in Grades K-6 who live in the Town of Laurel and the surrounding areas.
- (14) Students attending Dover High School who live in Old Sherwood, south of Waples Avenue.
- (15) Students attending the Mt. Pleasant Elementary School, who would be forced to walk along Bellevue Road.
- (16) Students attending the Mt. Pleasant Elementary School, who would be forced to cross over and/or walk along River Road between Lore and Bellevue.

- (17) Students attending the Douglas Kindergarten Center, who would be forced to walk along Route 2 (Union Street) or through Canby Park via the paths, with a constant threat of injury.
- (18) K-3 - New Todd Estates Development to Jeannie Smith - because of hazards of Route 4 at Pierson Drive intersection.
- (19) Children living in West Wilmington Manor who walk to Wilmington Manor Elementary School.
- (20) Woodbridge Elementary School students living in the town of Greenwood, west of the railroad tracks.
- (21) Woodbridge Jr./Sr. High School students living on Route 13A from Route 13 north of Bridgeville to Bridgeville north of town limits including streets with access to that part of Route 13A.
- (22) Talley Jr. High School students who reside in the Ashburn Hills, Greentree, Stoney Brook areas, students who reside in the Woodacre Apartments and students who live along Peachtree Road.
- (23) Springer Middle School students residing in Eden Ridge III, Tavistock, Sharpley and Eden Ridge who must cross Concord Pike.
- (24) Indian River High School students who live east of Bedford Street.
- (25) Smyrna Elementary School students who reside in the proximity of 4272 Judith Road.
- (26) Students attending Eisenberg Elementary School who reside in the Castle Hills residential area.
- (27) Students attending Castle Hill Elementary School who reside in the Swanwyck area.
- (28) Lombardy Elementary School students who must cross Foulk Road.
- (29) Central Middle School students who reside in the vicinity of 1508 Dinahs Corner Road.
- (30) Students attending the Colwyck Elementary School who live in the Landers Park and Swanwyck Gardens residential areas.

1 (31) Students attending Central Middle School, living in the area south of Kent General
2 Hospital, to include students living along and south of Westview Terrace, Dover Street,
3 Hope Street and Sackarackin Avenue.

4 (32) Students of the Appoquinimink School District who reside in Odessa Heights.

5 (33) Students attending Brandywine High School who live in Concord Manor and are forced
6 to walk along Shellpot Drive and Windley Hill.

7 (34) Students attending Clayton Elementary, North Elementary or the Bassett Middle School
8 in the Smyrna School District who live on Buresch Drive.

9 The transportation of the students specified herein shall continue until the funds requested are
10 appropriated and construction is completed. Spur routes shall continue to be served as at present.

11 Section 350. During the fiscal year ending June 30, 2002, the Department of Education will
12 continue and broaden implementation of the computerized routing system for school bus transportation.
13 During this implementation, the department is directed to continue to provide bus transportation services
14 to any residential area which has received transportation services since October 1, 1977.

15 Section 351. The National Highway Traffic Safety Administration (NHTSA) is conducting a
16 research program to consider alternative methods of potentially improving federal school bus passenger
17 crash protection requirements. Based upon NHTSA's report, the Department of Education will
18 recommend changes to the Delaware school bus specifications so that all school buses will continue to be
19 in compliance with federal safety standards.

20 Section 352. During the fiscal year ending June 30, 2002, the Department of Education is hereby
21 directed that students attending the Woodbridge School District, who live in the Canterbury Apartments
22 in Bridgeville, will embark and disembark in the parking lot of the apartment complex in lieu of the bus
23 stop area along the heavily traveled U.S. 13.

1 Section 353. Section 1 of this Act appropriates \$55,278.3 to Pupil Transportation (95-04-00) for
2 Public School Transportation. Notwithstanding the provisions of 21 Del. C. § 4366, the following
3 reimbursement methodology is in effect:

4 (a) For those school districts or private contractors who are operating school buses equipped with
5 cellular phone technology or have no radio or telephonic communication equipment, the
6 Department of Education is authorized to bring said districts and contractors under a State
7 negotiated cellular phone contract such that the State shall pay one-half of the costs
8 associated with the monthly connect charge, subject to the availability of funds.

9 (b) For those school districts or private contractors who are operating school buses equipped with
10 radio equipment, the department is authorized to reimburse said districts or contractors one-
11 half of the installation cost of the radio equipment on a one-time basis.

12 Section 354. Section 1 of this Act appropriates \$1,000.0 to the Department of Education -
13 Delaware Center for Educational Technology (DCET) for a Technology Block Grant. DCET shall
14 administer a non-competitive application process to determine grant awards to local school districts and
15 charter schools. Funds provided by this Act shall be used in the following priority order: (1) Supporting
16 the maintenance of existing equipment in the schools either through the use of a full time technology
17 position or contractually, (2) replacement of existing equipment, or (3) such other technology needs as
18 may arise which could improve or enhance the technology capabilities of the district. If funds provided
19 under this section are used for costs associated with positions, funds may only be used for costs
20 associated with the state share of salary as provided in 14 Del. C. § 1305, § 1311 and § 1324. Funding
21 will be distributed based on the formula developed and approved by the co-chairs of the Joint Finance
22 Committee in Fiscal Year 2001. Local districts are encouraged to match their allocation pursuant to the
23 provisions of 14 Del. C. § 1902(b), provided the local match does not exceed those established under 71
24 Del Laws, c. 378. It shall be the responsibility of the Department of Education to receive and disburse
25 these funds. The department shall also be charged with the authority to verify the use of the funds and
26 shall require each school district to annually report on expenditures of the funds.

1 Section 355. Section 1 of this Act appropriates \$2,156.9 to the Delaware Center for Education
2 Technology (DCET). It is the intent of the General Assembly that DCET be responsible for and engage
3 in activities related to total project needs and budgets for statewide education technology projects, the
4 establishment of cost-sharing policies, the initiation, procurement and maintenance of statewide education
5 technology contracts, implementation on an on-going basis of professional training programs related to
6 statewide education technology and providing technical assistance to the Department of Education for the
7 initiation of system-wide applications including administrative and curriculum development.

8 Section 356. The provisions of this Act to the contrary notwithstanding, consistent with the
9 provisions of 14 Del. C. § 509(b), charter schools eligible to receive allocations from the professional
10 accountability and instructional advancement fund, school-based student discipline programs, extra time
11 for students and minor capital improvements program will not be required to submit an application to the
12 Department of Education. Any funds received as a result of the allocation of these programs may be used
13 for current operations, minor capital improvements, debt service payments or tuition payments.

14 Section 357. Section 1 of this Act makes an appropriation to the Delaware Higher Education
15 Commission (95-08-01) in the amount of \$2,235.0 for Scholarships and Grants. Of that amount, \$30.0
16 shall be used for the Herman M. Holloway, Sr. Scholarship Program per the provisions of
17 14 Del. C. c. 34; \$200.0 shall be used for the FAME Scholarship Program; \$30.0 shall be used for the
18 MERIT Scholarship Program; \$50.0 shall be used for the Professional Librarian/Archives Incentive
19 Program; \$40.0 for the Legislative Essay Scholarship; \$30.0 for the Charles L. Hebner Scholarship;
20 and \$50.0 for Critical Teacher Scholarships. Any Herman M. Holloway Sr. Scholarship Program
21 funds remaining after payment of the Holloway Scholarships, may be awarded to Delaware State
22 University students with financial need who applied to the Scholarship Incentive Program.

23 Section 358. The Delaware Higher Education Commission (DHEC) in the initial award cycle of
24 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 359. Section 1 of this Act appropriates \$600.0 to the Department of Education, Delaware
4 Higher Education Commission (95-08-01) for Delaware Student Testing Program (DSTP) Scholarships,
5 to be named the Michael C. Ferguson Achievement Awards. This scholarship program, required by the
6 Education Accountability Act of 1998, will recognize students who demonstrate superior performance on
7 the assessments administered pursuant to 29 Del. C. § 151(b) and (c). A maximum of 600 scholarships at
8 \$1,000 each may be awarded to students annually in the following manner: the students with the 150
9 highest scores on DSTP without reference to any other indicators of performances and the students with
10 the 150 highest scores on DSTP who participate in free and reduced lunch programs in grades eight and
11 ten. The Department of Education will promulgate rules and regulations to implement this program.

12 Section 360. During the fiscal year ending June 30, 2002, the Department of Education, with the
13 approval of the State Board of Education, is authorized to establish and maintain procedures, by
14 regulation pursuant to 14 Del. C. § 3110(c), for the conduct of expedited due process hearings which shall
15 be available to children with disabilities and their parents where required by federal or state law, and/or
16 Departmental regulation. For the purposes of such expedited due process hearings, during the fiscal year
17 ending June 30, 2002 the Department of Education is authorized to engage the professional services of a
18 cadre of single hearing officers to preside over such hearings.

19 Section 361. The Department of Education is authorized to operate a donated leave program
20 beginning in the fiscal year ending June 30, 2001. Such donated leave program shall conform, to the
21 extent practicable, to the provisions of 29 Del. C. § 5956.

22 Section 362. The Department of Education is exempt from the provisions 29 Del. C. c. 69, for
23 purposes of contracting with the University of Delaware, Delaware State University, and Delaware
24 Technical and Community College.

1

SYNOPSIS

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This Bill is the Fiscal Year 2002 Appropriation Act.